Exhibit C-33: Public Comments Received (From 2016 to end of 2021)

From: LoriAnderson on behalf of Planning & Development Services
To: JohnCooper
Subject: FW: PDS Comments
Date: Tuesday, April 19, 2016 11:08:37 AM

From Dept Email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Friday, April 15, 2016 4:35 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Jim Swift
Address : P.O. Box 4227
City : Bellingham
State : Washington
Zip : 98227
email : juliette@raptorgroup.co
Phone : 3609208737
PermitProposal : PL16-0097 & PL16-0098
Comments : I am a large property owner in the area and am concerned about the impact of this project. I would very much like to be notified of any public hearings regarding this proposed project.

From Host Address: 66.114.34.130

Date and time received: 4/15/2016 4:30:41 PM

From: Vicky Gonzalez on behalf of Commissioners
To: Dale Pernula; John Cooper
Subject: FW: Proposed mine site on Grip RD
Date: Wednesday, December 21, 2016 8:08:16 AM

Vicky Gonzalez (ext. 1311)
Administrative Coordinator
Administrative Services
Skagit County Commissioners' Office
1800 Continental Place, Suite 100
Mount Vernon, WA 98273
(360) 416-1311
vickyg@co.skagit.wa.us

-----Original Message-----
From: garcia4@wavecable.com [mailto:garcia4@wavecable.com]
Sent: Tuesday, December 20, 2016 8:07 AM
To: Commissioners
Subject: Proposed mine site on Grip RD

Hello,

I have lived on Grip Road for the past 20 years. I have watched school buses and occasionally dump trucks travel our country road. There are no shoulders on our road, but residents walk their dogs, kids and ride bikes safely on my road. In fact, our road is a very popular part of many local organized bicycle rides, Cascade Bicycle Club, as well as local residents looking for some fresh country air and exercise.

The proposed mine and the 46 dump double trailer loads traveling up and down my road 6 days-a-week is unacceptable. I am concerned about the destruction of my community with unsafe double load trailers rumbling up and down my road, which was never designed for the loads that Concrete Northwest proposes . My concerns span the following: safety of pedestrians, bike riders and residents driving, integrity of the Samish River bridge, polluting the Samish River and other creeks that run in the area, the blind corner at Prairie Rd. intersecting Grip Rd., the width of roads to accommodate double trailers on the switch back hill on Grip Rd, and in general the destruction of the peaceful community my family and I have been a part of for 20 years.

There is no way Concrete Northwest can live in my community without destroying it. The residents of my community do NOT want nor welcome Concrete Northwest. This project needs to be stopped.

Steve and Andrea Garcia
22199 Grip RD.
Sedro Woolley
854/7857

From: garcia4@wavecable.com
To: John Cooper
Subject: Proposed Gravel Pit on Grip RD.
Date: Tuesday, December 20, 2016 8:11:58 AM

Hello,

I have lived on Grip Road for the past 20 years. I have watched school buses and occasionally dump trucks travel our country road. There are no shoulders on our road, but residents walk their dogs, kids and ride bikes safely on my road. In fact, our road is a very popular part of many local organized bicycle rides, Cascade Bicycle Club, as well as local residents looking for some fresh country air and exercise.

The proposed mine and the 46 dump double trailer loads traveling up and down my road 6 days-a-week is unacceptable. I am concerned about the destruction of my community with unsafe double load trailers rumbling up and down my road, which was never designed for the loads that Concrete Northwest proposes . My concerns span the following: safety of pedestrians, bike riders and residents driving, integrity of the Samish River bridge, polluting the Samish River and other creeks that run in the area, the blind corner at Prairie Rd. intersecting Grip Rd., the width of roads to accommodate double trailers on the switch back hill on Grip Rd, and in general the destruction of the peaceful community my family and I have been a part of for 20 years.

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Steve and Andrea Garcia
22199 Grip RD.
Sedro Woolley
854/7857

SEMRAU ENGINEERING & SURVEYING, P.L.L.C.

RECEIVED
JUN 24 2019
SKAGIT COUNTY
PDS

June 21, 2019

John Cooper, Planner/Geologist
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Subject: **PL16-0097 Mining Special Use Permit**
Additional Response to Letter from
Julie Nicoll to William Lynn, February 22, 2019

Dear John:

Following is a summary of the materials and reports we are submitting in addition to the response letter from Mr. William T. Lynn to Ms. Julie Nicoll on February 27, 2009. We are submitting for you a DVD with pdf copies of the information and at least two paper copies of each document and the 11x17 maps. We are also submitting one full size copy, 22x34, of each map.

1. Conflicts in Traffic and Hours - We are submitting a memorandum prepared by our traffic engineer, Mr. Gary A. Norris, PE, dated June 11, 2019, summarizing the traffic studies prepared for the project.
2. Plans Showing Buffers - We are submitting a revised set of plans for the proposed 200 Foot Buffer and the Alternative 300 Foot Buffer plan sets. Proposed buffers are now shown on multiple sheets.
3. Vicinity Map – We are submitting a revised vicinity map.
4. Noise and Vibration Analysis - We are submitting a signed copy of the November 21, 2018 noise study and a resume for Kristen Wallace.
5. Water Quality – There is no additional submittal materials for this topic. Project is planning on mobile fueling. Please refer to Mr. William T. Lynn response to this topic in his letter to Julie Nicoll on February 27, 2009.
6. Road Standard Alternative Request – 4 copies of the Alternative Road Standard Request, dated June 14, 2019, are being submitted for review. I have also attached a pdf copy of the As-built road plan as submitted in September 2018. After further inspection of the plans in preparation for the request, one slope label was corrected by hand on Sheet 7 and noted in the revision box.
7. Gibson Traffic Review – We look forward to the results of your consultant Gibson completing their review of the traffic information.

In addition to the 7 topics above from Ms. Julie Nicoll's letter, we are submitting supplemental Information regarding the SEPA checklist.

Please don't hesitate to contact me if you have any questions or need additional copies of the submittal information.

John B. Semrau, PE & PLS
john@semrau.com
360-424-9566
360-424-6222 Fax

April 28, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigation Determination of Non Significance for proposed Grip Road Mine File# PLL16-0097 & PL16-0098 – Impacts to the Natural Environment and ESA species.

"Daddy Listen! All you can hear is birds!" This was a profound observation from my 9 year old daughter two days ago as we were out walking in our neighborhood mid-morning. This is why we moved to the Central Samish Valley. This, if Concrete 'NorWest has its own way, will all change – forever.

The initial proposal is for a 60+ acre open pit gravel mine for a foreseeable lifespan of 25 years. That is a long time – what has not been noted is that this "small" gravel pit is part of a 700+ acre (37+ Parcels) owed by Concrete 'NorWest/Miles Sand and Gravel cover company Lisa Inc., forested region bounding the Samish River that will inevitably be developed in the same way over time as each area is exhausted of its natural resource. A never ending source of noise, dust, water table disruption, habitat destruction, and river disruption (you can say it won't, but this can't be known ahead of time.)

Perhaps you don't know the sounds of silence, the un-interrupted sounds of the natural world surrounding you, un-marred by the sounds of chainsaws, heavy machinery, trucks, conveyers, and associated mining equipment. Perhaps your life is surrounded by the noise of urban existence. Where we live, the Central Samish Valley, silence is the norm, and that is why we, and our neighbors, have chosen to live in this peaceful valley. You may have no context except for the incessant sounds of humanity on the move (I-5, Emergency Vehicles, Large Truck Traffic, Heavy Machinery, the constant background of Television and newscasts, ever present music). Silence of humanity and the sounds and presence of the natural world are a precious commodity, one which is a most valuable resource, and treasured aspect of our community. Our citizens live here for this reason, a place to escape the din of society. Many work in urban settings and find their homes their safe place and retreat. This is being threatened.

In conversations with neighbors there is evidence of early Tribal presence in this region (a clovis point being noted as being found in the river bed of the Samish River in the region of the proposed mining operation). This operation is also not congruent with the Clean Samish Initiative (CSI) that the county has promoted for years in efforts to improve river water quality for fish and shellfish at the mouth of the Samish River. Wildlife need extensive tracts of space to thrive, while walking with friends in the vicinity, a coyote and bobcat were both seen in the space of 30

min. Reports of other significant wildlife making this area home abound (Cougar, Bear).

Specific Points to Consider:

- **9-5 Safety Corridor Project:** Prairie Rd from I-5 to HWY 9 is a main traffic corridor from East county and has a long history of traffic incidents. Added tandem truck traffic will not improve this.
- **Environmental Review Lacking Scope of Impact:** Ignores larger plans for future development of mining operations of adjacent 700acres owned by same entity (LISA Inc aka Concrete 'Norwest). Fish bearing Swede Creek not included and approx 11,000 tandem truck trips annually along the haul rode corridor.
- **Labeled as Grip Rd. Mine – Ignores other regional affected Parties** Prairie Lane, Prairie Rd, Wildlife Acres, Hoogdal, Cedar Ridge Place, F&S Grade, and adjacent communities from Hwy 9 – I-5.

- **Critical Area Ordinance misalignment:** 300' buffer required in high intensity land use areas. Only 200' buffer noted in Fish and Wildlife Assessment
- **Oregon Spotted Frog Habitat Infringement (*Rana pretiosa*)**: Listed as Threatened species under the Endangered Species Act. And Endangered in Washington. Local populations have been noted in adjacent sites to proposed mine activity.
- **No Wetland delineation**: There are significant wetlands in the proposed area that have not been noted or buffered. Beaver activity has been noted.
- **Groundwater Impacts not adequately evaluated**: A common outfall of mining is groundwater disturbance. Conversations with landowners adjacent to other county mines (old 99) reflect noticeable water changes accompanied by mining operations. Well integrity must be preserved. Additionally mine contaminants must not enter the Samish River.
- **Noise and Vibration Study lacking real life impacts.** Not only truck traffic on the exit roads but also the ambient noise of operation to the whole Central Samish Valley and Warner Prairie communities was not considered although of substantial impact to residents.
- **Emissions of operation:** Diesel fumes, dust from traffic and operation from 240,000 miles of annual truck traffic – not to mention additional air pollution from heavy equipment involved in direct extraction.
- **No Assessment of regional cumulative long term impacts:** Twenty-five (25) years is not a "temporary" activity. Especially given the potential continual development of the remaining 700 acres for similar use (100's of years of use).
- **Poor planning on location of proposed facility:** In a land tract of 700 acres the proposed mine is in the highest impact space adjacent to homes, sensitive wetland, forest, and riparian habitats. With transit of material through a major portion of the land tract.

In short, please reverse the current Threshold Determination under SEPA, and require a full Environmental Impact Statement that addresses the above and other areas of concern noted in others comments. Including a Level II Traffic Impact Analysis (TIA). Having the company pay for road improvements may amount to a simple bribe to move forward. There is much more at stake than the simple financial interests of Concrete 'Norwest, Miles Sand and Gravel and Skagit County. Our quality of life and the desirability of our valley and neighborhood, where we raise our families, is at stake.

Thank you for your heartfelt consideration.

Sincerely,

Andrew J. Rice
22356 Prairie Rd
Sedro Woolley, WA 98284

SKAGIT LAND TRUST
Saving Land for Tomorrow

April 30, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine
File #'s PL16-0097 & PL16-0098

(Submitted via www.skagitcounty.net/pdscomments)

Dear Mr. Cerbone,

Thank you for the opportunity to comment on the Mitigated Determination of NonSignificance (MDNS) for the proposed gravel mine on the Samish River near Grip Road. Since 1995 Skagit Land Trust has owned and cared for Tope Ryan Conservation Area, an important natural site along Grip Road approximately 2 miles downstream of the proposed mine. This preserve has long included 900 feet along the Samish River. The Trust also protects two other Samish River properties upstream of the project site and is continually seeking to protect more land along this important watercourse. All of Skagit Land Trust's properties along the Samish have been donated by landowners who wanted to protect the natural habitat of the river and its shoreline. We have partnered with federal, Tribal, state, and local agencies on numerous projects to protect and restore habitat in the Samish watershed. These partnerships include excellent work conducted by Skagit County Public Works Clean Samish Initiative, Skagit Fisheries Enhancement Group, and others.

Last year, Skagit Land Trust received a donation of land significantly expanding Tope Ryan Conservation Area on the other side of Grip Road protecting an additional 900 feet of shoreline along the Samish River and Swede Creek including their confluence. The river and creek in the vicinity of the conservation area are of particular importance for juvenile salmon due to the habitat complexity of the site. The river's wide gravel bars are critical spawning grounds for Coho and Chum Salmon as well as Steelhead and Cutthroat Trout. Last year, the latest restoration planting project at Tope Ryan added over 5,000 trees and shrubs. The costs of this effort were covered by the National Estuary Program, administered by the Washington State Department of Ecology with assistance from the U.S. Environmental Protection Agency. The Skagit Conservation District prepared the planting plan and helped secure a federal partnership grant to maintain the plantings. I mention these details to make the point that this is a preserve made possible and continually improved by the generosity of private landowners supplemented by public funds and the dedication of many staff and volunteer hours over a long span of years. The potential for adverse impacts from a nearby mine and associated heavy truck traffic greatly concerns us and could directly affect our ability to meet our responsibility to protect this significant area of habitat.

Each year the Trust organizes community volunteers to conduct amphibian monitoring at the Tope Ryan site, gathering significant data about the wetlands which we convey to Washington Department of Fish and Wildlife. We hope to someday discover that the endangered Oregon Spotted Frog has returned to this site, given its appropriate habitat for this now rare species present elsewhere in the Samish Watershed. Tope Ryan is a rich area laced with beaver ponds, important not only for native amphibians but also for a rich assemblage of riparian dependent songbirds and waterfowl. It also supports commercially important fish stocks. In addition, restoring and protecting this large riparian area helps protect water quality in the river that is so important for commercial shellfish grown in Samish Bay. Potential river degradation due to the proposed mine and haul road puts a long list of values at risk.

One of the lessons we have learned from years of restoration work is that protecting habitat is far more cost effective than restoring it after the fact. In addition, there are factors contributing to habitat degradation that are more subtle than direct impacts, but perhaps even more concerning. For instance, Swede Creek routinely spills over its banks into the ditch along Grip Road by the Tope Ryan property. This has created a cascade of effects including accelerated erosion of the roadbed, routine flooding of the road and increased sediment loading in the creek and river. Skagit Land Trust staff and volunteers have on several occasions discussed with staff at Public Works various ideas for "fixing" the creek; but have yet to arrive at a cost effective and feasible plan to solve this problem. The volume and type of truck traffic that would be using the haul road crossing Swede Creek could well add to the present problem.

The Trust is concerned that the impacts of the proposed mine have not been adequately evaluated, nor we will look back and wish we had considered taking stronger measures to prevent the ongoing unraveling of important habitats in the Samish Watershed. Further review of the impacts to the riparian habitat and associated wetlands along the river should be conducted with special attention to Oregon Spotted Frog and Bull Trout habitat, both listed species.

Under Skagit County's Critical Areas Ordinance it would be appropriate to require a 300' buffer, rather than 200', between the Samish River and the mine, clearly an industrial activity calling for this larger buffer. A larger buffer would provide greater assurance that the mining will not in fact degrade the river through sedimentation, erosion, and leaching of spilled fuel oil (noting the statement in the application materials that fueling of equipment will take place on site). We are also concerned that the plan to maintain the floor of the mine at least 10' above the water table, while well-intended, lacks certainty. There should be a more thorough analysis of the site hydrology through the seasons and of how it will be affected by the mining plan.

In addition, as mentioned, there are issues with Swede Creek just downstream on Trust property, and yet it appears that the impacts to the creek from heavy truck traffic on the private haul road have not been evaluated. The haul road crosses Swede Creek approximately 0.6 stream miles above Land Trust property. Sedimentation from this unpaved road would likely degrade the salmonid habitat downstream which we have been working for years to protect. We are also aware that there are beaver ponds and wetlands near the haul road and that the environmental review did not take these sensitive habitat areas into account.

The projected numbers of heavy trucks on this haul road are significant and will permanently change the nature of the forested upland habitat on the site. Local residents report that the uplands on the property are used by bear, cougar, and bobcat. Signs of these animals have also been observed on the Trust's nearby property. These animals require large territories, and the applicant's property is the last large undeveloped tract of land so close to the Samish River in this part of the watershed. The impacts from this disturbance to these important upland wildlife species should be evaluated.

We also have concerns related to the safety of staff, volunteers, and visitors to Tope Ryan Conservation Area in light of the heavy and frequent truck traffic which would be associated with the mine. Trucks entering Grip Road would pass the conservation area as they approach the turn onto Prairie Road. Vehicles using the preserve's small parking area will be at very significantly increased risk of collision as they pull into or out of the limited space. The conservation area lies on both sides of Grip Road. Pedestrians crossing from one part to the other will also be in the path of trucks approaching or leaving the mine.

Skagit Land Trust is not opposed to resource extraction; however, these uses must be balanced with effective measures to protect public resources, such as the Samish River, private ones such as Tope Ryan

Conservation Area, and public safety. In addition, the Trust staff would be happy to discuss conservation options with the landowner to address some of these concerns.

Before recommending approval of the Grip Road Gravel Mine application, please conduct further evaluation to ensure measures are taken to adequately protect the natural habitats of the Samish watershed that all of us are working so hard to restore. We ask that you do this by withdrawing the MDNS and requiring a full Environmental Impact Statement with thorough consideration of project alternatives and a more complete scope of mitigations than in the MDNS. It is essential that this analysis include not only the mine site itself but also the area traversed by the haul road, the downstream reaches of the Samish River and Swede Creek, and areas adjacent to the public roadways the trucks would use.

Again, thank you for the opportunity to comment, and for your time and consideration.

Sincerely,

Mark Hitchcock
President
Skagit Land Trust

April 24, 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west/Miles Sand & Gravel; PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

Thank you for this opportunity to comment on Skagit County's recently reissued MDNS regarding the mine development application of Miles Sand and Gravel.

I have recently become aware of the extent of this project, and of the many concerns regarding a lack of complete and up-to-date study on the environmental and public impact it would have.

We live within ten minutes of this land, and my son lives in the neighborhood. For over twenty years, with the kind permission of landowners in the area, we have walked at least weekly on acres of forested land off of Grip Road. We know the roads well, and we have come to know the diverse wildlife of that area. Cougar, bobcat, bear, porcupine, even otter—we have seen their signs, their tracks and sometimes the animals themselves. The area is rich with wildlife that requires large territories, accessible corridors and minimal disturbance.

The adjacent Samish river and wetlands are also rich with life, including the Oregon Spotted Frog, designated endangered by the state and threatened federally. The Bull Trout, another species listed as threatened on federal lists also has critical habitat on this river. It is my understanding that the Fish and Wildlife Assessment used in issuing the MDNS was limited, and over five years old. Additionally, the MDNS does not mention endangered status species. State and federal agencies addressing endangered species need to be consulted.

I am additionally disturbed that, in order to sanction this project, which has not been thoroughly examined, the County would make an exception to allow only a 200 foot buffer, even though its own Critical Areas Ordinance (CAO) requires a 300 foot buffer adjacent to high intensity land use. Everything I have learned about this project argues that it will be high intensity: a 60 acre mine site on 700 contiguous acres, going 90 feet deep, with over 11,000 heavy truck trips per day for 25 years. I would hope that an exception to the CAO for such a high impact proposal would only be made in extreme circumstances, after extremely careful study.

In addition to the environmental impacts (of which I've only listed a few), I have deep concerns about how this project will detrimentally affect the safety and infrastructure of the roads. I have pulled out onto Grip Road thousands of times—in places, it is twisting, steep and narrow, with limited visibility. The safety impact of dozens, perhaps hundreds, of trucks daily on this road is alarming. I understand that the Traffic Impact Analysis located lane encroachment on this route, including on the twisting Grip Road hill spots, but neither the TIA nor the MDNS analyzes or mitigates this problem. This is a (fatal) accident waiting to happen. I can't visualize how these trucks and school buses will negotiate passing on these roads. It is imperative that the County insists on additional information and assurances on this issue.

It is important to note, that although Miles Sand and Gravel suggests an average 46 truck trips per day (already substantial), the company says it might run up to 30 trucks per hour. This is not an unlikely scenario given the seasonal nature of the business. The impact of such heavy traffic, or even anything approaching it, would be substantial on road safety, but also on road infrastructure. Impacts on infrastructure also need to be evaluated, and provision should be made for the applicant to pay a fair share of cost for maintenance and repairs if the project is approved.

In closing, the Grip Road/Prairie Road area is currently a beautiful example of rural neighborhood in the County, dotted with small farms and residences, a place where wildlife, forests, pastures, river and people coexist. This is the kind of land and land use that the County often promotes with great pride. An application to substantially change its character, its safety, and its multi-use function for all species should be assessed with all of the tools that the County has in place, including state and federal metrics.

Please reverse the Threshold Determination under SEPA, require a full Environmental Impact Statement to evaluate environmental fallout from this project, and fully examine the public safety and quality of life impacts of this proposal.

Sincerely,

Beverly Faxon
20757 Anderson Road
Burlington WA 98233

RECEIVED
APR 29 2021
SKAGIT COUNTY
PDS

April 27, 2021

Comments Re Grip Road Mine Proposal, reference PL 16-0097 and PL 16-0098

Traffic, Road and Public Safety Issues Not addressed in the MDNS:

County government and the concerned public cannot evaluate the traffic safety impacts of the project and the adequacy of the MDNS without the following information:

- **The maximum number of truck trips per hour, how often the number of trips may exceed the average trips per hour, and how long the number of trips may exceed that average.** The average of 46 trips per day or 4.6 trips per hour given in the MDNS is meaningless due to the seasonal nature of product demand. The applicant's October 8, 2020 Traffic Impact Analysis (TIA) proposes a maximum of 60 trips per hour (30 trucks in each direction). The SEPA determination must evaluate the traffic safety impacts of the project based on this maximum and set hard limits on this number, frequency, and duration
- **A clear definition and map(s) of all haul routes, and the limitation of mine traffic strictly to the defined routes.**
- **Safety analysis of all haul route intersections and road segments to determine whether or not trucks traveling to and from the mine will stay within their lane of traffic, and the mitigation measures to be required for every location where they will not.** The TIA provides analysis showing that truck and trailer combinations cannot traverse the two sharp curves on Prairie Road east of Old Highway 99 without encroaching on the opposing lane of traffic. The MDNS requires the applicant to take specific actions to mitigate this issue at this location. The TIA acknowledges that the same issue of lane encroachment exists at several other locations on the haul route, but neither it nor the MDNS lists those locations, provides any analysis of the problems there, or sets out the mitigation measures required to correct them. These locations include, among others, the S-curves on the Grip Road hill and practically all of the intersections on the haul route. This is unacceptable.
- **Projections for the increase in non-mine traffic on the haul routes over time and evaluation of the safety and road capacity impacts of mine traffic with increased non-mine traffic.** The TIA uses 2020 traffic levels to evaluate mine traffic impacts and does not factor in growth.
- **Field studies to determine the speeds at which vehicles are currently traveling on the haul route and evaluation of how mine traffic will impact existing traffic given those speeds.**
- **More thorough evaluation of the accident records for all road segments and intersections on the haul route, including the contributing causes for the accidents. What are the implications for mine traffic safety?**
- **Determinations as to the actual safe speeds for any given road segment or intersection on the haul route, along with recommendations for changes to legal speed limits where they are needed for safety.**
- **More detailed evaluation of sight distances at all intersections, including "Vision Clearance Triangle" drawings as shown in Skagit County Road Standards, 2000, Appendix C – 7.**
- **A full evaluation of what the warning beacon systems proposed for the Grip Road/Prairie Road and Grip Road/Mine Entrance intersections are intended to accomplish and how they will do so.** Drivers are clearly ignoring the existing speed warning signs at Grip and

Prairie. How can they be expected to slow down adequately for the warning beacons?

- **"Third party" sales at the mine would mean trucks traveling to and from the site via every route possible. Disallow third party sales from the mine.**
- **Adding heavy mine traffic to our existing, substandard roads will cause increased damage to public infrastructure and higher maintenance costs.** These impacts must be evaluated and the applicant required to pay their proportional share of the costs. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required frequent repairs over the last few years just with existing traffic levels.
- **Pedestrian and bicycle safety must be evaluated along the entire haul route.** This is a particular concern in areas where there are no shoulders on Grip and Prairie, and where guardrails were recently installed on Prairie Road. Necessary safety improvements must be required.
- **Railroad crossings along the haul route will need to be beefed up**. They already require upgrades every 5 years with the current traffic levels.
- **School buses are along the haul route**. The school buses should be fitted with safety belts and the school bus driver must be responsible for ensuring the children are buckled up.
- **Traffic enforcement is almost non-existent along the long haul route today**. Funds must be set aside to increase manpower and equipment to ensure road safety and traffic law monitoring.

Environmental Concerns Not Addressed in the MDNS

The environmental review did not consider the full footprint of the project. The applicant owns more than 700 contiguous acres, however only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. This private road has previously been used only for forestry. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

The County is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.

The Fish and Wildlife Assessment is out-of-date and incomplete. The limited Fish and Wildlife Assessment provided by the applicant is more than five-years-old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site; this animal is listed as "Endangered" in Washington State and "Threatened" federally. In addition critical habitat for Bull Trout is located just downstream, Bull Trout is a "Candidate" species for listing in WA State, and is listed as "Threatened" federally. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.

Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.

Wildlife corridors are not identified and protected. Deer, cougar, bear, coyote and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south,

the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.

A drainage plan was not required to protect water quality from runoff on the private haul road. Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, Samish River and Samish Bay.

Impacts to groundwater are not adequately evaluated and protections measures are not required. They intend to excavate the mine to within 10 feet of groundwater. They claim that all runoff from the disturbed site will drain into the mine, and infiltration will protect the groundwater. But it is unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table. No mention of seasonal fluctuation of the groundwater is discussed. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river. \Our Community Well currently has VERY GOOD water and we have every right to have that quality maintained.

The Noise and Vibration Study did not use realistic scenarios to model noise impacts. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from "typical" and "average" mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.

Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.

Cumulative impacts were ignored. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a "temporary" activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period. A full EIS needs to evaluate all cumulative impacts.

Although we have asked several times to be placed on the mailing list for these 2 permits, we have yet to receive any information from the county officers. We would GREATLY APPRECIATE having our names added to the list.

Thank you fo ensuring these issues are dealt with to our satisfaction.

H.E. And 4/27/2021 Debra Anderson 4/27/2021

Herb and Debra Anderson

7374 Erna Lane

Sedro Woolley, WA 98284

deb_janderson@hotmail.com

RECEIVED
APR 29 2021
SKAGIT COUNTY
PDS

April 28, 2021

Comments Re Grip Road Mine Proposal, reference PL 16-0097 and PL 16-0098

Traffic, Road and Public Safety Issues Not addressed in the MDNS:

County government and the concerned public cannot evaluate the traffic safety impacts of the project and the adequacy of the MDNS without the following information:

- **The maximum number of truck trips per hour, how often the number of trips may exceed the average trips per hour, and how long the number of trips may exceed that average.** The average of 46 trips per day or 4.6 trips per hour given in the MDNS is meaningless due to the seasonal nature of product demand. The applicant's October 8, 2020 Traffic Impact Analysis (TIA) proposes a maximum of 60 trips per hour (30 trucks in each direction). The SEPA determination must evaluate the traffic safety impacts of the project based on this maximum and set hard limits on this number, frequency, and duration
- **A clear definition and map(s) of all haul routes, and the limitation of mine traffic strictly to the defined routes.**
- **Safety analysis of all haul route intersections and road segments to determine whether or not trucks traveling to and from the mine will stay within their lane of traffic, and the mitigation measures to be required for every location where they will not.** The TIA provides analysis showing that truck and trailer combinations cannot traverse the two sharp curves on Prairie Road east of Old Highway 99 without encroaching on the opposing lane of traffic. The MDNS requires the applicant to take specific actions to mitigate this issue at this location. The TIA acknowledges that the same issue of lane encroachment exists at several other locations on the haul route, but neither it nor the MDNS lists those locations, provides any analysis of the problems there, or sets out the mitigation measures required to correct them. These locations include, among others, the S-curves on the Grip Road hill and practically all of the intersections on the haul route. This is unacceptable.
- **Projections for the increase in non-mine traffic on the haul routes over time and evaluation of the safety and road capacity impacts of mine traffic with increased non-mine traffic.** The TIA uses 2020 traffic levels to evaluate mine traffic impacts and does not factor in growth.
- **Field studies to determine the speeds at which vehicles are currently traveling on the haul route and evaluation of how mine traffic will impact existing traffic given those speeds.**
- **More thorough evaluation of the accident records for all road segments and intersections on the haul route, including the contributing causes for the accidents. What are the implications for mine traffic safety?**
- **Determinations as to the actual safe speeds for any given road segment or intersection on the haul route, along with recommendations for changes to legal speed limits where they are needed for safety.**
- **More detailed evaluation of sight distances at all intersections, including "Vision Clearance Triangle" drawings as shown in Skagit County Road Standards, 2000, Appendix C – 7.**
- **A full evaluation of what the warning beacon systems proposed for the Grip Road/Prairie Road and Grip Road/Mine Entrance intersections are intended to accomplish and how they will do so.** Drivers are clearly ignoring the existing speed warning signs at Grip and

Prairie. How can they be expected to slow down adequately for the warning beacons?

- **"Third party" sales at the mine would mean trucks traveling to and from the site via every route possible. Disallow third party sales from the mine.**
- **Adding heavy mine traffic to our existing, substandard roads will cause increased damage to public infrastructure and higher maintenance costs.** These impacts must be evaluated and the applicant required to pay their proportional share of the costs. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required frequent repairs over the last few years just with existing traffic levels.
- **Pedestrian and bicycle safety must be evaluated along the entire haul route.** This is a particular concern in areas where there are no shoulders on Grip and Prairie, and where guardrails were recently installed on Prairie Road. Necessary safety improvements must be required.
- **Railroad crossings along the haul route will need to be beefed up**. They already require upgrades every 5 years with the current traffic levels.
- **School buses are along the haul route**. The school buses should be fitted with safety belts and the school bus driver must be responsible for ensuring the children are buckled up.
- **Traffic enforcement is almost non-existent along the long haul route today**. Funds must be set aside to increase manpower and equipment to ensure road safety and traffic law monitoring.

Environmental Concerns Not Addressed in the MDNS

The environmental review did not consider the full footprint of the project. The applicant owns more than 700 contiguous acres, however only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. This private road has previously been used only for forestry. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

The County is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.

The Fish and Wildlife Assessment is out-of-date and incomplete. The limited Fish and Wildlife Assessment provided by the applicant is more than five-years-old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site; this animal is listed as "Endangered" in Washington State and "Threatened" federally. In addition critical habitat for Bull Trout is located just downstream, Bull Trout is a "Candidate" species for listing in WA State, and is listed as "Threatened" federally. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.

Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.

Wildlife corridors are not identified and protected. Deer, cougar, bear, coyote and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south,

the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.

A drainage plan was not required to protect water quality from runoff on the private haul road. Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, Samish River and Samish Bay.

Impacts to groundwater are not adequately evaluated and protections measures are not required. They intend to excavate the mine to within 10 feet of groundwater. They claim that all runoff from the disturbed site will drain into the mine, and infiltration will protect the groundwater. But it is unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table. No mention of seasonal fluctuation of the groundwater is discussed. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river. \Our Community Well currently has VERY GOOD water and we have every right to have that quality maintained.

The Noise and Vibration Study did not use realistic scenarios to model noise impacts. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from "typical" and "average" mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.

Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.

Cumulative impacts were ignored. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a "temporary" activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period. A full EIS needs to evaluate all cumulative impacts.

Thank you.

Mary King

Mary King

7366 Erna Lane

Sedro Woolley, WA 98284

marking43@frontier.com

22 April, 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Dear Mr. Cerbone,

I am writing to comment on the County's April 15, 2021 Mitigated Determination of NonSignificance under SEPA re the gravel mine application by Miles Sand and Gravel along the Samish River off of Grip Road.

Let me say first of all that I do not live near the location of the proposed gravel mine, so this is not a NIMBY reaction. Rather, my reaction is one of astonishment that the county considers this proposal non-significant under SEPA. I love this county and am shocked at what appears to me to be utter disregard of various impacts of this proposal.

While I do not live near Grip Road, I have driven it many times. It is a winding road full of 90-degree and S-turns. It already feels treacherous to drive that road and I cannot imagine the danger of daily (perhaps hourly) adding scores of huge, loaded trucks to that already precarious road. If my grandchildren lived on Grip Road, I would be terrified about their daily school bus rides (hurray for daily school!). And I am also worried about kids who are not my grandchildren.

But besides the issue of road dangers, there is much else that I find concerning:

- The proposal does not meet the 300-ft buffer required by the Critical Areas Ordinance for such a high-intensity land use.
- The Fish and Wildlife Assessment provided by the applicant is more than five-years-old and needs updating. There is wildlife in this area!
- There is no wetlands delineation.
- A threat of pollution is posed to Swede Creek because there is no drainage plan for the the haul road.
- There are serious issues of groundwater contamination that have not been addressed.
- The effect of hauling noise on the community has not been adequately studied and should be the subject of a full EIS.
- Air pollution from the project has not been evaluated and there is no mitigation plan.

I have listed just a few of the problems. And listing them one by one does not begin to demonstrate the total impact of the project when these and other issues are all visited at once upon a rural neighborhood of our county.

I simply do not understand--and definitely do not support--your Mitigated Determination of Non-Significance. To me if seems to be just another instance of county government allowing big businesses to inflict irreparable damage on a rural Skagit neighborhood.

Please, let's have a thorough examination of this mining project through the full SEPA process.

Sincerely,

Mary Kay Barbieri

16002 Colony Road, Bow, WA 98232

22 April, 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

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Sincerely,

Mary Kay Barbieri

16002 Colony Road, Bow, WA 98232

Robert N. Doupé
657 Muckleshoot Circle
LAConner, WA 98257

April 24, 2021

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

RE: PL# 0097 & PL#0098 PROPOSED MILES SAND AND GRAVEL CO. MINING PIT

Dear People ,
I all writing in opposition to the current application of the above company's request to mine in the Skagit River watershed. There is a huge potential environmental impact as a result of their proposal. A declaration of non-significance makes a mockery of the law and the judgement of rational people. A thorough study of the impact of such an endeavor is the ONLY reasonable response to such an operation, A complete EIS would allow the County to rationally assess the impact of this project on the environment.

One cannot ignore the possible negative effect of this project on the surrounding community as it pertains to traffic, noise, effect on the habitat of the wildlife, the potential risk of runoff into the water supply of our county, not to mention the visible destruction of the property.

Please require a complete environmental Impact study by professional groups before making a decision that affects our county so profoundly.

Sincerely,

Robert N. Doupé

26 April 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

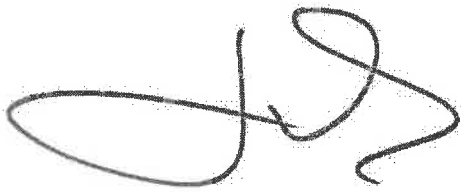
Re: Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

I am attaching a letter from Doug Gresham PWS of the Washington State Department of Ecology written in June of 2016 to John Cooper. He states that if any regulated waters of the State or Federal government or their buffers are affected by the above referenced project, permits from both jurisdictions will be required. As I referenced in a letter to you sent via email, and included in this packaged, is to complete a full wetlands, Streams, and habitat analysis of the entire parcel and haul road. The Skagit County Critical Areas ordinance requires the same. Once this site assessment is completed with the proposed conditions of the project, will the county be enabled to determine if impacts to said critical areas will occur.

I trust you will place these items in the requirements within your staff report.

Sincerely,



Jim Wiggins, MS, PWS emeritus, past president of ATSI
21993 Grip Road
Sedro-Woolley, WA 98284

Re: Concrete Nor'west (CNW) application mining special use permit, PL 16-0097.

Fish and Wildlife, and Water Quality (regulated Critical Areas [CA]) review, comments and questions. Wiggins, November 2020.

The information provided to date by CNW for the above referenced project regarding biological issues is insufficient to determine impacts the proposed project will have on regulated critical areas. At a minimum, we need to have maps, surveys, and descriptions of all regulated critical areas (species and habitats) including those in and near the proposed mine site, and, all roads, specifically the proposed haul road. In addition, we need to know all permit conditions that will be proposed to mitigate for impacts identified in this larger footprint. Only then can we assess impacts and adequately comment on how the proposed mine and other related project details will have on the biological environment.

SCC 14.24.060 Authorizations Required, of the county Critical Areas Ordinance, states: With the exception of activities identified as Allowed without Standard Review under SCC 14.24.107, any land use activity that can impair the functions and values of critical areas or their buffers including suspect or known geologically hazardous areas, through a development activity or by disturbance of the soil or water, and/or by removal of, or damage to existing vegetation shall require critical areas review and written authorization pursuant to this Chapter.

The July 2015 Graham Bunting Associates (GBA) Fish and Wildlife Habitat Site Assessment report does not include descriptions nor data of the 63-acre mine site, wetland/stream buffers, wooded slope, nor the access road. It focuses only on the Samish River and adjacent wetlands with no data sheets to corroborate their findings. Because CNW has not submitted an updated critical area report for the entire impact area (proposed mine site, private road, and adjacent public roads) it is not known what type of impacts to County Critical Areas, species and habitats, and their buffers will occur. Furthermore, Critical Areas Reports require to be updated every 5 years. Said GBA report is over 5 years old.

The critical areas report completed by GBA for the wetlands associated with the Samish River recommends a 200' buffer. SCC 14.24.230 Wetland Protection Standards, requires a 300' buffer for High Intensity Land use, which the proposed mine is per the definitions section of the SCC CAO as follows: Land Use Intensity, High; Land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium-and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and commercial and industrial land uses. Therefore, the Samish River and its associated wetlands require a 300-foot buffer. It is inherent in the proposed use of the site as a commercial gravel mine, there will be a significant increase in noise, dust, and general overall on-site movement of heavy equipment. The assumed existing buffer between the proposed mine and the Samish River and its associated wetlands is a wooded slope, protecting, in this case, all flora and fauna, such as migratory salmonids, trout,

avian species, and large and medium fauna such a deer, elk, bear, cougar, coyote, and fox. Additionally, we are now aware Oregon Spotted Frog (*Rana pretiosa*) habitat occurs along the Samish River adjacent to the proposed mine site. Bull trout (*Salvelinus confluentus*) are also known to use the Samish River sometime during their lifecycle. A biological assessment is needed to address these species.

The Scope of a SCC critical areas study requires a full description of the proposed project and all biological features whether said features are regulated by the local, state, or federal government or not and is a combined quantitative (on the ground data collection) and qualitative (literature and map review) report. A description of all features such as flora and fauna, soils, topography (a survey of the top of slope), land use, a general description of the surrounding area needs to be included to provide us with an understanding of what the study area looks like and what features are present. Current and historical photographs help with this understanding of the study area. A broad-based literature review with the on-the-ground data collection of all potential areas that will be impacted needs to be studied and included in the contents of the report.

In the GBA assessment, the singular wetland rating they completed appears accurate. However, the land use intensity (moderate) they concluded does not conform to the land use intensity description put forth in Appendix 8C of WA DOE Publication No. 05-06-008 as required if using the alternative buffers in SCC 14.24.230(1)(b), Department of Ecology (Doug Gresham, DOE), the authors (DOE) of the said referenced publication. The land use intensity for a full-time gravel mining operation is high. A high habitat score (supplied by GBA wetland rating) requires a 300-foot wetland buffer per SCC 14.24.230, not 200 foot as proposed.

The review/assessment also neglected SCC 14.24.230(2), where in general, buffers are to extend 25 feet past the top of sloping areas that are 25% or greater. The site plan as indicated shows areas where this provision is applicable. Regardless of the aforementioned land use intensity issue, the buffer likely should still extend past the line indicated in areas unless there is a rational reason put forth not to, which does not appear to have been done specific to this project.

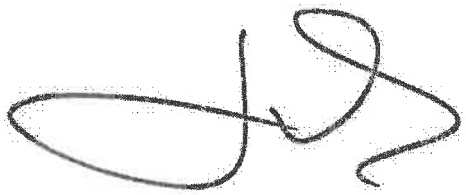
Going from an access only road that is used infrequently for forestry purposes to a gravel mine haul road that could have dozens of truck trips per day for many years will be an impact to the environment in numerous areas. This will be a distinct habitat break in what is presently one of the largest undeveloped tracts of land remaining in lowland Skagit County, home to deer, bear, cougar, and elk *as well as many avian and small mammal species, and amphibians *(* while CNW's application does not mention these species, local knowledge confirms their presence)*. Heavily trafficked corridors are well known to affect the habits of such species. The haul road also drains to a salmon stream that has turbidity problems, i.e. Swede Creek, and it is not practical that the increased road traffic and maintenance/improvements without stormwater control will further affect the onsite wetlands, streams and riparian areas.

No meaningful protective measures have been assessed to the buffers of the critical areas adjacent to the mine operations. While recording of a Protected Critical Area (PCA) site plan is standard and generally adequate for a single family home, a commercial operation with employees on heavy equipment, no oversight, and no vested interest in the observation of the buffers will not protect said buffers. If there is no survey or mapping, how will anyone know where the critical areas and their regulated buffers are? The buffers need to be demarcated in the field, a standard practice, and should be fenced as well.

Because a Critical Areas Review and Fish and Wildlife Assessment has not been completed on the entire project area, it is likely additional biological critical areas occur on and near the project area, such as wetlands and Swede Creek and they need to be identified and surveyed. Also, because the GBA report is over 5 years old, by code, a new study needs to be completed. Not to mention recently (summer 2019) much of the land owned by Miles has been logged and the haul road has been widened and resurfaced, thus because of these new modifications to the site, necessitates an updated report.

Additional questions:

- What mitigation is proposed for CA impacts?
- How will mine excavation be monitored to ensure the "bottom" of the mine will remain greater than 10 feet above the seasonal high water table?
- Will the project occur beyond the mine site and proposed access road? If so, will there be road maintenance, widening, ditch maintenance, Grip/Prairie Road intersection maintenance/reconstruction? If so, said areas need to be assessed for regulated critical areas and mitigated for buffer impacts, habitat impacts, and stormwater quality.
- Because the mine site will be converted from forestry to a gravel mine, all habitat for the cursory list of species listed in this letter will be obliterated. For species such as amphibians that require upland habitat for a portion of their lifecycle further necessitates, at a minimum, the need for a 300-foot buffer off the wetlands adjacent to the Samish River. Also, other wetlands near the proposed mine and haul road mapped in the FPA further necessitates the need to complete an updated wetland/habitat reconnaissance and delineation report for all land within 300 feet of the mine and haul road.
- What mitigating measures have been included in the report for the introduction of invasive plant species such as Butterfly bush (*Buddleja sp.*) and spotted knapweed (*Centaurea sp.*) both of which occur on their Bellville pit site.
- What species and species habitats, such as Oregon Spotted Frog, Bulltrout, or other listed species occur in the Samish River watershed? Their presence needs to be assessed by qualified biologists and mitigation strategies addressed.



Jim Wiggins, MS, PWS emeritus, past president of ATSI
21993 Grip Road
Sedro-Woolley, WA 98284

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Northwest Regional Office 3190 160th SE Bellevue, Washington 98008-5452 (425) 649-7000

June 1, 2016

John Cooper, Natural Resource Planner
Skagit County Planning and Development Services Department
1800 Continental Place
Mt. Vernon, WA 98273

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

Dear Mr. Cooper:

Thank you for sending information on the Grip Road Gravel Mine to the Washington State Department of Ecology (Ecology) for our review and comment. As the Ecology Wetland Specialist responsible for Skagit County, I wish to have the following comments entered into the record. The project submittal provided to us included a mitigated determination of nonsignificance, SEPA environmental checklist, and engineering drawings.

Concrete Nor'west has submitted an application for a forest practice conversion and mining special use permit to develop a gravel mining operation. This 68-acre property consists of three lots (Parcels P125644, P125645, and P50155) that are located northwest of Sedro Woolley in unincorporated Skagit County. The property is located north of Grip Road, south of Prairie Road, and is bisected by the Samish River. The Skagit County iMAP shows the Samish River flowing across the northeast corner of the property in the Warner Prairie area.

The proposed action involves harvesting approximately 50,000 board feet of timber, removing the stumps, and converting the property to a gravel mining operation. This gravel mining operation will remove approximately 4,280,000 cubic yards of gravel over a 25 year period. Gravel will be removed by truck and trailer (generating about 46 truck trips per day) to one of Concrete Nor'wests nearby facilities for processing.

The gravel mine will cover 51 acres and be excavated to within 10 feet of the groundwater table. A 200' buffer of undisturbed vegetation will be provided between the Samish River and the gravel mine. A 50' setback will also be provided along the remaining perimeter of the gravel mine where no grading will occur. All storm water runoff generated within the gravel mine excavation should flow into the closed depression and be prevented from reaching the Samish River.

According to the SEPA environmental checklist, a Fish and Wildlife Site Assessment was prepared by Graham-Bunting Associates. They stated that the toe of the slope adjacent to the Samish River was mapped using LIDAR data. The engineering drawings show the 200' setback from wetlands associated with the Samish River, which I assume occurs at the toe of slope. However, there weren't any maps showing associated wetlands or the ordinary high water mark (OHWM) of the Samish River.

Any wetlands that occur on the property would be waters of the state subject to the applicable requirements of state law (see RCW 90.48 and WAC 173.201A) and Section 401 of the Clean Water Act (33 USC §1341) and 40 CFR Section 121.2. If any wetland impacts do occur, the applicant shall obtain all necessary state and federal authorizations prior to beginning any ground-disturbing activities or vegetation removal. To obtain state and federal authorization, the following items are required:

- A delineation of all wetlands on the property by a qualified wetland biologist, and survey of the delineated wetland boundaries;
- Flagging of the OHWM along the Samish River banks by a qualified biologist, and survey of the boundaries;
- A jurisdictional determination from the U.S. Army Corps of Engineers stating whether the delineated wetlands on the property are under federal jurisdiction;
- Ratings of all wetlands on this property using the current *Washington State Wetland Rating System for Western Washington*;
- A critical area report describing wetland conditions on the property, wetland data sheets, wetland rating forms, and photographs;
- A Joint Aquatic Resources Permit Application form for impacts to jurisdictional wetlands and the Samish River; and
- A mitigation plan for unavoidable wetland and buffer impacts following the standards in *Wetland Mitigation in Washington State – Part 1: Agency Policies and Guidance* (Ecology Publication #06-06-011a).

If you have any questions or would like to discuss my comments, please give me a call at (425) 649-7199 or send an email to Doug.Gresham@ecy.wa.gov.

Sincerely,

Doug Gresham

Doug Gresham, PWS
Wetland Specialist
Shorelands and Environmental Assistance Program

DG:awp

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Monday, April 19, 2021 12:09:44 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Friday, April 16, 2021 9:50 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Barbara Lemme
Address : 5856 Park Court
City : Sedro Woolley,
State : WA
Zip : 98284
email : bobbil@cnw.com
PermitProposal : Grip Road Mine proposal
Comments : I have a tremendous concern for the safety of bike riders on Prairie Road. There is minimal shoulder space for a bike rider to safely get off the road in case a large truck comes by. With an increased number of trucks on the road, it will be extremely difficult to safely get off the road, especially if two trucks are passing each other, going different directions.

This is an accident waiting to happen. I would imagine a family would rightfully sue the county if a death or injury resulted from too many trucks on the road. Prairie road has too many curves. Grip Road is steep and narrow. And where the two roads meet, there is a blind spot for turning trucks, even with blinking lights.

It seems like the county is caving in to business interests instead of listening to the residents who live in the area. Who does the county represent??

I don't think that this proposal is a good one.

From Host Address: 50.34.189.197

Date and time received: 4/16/2021 9:46:11 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Monday, April 19, 2021 12:50:58 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, April 17, 2021 3:35 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Kathryn Longfellow
Address : 5318 Cedar Ridge Pl
City : Sedro Woolley
State : WA
Zip : 98284
email : klongfellow@frontier.com
PermitProposal : Grip Road Mining
Comments : Please consider postponing this request until appropriate infrastructure is in place which is beyond what is proposed in the resubmission.

I am driving a school bus on Grip Road having turned off Prairie Road and headed south toward Mosier. I have just entered one of the sharp turns and there in front of me is a full gravel truck with its bumper over the center line. I've a full load of children. Now the driver may not know he's over the center line as the paint line is invisible because its been crossed so much it is rubbed out. There are no fog lines to assist in lane visibility and there are no shoulders to give a little room to either vehicle. Not a good outcome.

The roads need to be brought to a standard that is applicable for the weight and width of the vehicles that are intended to drive on them. The trucks cause a serious deterioration of roadways due to weight and Grip Road nor Prairie have been brought up to that level of repair. Actually, noted in the reissue, that if there is a problem with the bridge on Highway 99 the trucks will need to re-route to I-5. Which begs the question of load limits and trucks on the bridge over the Samish River on Grip and Friday Creek on Prairie.

Please reconsider the issuance of this permit until road and bridge structures are sufficiently remediated to handle the proposed truck traffic.

From Host Address: 50.34.103.133

Date and time received: 4/17/2021 3:31:36 PM

From: Planning & Development Services
To: Michael Cerbone; Betsy D. Stevenson
Subject: FW: PDS Comments
Date: Tuesday, April 20, 2021 9:25:26 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 19, 2021 2:55 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Josh Nipges
Address : 20610 Prairie rd
City : Sedro Woolley
State : WA
Zip : 98284
email : nipges@juno.com
PermitProposal : PL16-0097
Comments : While it is nice to see that Concert Northwest is addressing the double corner east of the old 99 and Prairie Rd intersection and the intersection with grip. They still have not addressed the over all road itself. Prairie is road is narrow. It has become even more so since the guard rail was added along the high tension power lines. Widening the road needs to be addressed. With the number of truck trips and narrow road way it is only a matter of time before there is a head on collision. There have been many times that I have encountered semi trucks hugging or over the divider line in this section.

From Host Address: 165.225.217.34

Date and time received: 4/19/2021 2:52:41 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 22, 2021 8:50:02 AM

Name : Ellen Martin
Address : 4929 Ida Drive
City : Sedro-Woolley
State : WA
Zip : 98284
email : ellenkmartin39@gmail.com
PermitProposal : Reference: File #'s PL16-0097 & PL16-0098
Comments : Grip Road Gravel Mine Environmental Concerns Not Addressed in the MDNS

The Noise and Vibration Study did not use realistic scenarios to model noise impacts. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from "typical" and "average" mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.

The environmental review did not consider the full footprint of the project. The applicant owns more than 700 contiguous acres, however only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. This private road has previously been used only for forestry. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

The County is not following its own Critical Areas Ordinance(CAO).Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.

The Fish and Wildlife Assessment is out-of-date and incomplete. The limited Fish and Wildlife Assessment provided by the applicant is more than five-years-old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site; this animal is listed as "Endangered" in Washington State and "Threatened" federally. In addition critical habitat for Bull Trout is located just downstream, Bull Trout is a "Candidate" species for listing in WA State, and is listed as "Threatened" federally. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.

Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.

Wildlife corridors are not identified and protected. Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.

A drainage plan was not required to protect water quality from runoff on the private haul road. Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.

Impacts to groundwater are not adequately evaluated and protections measures are not required. They intend to excavate the mine to within 10 feet of groundwater. They claim that all runoff from the disturbed site will drain into the mine, and infiltration will protect the groundwater. But it is unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table. No mention of seasonal fluctuation of the groundwater is discussed. Further more, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river.

Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.

Cumulative impacts were ignored. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a “temporary” activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period. A full EIS needs to evaluate all cumulative impacts.

Grip Road Mine Traffic, Road and Public Safety Issues Not addressed in the MDNS: County government and the concerned public cannot evaluate the traffic safety impacts of the project and the adequacy of the MDNS without the following information:

The maximum number of truck trips per hour, how often the number of trips may exceed the average trips per hour, and how long the number of trips may exceed that average. The average of 46 trips per day or 4.6 trips per hour given in the MDNS is meaningless due to the seasonal nature of product demand. The applicant’s October 8, 2020 Traffic Impact Analysis (TIA) proposes a maximum of 60 trips per hour (30 trucks in each direction). The SEPA determination must evaluate the traffic safety impacts of the project based on this maximum and set hard limits on this number, frequency, and duration

A clear definition and map(s) of all haul routes, and the limitation of mine traffic strictly to the defined routes.

Safety analysis of all haul route intersections and road segments to determine whether or not trucks traveling to and from the mine will stay within their lane of traffic, and the mitigation

measures to be required for every location where they will not. The TIA provides analysis showing that truck and trailer combinations cannot traverse the two sharp curves on Prairie Road east of Old Highway 99 without encroaching on the opposing lane of traffic. The MDNS requires the applicant to take specific actions to mitigate this issue at this location. The TIA acknowledges that the same issue of lane encroachment exists at several other locations on the haul route, but neither it nor the MDNS lists those locations, provides any analysis of the problems there, or sets out the mitigation measures required to correct them. These locations include, among others, the S-curves on the Grip Road hill and practically all of the intersections on the haul route. This is unacceptable

Projections for the increase in non-mine traffic on the haul routes over time and evaluation of the safety and road capacity impacts of mine traffic with increased non-mine traffic. The TIA uses 2020 traffic levels to evaluate mine traffic impacts and does not factor in growth.

Field studies to determine the speeds at which vehicles are currently traveling on the haul route and evaluation of how mine traffic will impact existing traffic given those speeds.

More thorough evaluation of the accident records for all road segments and intersections on the haul route, including the contributing causes for the accidents. What are the implications for mine traffic safety?

Determinations as to the actual safe speeds for any given road segment or intersection on the haul route, along with recommendations for changes to legal speed limits where they are needed for safety.

More detailed evaluation of sight distances at all intersections, including “Vision Clearance Triangle” drawings as shown in Skagit County Road Standards, 2000, Appendix C –7.

A full evaluation of what the warning beacon systems proposed for the Grip Road/Prairie Road and Grip Road/Mine Entrance intersections are intended to accomplish and how they will do so. Drivers are clearly ignoring the existing speed warning signs at Grip and Prairie. How can they be expected to slow down adequately for the warning beacons?

“Third party” sales at the mine would mean trucks traveling to and from the site via every route possible. Disallow third party sales from the mine.

Adding heavy mine traffic to our existing, substandard roads will cause increased damage to public infrastructure and higher maintenance costs. These impacts must be evaluated and the applicant required to pay their proportional share of the costs. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required frequent repairs over the last few years just with existing traffic levels.

Pedestrian and bicycle safety must be evaluated along the entire haul route. This is a particular concern in areas where there are no shoulders on Grip and Prairie, and where guardrails were recently installed on Prairie Road. Necessary safety improvements must be required.

From Host Address: 172.92.201.41

Date and time received: 4/22/2021 8:49:19 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 22, 2021 10:40:02 AM

Name : Todd Ouellette
Address : PO Box 2255
City : Mt Vernon
State : WA
Zip : 98273
email : todd@nwlink.com
PermitProposal : Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098
Comments : Several concerns:
1: as a landowner near the proposed mine on a private well that shares the water table, I am concerned by the casual statement that they will limit mine depth to ten feet above the water table. Spills and contaminants in the mine may still infiltrate into water used by residential and agricultural citizens.

2: the wetlands assessment seems superficial. The Samish River drainage is home to several threatened or endangered species. I do not see this addressed in the documents I've seen, nor have I seen a full EIS on the projected mine. I see no actual wetlands assessment, something even a small land owner like myself had to file with the county when building.

3: Prairie Road is designed for rural traffic. If the mine runs only six trips / hour (three each way), a truck that will likely not achieve a thirty MPH average speed over the four miles from Gripp Rd to Hwy 99 will take eight minutes. The chance of trucks meeting seems inevitable, and at at least four places in that stretch, one will have to stop entirely while the other maneuvers through the turns using both lanes. This could happen multiple times / hour.

These are only a few of my concerns, none of which seem to be assessed in the documents on file at the county. I would ask for a more complete evaluation, as this projected mine will cause permanent changes, many of which seem potentially harmful, without adequate forethought.

Respectfully,
Todd Ouellette

From Host Address: 174.204.78.255

Date and time received: 4/22/2021 10:36:28 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 22, 2021 8:50:01 PM

Name : Leslie Mitchell
Address : 4929 Ida Drive
City : Sedro Woolley
State : Washington
Zip : 98284
email : ldmitch2015@gmail.com
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : 23 April 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

Please consider the following points concerning the need for greater and more specific study into three major areas related to the impacts that would result from the establishment of the Nor'west/Miles Sand & Gravel Mine:

1. Grip Road Gravel Mine Environmental Concerns Not Addressed in the MDNS
- The environmental review did not consider the full footprint of the project. The applicant owns
more than 700 contiguous acres, however only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road
that transects their larger ownership. The proposal will require more than 11,000 truck trips per
year on this haul road. This private road has previously been used only for forestry. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated
and no mitigation was proposed.
- The County is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot
buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet
adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.
? The Fish and Wildlife Assessment is out-of-date and incomplete. The limited Fish and

Wildlife
Assessment provided by the applicant is more than five-years-old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the
Samish River adjacent to the mine site; this animal is listed as “Endangered” in Washington State
and “Threatened” federally. In addition critical habitat for Bull Trout is located just downstream,
Bull Trout is a “Candidate” species for listing in WA State, and is listed as “Threatened” federally. The
MDNS does not mention these “ESA” species nor any protective measures necessary. Furthermore,
state and federal agencies responsible for protecting endangered species need to be consulted.
- Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the
entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.
- Wildlife corridors are not identified and protected. Cougar, bear and bobcat are known to use the
site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish
River and Anderson Mountain to the north. These animals require large territories and are sensitive
to disturbance.
- A drainage plan was not required to protect water quality from runoff on the private haul road.
Without a drainage plan that identifies treatment measures for runoff from the haul road, the high
volume of truck traffic is likely to cause excess sedimentation and potentially contamination from
petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.
? Impacts to groundwater are not adequately evaluated and protections measures are not required.
They intend to excavate the mine to within 10 feet of groundwater. They claim that all runoff from
the disturbed site will drain into the mine, and infiltration will protect the groundwater. But it is
unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table.
No mention of seasonal fluctuation of the groundwater is discussed. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants
such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish
River and flowing directly into it, with potential to contaminate the river.
2. The Noise and Vibration Study did not use realistic scenarios to model noise impacts. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from “typical” and “average” mine production, not maximum noise levels. The study did not address the significant noise fully

loaded
trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge
on the private haul road. Regardless of legal noise limits, all of this will be a major change to the
soundscape for residents of the area that should be taken into account in a full EIS.
3. Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining
equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.
4. Cumulative impacts were ignored. This is a major industrial scale proposal that would create many
cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years
of mine operation is not a "temporary" activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams.
To haul the amount of material proposed to the closest site for processing, requires driving diesel
trucks more than 5,500,000 cumulative miles over the 25 year period. A full EIS needs to evaluate
all cumulative impacts.

5.. Grip Road Mine Traffic, Road and Public Safety Issues Not addressed in the MDNS:
County government and the concerned public cannot evaluate the traffic safety impacts of the project
and the adequacy of the MDNS without the following information:
- The maximum number of truck trips per hour, how often the number of trips may exceed the average trips per hour, and how long the number of trips may exceed that average. The average
of 46 trips per day or 4.6 trips per hour given in the MDNS is meaningless due to the seasonal nature
of product demand. The applicant's October 8, 2020 Traffic Impact Analysis (TIA) proposes a maximum of 60 trips per hour (30 trucks in each direction). The SEPA determination must evaluate
the traffic safety impacts of the project based on this maximum and set hard limits on this number,
frequency, and duration
- A clear definition and map(s) of all haul routes, and the limitation of mine traffic strictly to the
defined routes.
- Safety analysis of all haul route intersections and road segments to determine whether or not trucks traveling to and from the mine will stay within their lane of traffic, and the mitigation measures to be required for every location where they will not. The TIA provides analysis showing
that truck and trailer combinations cannot traverse the two sharp curves on Prairie Road east of Old
Highway 99 without encroaching on the opposing lane of traffic. The MDNS requires the applicant
to take specific actions to mitigate this issue at this location. The TIA acknowledges that the

same
issue of lane encroachment exists at several other locations on the haul route, but neither it nor the
MDNS lists those locations, provides any analysis of the problems there, or sets out the mitigation
measures required to correct them. These locations include, among others, the S-curves on the Grip
Road hill and practically all of the intersections on the haul route. This is unacceptable.
- Projections for the increase in non-mine traffic on the haul routes over time and evaluation of the
safety and road capacity impacts of mine traffic with increased non-mine traffic. The TIA uses
2020 traffic levels to evaluate mine traffic impacts and does not factor in growth.
- Field studies to determine the speeds at which vehicles are currently traveling on the haul route
and evaluation of how mine traffic will impact existing traffic given those speeds.
- More thorough evaluation of the accident records for all road segments and intersections on the
haul route, including the contributing causes for the accidents. What are the implications for
mine traffic safety?
- Determinations as to the actual safe speeds for any given road segment or intersection on the
haul route, along with recommendations for changes to legal speed limits where they are needed
for safety.
- More detailed evaluation of sight distances at all intersections, including "Vision Clearance
Triangle" drawings as shown in Skagit County Road Standards, 2000, Appendix C – 7.
- A full evaluation of what the warning beacon systems proposed for the Grip Road/Prairie Road
and Grip Road/Mine Entrance intersections are intended to accomplish and how they will do so.
Drivers are clearly ignoring the existing speed warning signs at Grip and Prairie. How can they be
expected to slow down adequately for the warning beacons?
- "Third party" sales at the mine would mean trucks traveling to and from the site via every route
possible. Disallow third party sales from the mine.
- Adding heavy mine traffic to our existing, substandard roads will cause increased damage to
public infrastructure and higher maintenance costs. These impacts must be evaluated and the
applicant required to pay their proportional share of the costs. An important example is the
slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have
required frequent repairs over the last few years just with existing traffic levels.
- Pedestrian and bicycle safety must be evaluated along the entire haul route. This is a particular
concern in areas where there are no shoulders on Grip and Prairie, and where guardrails were
recently installed on Prairie Road. Necessary safety improvements must be required.

The Sedro-Woolley community is a rural respite from the traffic and noise of urban settings. This is a huge attribute for longtime residents and is an enormous attractant to those looking for a quite and calm place to live. Please take the time to do a methodical and adequate review of these permit proposals. This mine and associated increased traffic, noise and environmental impacts are not worth destroying the rural community calm of Sedro Woolley.

Respectfully,

Leslie Mitchell
4929 Ida Drive
Sedro-Woolley, WA 98284

From Host Address: 172.92.201.41

Date and time received: 4/22/2021 8:47:40 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 22, 2021 11:25:02 AM

Name : Terri Wilde
Address : po box 5
City : Rockport
State : WA
Zip : 98283
email : wildefoods@yahoo.com
PermitProposal : Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098
Comments : I don't believe this project is in the interest of Skagit County. I am disappointed that crucial aspects have not been studied sufficiently to know the potential damage that can be caused. For example, this project seems bound to have severe detrimental effects on the Samish River watershed. A complete wetland delineation has not been done on the whole site but apparently the proposed road for hauling is adjacent to a wetland and crosses Swede Creek, a fish bearing stream. The mining itself intends to excavate "to within 10 feet of groundwater" and expects to collect all runoff from the disturbed site in the mine. The groundwater at the site is near the level of the Samish River and flows directly into it. Add on to all these contaminations waiting to happen, we know there will definitely be runoff from the roads into the watershed from the extreme increase of large trucks on the county roads over sensitive habitat (more than 11,000 per year and up to 60 trips/ hour !?!). We have put so many efforts into trying to revitalize the delicate Samish River. It is critical habitat for the Bull Trout, designated habitat for the Endangered Oregon Spotted Frog and an important River for our dwindling salmon populations. This is not time to assault it with a project of this scope and destruction!

We are at a crucial time of understanding that we are at a tipping point and our actions today will have extreme effects on the livability of many species, including our own. The value of clean water, salmon and orcas is irreplaceable. Please don't go to your deathbeds not knowing you did the right thing for the future.

This proposal for the mine lacks identification and mitigation of wildlife corridors, mention of effected endangered species and the necessary agencies that need to be consulted for this, a drainage plan to protect water quality from runoff on the haul road, protections for groundwater and the expense of all the mitigations that would be needed to county road infrastructure to keep these roads from becoming a death trap for local travelers trying to navigate amongst the frankly inconceivable amount of heavy equipment on the county back roads.

Please do not approve it.
Thank you.

From Host Address: 50.34.194.251

Date and time received: 4/22/2021 11:21:55 AM

From: Planning & Development Services
To: Betsy D. Stevenson; Michael Cerbone
Subject: FW: PDS Comments
Date: Friday, April 23, 2021 12:11:38 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 21, 2021 8:15 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Jim Wiggins
Address : 21993 Grip Road
City : Sedro Woolley
State : WA
Zip : 98284
email : jimwiggins@fidalgo.net
PermitProposal : Concrete Nor'west (CNW) application mining special use permit, PL 16-0097.
Comments : Re: Concrete Nor'west (CNW) application mining special use permit, PL 16-0097.

Fish and Wildlife, and Water Quality (regulated Critical Areas [CA]) review, comments and questions. Wiggins, April 2021.

The information provided to date by CNW for the above referenced project regarding biological issues is insufficient to determine impacts the proposed project will have on regulated critical areas. At a minimum, we need to have maps, surveys, and descriptions of all regulated critical areas (species and habitats) including those in and near the proposed mine site, and, all roads, specifically the proposed haul road. In addition, we need to know all permit conditions that will be proposed to mitigate for impacts identified in this larger footprint. Only then can we assess impacts and adequately comment on how the proposed mine and other related project details will have on the biological environment.

SCC 14.24.060 Authorizations Required, of the county Critical Areas Ordinance, states: With the exception of activities identified as Allowed without Standard Review under SCC 14.24.107, any land use activity that can impair the functions and values of critical areas or their buffers including suspect or known geologically hazardous areas, through a development activity or by disturbance of the soil or water, and/or by removal of, or damage to existing vegetation shall require critical areas review and written authorization pursuant to this Chapter.

The July 2015 Graham Bunting Associates (GBA) Fish and Wildlife Habitat Site Assessment report does not include descriptions nor data of the 63-acre mine site, wetland/stream buffers, wooded slope, nor the access road. It focuses only on the Samish River and adjacent wetlands with no data sheets to corroborate their findings. Because CNW has not submitted an updated critical area report for the entire impact area (proposed mine site, private road, and adjacent public roads) it is not known what type of impacts to County Critical Areas, species and habitats, and their buffers will occur. Furthermore, Critical Areas Reports require to be

updated every 5 years. Said GBA report is over 5 years old.

The critical areas report completed by GBA for the wetlands associated with the Samish River recommends a 200' buffer. SCC 14.24.230 Wetland Protection Standards, requires a 300' buffer for High Intensity Land use, which the proposed mine is per the definitions section of the SCC CAO as follows: Land Use Intensity, High; Land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium-and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and commercial and industrial land uses. Therefore, the Samish River and its associated wetlands require a 300-foot buffer. It is inherent in the proposed use of the site as a commercial gravel mine, there will be a significant increase in noise, dust, and general overall on-site movement of heavy equipment. The assumed 300 foot existing buffer between the proposed mine and the Samish River and its associated wetlands is a wooded slope, protecting, in this case, all flora and fauna, such as migratory salmonids, trout, avian species, and large and medium fauna such a deer, elk, bear, cougar, coyote, and fox. Additionally, we are now aware Oregon Spotted Frog (Rana pretiosa) habitat occurs along the Samish River adjacent to the proposed mine site. Bull trout (Salvelinus confluentus) are also known to use the Samish River sometime during their lifecycle. A biological assessment is needed to address these species.

The Scope of a SCC critical areas study requires a full description of the proposed project and all biological features whether said features are regulated by the local, state, or federal government or not and is a combined quantitative (on the ground data collection) and qualitative (literature and map review) report. A description of all features such as flora and fauna, soils, topography (a survey of the top of slope), land use, a general description of the surrounding area needs to be included to provide us with an understanding of what the study area looks like and what features are present. Current and historical photographs help with this understanding of the study area. A broad-based literature review with the on-the-ground data collection of all potential areas that will be impacted needs to be studied and included in the contents of the report.

In the GBA assessment, the singular wetland rating they completed appears accurate. However, the land use intensity (moderate) they concluded does not conform to the land use intensity description put forth in Appendix 8C of WA DOE Publication No. 05-06-008 as required if using the alternative buffers in SCC 14.24.230(1)(b), Department of Ecology (Doug Gresham, DOE), the authors (DOE) of the said referenced publication. The land use intensity for a full-time gravel mining operation is high. A high habitat score (supplied by GBA wetland rating) requires a 300-foot wetland buffer per SCC 14.24.230, not 200 foot as proposed.

The review/assessment also neglected SCC 14.24.230(2), where in general, buffers are to extend 25 feet past the top of sloping areas that are 25% or greater. The site plan as indicated shows areas where this provision is applicable. Regardless of the aforementioned land use intensity issue, the buffer likely should still extend past the line indicated in areas unless there is a rational reason put forth not to, which does not appear to have been done specific to this project.

Going from an access only road that is used infrequently for forestry purposes to a gravel mine haul road that could have dozens of truck trips per day for many years will be an impact to the environment in numerous areas. This will be a distinct habitat break in what is presently one

of the largest undeveloped tracts of land remaining in lowland Skagit County, home to deer, bear, cougar, and elk *as well as many avian and small mammal species, and amphibians (* while CNW's application does not mention these species, local knowledge confirms their presence). Heavily trafficked corridors are well known to affect the habits of such species. The haul road also drains to a salmon stream that has turbidity problems, i.e. Swede Creek, and it is not practical that the increased road traffic and maintenance/improvements without stormwater control will further affect the onsite wetlands, streams and riparian areas.

No meaningful protective measures have been assessed to the buffers of the critical areas adjacent to the mine operations. While recording of a Protected Critical Area (PCA) site plan is standard and generally adequate for a single family home, a commercial operation with employees on heavy equipment, no oversight, and no vested interest in the observation of the buffers will not protect said buffers. If there is no survey or mapping, how will anyone know where the critical areas and their regulated buffers are? The buffers need to be demarcated in the field, a standard practice, and should be fenced as well.

Because a Critical Areas Review and Fish and Wildlife Assessment has not been completed on the entire project area, it is likely additional biological critical areas occur on and near the project area, such as wetlands and Swede Creek and they need to be identified and surveyed. Not to mention recently (summer 2019) much of the land owned by Miles has been logged and the haul road has been widened and resurfaced, thus because of these new modifications to the site, further necessitates an updated report.

Additional questions:
• What mitigation is proposed for CA impacts?
• How will mine excavation be monitored to ensure the "bottom" of the mine will remain greater than 10 feet above the seasonal high water table?
• Will the project occur beyond the mine site and proposed access road? If so, will there be road maintenance, widening, ditch maintenance, Grip/Prairie Road intersection maintenance/reconstruction? If so, said areas need to be assessed for regulated critical areas and mitigated for buffer impacts, habitat impacts, and stormwater quality.
• Because the mine site will be converted from forestry to a gravel mine, all habitat for the cursory list of species listed in this letter will be obliterated. For species such as amphibians that require upland habitat for a portion of their lifecycle further necessitates, at a minimum, the need for a 300-foot buffer off the wetlands adjacent to the Samish River. Also, other wetlands near the proposed mine and haul road mapped in the FPA further necessitates the need to complete an updated wetland/habitat reconnaissance and delineation report for all land within 300 feet of the mine and haul road.
• What mitigating measures have been included in the report for the introduction of invasive plant species such as Butterfly bush (Buddleja sp.) and spotted knapweed (Centaurea sp.) both of which occur on their Bellville pit site.
• What species and species habitats, such as Oregon Spotted Frog, Bulltrout, or other listed species occur in the Samish River watershed? Their presence needs to be assessed by qualified biologists and mitigation strategies addressed.

From Host Address: 50.35.55.32

Date and time received: 4/21/2021 8:10:15 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Sunday, April 25, 2021 10:17:30 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, April 24, 2021 4:05 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Norm Conrad
Address : 1120 S 25th St, #87
City : Mount Vernon
State : Washington
Zip : 98274
email : nsconrad@gmail.com
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : The Skagit County's "Mitigated Determination of NonSignificance" (MDNS) under the State Environmental Policy Act (SEPA) is ridiculous in that it is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.

The environmental review did not consider the full footprint of the project. The applicant owns more than 700 contiguous acres, however only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. This private road has previously been used only for forestry. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

The Fish and Wildlife Assessment is out-of-date and incomplete. The limited Fish and Wildlife Assessment provided by the applicant is more than five-years-old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site; this animal is listed as "Endangered" in Washington State and "Threatened" federally. In addition critical habitat for Bull Trout is located just downstream, Bull Trout is a "Candidate" species for listing in WA State, and is listed as "Threatened" federally. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.

Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.

Wildlife corridors are not identified and protected. Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the

Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.

A drainage plan was not required to protect water quality from runoff on the private haul road. Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.

Impacts to groundwater are not adequately evaluated and protections measures are not required. They intend to excavate the mine to within 10 feet of groundwater. They claim that all runoff from the disturbed site will drain into the mine, and infiltration will protect the groundwater. But it is unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table. No mention of seasonal fluctuation of the groundwater is discussed. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river.

The Noise and Vibration Study did not use realistic scenarios to model noise impacts. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from “typical” and “average” mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.

Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.

Cumulative impacts were ignored. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a “temporary” activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period. A full EIS needs to evaluate all cumulative impacts.

Do you need more reasons to reject this report? And this project?

Thank you.

From Host Address: 73.254.112.76

Date and time received: 4/24/2021 3:59:59 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Sunday, April 25, 2021 10:17:58 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, April 24, 2021 1:00 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Jerry Eisner MD
Address : 1618 E Broadway
City : Mount Vernon
State : WA
Zip : 98274
email : stardoc2@gmail.com
PermitProposal : PL16-0097 and PL16-0098
Comments : Dear Mr. Cerbone,
My wife Marilyn and I have lived in the Skagit Valley since 1980.

We would like to comment on the SEPA determination issued by Skagit County Planning and Development Services in response to the mine development application submitted by Mile Sand & Gravel's. Applications of this type have many unforseen effects on traffic, lifestyle, and environment.

While the conditions suggested in this MDNS are more substantial than in the previous one issued nearly five years ago, these conditions still reflect a limited understanding of the scale and scope of the project and offer only piecemeal and symbolic mitigation, rather than specific and prudent measures to protect our community's well-being.

There is no limitation on the volume of truck traffic. While the applicant suggests an average of 46 truck trips per day, it's clear that the average is a meaningless number when it comes to determining traffic safety impacts.
Speed limits, for example, are set based on the maximum safe speed of travel, and principle for a maximum limit on mine traffic volume should be similar. The applicant's own analysis suggests that up to 30 truck & trailer combos or up to 70 single dump truck trips per hour might occur. It is reasonable to expect the SEPA determination to evaluate the traffic safety impacts of the project based on this maximum, and mitigation conditions should set hard limits on this number, frequency, and duration.

We need a safety analysis of all haul route intersections and road segments to determine whether or not trucks traveling to and from the mine will stay within their lane of traffic, and the mitigation measures to be required for every location where they will not. We are glad to see that the new MDNS recognizes and requires mitigation for the fact that truck & trailer combos are unable to navigate the two sharp curves on Prairie Road east of Old Highway 99 without encroaching on the opposing lane of traffic. However, this is not the only spot along the proposed haul route, or the other likely alternative routes, which are similarly difficult to traverse for truck & trailer combos. The S-curves on Grip Road are particularly challenging

and on a steep incline. These other locations must be evaluated, and mitigation measures required. What happens when a school bus meets a gravel truck on these shoulderless curves? Slow-moving trucks can cause irritation and provoke unsafe passing behaviors in some drivers.

Adding heavy mine traffic to our existing, substandard roads will cause increased damage and higher maintenance costs. These impacts must be evaluated and the applicant should be required to pay their proportional share of the costs. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required frequent repairs over the last few years just with existing traffic levels. It's no secret that as the gross vehicle weight increases, the damage to road infrastructure increases exponentially.

As regards environmental concerns, the environmental review did not consider the full footprint of the project. Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

These are just a few of the concerns we share regarding this potential project. Each small piece of our local environment that gets mistreated adds up to a larger and more extensive impact on the whole.
Respectfully,
Jerry and Marilyn Eisner

From Host Address: 73.221.165.250

Date and time received: 4/24/2021 12:56:47 PM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Sunday, April 25, 2021 10:18:57 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, April 24, 2021 10:35 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : WILLIAM D PFEIFER
Address : 7472 Pressentin Ranch Dr
City : Concrete
State : WA
Zip : 98237
email : billpfeifer@yahoo.com
PermitProposal : PL16-0097 & PL16-0098
Comments : Why is the County not following its own rules when considering this proposed gravel mine? One of many examples is the approval of a 200-foot buffer when Critical Areas Ordinance rules call for a 300-foot buffer. Also, the environmental review did not consider the full footprint of the project (60 acres, rather than the whole 700-acre property) and the huge number of dump trucks that would drive on the 2-mile access road. Is the County being pressured by big-money lobbying sources? This is totally unacceptable. Follow established rules and the law.

From Host Address: 66.235.39.246

Date and time received: 4/24/2021 10:31:47 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Sunday, April 25, 2021 12:20:02 PM

Name : Anne Middleton
Address : 12694 Josh Wilson Rd
City : Mount Vernon
State : WA
Zip : 98273
email : anne.jackm@gmail.com
PermitProposal : PL16-0097 and PL16-0098
Comments : I am requesting the County require a complete EIS for the proposed MILES Quarry expansion.

Moral imperative tells us to take the very best care as possible of the lands and inhabitants of our County. In this case, the requirement of a complete EIS, carefully looking at potential impacts of quarry expansion on the Samish River, a salmon river, on the endangered Oregon Spotted Frog marsh habitat, on air quality, and traffic impacts on a small rural road is called for.

The choice to do what is right, requirement of a complete EIS, as well as the requirement of the maximum 300 foot buffer for this high intensity land use, is the right path forward.

Thank you for your careful work on this land use proposal.

Cordially, Anne Middleton

From Host Address: 172.92.210.127

Date and time received: 4/25/2021 12:20:00 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Sunday, April 25, 2021 11:20:02 AM

Name : Paula Shafransky
Address : 22461 Prairie Rd
City : Sedro-Woolley
State : WA
Zip : 98284-8586
email : pshafransky@gmail.com
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : Dear Mr. Cerbone,
As a 28 year resident on Prairie Road I am writing to say I have grave concerns about the Mitigated Determination of Non Significance for the proposed Grip Road mine project. Because this mine is in my neighborhood, I have been following these developments for the past 5 years.
I have always had significant concerns about the assessment and application documents that supposedly addressed the environmental protections for wild life and fish as well as water and air quality. Concrete Nor'west's application for this mine was denied in 2018 due to incomplete application materials and factual inaccuracies. In reviewing the current documents I don't see that much has changed since then. The same environmental concerns I had in 2018 still don't appear to being addressed or taken seriously.
In addition, the road safety issues are paramount. I have traveled Prairie Road for 28 years and have seen traffic increase significantly as well as numerous close calls and accidents, particularly at the Grip Road and Prairie Road intersection. It is inconceivable that truck and trailer rigs would be able to navigate that corner in a safe fashion. The TIA provided an analysis showing these truck/trailer combinations cannot make the two sharp curves on Prairie Road east of Old Highway 99 without encroaching on the opposing lane of traffic. As far as I know this problem has not been addressed.
My husband and I moved to this area to enjoy a rural setting with quiet living, clean air, and wild life viewing in our back yard. This mine will drastically change all that. I don't believe the planning commission is doing its due diligence in the oversight of this project. One example of this is the commission is not following its own critical area ordinance which requires a 300 foot buffer zone in areas of high density land use. This whole project seems to be about ignoring public comments and legitimate concerns in order to facilitate Concrete Nor'West's business interests at the expense of the environment and public safety issues. This MDNS decision needs to be reversed, and a full EIS should be required before moving forward.
Thank you for your consideration in this matter.

From Host Address: 172.92.213.103

Date and time received: 4/25/2021 11:16:21 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Sunday, April 25, 2021 2:45:02 PM

Name : Martha Hall
Address : 2617 16th Street
City : Anacortes
State : WA
Zip : 98221
email : pondfrog.mh@gmail.com
PermitProposal : File # PL 16-0097 and PL16-0098 (Grip Road Gravel Mine)
Comments : I am writing comments because of concerns about possible environmental impacts that should be carefully analyzed and presented to the public and decision-makers before a permit is considered.
A full Environmental Impact Statements is needed so
all impacts to important critical areas are fully understood, considered and mitigated. This has not been done.

At the top of my list are concerns about impacts
to fish and wildlife species that depend on the Samish River. Our County "Critical Area Ordinance" protects important wetlands and rivers like the area where this gravel mine is proposed by requiring large buffers when uses are "high intensity" as this mine certainly will be. Skagit County, WA State, our federal government and private citizens and landowners have spend large sums of money and countless hours of work to improve the Samish River and its adjacent wetlands and riparian areas. This has all been done because of concerns about species that are very important to the people of Skagit County, WA State and our country, several species of salmon and resident orcas. Numerous other species are tied into the food webs that support these species. These food webs extend into the Salish Sea and neighboring high quality wetlands and mudflats at the mouth of the Samish River.
All of these are connected - as this gravel mine may also be connected in its impacts.

This project should not proceed until its full impacts are fully understood or it could mean a step backwards in everyone's efforts to improve the Samish River riparian areas and the Salish Sea.

A full Environmental Impact State (EIS) is needed so we know impacts that could occur from the road leading to the mine as well as the mine itself.
These have not been adequately considered.
Swift Creek is also a fish-bearing stream that could be impacted by this road. These impacts and mitigation need to be part of an adequate evaluation of this permit.

I don't see that there has been a formal "consultation" with the federal agencies that protect some of the protected species that might be impacted including bull trout and the spotted frog. This is required and needs to be part of the EIS.

I also do not see that wetland delineations have been completed which should be part of any permit that might impact wetlands and rivers which are "critical areas" . This should be in an EIS.

To protect wetlands and rivers, our CAO should require drainage plans which seem to be missing from this permit. Run-off poses one of the greatest threats to our rivers, wetlands and the Salish Sea. This is needed in an EIS.

Groundwater is another concern whenever we think about drainage, water tables and protecting rivers such as the Samish River in the case of this mine. The Samish flows directly into the Salish Sea. Again, groundwater is a source of pollutants for all of these important habitats. The depth of this mining operation is a huge concern because of its close proximity to the river and wetlands . These impacts to the groundwater have not been analyzed and disclosed.

Wildlife corridors have been identified by ecologists and biologists as one of the most important features of wildlife habitats. Wild animals need connectivity between their habitats so they can move from one area to another to find food, breed, and meet the challenges of their daily lives. The amount of truck traffic generated by this mine along adjacent roads as well as the impacts at the site of the mine may well mean loss of connectivity for many wildlife species. This may impact the smaller and less mobile species such as frogs and salamanders and larger ones such as deer and black bear.

Finally, as is always true, and most important, are the cumulative impacts. Most often it is not one project but instead it is the cumulative impact of many projects that result in degraded habitats. This could be true of the Samish River which is already compromised by many other uses. This mine could result in various and significant additional negative impacts because impacts will occur not only at the site of the proposed mining, but also from the many loads that will be carried many miles beyond this mine in diesel trucks. An EIS is needed to study these impacts on on fish-bearing streams and wildlife corridors and other habitats.

It seems like little is really known about the negative impacts of this proposed mining operation because studies have been few and limited. Why is this when the county has a CAO that should be protecting a huge operation like the one that is proposed? Why hasn't an EIS already been required?

As a resident and tax payer in Skagit County, I also believe an EIS is needed so the public understands the added costs to tax payers of this project. We all notice and know and pay the costs of additional traffic. Additional heavy truck traffic will mean the need for far more road maintenance, repair, construc5tion and signage. How will public safety be protected from the additional traffic and pollution from this truck traffic? These concerns have not been adequately addressed so that the public can evaluate and understand what this project will cost us.

Finally, do we care about the quality of life and safety issues raised by people who live where this mine is located and near where the truck traffic will be greatest? I live in Anacortes and I know I
personally experienced the problems generated by mining of large rock that went from the Skagit River to Anacortes. I can't imagine what living along the truck route to this mine and/or near this mine might mean for the people who live nearby.
I care about these people. I hope the county does too.

I hope Skagit County will decide to require a full
Environmental Impact Statement for this mining permit. I am amazed by how inadequate the

MDNS was in analyzing and disclosing impacts of a project that is so near a river that is as important as the Samish River and a river that is so near the important mudflats of the Salish Sea. These are natural resources that are highly valued by the people of Skagit County and WA State. For the County to decide after such a limited and superficial assessment that impacts are not significant enough to require an EIS does not make sense.

Thank you for considering my comments,
Martha Hall
A concerned resident of Skagit County

From Host Address: 73.225.22.226

Date and time received: 4/25/2021 2:40:54 PM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Monday, April 26, 2021 7:09:44 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 26, 2021 7:05 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Donna Schoonover
Address : PO Box 207
City : Bow
State : WA
Zip : 98232
email : donnawh@earthlink.net
PermitProposal : PL16-0097 & PL16-0098
Comments : I live on Prairie Road, west of Grip.
I am very concerned about the traffic safety and road impacts of this project. I am concerned about the intersection of Grip and Prairie. Even with the proposed changes I do not feel that this is adequate to prevent a fatal accident at that site. I am concerned about the gravel trucks navigating the tight corners without shoulders to the west of us before Highway 99 and the crashes that will happen there. I am concerned about the increased truck traffic pulling onto Highway 99, already the scene of multiple wrecks. I am concerned about our safety, pulling out of our driveway onto Prairie Road in a section that is known for excessive speeding and reckless passing which will be markedly increased by the proposed average of 46 truck trips a day. And I am concerned about the effects of these heavy trucks on Prairie Road which is already in poor condition from the traffic it is already experiencing.
I am also very concerned about the impacts of this increased traffic on our desired rural lifestyle. We bought and are maintaining this farm on Prairie Road in order to have a quieter, more peaceful existence. In doing so we are helping support multiple farm related, local businesses. But with this increase in noise and congestion, it may not be feasible for us to continue to live here, and one more small farm in Skagit County may bite the dust.
I hope you consider these impacts in your decision making regarding this proposal and can mitigate some of the damages.
Sincerely,
Donna Schoonover

From Host Address: 172.92.229.37

Date and time received: 4/26/2021 7:02:17 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Monday, April 26, 2021 9:51:38 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 26, 2021 9:40 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Anne Winkes
Address : PO Box 586
City : Conway
State : Washington
Zip : 98238-0586
email : annewinkes@gmail.com
PermitProposal : PL16-0097 and PL16-0098
Comments : I am writing re PL 16-0097 and PL16-0098.

I urge the County to require a full Environmental Impact Statement (EIS) of the immediate, long term and cumulative adverse impacts posed by Miles Sand and Gravel's proposed gravel mine along the Samish River. The 60-acre open-pit mine that will eventually reach a depth of ninety feet is a major industrial scale proposal that will negatively impact the natural environment both on-site and off.

On April 15, 2021 the County issued a "Mitigated Determination of Non Significance" (MDNS) that did not consider all the possible adverse impacts of the proposed project on the environment. The issuance of a MDNS must be re-examined. The immediate, long-term, and cumulative adverse impacts to air and water quality and fish and wildlife habitat must be carefully studied and considered in a thorough and complete EIS.

A full EIS must consider not just the environmental impacts in the immediate vicinity of the 60 acre mine site. A full EIS must study the impacts, of which there are many, that will extend beyond that 60 acres.

A full EIS must analyze the immediate, long term and cumulative adverse impacts on the environment surrounding the two-mile haul road on which more than 11,000 trucks will pass each year as gravel is hauled from the pit mine toward its final destination. The EIS must examine all adverse impacts to the natural environment, including Swede Creek, a fish bearing stream over which the trucks will cross, and the adjacent Samish River by which the trucks will travel. Impacts on water quality and air quality must be studied. Impacts on wildlife and fish and their habitats must be analyzed. Mitigations must be proposed when the studies reveal adverse impacts.

The MDNS was based on a Fish and Wildlife Assessment done more than five years ago. A full EIS must study current conditions and habitat, including the potential impact on the Oregon Spotted Frog and the Bull Trout, both listed by the federal government as "threatened" species, with the Oregon Spotted Frog also listed as endangered in Washington State, and the

Bull Trout as a “candidate” for listing as an endangered species in Washington State.

The EIS must examine what impacts these same trucks will have on the wetlands that lie adjacent to the road. Wetlands protect and improve water quality. Wetlands are habitats for fish and wildlife. Wetlands’ plants and soil store carbon, thereby moderating global climate changes. A full EIS must study, survey and mark the wetlands. Wetlands are sensitive areas important to the health of the watershed. The adverse impacts of the project on the wetlands should not be ignored.

Prior to the issuance of the MDNS the impacts of the project on the fish, wildlife and habitat of neither the wetlands, Swede Creek, or the Samish River were evaluated. Because the impacts were not studied, no mitigation was, or could be, proposed. A full EIS must correct this omission and conduct in-depth studies of the impacts on the wetlands, on Swede Creek, and on the Samish River. Mitigations must be proposed and their impacts analyzed.

An EIS must look carefully at the buffer size recommended in the Fish and Wildlife Assessment submitted by Miles Sand and Gravel and determine if it is appropriate. A 60-acre gravel pit mine producing enough gravel to fill more than 11,000 truck loads per year is industrial scale mining. Industrial scale mining is a high intensity land use, yet Miles Sand and Gravel plan for only a 200 foot buffer, even though the Skagit County Critical Area Ordinance requires a 300 foot buffer adjacent to high intensity land use.

The 70 acres owned by Miles Sand and Gravel is the last large area of undeveloped land lying between Butler Hill, the Samish River and Anderson Mountain. Cougar, bear and bobcat inhabit and travel through these acres. The routes of these animals must be identified as these animals are dependent on intact wildlife corridors and protection from disturbance within their large territories if they are to survive. The MDNS did not identify nor protect these wildlife corridors. No mitigations were proposed. A full EIS must correct this omission.

An EIS must study the immediate, long term and cumulative impacts of the project on water pollution, air pollution and noise pollution. If adverse effects are revealed, mitigations must be proposed and their effectiveness evaluated.

In summary, The State Environmental Policy Act (SEPA) review done by the County prior to issuing the MDNS failed to take into account all the environmental impacts of the project. A full EIS must review in depth what the SEPA review did not. The County must require a full EIS that will study and analyze the immediate, long term and cumulative effects of the project on the environment both onsite and offsite. The County must require the full EIS contain mitigation proposals for all adverse impacts.

Thank you for considering my comments.

Anne Winkes
18562 Main St.
PO Box 586
Conway, WA
98238

From Host Address: 172.92.226.32

Date and time received: 4/26/2021 9:37:23 AM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Monday, April 26, 2021 2:35:51 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 26, 2021 2:25 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Lucy W Eggerth
Address : 1304 39TH ST
City : BELLINGHAM
State : WA
Zip : 98229
email : lweggerth@gmail.com
PermitProposal : PL16-097 and PL16098
Comments : I am writing to express my opposition to the proposed Grip Road Gravel Mine. This development will cause significant harm to the natural environment and wildlife habitats along the Samish River and Swede Creek as well as upland wildlife habitat. Before this proposal moves forward the County needs to reverse its Threshold Determination under SEPA and require a full Environmental Impact Statement that evaluates the impacts of the proposed project and identifies alternatives.

Respectfully submitted,

Lucy Eggerth

From Host Address: 71.197.249.80

Date and time received: 4/26/2021 2:21:19 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Wednesday, April 28, 2021 7:42:58 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 28, 2021 5:45 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Rick Eleazer
Address : PO Box 657
City : Sedro Woolley
State : WA
Zip : 98284
email : rickeleazer@aol.com
PermitProposal : CNW Gravel Pit. Grip Rd. Permit Application PL16-0097
Comments : 2019 10-16 ADDENDUM
Logging other parcels.

Noise study.
Response
Have they studied dump trucks or other equipment noise impact throughout the neighborhood. “”No”” Just the inner site of the gravel pit itself. If a dump truck goes by your house do you here it “”YES”” one truck is one thing but all day long, through out the year. This would be quite annoying. This would be a public nuisance and a safety issue.
There could not be anyone walking, riding a bike, or walking their dog(s) on the roads. They are not wide enough now as they are. The load noise of the trucks can cause safety issues as well for people and animals along the roadway by getting them scared and jumping into the ditch or the travel lane(s).
On--0ff site spill prevention & control measures for water quality.
You can not stop all pollution, you can control it, and contain it until its cleaned up. But eventually there will be a times where its not caught or cleaned up properly and ending up in environmental impacting the land and vegetation. Then potentially winding up into the aquatic system such as Swede creek and Samish river water shed below the CNW Grip Rd Gravel pit.
Please review 2018 WSDOT Spec. 1-07.4-----1.07.7 (2) 1—07.230

2019 10-1 Exhibit
Water pollution control & sources.
Response
All equipment breaks down sooner or later. Hyd. Hoses blow and break, along with the following. Radiators, Transmission and other petroleum transport lines or hoses. Sometimes you don’t find out until it’s too late, or the tank is empty. Sometimes you catch it. But no mater how big or small it is.
Its absorbed by the native ground. Sometimes it cleaned up, other times not. Then in the rainy days. It gets tracked around the site and out by equipment, and trucks going into, and out of the site, with smaller amounts on their tires that creates pollution everywhere. It’s called track out. Whether it be oil, gas, diesel, dirt, dust or mud. It’s all considered pollution by the

WSDOT standards. Environmental impact.
Then what about the dust. What about the mud. What about oil track leaking out the dump trucks as they drive up and down the road next to the ditches that lead into the near-by streams and rivers.
All these ditches around the site, or along the roadway go right into Swede creek or the Samish river.
To add to this. I'm sure the public doesn't understand how a gravel pit works. You take out loads of gravel all day long, then in return you bring back other waste or spoil materials from other sites to fill that hole back in.
Who knows from where or what was on this site years ago. That material brought back can be contaminated with various chemicals, oils and bio hazard materials. This would increase the potential hazard of possibility of the water and site pollution. Contamination to the wildlife and aquatic water shed around and below the said project..

2019 10-16 RESPONSE
Updated Traffic report.
Response
Why was this study done by just one sub-contractor picked by Miles Sand & Gravel out of Preston, Wa. They know nothing about our neighborhood or Skagit County. There is nothing mentioned about the surrounding area traffic impact on the Grip Rd. , Prairie Rd., Bow Hill, Hwy 99, or any intersections, blind corners, or roads that are not wide enough for two trucks and trailers to travel on at the same time, at or around the said project.
The Grip Rd can't be expanded as it is now. The road now is to the R/W limits. As you can see.
The power poles are in the ditches. This is the R/W line. Miles would have buy a portions of the landowners property to expand and widen the roadway on grip road and Prairie Rd. to the new construction standards. It doesn't say or mention the rail road bridge that has a low clearance on Prairie Rd. by Hwy 9.
The Grip Rd. is not designed for heavy traffic. It shows every year at the S corners at the bottom of the hill of Grip Rd. just below the said project. It breaks and cracks apart at the surface.

(Reading EX.3 DOC 7)
Gary Norris of DN Traffic Consultants states. ""States"" There is not enough dump trucks in Skagit county to fulfill the quantities they want to remove each day.

Response

This is not a true statement. Mills Sand & Gravel own trucks in WHATCOM, SKAGIT, SNOHOMISH, KING, PEIRCE Co. If they need more trucks, they just call and rent like all other Sub-Contractors do. I see Whatcom and Skagit Co. dump trucks all the time in King or Snohomish Co. working every day of the week. I'm sure they would rather work up north where they live.
Plus, I know for a fact Miles/ CNWs takes trucks from other locations to fill the gap if needed. Supply & demand.

EX. 1 -4.5.18
While the access road is currently being used for forest practice activities.
Response
No this statement is not true. Logging roads are not built with drainage ditches, culverts, cleared wide enough for two trucks to pass at the same time. Then gravel place down and graded like a standard gravel roadway is built. This supposedly logging road was built for heavy traffic, long term use.
Additionally, existing traffic reports from DN Traffic Consultants have not alleviated public concern. As a result, Skagit County Public Works is in the process of retaining a third party traffic consultant to further evaluate potential traffic impacts of the proposed project, including safety concerns relating to pedestrians, bicycle riders, and school bus stops. Pursuant to sec 14.16.440(8)(i), the consultant will also determine whether the "roads or bridges are capable of sustaining the necessary traffic for the proposed mineral extraction operation, and that the proposed operation meets level-of-service, safety, and other standards as outlined in the Skagit County Transportation Systems Plan, the Skagit County Comprehensive Plan, and applicable State and local regulations." Finally, the consultant will evaluate the sufficiency of the proposed mitigation and may propose additional mitigation if necessary to reduce or eliminate potential traffic impacts.
Response
The Grip Rd. is differently not wide enough for two dump trucks to pass at the same time, and I don't think Prairie Rd. in certain areas are not either. The road is an oil mat road. Its not designed for heavy hauling traffic day in and day out through the year. You can see signs of fatigue from the last few years of Miles Sand and Gravel working at the Samish pit from heavy truck traffic from hauling logs out clearing their gravel pit area. Bringing in other materials to build the roadway. Equipment pick up and Delv. There was never any problems before until then.
Then the intersection at Prairie Rd. and Grip Rd. is a blind corner. As a Past Volunteer fire fighter EMT for Skagit Co. Dist 8. Of 15 years. Prairie / Hickson halls. I have been on many accidents at this intersection. It's a blind corner. Someone pulling out onto prairie road from grip in a car is frightening enough some times when a car comes 50 Mph around the corner. Can you image a truck and trailer pulling out and onto Prairie road. Major Accidents.
They grip road can't be expanded as it is now. The road now is to the R/W limits. Miles would have buy a portion of the landowners property to expand the roadway on grip road and Prairie Rd.
Have they even done any core samples to see what the depth of the roadway section , or what's underneath it for stabilization.

Then. Just recently. The Skagit Co. Public works has removed a portion of that blind corner at Grip & Prairie. How did this become after all these years until the Gravel Pit is up for renewal now !!!!
It's still a public and traffic safety concern as it is now.
Also. They left the embankment vertically. That's illegal. Needs to be sloped back or fenced for public safety.

EX. 2 -3.14.17
"Shall not create undue noise, odor, heat, vibration, air or water pollution"

Response

In mining, you are going to do all the above.
You'll have equipment noise, mechanical various break downs, air pollution, dust falling into the aquatic and surrounding neighborhood. Then if you add a screen/ crusher plant you increase all the above while making sand, and smaller crushed rock materials for use.

For the 2000 gal fuel tank.

Response
This would need a 100% containment around it, with a oil /water separator installed to catch the diesel that gets spilled. Yes. it spills and drips every time you fuel something, or receive fuel form a supply truck. Environmental Impact

EX. 3 1 of 7 5.15.17
Response
46 trucks. This would be one every 10.43 minutes. Would you want this in front of your house our your neighborhood that is not designed for this type of use on the oil mat roads not wide enough for two truck to pass at the same time, or a dump truck and passenger car. Especially the winding corners of the Grip Road are subject to collapsing and moving due to all that surge pressure in which has been receiving and has shown in the last years of miles sand and gravel already prepping the gravel pit behind the tree line here so the public can't see. The county has been out here fixing it every year lately because the roadway has been moving. Again. These roads are not designed for heavy traffic. It's a residential. Not commercial. There are no shoulders. Only deep ditches on both sides of the road. No escape routes for public safety if needed.

EX. 3 doc 3 of 7
Bridge load limits. Grip Rd.
Response
U80 load limits. Grip Rd. Samish river bridge. The Maximum load design for this bridge is 37,000 Lbs. A loaded truck and trailer is 33,000---35,000 lbs loaded. Not far from the max load limit design. This bridge is not intended to get massive heavy traffic day in and day out. If this bridge was to fail or collapse. This would put a High Impact on this neighborhood such as emergency vehicles responding to aid, or fire calls, school buses, public access and transportation.

I'm very concerned about our neighborhood being turned into a Noisy, Dusty, Un-Safe for Public and Traffic, Damaged Aquatic system of the surrounding waters. Our roads getting damaged, to and from our homes being impacted daily throughout the year(s).
This would also, I believe drive our taxes up for road repairs for others, as well as a decline in property values.

Rick Eleazer

From Host Address: 172.92.225.18

Date and time received: 4/28/2021 5:43:20 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Tuesday, April 27, 2021 4:45:18 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Tuesday, April 27, 2021 2:15 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Dale Romain Abbott
Address : P.O. Box 804
City : Burlington
State : WA
Zip : 98233
email : d_abbott@hotmail.com
PermitProposal : PL16-0097 & PL16-0098
Comments : April 27, 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Proposed Concrete Nor'west Gravel Operation Near Grip Road
Special Use Permit Application PL16-0097
And Mitigated Determination of Non-Significance for proposed Grip Road Gravel Mine
File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA species

Dear Mr. Cerbone,

I wish to register my concerns about the proposed gravel mine along Grip Road which I believe will have significant deleterious effects on the surrounding environment and community. Many of these concerns do not appear to have been adequately addressed in the proposal.

First, there does not seem to be any mention about the safety of pedestrian and bicycle traffic on Grip and Prairie Roads. The shoulders are non-existent on long stretches, and yet I see many of my neighbors out walking or biking these roads on a regular basis. I also regularly ride my bike on Prairie Road for exercise. Having to share this road with huge dump trucks is a frightening thought.

I am worried about the environmental impact to the natural environment of the Samish River. This valley is home to a variety of wildlife which both reside here permanently or transit through. I've had a bobcat on my land, and my neighbor had a cougar cross his property. In addition, there are deer, coyotes, opossums, raccoons, muskrats, beaver, and all manner of amphibians, reptiles, salmon, and birds living here.

There does not appear to be any mention of wetlands protection in the proposal despite the

haul road crossing Swede Creek and the forest buffer being established as only 200 feet from the Samish River. The county's own regulations require a 300 foot buffer when adjacent to "high intensity" land use. As pointed out by the Central Valley Samish Neighbors group, a gravel mine would most certainly qualify as "high intensity" land use.

Another environmental concern I have that does not appear to have been addressed is the problem of light pollution. I can't tell from the reams of papers which have been filed just exactly what the working hours of the mine will be, and I see no mention of what kind of lighting will be utilized. Light pollution can have a significant deleterious effect on wildlife---particularly birds and insects---and there is growing evidence that it is harmful for human health as well.

I am worried about the effect that this mine will have on groundwater. By definition, they will be mining gravel which is much more porous than other forms of earth. How can they be sure that sediment, petroleum products, and other toxic debris will not migrate through the ground into the Samish River? Also, how will they handle runoff from the haul road and where will it go when it is raining? These concerns do not appear to have been adequately addressed in the proposal.

The noise studies mention the additional noise that the mine will contribute to the general background, but it is hard for me to believe that such low numbers can come from intermittently dumping a bucket load of gravel into the metal bed of a dump truck. I've stood next to that kind of activity, and it hurt my ears. The examiner must have been referring to the routine operation of the motors and trucks, not the dumping of gravel. Also, will the trucks be using their compression brakes as they descend the haul road? I grew up in Darrington, and you could hear the logging trucks coming into town from a mile away.

Before the mine proposal moves forward, I believe that the county needs to require a full Environmental Impact Statement to address these concerns and how they might be mitigated.

Thank you for your time and consideration.

Sincerely,

Dale R. Abbott
22290 Prairie Road
Sedro-Woolley, WA 98284

d_abbott@hotmail.com

From Host Address: 172.92.195.144

Date and time received: 4/27/2021 2:13:02 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Wednesday, April 28, 2021 3:48:15 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 28, 2021 10:45 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Donald J Allgire
Address : 1607 Birch Court
City : MOUNT VERNON
State : Washington
Zip : 98274
email : dkallgire@hotmail.com
PermitProposal : PL16-0097 PL16-0098
Comments : I was a Union Carpenter for 30 years and I am not anti growth. My wife and I built our dream home in 1994 at 17939 Valley Ridge Lane, fronting East Hickox Road 1/2 mile from Merridian Aggregates Rock Quary. We experienced first hand the effects of Gravel Truck Traffic on a road with little or no shoulder. During times of flooding Truck Traffic was greatly increased to reinforce Dikes in Skagit and Snohomish Counties. Often times schedule overshadowed safety. As East Hickox had an abundance of litter my wife volunteered to "Adopt East Hickox". The County and State denied her request since there was little or no shoulder and "it is not safe". It was also not safe to walk or ride a bicycle. In 2005 we moved into town where it was safe to walk.
As a member of the Skagit Bicycle Club I have ridden the roads all around the proposed Concrete Nor'west Rock Quary. I know 1st hand the safety issues created by the Quary as proposed. Unlike Seattle we do not have miles of converted Rails to Trails and must ride the Rural roads.
The County has a responsbility to fairly represent the citizens of Skagit County and follow the permit requirements as they were written and not " Rubber Stamp " this in the interest of Business or Tax Revenue. Respectfully Donald Allgire

From Host Address: 107.77.205.114

Date and time received: 4/28/2021 10:40:54 AM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Wednesday, April 28, 2021 4:42:15 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 28, 2021 10:50 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Erin Heckman
Address : 19254 Prairie rd
City : Sedro Woolley
State : washington
Zip : 98284
email : e.heckman@hotmail.com
PermitProposal : grip road gravel pit
Comments : I live on Prairie rd at the S curves. I have several concerns.

The first being the safety of my children getting on and off the bus at the S curve in front of our house, gravel trucks with delayed stopping time ability greatly concern me. this and also the potential increase for accidents in front of our home.

Second the noise due to the increase in traffic and size/type of vehicles.

Third; Decreased property values due to traffic, noise and/or encroachment on property for widening of roads.

fourth- water quality from our well, will mining release heavy metals into our water supply posing potential hazards to our health?

This road has many persons/children riding bikes. and walking, this gravel mine will adversely effect our quality of life. I hope that the mine approval will be reconsidered as our neighborhood would be ruined with the addition of this gravel pit.

From Host Address: 66.165.40.10

Date and time received: 4/28/2021 10:48:41 AM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Wednesday, April 28, 2021 4:42:35 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 28, 2021 10:55 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Mary Ruth Holder
Address : 201 S. 7th St.
City : Mt Vernon
State : WA
Zip : 98274
email : mruthholder@gmail.com
PermitProposal : Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Comments : Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098

Dear Mr. Cerbone:

We are writing to express our opposition to the Mitigated Determination of NonSignificance (MDNS) issued for the above-referenced Puyallup based Miles Sand and Gravel proposal for the 90-foot deep open pit Grip Road Gravel Mine, an industrial-scale mining operation adjacent to the Samish River. Among other things, this project would cause significant adverse impacts and irreparable harm to the natural environment, including to water and air quality and fish and wildlife habitat. The issuance of the MDNS is inappropriate: a full Environmental Impact Statement (EIS) should be required for the project. The applicant failed to identify all of the areas impacted by the project and to provide updated and complete studies of all fish and wildlife adversely impacted. Additionally, the MDNS allows applicant to violate the County's Critical Area Ordinance.

The flawed MDNS only took into account just 60 acres of the project's impact, and ignored applicant's more than 700 contiguous acres and the two-mile long private road over which 11,000 truck trips will travel annually. Significantly, this private road is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed. Sensitive areas and buffers within the entire project area (not just the 60-acre mine site) must be identified so that operators and regulators know where they are. Significant adverse impacts to these sensitive areas would be made worse by the County's allowing applicant to provide only a 200-foot buffer on the river instead of complying with the County's Critical Area Ordinance requiring a 300-foot buffer based on applicant's proposed high intensity land use (industrial scale mining. An appropriate environmental review (EIS)

must consider the full footprint of this project and all of its impacts.

The MDNS determination is based on applicant's out-of-date and incomplete Fish and Wildlife Assessment. This Assessment is more than five years old despite the fact that the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site; this animal is listed as "Endangered" in Washington State and "Threatened" federally. In addition, critical habitat for Bull Trout is located just downstream. Bull Trout is a "Candidate" species for listing in WA State, and is already listed as "Threatened" federally. The MDNS ignores these "ESA species" and does not require any protective measures for them. Furthermore, the County failed to consult with the appropriate state and federal agencies responsible for protecting these species pursuant to SEPA.

The MDNS was issued in the absence of a full wetlands delineation. Thus, there is no requirement for surveying and permanently marking wetlands. Sensitive areas and buffers within the entire project area (not just the mine site itself) must be identified so that operators and regulators know where they are.

Wildlife corridors were neither identified nor protected. This site is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. It is used by cougar, bear and bobcat - all animals that require large territories and are sensitive to disturbance.

Significant adverse water quality impacts could result from runoff from the private haul road, yet there is no drainage plan to identify treatment measures for this runoff. The high volume of truck traffic is likely to cause excess sedimentation and potential contamination from petroleum products that could pollute surface water flowing into Swede Creek, a fish bearing stream. An effective drainage plan must be developed.

Impacts to groundwater from the (eventually 90-feet deep)mining pit have not been adequately evaluated, and needed groundwater protection measures are not required in the MDNS. Applicant proposes to excavate the mine to within 10 feet of groundwater. Although applicant claims that runoff from the disturbed site will drain into the mine, and that infiltration will protect the groundwater, it is unclear how that ten-foot limit was determined, how the operation will avoid penetrating the water table and how seasonal groundwater fluctuation may influence drainage. The MDNS fails to consider the permeable nature of sand and gravel, thus it is unclear whether ten feet would be sufficient to filter out contaminants such as petroleum product spills. Applicant failed to address whether the groundwater at the site, essentially at the level of the Samish River and flowing directly into it, would contaminate the river.

Applicant failed to evaluate the impacts of emissions and dust on air quality resulting from mining equipment and hauling material minimum of 240,000 cumulative miles per year driven by diesel gravel trucks. No mitigation plan was prepared for this significant adverse impact on air quality.

Finally, the MDNS ignores the cumulative adverse impacts that the mine would create over its its 25 years of operation. Neither on-site nor off-site cumulative impacts were evaluated. The twenty-five year period of this large mining operation will radically change and irreparably harm the landscape and important wildlife habitat and fish bearing streams. It will also

degrade the quality of life of residents in surrounding areas and threaten their public health and safety (cumulative adverse impacts from noise, vibrations, air pollution and heavy diesel truck traffic driven more than 5,500,000 cumulative miles over the 25 year period).

For all of the above reasons, we request that you withdraw the MDNS and require a full EIS. Alternatives considered must include 1.) no permit and 2.) issuance of a permit for a much smaller operation for which impacts would be fully mitigated by applicant. Any permit must provide that any project expansion or other change to the operation will require a new application and full environmental review. If the applicant still fails to provide all the necessary updated and accurate information for purposes of an EIS, the permit must be denied. Thank you for your attention to our comments.

Sincerely,
Mary Ruth and Phillip Holder

From Host Address: 50.34.142.207

Date and time received: 4/28/2021 10:51:43 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Thursday, April 29, 2021 7:32:18 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 4:50 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Rick Eleazer
Address : PO Box 657
City : Sedro Woolley
State : WA
Zip : 98284
email : rrickeleazer@aol.com
PermitProposal : Samish River Gravel Pit. Miles/ CNW Grip Rd. Gravel Pit
Comments : Question:
Logging other parcels.
Noise study.

Response
Have they studied dump trucks or other equipment noise impact throughout the neighborhood. “”No”” Just the inner site of the gravel pit itself. If a dump truck goes by your house do you here it “”YES”” one truck is one thing but all day long, through out the year. This would be quite annoying. This would be a public nuisance and a safety issue.
There could not be anyone walking, riding a bike, or walking their dog(s) on the roads. They are not wide enough now as they are. The load noise of the trucks can cause safety issues as well for people and animals along the roadway by getting them scared and jumping into the ditch or the travel lane(s).

Question:
On--0ff site spill prevention & control measures for water quality.

You can not stop all pollution, you can control it, and contain it until its cleaned up. But eventually there will be a times where its not caught or cleaned up properly and ending up in environmental impacting the land and vegetation. Then potentially winding up into the aquatic system such as Swede creek and Samish river water shed below the CNW Grip Rd Gravel pit. Please review 2018 WSDOT Spec. 1-07.4-----1.07.7 (2) 1—07.230

Question:
2019 10-1 Exhibit
Water pollution control & sources.

Response
All equipment breaks down sooner or later. Hyd. Hoses blow and break, along with the following. Radiators, Transmission and other petroleum transport lines or hoses. Sometimes you don’t find out until it’s too late, or the tank is empty. Sometimes you catch it. But no

mater how big or small it is.
Its absorbed by the native ground. Sometimes it cleaned up, other times not. Then in the rainy days. It gets tracked around the site and out by equipment, and trucks going into, and out of the site, with smaller amounts on their tires that creates pollution everywhere. It's called track out. Whether it be oil, gas, diesel, dirt, dust or mud. It's all considered pollution by the WSDOT standards. Environmental impact.
Then what about the dust. What about the mud. What about oil track leaking out the dump trucks as they drive up and down the road next to the ditches that lead into the near-by streams and rivers.
All these ditches around the site, or along the roadway go right into Swede creek or the Samish river.
To add to this. I'm sure the public doesn't understand how a gravel pit works. You take out loads of gravel all day long, then in return you bring back other waste or spoil materials from other sites to fill that hole back in.
Who knows from where or what was on this site years ago. That material brought back can be contaminated with various chemicals, oils and bio hazard materials. This would increase the potential hazard of possibility of the water and site pollution. Contamination to the wildlife and aquatic water shed around and below the said project, and the community ground water wells

Question:
Updated Traffic report.

Response
Why was this study done by just one sub-contractor picked by Miles Sand & Gravel out of Preston, Wa. They know nothing about our neighborhood or Skagit County. There is nothing mentioned Response about the surrounding area traffic impact on the Grip Rd. , Prairie Rd., Bow Hill, Hwy 99, or any intersections, blind corners, or roads that are not wide enough for two trucks and trailers to travel on at the same time, at or around the said project.
The Grip Rd can't be expanded as it is now. The road now is to the R/W limits. As you can see.
The power poles are in the ditches. This is the R/W line. Miles would have buy a portions of the landowners property to expand and widen the roadway on grip road and Prairie Rd. to the new construction standards. It doesn't say or mention anything about the low rail road bridge that has a low clearance on Prairie Rd. by Hwy 9. I believe this is a bias traffic report just for Miles/CNW
The Grip Rd. is not designed for heavy traffic. It shows every year at the S corners at the bottom of the hill of Grip Rd. just below the said project. It breaks and cracks apart at the surface.

Question:
Reading EX.3 DOC 7)
Gary Norris of DN Traffic Consultants states. ""States"" There is not enough dump trucks in Skagit county to fulfill the quantities they want to remove each day.

Response
This is not a true statement. Mills Sand & Gravel own trucks in WHATCOM, SKAGIT, SNOHOMISH, KING, PEIRCE Co. If they need more trucks, they just call and rent like all other Sub-Contractors do. I see Whatcom and Skagit Co. dump trucks all the time in King or Snohomish Co. working every day of the week. I'm sure they would rather work up north

where they live.
Plus, I know for a fact Miles/ CNWs takes trucks their own trucks from other locations to fill the gap if needed. Supply & demand.

Question:
While the access road is currently being used for forest practice activities.

Response
No this statement is not true. Logging roads are not built with drainage ditches, culverts, cleared wide enough for two trucks to pass at the same time. Then gravel place down and graded like a standard gravel roadway is built. This supposedly logging road was built for heavy traffic, long term use.

Question:
Additionally, existing traffic reports from DN Traffic Consultants have not alleviated public concern. As a result, Skagit County Public Works is in the process of retaining a third party traffic consultant to further evaluate potential traffic impacts of the proposed project, including safety concerns relating to pedestrians, bicycle riders, and school bus stops. Pursuant to sec 14.16.440(8)(i), the consultant will also determine whether the "roads or bridges are capable of sustaining the necessary traffic for the proposed mineral extraction operation, and that the proposed operation meets level-of-service, safety, and other standards as outlined in the Skagit County Transportation Systems Plan, the Skagit County Comprehensive Plan, and applicable State and local regulations." Finally, the consultant will evaluate the sufficiency of the proposed mitigation and may propose additional mitigation if necessary to reduce or eliminate potential traffic impacts.

Response
The Grip Rd. is differently not wide enough for two dump trucks to pass at the same time, and I don't think Prairie Rd. in certain areas are not either. The road is an oil mat road. Its not designed for heavy hauling traffic day in and day out through the year. You can see signs of fatigue from the last few years of Miles Sand and Gravel working at the Samish pit from heavy truck traffic from hauling logs out clearing their gravel pit area. Bringing in other materials to build the roadway. Equipment pick up and Delv. There was never any problems before until then.
Then the intersection at Prairie Rd. and Grip Rd. is a blind corner. As a Past Volunteer fire fighter EMT for Skagit Co. Dist 8. Of 15 years. Prairie / Hickson halls. I have been on many accidents at this intersection. It's a blind corner. Someone pulling out onto prairie road from grip in a car is frightening enough some times when a car comes 50 Mph around the corner. Can you image a truck and trailer pulling out and onto Prairie road. Major Accidents.
They grip road can't be expanded as it is now. The road now is to the R/W limits. Miles would have buy a portion of the landowners property to expand the roadway on grip road and Prairie Rd.
Have they even done any core samples to see what the depth of the roadway section , or what's underneath it for stabilization.
Then. Just recently. The Skagit Co. Public works has removed a portion of that blind corner at Grip & Prairie. How did this become after all these years until the Gravel Pit is up for renewal now !!!! and new traffic study. Its still a blind corner for traffic doing 50 MPH and a truck or cars pulling off Grip Rd. onto Prairie Rd.
It's still a public and traffic safety concern as it is now.
Also. They left the 20' embankment vertically. That's illegal. Needs to be sloped back at a 2:1

or fenced for public safety.

Question:
Shall not create undue noise, odor, heat, vibration, air or water pollution”

Response
In mining, you are going to do all the above.
You’ll have equipment noise, various mechanical break downs, air pollution, dust falling into the aquatic water supply, ground water wells and surrounding neighborhood would hear and see signs of all the above..
Then if you add a screen/ crusher plant you increase it to double or more to all the above while making sand, and smaller crushed rock materials for use.

Question:
On-site 2000 gal fuel tank.

Response
This would need a 100% containment around it. A concrete barrier that would contain any leak or breakage of the said tank. Needs a oil /water separator installed to catch the diesel that gets spilled.
Yes. Spills and drips happen every time you fuel something up, or receive fuel form a supply truck. Its a on going Environmental Impact.
There is nothing mention about fuel spills clean up, or various spill kit stations if needed.
What actions are taken to prevent this or to do in case of.

Question:
EX. 3 1 of 7 5.15.17

46 trucks. This would be one every 10.43 minutes. Would you want this in front of your house our your neighborhood that is not designed for this type of use on the oil mat roads not wide enough for two truck to pass at the same time, or a dump truck and passenger car. Especially the winding corners of the Grip Road are subject to collapsing and moving due to all that surge pressure in which has been receiving and has shown in the last years of miles sand and gravel already prepping the gravel pit behind the tree line here so the public can’t see. The county has been out here fixing it every year lately because the roadway has been moving. Again. These roads are not designed for heavy traffic. It’s a residential. Not commercial. There are no shoulders. Only deep ditches on both sides of the road. No escape routes for public safety if needed.

Question:
Bridge load limits. Grip Rd.

Response
U80 load limits. Grip Rd. Samish river bridge. The Maximum load design for this bridge is 37,000 Lbs. A loaded truck and trailer is 33,000---35,000 lbs loaded. Not far from the max load limit design. This bridge is not intended to get massive heavy traffic day in and day out. If this bridge was to fail or collapse. This would put a High Impact on this neighborhood such as emergency vehicles responding to aid, or fire calls, school buses, public access and transportation.

I’m very concerned about our neighborhood being turned into a Noisy, Dusty, Un-Safe for Public and Traffic safety, Damaged Aquatic system of the surrounding waters. Our roads getting damaged, then the impact to and from our homes being impacted daily throughout the year(s) due to these heavy trucks and added traffic
This would also, I believe drive our taxes up for road repairs for others to use and damage, as well as a decline in property values, due to pollution and noise .

RE

From Host Address: 172.92.225.18

Date and time received: 4/29/2021 4:45:45 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Thursday, April 29, 2021 2:56:55 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 2:45 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Rick Brumfield
Address : 5318 Cedar Ridge Pl.
City : Sedro Woolley
State : WA
Zip : 98284
email : rbb123@frontier.com
PermitProposal : PL16-0097and PL18-0200
Comments : Re PL16-0097 and PL18-0200 … the gravel pit project off Grip Road:
1. I know it is anecdotal, but I have already been personally run off Grip Road by these truck trailer combos … twice. My fear is Skagit County is going to allow this activity to happen without sufficient safeguards to prevent severe injury or even death. Avoiding these truck trailer combos, especially in the tight turns where they violate their lanes, is a literal impossibility. There are either no shoulders or inadequate shoulders to provide "bail out" space. The county and Miles/Concrete Nor'West, could quite likely find themselves in costly lawsuits having to defend against serious injury or wrongful death by allowing the project to proceed with pre-knowledge of such hazardous conditions.
2. One option, to at least partially mitigate such hazardous conditions, would be to require the too wide truck trailer combos or lane violating truck trailer combos to use flaggers, or pilot/escort vehicles. Does Washington State Law already require such mitigations for "too¬ wide" or lane violating vehicles?
3. Re the lane violation issue, item #12. (2) … the NOTICE OF WITHDRAWN and RE-ISSUED MDNS speaks to the required mitigations if trailers are going to be used. The county and the applicant need to realize at these lane violation locations, the normal two lane roads really become one lane roads. The required mitigations need to be adequate to prevent related collisions … recommend automated red-light/green light one lane control systems.
4. 25 years is significant … to say it is non significant is a terrible judgment call.
5. The proposed volume of truck traffic is significant … to say it is non significant is a terrible judgment call.
6. I do not think this project should be allowed to proceed at all.
7. At a minimum, the project should be required to submit a full EIS … again, the project is significant.
8. If the project is allowed to proceed, one thing that might help would be to add fog lines to Grip Road. While there are no shoulders to provide "bail out" space, adding fog lines might at least encourage all vehicles to stay in their respective lanes and their drivers to know where the edge of the road is.
9. Or/and add guard rails along grip where there are no or inadequate shoulders … that is what that county did recently on Prairie between Old 99 and the Prairie/Grip Road intersection … and that was along a straight stretch of road. Guard rails along dangerous curves should be a

higher priority.
10. Truck trailer combos waiting to turn left, from Grip Road onto the access road, are going to block traffic wanting to proceed further west on Grip. Miles/Concrete Nor'West should be required to provide a center turn lane of adequate length to prevent such blockages.

From Host Address: 68.116.101.110

Date and time received: 4/29/2021 2:43:44 PM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Thursday, April 29, 2021 12:03:55 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 11:25 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Julia Hurd
Address : 19396 Ashe Lane
City : Burlington
State : WA
Zip : 98233-8578
email : hurdjulia@gmail.com
PermitProposal : Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Comments : I live in Alger, not far from the proposed Grip Road Gravel Mine. I am concerned about the effects on traffic, nature, and the radical change in the neighborhood from such a massive industrial project. I understood the now closed gravel mine on Highway 99 at the bottom of Bow Hill Road, and now the replacement mine farther down on 99 next to I-5 in terms of need and location, but this mine is significantly different.

The Grip Road Gravel Mine is located in a rural, sensitive, undeveloped 700-acre parcel of land next to a creek as well as the Samish River. Both are fish bearing and the home to listed threatened species. This mine will have negative impacts on and change life dramatically for local residents, wildlife and the environment.

The roads in and out of the mine are back county roads, not suitable for up to 30 noisy, heavy gravel trucks with trailers per hour; this is a problem for traffic, cyclists, pedestrians. The shoulders are too narrow in places and the roads were not designed for industrial usage or this type of traffic. Who will pay for road and safety improvements?

Such enormous industrial usage in this rural area poses threats to drainage, noise, emissions, groundwater, fish, wildlife wetlands, property values and everyday living. The impacts, especially over the 25 year life of the project, are all areas of concern that need to be fully addressed in an Environmental Impact Statement. The scope and location of the mine demand this.

Thank you for considering my concerns.

Julia Hurd

From Host Address: 172.92.219.225

Date and time received: 4/29/2021 11:21:17 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Thursday, April 29, 2021 5:26:17 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 3:55 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Suzanne Butler
Address : 109 S. 9th St
City : Mount Vernon
State : WA
Zip : 98274
email : suzanne.butler@outlook.com
PermitProposal : Proposed Gravel Mine off Grip Road
Comments : Dear Commissioners Browning, Wesen, and Janicki,
I would ask you to give serious thought to allowing a huge, open pit, gravel mine near Grip Rd in rural Skagit County. There is nothing environmentally insignificant about the proposal. It is close to the Samish River with a smaller buffer than usually demanded. Every river is a delicately balanced ecological system that cannot support such an intrusion. Assessments of water and air quality and their affect on all wildlife (flora and fauna) must be updated before a decision is made. The environmental impact will be monumental and must be examined carefully before giving this Puyallup company permission to break ground in Skagit County.
Respectfully, Suzanne Butler

From Host Address: 50.34.112.174

Date and time received: 4/29/2021 3:53:02 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Thursday, April 29, 2021 5:35:32 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 5:35 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Martha Bray and John Day
Address : 6368 Erwin Ln; Sedro Woolley, WA
City : Sedro Woolley
State : WA
Zip : 98284
email : mbray1107@gmail.com
PermitProposal : Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Comments : Dear Mr. Cerbone,

Central Samish Valley Neighbor's attorney, Kyle Loring, is submitting comments on behalf of our group regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. That letter provides a more comprehensive review of our concerns regarding this SEPA review process, and we fully support its findings. However, we are also submitting a few additional comments directly to express our concern with the state of this application and permit review process.

Even though this project has supposedly been under review by PDS for more than five years, it appears that very little has changed about the original proposal, especially in terms of protection of the natural environment. In fact, none of the assessments and application documents related to protection of fish, wildlife, and air and water quality have been updated (except the 2017 "Addendum to the Fish and Wildlife Assessment further evaluating ESA listed species", wherein there is a clear disclaimer stating that the addendum is not intended to address requirements of the ESA). The SEPA documents were incomplete and inaccurate in 2016-2017 and they still are. Further, it appears that the County has ignored almost all of the concerns expressed by the community on these matters over the past years. We acknowledge the County's efforts to provide better information regarding traffic and public safety impacts, however the additional traffic analysis has obvious, glaring omissions and the proposed mitigation falls far short.

And, now, there seems to be a rush to push through a new Threshold Determination without truly taking into consideration new public comment (as indicated by publishing the deadline for a SEPA appeal prior to even receiving public comment on the MDNS). This does not feel like a sincere effort at public process.

The volume of information referenced in the MDNS serves mostly to confuse and obfuscate. We have spent countless hours poring through these documents trying to understand what the applicant really proposes to do. And yet, we still don't know how many daily truck trips to

expect (presumably somewhere between “46 per day” and “30 per hour”). We are still confused about whether the applicant will adhere to “normal” or “extended hours” scenarios; or, whether they plan to haul during peak traffic hours or not. In addition, if they are allowed to haul during peak hours and/or at volumes up to 30 per hour, why doesn’t the MDNS specifically state this and require appropriate mitigation measures? With the modest requirement to fix some of the most glaring safety hazards on Prairie Road prior to using trucks with trailers, we are now confused as to whether they will run more single trucks until this work is completed, or if they might use ‘alternative haul routes’ instead – potentially generating even larger number of truck trips and/or new haul routes that haven’t been evaluated at all for safety concerns. In fact, we still don’t know what the haul route will be, with the MDNS simply stating that material will be “transported to nearby facilities for processing or sold directly to market”. We still find no mention in the traffic analyses of dozens of trucks per day added to the narrow steep “S” curves on the Grip Road hill. Community members have repeatedly expressed the danger of school buses, farm equipment and commuters encountering tandem gravel trucks here, yet it is not even mentioned, let alone evaluated. We find it bewildering that the County has still not required the applicant to clarify these issues.

We don’t even know if the County will require a 300-foot buffer on the Samish River, even though this is clearly required by the County’s CAO. And, we still don’t understand why the applicant wasn’t required to conduct an environmental review of the entire footprint of the project, including the two-mile long private haul road that is clearly integral to the project, with approximately 12,000 truck trips annually traveling on it.

This is an industrial scale development located in a vibrant rural community and a sensitive watershed, where no commercial mining anywhere near this scale has occurred. The applicant and the County still don’t seem to grasp the magnitude of impact and permanent change this proposal would cause to the place we call home. Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and require a full Environmental Impact Statement that fully evaluates the impacts, appropriate mitigation, and identifies scaled back alternatives.

Thank you for your time and consideration.

From Host Address: 50.34.124.61

Date and time received: 4/29/2021 5:30:42 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 9:10:02 PM

Name : Carolyn Gastellum
Address : 14451 Ashley Place
City : Anacortes
State : WA
Zip : 98221
email : Cgastellum67@gmail.com
PermitProposal : PL16-0097
Comments : Regarding Grip Road Gravel Mine Proposal

I previously wrote a comment requesting that a full EIS be required for the gravel Mine proposal because the MDNS that was issued on April 15, 2021 is not adequate. The electronic form would not "send" so I am writing the following summary in hopes that my comments are received before the April 30 deadline.

I agree with all comments that were submitted by Martha Bray and Jed Holmes. The MDNS is inadequate because it does not fully assess the potential negative impacts of the Gravel mine project. I request that Skagit County PDS require a complete EIS that will study the cumulative impacts on the environment and traffic safety due to approximately 11,000 diesel truck trips per year. Please study the impacts on Threatened and Endangered species like the Brown Trout. Study the need for wildlife corridors so that big mammals like cougar, bear, and bobcats are not cut off from the territory they need. These animals are essential to a well balanced ecosystem. Study the impacts on climate and air quality from heavy diesel truck traffic emissions over the life of the project. Please require thorough analysis of the potential negative impacts to wetlands which are critical ecosystems in themselves. Please carefully and thoroughly study traffic safety concerns from the rural route on Grip road to more populated areas of the county that would be impacted by such a large increase in heavy dump truck traffic.

Thank you for your careful attention the the concerns of the community. Please require a full EIS for this project.

From Host Address: 63.142.207.34

Date and time received: 4/29/2021 9:09:01 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 9:20:02 PM

Name : Rick Eggerth
Address : 1304 39th Street
City : Bellingham
State : WA
Zip : 98229
email : rickeggerth@gmail.com
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : April 29, 2021

Hal Hart, Director
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of Non-Significance for Proposed Grip Rd. Gravel Mine File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA Species

Dear Mr. Cerbone:

As the chair of the Mt. Mount Baker Group of the Washington State Chapter of the Sierra Club (MBG), encompassing San Juan/Skagit/Whatcom counties, I speak on behalf of thousands of Sierra Club members and supporters in Skagit county. While we greatly appreciate and commend the work of the Skagit Planning and Devt. Services (SPDS) staff in what is a difficult task, we nonetheless have serious concerns about the recently re-issued MDNS for the proposed Grip Road Gravel Mine. And while the Sierra Club's status as the nation's largest and oldest environmental protection organization means we must direct our attention in this letter to environmental concerns, we also note that there are other significant concerns that deserve attention, such as the traffic and public safety issues raised in comments by the Central Samish Valley Neighbors organization. These concerns are also shared and supported by MBG.

Little has changed from the original mining 2016 proposal, especially in protecting the natural environment, as there have been minimal updates to the assessments and application documents related to protecting fish, wildlife, water and air quality. They were incomplete and inaccurate then, despite a 2017 update to the Fish and Wildlife Assessment, they still are now.

In addition, these documents fail to address community concerns raised during the past few years, and are also now completely outdated. We sincerely hope that failing to address previous public comments does not signify a rush to a new Threshold Determination without seriously considering and evaluating new public comment.

The fact of the matter is that this is an industrial scale development in a sensitive rural environment where commercial mining has never occurred. It will irreparably and significantly harm the natural environment along the Samish River and Swede Creek, as well

as upland wildlife habitat. In light of these undeniable facts, the MDNS must identify and mitigate the harmful environmental impacts of this proposal, including:

• Considering the project's full footprint. Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on a two-mile long private road, requiring more than 11,000 heavy truck trips per year, that is adjacent to wetlands and crosses fish-bearing Swede Creek. These sensitive areas must be evaluated and mitigation proposed.

• The County's Critical Areas Ordinance (CAO) has not been followed. Only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, without justification and even though the CAO demands 300-feet adjacent to high intensity land use such as industrial scale mining. A full EIS is necessary to be sure that all relevant aspects of the CAO are followed.

• The Fish and Wildlife Assessment, though revised in 2017, is still out-of-date and incomplete. River and associated wetlands have changed and have not been adequately accounted for. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site. The MDNS does not mention this Endangered Species Act (ESA) species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.

• Wetlands must be delineated, surveyed and permanently marked. Sensitive areas and buffers within the entire project area (not just the mine site) must be identified so that operators and regulators know where they are.

• Wildlife must be identified and protected. As already mentioned, it must be determined whether the Oregon Spotted Frog, an endangered species and so protected under the ESA, is on or near the site. Reference to the OSF is by no means a shot in the dark. It was on the headwaters of the Samish River in Whatcom County in 2011-12 that OSF were found after having been thought to have been exterminated in the region. Which makes it all the more important that Samish County work with its northern neighbor to assure protection of this species. In addition, cougar, bear, and bobcat use the site. These animals require large territories and are sensitive to disturbance by human activity, so as the last large tract of undeveloped land between Butler Hill to the south and the Samish River and Anderson Mountain to the north, the site should accommodate the needs of these animals.

• A drainage plan is necessary to protect water quality against runoff on the private haul road. Treatment measures for runoff from the haul road must be identified, as the high volume of truck traffic is likely to cause pollution from petroleum products to pollute surface water flow into Swede Creek, a fish-bearing stream that also empties into the Samish River, which empties into Puget Sound. Pollution into any of these bodies of water must be stopped, or at least contained.

• Impacts to groundwater must be evaluated and protection measures required. The announced intent to excavate the mine to within 10 feet of groundwater leaves precious little room for error, especially because it is unclear how a 10-foot limit can be maintained for everywhere the aquifer touches the site. What measures will be undertaken to prevent pollutants from seeping down 10 feet to the water table? What measures will be taken to cleanse the aquifer if pollution does occur? These and related questions absolutely must be answered because, with the pervious nature of sand and gravel, 10 feet may not be enough to filter out pollution from

petroleum product spills. Furthermore, the groundwater at the site is essentially at the level of the Samish River and flows directly into it, so groundwater pollution would become river, and then Sound, pollution.

• The Noise and Vibration Study used unrealistic scenarios to model noise impacts. Assumptions as to number and size of equipment operating on-site are vague and misleading. Noise levels must be modeled at maximum mine production levels, not merely "typical" and "average" levels. The significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road must also be included. But regardless of legal noise limits, the question of how this major change in soundscape for residents of the area must be addressed in a full EIS.

• Emissions must be evaluated and mitigation plans required. There will be air pollution from mining equipment and haul trucks, and this must be quantified and prevented, especially considering that at least 240,000 cumulative miles per year will be driven by diesel gravel trucks.

• Cumulative impacts must be considered. This major industrial scale proposal will create many cumulative impacts, both on and off-site. 25 years of mining is not a "temporary" activity, yet no off-site impacts were evaluated. This will permanently change the character of the landscape and surrounding neighborhoods, degrading wildlife habitat and fish-bearing streams. Hauling the amount of material proposed to the closest site for processing means more than 5,500,000 cumulative diesel truck miles over 25 years. That's a lot of potential air and water pollution, not to mention road wear and tear and safety concerns. These and any other cumulative impacts, on and off-site, deserve evaluation and protective measures.

MBG respectfully requests that the County reverse its Threshold Determination under SEPA, and require instead a full Environmental Impact Statement that evaluates all impacts to the natural environment and identifies alternatives, including the possible alternatives of reducing the size of the mine, or denying the mine altogether.

Your cooperation in this matter is very much appreciated.

Sincerely,

Rick Eggerth
Chair, Mt. Baker Group, Washington State Sierra Club

Cc: Mt. Baker Group Executive Committee and Leadership Team
Central Samish Valley Neighbors

From Host Address: 71.197.249.80

Date and time received: 4/29/2021 9:17:04 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 9:30:02 PM

Name : Larry William Hedgpeth
Address : 5809 Brookings Road
City : Sedro Woolley
State : Wa
Zip : 98284
email : ljhedgpeth@gmail.com
PermitProposal : Special Use Permit Application #PL16-0097 Grip Road Gravel Mine
Comments : April 29, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services 1800 Continental Place
Mount Vernon, WA 98273
RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads

Dear Mr. Cerbone,

I am writing to comment on your April 15, 2021 revised SEPA threshold determination for the proposed Grip Road Gravel Mine. I have followed the county's oversight of this project almost since its start five years ago, but my personal interest is now much greater than it was back then. My 12-year-old grandson now lives with us and will be riding the school bus to Cascade Middle School in Sedro Woolley next school year. I am very concerned for the safety of everyone on the roads in our area, especially school busses, if the county doesn't do more to keep the roads here safe after the mine is in operation.

Now, I know your office took a look at some of these concerns because you're requiring Miles to either use trucks only (no trailers) OR fix the two sharp turns on Prairie just east of old 99 and detour around the Samish bridge on old 99 if the load is too heavy. --mitigation measures 12 and 15 in the new MDNS--

But what about the rest of the haul route? There are two areas especially where it is so dangerous even now that I can't understand why the county hasn't required effective mitigation measures in this new MDNA.

First, the downhill curvy stretch on Grip just west of where the mine access road comes in. As anyone will tell you, it's a white-knuckle experience meeting a dump truck anywhere on that short stretch of road. It's too narrow, the turns are pretty sharp, there's not much of a shoulder, the truck always comes over into your lane, and there is not much visibility around the curves – he's almost on top of you before you see him.

That's with a car or pickup meeting a dump truck. A school bus meeting a truck/pup combination on the road the way it is now could be such a tragedy. Isn't it your job to protect the public interest? How can the county turn a blind eye to such a dangerous situation?

The second part of road I want to talk about is the Grip / Prairie intersection just west of the downhill section on Grip. Two parts in this area—the bridge and the intersection.

The bridge -- Why is there no mention of any protection for the Samish bridge on Grip comparable to that for the bridge on old 99? Is the Grip bridge in better so much better shape?

The intersection – Visibility a big issue here. Traffic west bound on Prairie often goes past that intersection at a pretty good clip and has to slow down for rigs turning west onto Prairie from

Grip. When making that turn onto Prairie you just can't see far enough east on Prairie to avoid having traffic back up behind you. The recent work cutting the hill back has helped, but it is still a problem. With a gravel truck it's much more pronounced. With a constant string of truck/pup combinations, it could get pretty uncomfortable for everyone involved. Maybe you could require a merge lane from the intersection west long enough for the truck to get up to speed. That doesn't seem unreasonable, does it?
Both of these areas get some gravel truck use now, of course. But there will be a lot more truck traffic when the mine is up and running. How much more? Despite some numbers, (46/day, up to 30 /hr -- are there others I missed?) there isn't any real hard and fast limit. And even though Miles now says they plan to work set hours and not on Sundays, I couldn't find anything in the permit that actually limits trucks per hour or hours per day. Why do they need a blank check in this area? Why won't the county set limits to extra traffic on the roads and hours of operation? That would act to limit all potential dangers on the roads and seems very reasonable to me.
Thank you for your time considering my comments. This is very important to my wife and I – it will diresctly effect the risk our grandson will be exposed to while he is attending public school here – 6 more years!
Larry Hedgpeth. 360-855-8326

From Host Address: 172.92.218.39

Date and time received: 4/29/2021 9:28:50 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 9:45:03 PM

Name : Brian Bowser
Address : 21110 Parson Creek Road
City : Sedro Woolley WA
State : WA
Zip : 98284
email : CMSInc@myfrontiermail.com
PermitProposal : Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097
Comments : Dear Mr. Cerbone,
I am writing to express my concerns on your April 15, 2021 revised SEPA threshold determination for Concrete Nor'West proposed Grip Road Gravel Mine. The revised MDNS falls woefully short of what is needed to identify serious traffic problems and the mitigation required to protect public safety.
Additional items of concern:
• Grip Road intersection still has a service sight-distance issue. The proposed solution, "traffic activated flashing beacon system," does not solve the sight-distance problem. To solve the problem, part of the hillside needs to be completely excavated. The County recently made some improvements to the intersection by excavating a portion of the hillside, and by doing so, has proved fixing the sight-distance problem can be straight-forward and relatively inexpensive. Furthermore, the current Puget Sound Energy power pole upgrade project on Parson Creek Road has also proven that acquiring the right of way needed to fix the sight-distance problem is not cost prohibitive.
• Grip Road S-curves are not passible by a dump truck/pup trailer combination when met with simultaneous oncoming vehicular traffic; there simply is not enough room. Skagit County Public Works is aware of this problem, as I first-hand witnessed the test run with a Skagit County dump truck and pup trailer. I am left wondering why this problem is not being addressed. Likewise, on East-bound Grip Road, the curve at the Samish River bridge has the same issues as the Grip Road S-curves. I am once again wondering why this same problem is not being addressed.
• Yet another sight-distance problem exists for West-bound traffic at the F&S Grade Road and Prairie Road intersection; sight-distance at this intersection for West-bound traffic is approximately 50'. West-bound dump trucks hauling materials from the Grip Road pit should not attempt to turn South on F&S Grade Road. In addition to the sight-distance issue, the intersection is not wide enough to allow a vehicle and the dump truck access to the intersection at the same time.
• Haul routes should be limited to only those routes that have been evaluated with traffic safety studies. As it currently stands, CNW would be allowed to haul on any route they choose. A more thorough Transportation Impact Analysis needs to be completed that evaluates the road system as a whole. Then we can evaluate whether other haul routes can safely be used by CNW.
• Prairie and Grip Road systems were not designed to support any industrial mining activity. I am unaware of any real industrial mining activity in the area since the early 1970's; up until now, there have been only small, occasionally-used pits in the area.
• Further, we have serious concerns about the piece-meal SEPA. If Concrete Nor'West were asking to process materials on site, boundary setback requirements would be larger and would,

therefore, reduce the amount of gravel they can remove. We suspect that as CNW removes material and the mine boundaries are established, they will then apply for onsite processing, and all materials will be direct-to-market from that point forward, thus by-passing the proper permitting process.
• Moreover, there is currently no system in place to verify truck counts or to monitor noise levels generated, thus giving the appearance that CNW will operate on an honor system. If allowed to operate as is, the onus will then unfairly be on the community to monitor and prove that CNW is operating outside of their permit allowances.
• The current application provides average daily truck trips by CNW. The maximum number of round trips needs to be clearly defined for both a daily and weekly basis. The road systems need to be evaluated at this maximum number and not on an annual average rate
• Finally, Skagit County documentation/maps show Prairie Road and F&S Grade Road as part of U.S. Bicycle Route 87. This Federal designation should be removed unless mitigation is made to allow for bicycles to safely use the route.

Sincerely,

Brian Bowser
21110 Parson Creek Road
Sedro Woolley, WA 98284
(360) 202-3084
CMSinc@myfrontiermail.com

From Host Address: 50.34.127.171

Date and time received: 4/29/2021 9:42:31 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 10:50:02 PM

Name : Donald Butterfield
Address : 4380 Blank Rd
City : Sedro Woolley
State : WA
Zip : 98284
email : acupuncturedoeswork@gmail.com
PermitProposal : Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads
Comments : APRIL 29 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads
Dear Mr. Cerbone,
I live at the East end of Prairie Road and drive past Grip Road 4-5 times a week. I am very concerned about the traffic problems the Miles gravel pit will cause on Prairie Road. This is a sharp curve that has very poor sight lines. To have as many trucks the company is talking about will effectively shut down the use of Prairie Road in the summer time. This will cause an increase of traffic unto Parson Creek Road to access HWY 99. The other problem will be the cross traffic at Prairie Road and Hwy 99. The amount of trucks that will be entering Prairie Road will back up that intersection to be all but unusable. There will be an increase of accidents as HWY 99 is a 50 mile an hour road and people will have a hard time stopping at that intersection. We can all pretend that everything will just work out fine but this is not the reality of traffic flow. As the population growth continues and Prairie Road becomes more of a connector road we can expect more and more traffic flow problems. The traffic study the County has used for this project is so poorly related to the facts I found it hard to believe that is all you are asking. I would hope that a level II impact study is the only proper way to look at all these issues.
I also ask that a full CAO review be done. You have not asked for a full environmental review of the whole site. A WDFW review with an emphasis on whether there are any Oregon Spotted Frogs. Impacts to wetlands and ground water are also not adequately addressed in the present permit. I know this is zoned for mining but that does not mean they can extract the gravel without meeting current review standards. Having followed this from the start I have been disappointed in the way the Planning commissioner has done everything to try and pass this permit without acknowledging the citizens of Prairie Road. You act like our concerns are not valid. I drive by this every day and am very concerned about the potential impacts to my self and other drivers in this area. I don't want to see an increase in accidents and deaths because Miles wants to run a mine without addressing our concerns.
Donald Butterfield 4380 Blank Rd Sedro Woolley, WA 98284
360-856-4497

From Host Address: 50.34.98.158

Date and time received: 4/29/2021 10:49:50 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 6:25:02 AM

Name : Linda L Walsh
Address : 21710 Prairie Road
City : Sedro Woolley
State : WA
Zip : 98284
email : walshl2006@hotmail.com
PermitProposal : PL16-0097 & PL-0098 reissued MDNS
Comments : June 2020

This letter was used as a guideline to talk during the video meeting with Skagit County officials on 6-10-2020, I would like it entered into the record as a comment for the reissued MDNS on permit file #'s PL16-0097 & PL16-0098. Concrete Nor'West gravel mine.

My husband and I own land adjacent to this project. We have lived on Prairie Road since 1991. We chose this area for the peace and quiet of rural life to raise our family, as did many of the people that live in this area. I have driven on Prairie Road past Grip Road for the past 29 years several days a week. I have witnessed the number of vehicles steadily increasing on these roads. I have talked with hundreds of residents in our rural Community regarding the proposed Gravel Mine on Grip Road since December 2016 and not one of those people said they would feel safe on the roads out here with daily truck and trailer traffic. It seems to me if the majority of residents using these roads every day are telling you it is unsafe it may be worthwhile to look beyond the expert opinions. It is possible the experts may be relying on inaccurate data given to them and have not done a thorough onsite investigation. Should we be the ones burdened for the next 25 years with unsafe roads for vehicles, pedestrians and bicycles, expensive road improvements and repairs, longer commute times, noise and a disruption in our quiet country lifestyles in order for one business operate as they wish.
The permit process should be a transparent process and the County codes dictate it will include public participation. We have been excluded from this process many times over the past few years. Right from the beginning the process had already failed. Our Community brought up serious issues and they were heard by the County but they have been unable to get complete and accurate documentation from the Applicant to address these issues.
It is obvious in the comment letter presented earlier children recognize the dangers and are concerned. I wonder how each of us would feel if our child expressed a safety concern based on an actual experience and no one listened or even tried to make any changes. Many times these issues prove to be fatal oversights and there is no second chance for those impacted. There are several school buses traveling morning and night during many months when it is dark and rainy. I have no doubt if you were to ask these Bus drivers each of them would have similar stories. There are little to no shoulders on these roads so there is nowhere to get out of the way. I think it is very important to let the County and the Hearing Examiner, who will be making decisions, know this. We are the residents who will be impacted every day by their decisions. This 25 year proposal is not 'temporary', as the applicant describes, it spans the remaining life of many of us and the decisions made now will also impact our children and grandchildren for years to come
This project is asking for the ability to operate 24 hours per day 7 days per week with an actual unknown trucks per hour, it should be evaluated on that criteria. We all know the

impacts to people and their environment will greatly increase with longer hours of operation and more loads of material hauled. An industrial scale operation, even operating 6 to 8 hours per day 5 days per week with 46 trucks per day will have an adverse impact. Mining is known to have adverse impacts and we depend on the SUP permitting process to determine if a project is even mitigatable for a specific location. In Skagit County Code 14.16.440 it clearly states: The burden of proof shall be on the Applicant. I will be honest it feels like that burden has been placed on us. An industrial 68 acre mine excavating 4.2 million cubic yards of gravel is not a small borrow pit and it has irreversible impacts. The project must be burden with proof that it can operate and be safe as well as not cause harm to our Community and environment. We depend on people using common sense and knowledge when reviewing the project. The MRO only designates there are resources present it does not mean it is an landowner's right to operate an industrial mine. Especially in an area where the road infrastructure is already inadequate, sensitive environment is present and it is very well known the project is in conflict with the surrounding area landowners. Like many of our neighbors we chose our properties in this agricultural area decades before the MRO was placed on this area.

County Policy 4-D - 5.3 Roads and Bridges:

New public roads and bridges accessing designated MRO areas shall be designed to sustain the necessary traffic for mineral extraction operations. Existing roads and bridges shall be improved as needed as each new extraction operation is developed. Cost sharing for the improvement of roads and bridges shall be negotiated between the permitting authorities and the applicant.

The above Policy is listed in the Staff report issued for this permit. I believe it is possible this policy has been overlooked because otherwise it seems the County and Applicant would have had a plan and a budget in order to meet this policy goal years before now. However, it seems no improvements or budgeting has been done to address the new extraction operation impacts on the existing roads and bridges.

All residents on Prairie Road traveling west past Parsons Creek must travel past the Grip/Prairie Road intersection or turn onto Grip or F &S Grade Road to reach any connecting roads to any Cities. Going west past Parson Creek we don't have access to other routes to get to the cities so we will be forced to use the same route as the massive truck and trailers. Contrary to what the applicant has stated this is not a remote area but it is a rural area with a thriving Community. Other residential developments which feed into Prairie include residents traveling from Blank Road, Upper Samish, Ida Drive, Lois Lane, Prairie Lane, Parsons Creek, Double Creek Lane, Wildlife Acres, Grip Road & Park Ridge Lane. Many of us already commute 30 minutes and when we are told in reports that up to 30 trucks per hour will not reduce our LOS and will not be unsafe it is very hard to understand how that would be possible. We must be able to safely navigate the narrow windy roads past Grip/Prairie, Prairie/ F & S Grade and Prairie/Old 99 intersections to even reach Interstate 5. We feel our lives will be negatively impacted by the unsafe traffic, noise, vibration, air pollution and daily stress of changes to our environment. We all drive these roads frequently and deserve to be protected from known safety hazards.

In the noise study it looks like they designated a spot up by Prairie Road which would be the farthest point from the mine site(IMAP approx. 1800 feet) to determine the noise levels on our property. The point measured is thousands of feet from where the mine operation will be. A receiving property border is defined in WAC 173-60-020: (11) "Property boundary" means the surveyed line at ground surface, which separates the real property owned, rented, or leased by one or more persons, from that owned, rented, or leased by one or more other persons, and its vertical extension, this study does not measure noise using the code definition.

We own acreage on both sides of the Samish River and throughout the year our family and friends come here to visit and to seek shelter from the hectic, noisy world. This fact should not

be swept aside as if it does Not matter, it is even more important now to have a place of safety and well-being as the chaotic world unfolds around everyone these days. It is a gathering spot we center our family and friends' celebrations around, it is a way of life. This industrial scale open pit mine will be hundreds of feet away from our activities. We all enjoy recreation much of the year outside in our backyard which shares a border with the proposed mine site. Unfortunately for us and our Community the busiest time outside is also when most of the excavating and hauling will occur, causing the greatest impacts. I want to invite each of you to take a drive out to see first-hand what we are talking about. Thank you for your time and listening, I appreciate it.

Linda Walsh - Properties adjacent to mine
21710 Prairie Road
Sedro Woolley WA 98284

From Host Address: 172.92.225.214

Date and time received: 4/30/2021 6:23:26 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 7:45:02 AM

Name : Mark Hitchcock
Address : 9620 Samish Island Road
City : Bow
State : WA
Zip : 98232
email : 4s3@wavecable.com
PermitProposal : Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Comments : April 30, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098

Dear Mr. Cerbone,

Thank you for the opportunity to comment on the Mitigated Determination of NonSignificance (MDNS) for the proposed gravel mine on the Samish River near Grip Road. Since 1995 Skagit Land Trust has owned and cared for Tope Ryan Conservation Area, an important natural site along Grip Road approximately 2 miles downstream of the proposed mine. This preserve has long included 900 feet along the Samish River. The Trust also protects two other Samish River properties upstream of the project site and is continually seeking to protect more land along this important watercourse. All of Skagit Land Trust's properties along the Samish have been donated by landowners who wanted to protect the natural habitat of the river and its shoreline. We have partnered with federal, Tribal, state, and local agencies on numerous projects to protect and restore habitat in the Samish watershed. These partnerships include excellent work conducted by Skagit County Public Works Clean Samish Initiative, Skagit Fisheries Enhancement Group, and others.

Last year, Skagit Land Trust received a donation of land significantly expanding Tope Ryan Conservation Area on the other side of Grip Road protecting an additional 900 feet of shoreline along the Samish River and Swede Creek including their confluence. The river and creek in the vicinity of the conservation area are of particular importance for juvenile salmon due to the habitat complexity of the site. The river's wide gravel bars are critical spawning grounds for Coho and Chum Salmon as well as Steelhead and Cutthroat Trout. Last year, the latest restoration planting project at Tope Ryan added over 5,000 trees and shrubs. The costs of this effort were covered by the National Estuary Program, administered by the Washington State Department of Ecology with assistance from the U.S. Environmental Protection Agency. The Skagit Conservation District prepared the planting plan and helped secure a federal partnership grant to maintain the plantings. I mention these details to make the point that this is a preserve made possible and continually improved by the generosity of private landowners

supplemented by public funds and the dedication of many staff and volunteer hours over a long span of years. The potential for adverse impacts from a nearby mine and associated heavy truck traffic greatly concerns us and could directly affect our ability to meet our responsibility to protect this significant area of habitat.

Each year the Trust organizes community volunteers to conduct amphibian monitoring at the Tope Ryan site, gathering significant data about the wetlands which we convey to Washington Department of Fish and Wildlife. We hope to someday discover that the endangered Oregon Spotted Frog has returned to this site, given its appropriate habitat for this now rare species present elsewhere in the Samish Watershed. Tope Ryan is a rich area laced with beaver ponds, important not only for native amphibians but also for a rich assemblage of riparian dependent songbirds and waterfowl. It also supports commercially important fish stocks. In addition, restoring and protecting this large riparian area helps protect water quality in the river that is so important for commercial shellfish grown in Samish Bay. Potential river degradation due to the proposed mine and haul road puts a long list of values at risk.

One of the lessons we have learned from years of restoration work is that protecting habitat is far more cost effective than restoring it after the fact. In addition, there are factors contributing to habitat degradation that are more subtle than direct impacts, but perhaps even more concerning. For instance, Swede Creek routinely spills over its banks into the ditch along Grip Road by the Tope Ryan property. This has created a cascade of effects including accelerated erosion of the roadbed, routine flooding of the road and increased sediment loading in the creek and river. Skagit Land Trust staff and volunteers have on several occasions discussed with staff at Public Works various ideas for “fixing” the creek; but have yet to arrive at a cost effective and feasible plan to solve this problem. The volume and type of truck traffic that would be using the haul road crossing Swede Creek could well add to the present problem.

The Trust is concerned that the impacts of the proposed mine have not been adequately evaluated, nor we will look back and wish we had considered taking stronger measures to prevent the ongoing unraveling of important habitats in the Samish Watershed. Further review of the impacts to the riparian habitat and associated wetlands along the river should be conducted with special attention to Oregon Spotted Frog and Bull Trout habitat, both listed species.

Under Skagit County’s Critical Areas Ordinance it would be appropriate to require a 300’ buffer, rather than 200’, between the Samish River and the mine, clearly an industrial activity calling for this larger buffer. A larger buffer would provide greater assurance that the mining will not in fact degrade the river through sedimentation, erosion, and leaching of spilled fuel oil (noting the statement in the application materials that fueling of equipment will take place on site). We are also concerned that the plan to maintain the floor of the mine at least 10’ above the water table, while well-intended, lacks certainty. There should be a more thorough analysis of the site hydrology through the seasons and of how it will be affected by the mining plan.

In addition, as mentioned, there are issues with Swede Creek just downstream on Trust property, and yet it appears that the impacts to the creek from heavy truck traffic on the private haul road have not been evaluated. The haul road crosses Swede Creek approximately 0.6 stream miles above Land Trust property. Sedimentation from this unpaved road would likely degrade the salmonid habitat downstream which we have been working for years to protect. We are also aware that there are beaver ponds and wetlands near the haul road and that the

environmental review did not take these sensitive habitat areas into account.

The projected numbers of heavy trucks on this haul road are significant and will permanently change the nature of the forested upland habitat on the site. Local residents report that the uplands on the property are used by bear, cougar, and bobcat. Signs of these animals have also been observed on the Trust's nearby property. These animals require large territories, and the applicant's property is the last large undeveloped tract of land so close to the Samish River in this part of the watershed. The impacts from this disturbance to these important upland wildlife species should be evaluated.

We also have concerns related to the safety of staff, volunteers, and visitors to Tope Ryan Conservation Area in light of the heavy and frequent truck traffic which would be associated with the mine. Trucks entering Grip Road would pass the conservation area as they approach the turn onto Prairie Road. Vehicles using the preserve's small parking area will be at very significantly increased risk of collision as they pull into or out of the limited space. The conservation area lies on both sides of Grip Road. Pedestrians crossing from one part to the other will also be in the path of trucks approaching or leaving the mine.

Skagit Land Trust is not opposed to resource extraction; however, these uses must be balanced with effective measures to protect public resources, such as the Samish River, private ones such as Tope Ryan Conservation Area, and public safety. In addition, the Trust staff would be happy to discuss conservation options with the landowner to address some of these concerns.

Before recommending approval of the Grip Road Gravel Mine application, please conduct further evaluation to ensure measures are taken to adequately protect the natural habitats of the Samish watershed that all of us are working so hard to restore. We ask that you do this by withdrawing the MDNS and requiring a full Environmental Impact Statement with thorough consideration of project alternatives and a more complete scope of mitigations than in the MDNS. It is essential that this analysis include not only the mine site itself but also the area traversed by the haul road, the downstream reaches of the Samish River and Swede Creek, and areas adjacent to the public roadways the trucks would use.

Again, thank you for the opportunity to comment, and for your time and consideration.

Sincerely,

Mark Hitchcock
President
Skagit Land Trust

From Host Address: 172.92.212.48

Date and time received: 4/30/2021 7:42:19 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 8:00:02 AM

Name : Katelynn Piazza
Address : 3190 160th Ave SE
City : Bellevue
State : WA
Zip : 98008
email : kpia461@ecy.wa.gov
PermitProposal : Concrete Nor'West; File No. PL16-0097, PL16-0098
Comments : Thank you for the opportunity to provide comments on the State Environmental Policy Act (SEPA) mitigated determination of nonsignificance (DNS) process for the Concrete Nor'West proposal. Based on review of the checklist associated with this project, the Department of Ecology (Ecology) has the following comments:

The operation will require coverage under the NPDES Sand & Gravel General Permit to authorize the discharge of stormwater and/or process water to surface waters and/or groundwaters from sand and gravel operations. Applicants must submit the Notice of Intent (NOI) application online through Ecology's Water Quality Permitting Portal (WQWebPortal).

Thank you for considering these comments from Ecology. If you have any questions pertaining to the NPDES Permit or would like to respond to these comments, please contact Stephanie Barney at (360) 255-4390 or stephanie.barney@ecy.wa.gov. For assistance navigating the WQWebPortal, please contact Tonya Wolfe (800) 633-6193, option 3 or WQWebPortal@ecy.wa.gov.

From Host Address: 165.151.213.203

Date and time received: 4/30/2021 7:58:07 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Friday, April 30, 2021 11:50:53 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Friday, April 30, 2021 11:50 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : David Goehring
Address : 20002 Double Creek Lane
City : Sedro Woolley
State : Wa
Zip : 98284
email : davidgoehring@gmail.com
PermitProposal : Grip Road Gravel Mine
Comments : I have reviewed the traffic study done for Miles Gravel, and find it woefully insufficient in a number of areas. First off, why were no other routes besides the route east on Prairie included in the study? Who is going to make sure that every driver of every load takes this route. If the trucks turn left and go up Grip, that would be insanely dangerous with all those tight turns. It's bad enough just in my SUV. If they take Grip to then turn left onto F&S, they will be cutting off cars either at or coming up to the stop sign. Again, it is bad enough already because of the steep slant on F&S. I see that the study did acknowledge that the gravel trailers would be cutting off cars coming around the two 90' turns on Prairie just east of 99. This alone should be enough to deny this permit unless the turns can be widened. I think that one homeowner there on the first curve will be pretty upset to lose a big chunk of his lawn, which would be the case. I see the report also acknowledges that the Samish River bridge on 99 is not currently rated for this much heavy traffic. So that means that since the majority of the traffic is going to the Belleville pit that the trucks will have to proceed up the narrow windy Bow Hill Road, which has basically been trying to slide off the edge of the hill for years. Even worse, the trucks will then have to cross over the Cook Road I-5 overpass which is already a big mess as you surely know. The fact that this was not addressed in the study should tell you a little bit about it's veracity. That overpass already needs major upgrades, as all of us trying to get out onto the overpass from either the northbound or southbound exit ramps from I-5 can surely tell you. Both of those off ramps often back up onto the shoulders of the freeway, which makes for a very hazardous situation. Allowing all this additional truck and trailer traffic to use that route in it's current state would be completely irresponsible at best, criminally liable at worst. That whole interchange needs to be completely overhauled already, including more lanes. Another issue is this truly ridiculous band-aid proposal to put flashing yellow warning lights on Grip and Prairie. Is their another such arrangement anywhere else in the county? I've never seen one if there is. Prairie Road has become very heavily trafficked, especially during commuter hours. This isn't some backcountry lane. Why the hell should all of us who use that road be subjected to the delays resulting from this? Drivers from both directions who have to wait while one of the trucks enters onto Prairie will be frantically trying to pass it after it is out on the road, which is very dangerous on that narrow road. It is hairy enough just trying to pass a car. Prairie will have to be widened all the way to 99 to even think about using it as a haul route. Lastly, I see that Miles thinks that the

county should pay for any road upgrades. This just makes my blood boil. The roads are okay with the current levels of traffic, so any upgrades would be specifically to benefit Miles Sand & Gravel. They need to fully pay for any and all road work needed to make it safe to haul out their gravel. That property was originally zoned for timber as I understand it, and was converted to gravel with the State's blessing. The timber traffic would have been about 1% of what this gravel traffic will be. They decided to change it, so they can damn well foot the bill! If ANY of my taxes go to improving these roads for them, I will be the leading torchbearer when we descend upon the county offices. I would like to remind the Planning Commissioners and the County Commisioners that their number one priority as our elected and appointed representatives is public safety. I've said it before and I will say it again, approving this permit in its current state will get people injured, killed or both. The only even remotely safe way to get gravel out of that mine would be one single truckload at a time. NO TRAILERS! If Miles can't make a profit that way, then they can go find another site. It's not like there's a shortage of gravel pits around anyway.

From Host Address: 174.204.65.127

Date and time received: 4/30/2021 11:48:27 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 2:15:02 PM

Name : Kyle A Loring (on behalf of Central Samish Valley Neighbors)
Address : PO Box 3356
City : Friday Harbor
State : WA
Zip : 98250
email : kyle@loringadvising.com
PermitProposal : PL16-0097 & PL16-0098 MDNS part 1
Comments : By Electronic Portal and Email

April 30, 2021

Hal Hart
Director of Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: File No. PL16-0097 & PL16-0098; Concrete Nor'West Grip Road Gravel Mine
Skagit County Planning and Development Services Mitigated Determination of Nonsignificance

Dear Mr. Hart,

I'm writing on behalf of Central Samish Valley Neighbors ("CSVN") to request that Skagit County Planning and Development Services ("PDS") reconsider and withdraw the Mitigated Determination of NonSignificance ("MDNS") that it issued for the clearing and development of a 68-acre sand and gravel mine ("Mine") along the Samish River. The MDNS conflicts with Washington's State Environmental Policy Act ("SEPA") because it issued without an evaluation of multiple potential environmental impacts from the Project. For example, although prominent issues like the Mine's hours of operation and its encroachment into the 300-foot wetland buffer have been raised consistently since Concrete Nor'West ("CNW") applied for a special use permit for the Mine in 2016, the MDNS does not limit the hours of operation or reject CNW's proposed 200-foot buffer. Its silence on those issues can be presumed to allow CNW to operate the Mine without time limitations, as CNW has asserted that it may, and to mine up to just 200 feet from wetlands that host Endangered Species Act-listed species like the Oregon spotted frog. Yet the neither PDS nor the applicant has evaluated the impacts of those project operations. Absent this information, as well as significant information gaps like the refusal to evaluate private haul road impacts on Swede Creek, a fish-bearing tributary of the Samish River, PDS has not satisfied the SEPA requirement that it fully consider the environmental impacts of the Mine. The MDNS must be withdrawn.

Moreover, PDS must issue a Determination of Significance ("DS") because the information disclosed in the application materials for permits PL16-097 and PL16-0098 indicates that the Mine would cause significant impacts. For example, CNW's traffic impacts analysis confirms that dump trucks and trailers pose a threat to other users on the narrow, high-speed-limit roads that they will traverse.

CNW has had five years to address the potential impacts of its Mine, and while they have slowly piecemealed a few additional documents, they have not demonstrated that the Mine will address the impacts. As the representative of the local community entrusted with ensuring that applicants for large industrial development analyze and address environmental impacts, PDS must respond accordingly and issue a DS and start the Environmental Impact Statement ("EIS") process to address the Mine's impacts.

This letter explains below that: (1) the Project outlined by the application materials; (2) will have a variety of impacts, some unevaluated and others already identified as significant; on (3) its sensitive ecological surroundings and the local transportation network. The MDNS does not adequately condition the Mine to address those impacts.

In drafting this letter, we reviewed application materials that included the following: (1) the March 7, 2016 fact sheet, special use narrative, and project description; (2) subsequent special use narratives and revised project description; (2) SEPA Checklist; (3) fish and wildlife documents by Graham-Bunting Associates; (4) the Hydrogeologic Site Assessment from Associated Earth Sciences; and (5) traffic documents by DN Traffic Consultants. We also reviewed comment letters by state agency officials, consulted with fish and wildlife officials and a traffic engineer, and reviewed publicly-available information about the site and environs like aerial photographs and the regional bicycle map. We have attached the CSVN November 24, 2020 comments on the Project's SEPA process, none of which have been addressed since the submission of that letter, and incorporate it by reference.

A. Project Details.

Concrete Nor'West has applied for a Mining Special Use Permit to excavate approximately 4,280,000 cubic yards of sand and gravel in a 68-acre mine in the Central Samish Valley. CNW projects that the mining would occur over 25 years, though the proposal would not be limited to a specified period of time and the rate of excavation would depend on demand for sand and gravel. The mining would require the clear cutting of timber, followed by excavation that would dig down 90 feet toward the water table. The withdrawn MDNS stated in 2016 that logging would remove approximately 50,000 board feet of timber from the land but there are no updates on the progress of the logging. While the proposed mining would occur on three parcels totaling 77 acres, these parcels form just a portion of an overall block of parcels totaling more than 726 acres. Although the SEPA Checklist suggests that there are no plans for future additions, expansion, or further activity related to or connected with the proposal, a large portion of the other 650+ acres of land have also been designated as Mineral Resource Overlay, with some of it approved for active harvest by the Washington Department of Natural Resources. A noise and vibration study submitted by CNW did not evaluate the noise and vibration impacts that would occur after logging of the larger property.

1. Hours and staffing.

According to CNW, mine hours would be unlimited consistent with its underlying zoning, though normal working hours would typically extend for 10 hours, from 7am to 5pm, six days a week. According to the MDNS, hauling would occur during the workweek, Monday through Friday, and site operations would occur Monday through Saturday. CNW estimates that one to two full-time employees would work on-site and an unspecified number of truck drivers would haul gravel off-site throughout the day. On-site operations would involve heavy equipment like a front-end loader, excavator, dozer, and dump trucks.

2. Hazardous materials.

The Application offers conflicting information about whether hazardous materials will be stored at the site. It responds "Yes" to a question about whether chemicals, waste oils, solvents, and fuels would be stored at the site, and describes the possibility of installing a 2,000-gallon diesel fuel tank. But it also states that "[w]aste oils, solvents, etc. will not be stored on site."

3. Gravel and sand hauling routes and volume.

Application materials offer varying estimates of the amount of truck traffic that the mine would generate. A September 10, 2020 Traffic Impact Analysis ("TIA") by DN Traffic Consultants estimates that under "extended hours conditions," the Mine would generate 29.4 truck-and-trailer trips per hour. The TIA does not define extended hours or explain why the site would be limited to that number of trips if demand were high enough to require greater production. DN Traffic Consultants' earlier memo, aptly-titled "Maximum Daily Truck Traffic," estimated that a realistic maximum number of trips for truck-and-trailer was 60 trips per hour. That study assumed that increased demand for material would lead to increased production at the site, limited only by the (likely artificial) logistical consideration of the number of truck and pups available in Skagit County. DN Traffic explains in its TIA that the ~30 trips per hour that it estimates for a higher end number is based on the anticipation that the Mine could generate up to 5000 tons per day. It does not explain how this production amount was derived and does not explain the inconsistency between the ~30 trips figure and the 60 truck-and-trailer trips per hour that it deemed a realistic maximum in its Maximum Daily Truck Traffic memo.

The gravel and sand would be hauled by trucks and trailers forced to navigate narrow rural roads with medium to high speed limits. The original road special use narrative stated that hauling would occur along Old Highway 99, Prairie Road, and Grip Road. Subsequent documents identified Bow Hill Road and F&S Grade Road as potential route extensions. Road widths along these routes are just 20-22 feet and they allow speeds up to 50 mph. Although the TIA suggests that shoulders exist along each of these roads but Grip Road, the Skagit County Bike Map identifies Grip Road, Prairie Road, and F&S Grade Road as roads without shoulders. A simple review of these roads through google maps' street view function confirms that paved shoulders are largely non-existent on those roads, though some stretches contain large gravel that promptly slopes down to a ditch. In addition, the TIA asserts that there are no known bike routes in the subject area, yet the readily-available Skagit County Bike Map identifies Prairie and F&S Grade Roads as part of a federal bike route, US Route 87. Local residents have communicated that guard rails have been installed along a significant stretch of Prairie Road, shrinking the width available for cyclists and pedestrians outside the actual roadway to nothing.

The transportation documents associated with the application do not prescribe a haul route, but instead contemplate multiple options. The TIA states "[i]t is estimated that 95 percent of the trips will be assigned to and from the west on Prairie Road; with 80 percent south to the existing Belleville Pit Operation using either Old Highway 99N or I-5 south; ten (10) percent of the trips to end users via I-5 south, five (5) percent to end users west of I-5 on Bow Hill Road; and five (5) percent to end users east of the Mine access via Grip Road." One of the options in the TIA assumes that truck/trailer combinations using Old Highway 99 would be short-loaded to comply with current weight restrictions on the Old Highway 99 Samish River

bridge or that those restrictions would be removed. The Application does not evaluate the number of truck trips that would be required if vehicles were short-loaded to meet current bridge weight limits. The Application's revised project description identifies the route through Grip Road, Prairie Road, and Old Highway 99 North.

In addition, although the Application does not describe the on-site haul route on CNW property, a review of aerial photographs indicates that it would stretch for more than two (2) miles between the Mine and Grip Road.

4. Independent review of transportation documents.

Although CNW has provided several documents about the Mine's traffic impacts, a review by Jeffrey Hee, P.E., Senior Transportation Engineer at Transportation Solutions Incorporated ("TSI") reveals that some impacts have yet to be addressed and others have not been fully evaluated. Mr. Hee analyzed project documents, including the traffic reviews by DN Traffic Consultants, and discovered the following unresolved issues:

• the maximum trip generation numbers and frequency of maximum trip hours and days for the Mine have not been finalized. The Application offers conflicting information about the maximum traffic to be generated, and County conditions could require trucks without trailers, which would decrease capacity for each shipment and therefore increase the number of trips to ship the same overall volume of material. Also, the Application does not identify whether the trip generation numbers account for on-site workers and non-haul mining operations (page 3);
• site distance impacts were not evaluated based on common industry practice that contemplates the use of 85th-percentile design speeds from the County's Road Standards. Instead, even though those 85th-percentile speeds were readily available on the Skagit County of Governments website, DN Transportation relied on lower posted speeds for its modeling. This may underrepresent sight distance risks (page 4);
• site distance impacts were not evaluated for the intersection where the site access road meets Grip Road, based on the mistaken assumption that it wasn't required for a lower volume road (page 4);
• no mitigation was proposed to address site distance impacts at the Grip Road/access road intersection for egress to the east, and no analysis occurred to determine whether a gravel truck or truck/trailer combination can safely navigate the road network east of the mine (page 4);
• intersection sight distances were not evaluated for truck/trailer combinations at the intersection of F&S Grade Road and Prairie Road. Consequently, Mr. Hee recommended preventing the hauling on F&S Grade Road (page 5);
• the significant truck-trailer impacts that the TIA identifies between the site and Old Highway 99 have not been fully addressed (pages 1, 5);
• there has been no analysis of safety impacts associated with truck-and-trailer combinations traveling east of the Mine access. Mr. Hee recommended preventing hauling east of the Mine site (page 5-6);
• the Application does not evaluate traffic impacts associated with the redistribution of truck traffic onto Cook Road due to Samish River bridge weight limits. This is important given the traffic issues that WSDOT and Skagit County have identified for the Cook Road interchange at Old Highway 99 (page 6);
• the Application does not provide detailed specifications for the type(s) of vehicle(s) it modeled for transportation impacts, preventing confirmation of its results (page 5).
Specifically, with regard to site distance and haul route concerns, Mr. Hee notes at pages 5 and

6 that the following comments and questions should be answered:
• is the County's vision clearance triangle satisfied in the study area?
• what speed is needed to achieve site distance at the study locations?
• are sight distance exhibits available for public review?
• Why are total crashes different in some of the Tables in the TIA?
• Will the applicant complete the improvements recommended by the TIA for the intersection of Prairie Road and Old Highway 99?
• Why doesn't the TIA provide conclusions about whether the project traffic will increase the frequency and severity of collisions on the haul route given the route's geometric and sight distance constraints?

B. Valuable Ecological Setting.

The 68-acre mine site and associated properties provide important terrestrial and aquatic habitats. The Samish River, a salmon-bearing river, winds for more than one-quarter mile along the eastern portion of the mine property. Associated wetlands extend toward the Mine from the river's active channel and flood plain, though it is unknown just how close the edges of the wetland reach to the proposed mining area because they have not been delineated. Swede Creek, a documented fish-bearing stream, would be traversed by every truck hauling gravel and sand to and from the Mine on the private haul road. The Application does not acknowledge the private haul road as part of the project and therefore does not evaluate impacts to wetlands along that route or to Swede Creek from the haul road that crosses it. A fish-bearing tributary to the Samish River crosses the southeastern corner of the Mine site.

1. Lack of analysis of undersized Mine buffer.

According to the project description set forth in the MDNS, the Mine would observe a 200-foot wetland buffer rather than the 300-foot buffer required for the wetlands associated with the Samish River. The MDNS refers to the mining of approximately 4,280,000 cubic yards of sand and gravel. According to its Special Use Narrative, CNW will be able to extract 4,280,000 cubic yards of material if it mines up to 200 feet from the estimated edge of the wetlands, and approximately 3,942,000 cubic yards if it observes the required 300-foot buffer. By embracing the larger volume, the MDNS indicates PDS' approval of a 200-foot buffer for the Mine.

A buffer of at least 300 feet applies to the Mine as a high intensity land use adjacent to a Category II wetland. According to the Skagit County Code, "high intensity land uses" include "land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium- and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and commercial and industrial land uses." The Mine qualifies as a commercial and industrial use of the land, and the clear-cutting of existing forest and conversion to a sand and gravel mine qualifies as a high level of human disturbance and substantial habitat impacts. In addition, the Application does not evaluate the angle of the slope in the buffer to determine whether it is greater than 25%, and thus warrants an extension of the buffer 25 feet past the top of the slope.

In addition, by clearing the forest into the buffer, the Mine would eliminate functions that the forest furnishes the productive riparian zone, including: (1) maintaining water quality; (2) controlling fine sediment; (3) contributing large woody debris; (4) providing shade and moderating the microclimate; (5) contributing litter fall and organic matter; (6) moderating site

hydrology and stabilizing slopes; and (7) providing fish and wildlife habitat.

This riparian zone where the aquatic environment transitions to a terrestrial environment is essential for the Oregon spotted frog--listed as endangered by Washington in 1997 and threatened federally in 2014--that relies on the wetlands and environs. The US Fish & Wildlife Service has identified critical habitat for the frog that extends from far upstream on the Samish River and includes the mine property adjacent to the river. The 2017 GBA Addendum acknowledges that these wetlands meet the definition of critical habitat for the spotted frog due to their size, saturated soils, and shallow ponds. The GBA Addendum includes a photograph showing these ideal conditions, as well as a hand-drawn line intended to reflect the edge of the saturated area.

However, neither the SEPA Checklist nor the Application's documents by Graham-Bunting evaluate the impact on the Oregon spotted frog or other wetland species of converting one-third of the riparian buffer into a gravel mine. Consistent with the proposal to mine up to 200 feet from the wetland, the GBA Addendum suggests that a 200-foot buffer is sufficient to protect aquatic life, but does not offer any justification for that assertion other than the absurd claim that clear-cutting a forest and converting it to a sand and gravel mine is a "medium" intensity use. Nor does the GBA Addendum indicate why a 200-foot buffer would protect the Oregon spotted frog when Skagit County's critical areas ordinance requires a 300-foot buffer to protect the Category II wetland from the impacts of high intensity land uses like mining operations. In fact, the GBA Addendum expressly disclaims that it is not intended to be used for the purpose of evaluating the spotted frog under the Endangered Species Act.

2. Lack of response to Ecology concerns.

In addition to overlooking the impacts of developing 1/3 of the buffer intended to protect species such as the Oregon spotted frog, CNW declined to address state agency concerns expressed by Doug Gresham, the Washington Department of Ecology wetland specialist responsible for Skagit County. In his initial April 7, 2016 email, Mr. Gresham stated that wetland impacts should be avoided by refraining from excavating within the buffer area associated with the Samish River and its associated riparian wetlands and that any wetlands identified on the property that would be impacted should be delineated and permits should be submitted to Ecology. In a June 1, 2016 comment letter, Gresham declared that additional wetland requirements include: (1) flagging of the ordinary high water mark along the Samish River banks by a qualified biologist, and survey of the boundaries; (2) a jurisdictional determination from the U.S. Army Corps of Engineers stating whether the delineated wetlands on the property are under federal jurisdiction; (3) ratings of all wetlands based on Ecology standards; (4) a critical area report describing wetland conditions on the property, wetland data sheets, wetland rating forms, and photographs; and (5) a mitigation plan for unavoidable wetland and buffer impacts per Ecology standards. In addition, Mr. Gresham noted in his June 1, 2016 correspondence that the Application omitted maps showing associated wetlands or the ordinary high water mark of the Samish River.

Six months later, Mr. Gresham supplemented his earlier comments by expressing a concern with CNW's use of a 200-foot buffer rather than the required 300-foot buffer. Gresham stated that CNW needed to address the gravel mine's encroachment into the 300-foot buffer. Gresham also stated that he had "a concern with the access road that will need to be improved to accommodate 46 truckloads a day, which could impact wetlands and streams. This access road may need to be widened, the Swede Creek bridge may need to be upgraded, and storm

water drainage features may need to be reconfigured." Gresham noted that these issues had not been addressed.

Notwithstanding these clearly-stated agency concerns, CNW continues to propose to excavate up to 200-feet from what it assumes is the ordinary high water mark of the Samish River and associated wetlands without delineating the specific location of the river's edge, its floodplain, or the associated wetlands. CNW did not supplement the Application with a survey or flagging of the edge of Samish River, delineation of wetlands on the property (including any wetlands along the haul route), critical area reports for wetlands, a mitigation plan, or a discussion of impacts associated with the Swede Creek bridge or haul road development on the creek or wetlands. Instead, an engineering and surveying group drew a map with estimates for the location of Samish River "plotted from May 2011 aerial photo" and "wetland at toe of slope from LiDAR data and field observation," without a delineation survey. The map is captioned "alternate 300 foot buffer," but none of the application materials indicate that CNW has decided to apply anything other than a 200-foot buffer. The map shows what appear to be roads or mining areas extending into the estimated buffer.

3. Water quality and quantity impacts.

Drainage from the site currently flows to the Samish River both above and below ground. The Application indicates that the mining would occur in an area that is currently elevated about 90 feet above the river and its associated wetlands (50-75 feet above the valley floor in the eastern portion of the site), and that groundwater from the site flows in a northerly direction and discharges to the Samish River. According to the Application, CNW would construct a berm approximately 200 feet landward of the assumed wetland edge in order to direct drainage from the site to the gravel floor for infiltration into the groundwater. The Application does not evaluate whether that berm and mine infiltration would redirect surface water away from the wetlands and river complex and thus dewater these sensitive ecological features, or analyze the impacts of that dewatering.

Application materials offer conflicting information about whether the Mine would reach the water table. Although the GBA Assessment states that the mine would be excavated to a depth of 10 feet above the water table, the SEPA Checklist states that the Mine would be excavated to a depth of 154-163 feet above mean sea level while the hydrogeological assessment found the water table at 145-155 feet above mean sea level. The Application did not evaluate whether excavation to a depth of 154 feet would interfere with a water table at 155 feet.

From Host Address: 216.160.85.174

Date and time received: 4/30/2021 2:12:46 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 2:15:02 PM

Name : Kyle A Loring (on behalf of Central Samish Valley Neighbors)
Address : PO Box 3356
City : Friday Harbor
State : WA
Zip : 98250
email : kyle@loringadvising.com
PermitProposal : PL16-0097 & PL16-0098 MDNS part 2
Comments : C. SEPA Requires Withdrawal of the MDNS Because the Application Does Not Supply PDS With Sufficient Information to Fully Consider the Project's Environmental Impacts.

PDS must withdraw the MDNS because it has not fully considered the environmental and ecological effects of CNW's sand and gravel mining proposal. RCW 43.21C.030; see Boehm v. City of Vancouver, 111 Wn. App. 711, 717, 47 P.3d 137 (2002). For example, PDS issued the MDNS without analyzing the impact of clearcutting and mining a large portion of a wetland buffer intended to protect wetland species like the federally-threatened and state-endangered Oregon spotted frog. Nor has the Application evaluated impacts associated with the private haul road that will traverse Swede Creek and travel near uncategorized and unsurveyed wetlands. The Application also omits a full analysis of the risk to human health and safety from a haul route that involves public roads where the proposed truck and trailer would not be able to stay in its lane on two-lane roads with speed limits up to 50 mph, and risks associated with the sight distance at the intersection of Grip Road and the site access road. In the absence of this information, PDS has not satisfied its duty under SEPA to fully consider the project's adverse environmental impacts.

SEPA requires agencies to "consider total environmental and ecological factors to the fullest extent when taking 'major actions significantly affecting the quality of the environment.'" Lassila v. City of Wenatchee, 89 Wn.2d 804, 814, 576 P.2d 54 (1978) (quoting Sisley v. San Juan County, 89 Wn.2d 822, 830, 567 P.2d 1125 (1977)). To determine whether an environmental impact statement is required for a major action, the responsible governmental body must first determine whether the action will cause significant impacts and render a threshold determination accordingly. RCW 43.21C.030(2)(c); Boehm, 111 Wn. App. at 717.

Agencies must first ensure that the proposal is properly defined. WAC 197-11-060(3). Every part of a proposal that combines to form a single course of action must be evaluated in the same environmental document. WAC 197-11-060(3)(b). Thus, where different parts of the same proposal could not proceed unless they are implemented simultaneously, they must be evaluated together. WAC 197-11-060(3)(b)(i). Because the Mine could not function without the use of the private haul road to transport the product off-site, environmental impacts associated with the use of that road must be evaluated as part of the project's SEPA review.

A major action significantly affects the environment when it is reasonably probable that the action will have more than a moderate effect on the quality of the environment. WAC 197-11-794; Boehm, 111 Wn. App. at 717 (citing Norway Hill Pres. & Prot. Ass'n v. King County Council, 87 Wn.2d 267, 278, 552 P.2d 674 (1976)). Significance involves a proposal's context

and intensity; an impact may be significant if its chance of occurrence is low but the resulting impact would be severe. WAC 197-11-794.

To evaluate an action's effects, a responsible official like PDS must: (1) review the environmental checklist and independently evaluate the responses of the applicant; (2) determine if the proposal is likely to have a probable significant environmental impact; and (3) consider mitigation measures that the applicant will implement as part of the proposal. WAC 197-11-060(1); WAC 197-11-330; Indian Trail Prop. Ass'n v. Spokane, 76 Wn. App. 430, 442, 886 P.2d 209 (1994). In reviewing a project's impacts, an official must review both direct and indirect impacts and both short-term and long-term impacts. WAC 197-11-060(4). If the responsible official's review concludes that the proposal will not cause probable significant adverse environmental impacts, she issues a determination of nonsignificance ("DNS"). WAC 197-11-340. Conversely, a finding of probable significant adverse environmental impact leads to the issuance of a Determination of Significance ("DS"). WAC 197-11-360. A determination of significance triggers the need for an environmental impacts statement to review the project's identified impacts. WAC 197-11-360.

An agency that determines that a proposal will not result in a significant impact bears the burden of demonstrating "that environmental factors were considered in a manner sufficient to be prima facie compliance with the procedural dictates of SEPA." Bellevue v. Boundary Rev. Bd., 90 Wn.2d 856, 867, 586 P.2d 470 (1978) (quoting Lassila, 89 Wn.2d at 814). For example, the threshold determination must be based on information sufficient to evaluate the proposal's environmental impact. Boehm, 111 Wn. App. at 718. In addition, a court will not uphold a DNS unless the record demonstrates that the government gave actual consideration to the environmental impact of the proposed action or recommendation. Boehm, 111 Wn. App. at 718. An incorrect threshold determination will be vacated because it thwarts SEPA's policy to ensure the full disclosure of environmental information so that environmental matters can be given proper consideration during decision-making. Norway Hill Pres. & Prot. Ass'n v. King County Council, 87 Wn.2d 267, 273, 552 P.2d 674 (1976)).

The MDNS, SEPA Checklist, and associated application materials here demonstrate that PDS did not adequately consider the environmental factors, "in a manner sufficient to be a prima facie compliance with the procedural dictates of SEPA." Lassila v. City of Wenatchee, 89 Wn.2d 804, 814, 576 P.2d 54 (1978). The MDNS is not based on information sufficient to evaluate the proposal's environmental impact, as identified below and as exemplified by the lack of response to riparian and wetland requirements noted by Doug Gresham, Ecology's wetland specialist for Skagit County.

1. The MDNS is not based on information sufficient to evaluate the proposal's environmental impact.

The sections below summarize some of the information omitted from the Application that is necessary to fully understand and consider the Mine's environmental impacts. For more detailed descriptions and additional flaws, please see the CSVN November 2020 comment letter at Attachment A.

a. Lack of review of impacts within the Project's full footprint.

The application materials do not evaluate environmental impacts associated with the two-mile-long private haul road that transects the applicant's larger contiguous ownership and traverses

Swede Creek, even though industrial-scale use of this haul road is a crucial element of the Project. For more information about this omission, see Attachment A, CSVN Letter at 4.

b. Lack of review of climate impacts associated with hauling sand and gravel.

No application materials, including the SEPA Checklist, evaluate the climate change impact associated with carbon emissions from mining and hauling more than 4 million cubic yards tons of sand and gravel over a 25-year period. Indeed, the SEPA Checklist asserts that, "[t]here are no off-site sources of emissions that would impact the proposal." For more information about this omission, see Attachment A, CSVN Letter at 5 (identifying off-site and cumulative impacts omitted and ignored).

c. Lack of review of impacts from converting 1/3 of a forested buffer into a gravel mine, including impacts to listed species.

Although the MDNS contemplates the mining of more than 4 million cubic yards of sand and gravel, which would occur only if PDS applies a 200-foot buffer rather than the required 300-foot buffer, neither CNW nor PDS evaluated the impacts of reducing the buffer by 100 feet over a stretch of approximately ¼ mile. Nor does the Application review the impacts of this reduction on the listed Oregon spotted frog that relies on the wetlands and environs for its habitat.

d. Lack of sufficient information about wildlife impacts.

Notwithstanding that the Project would convert at least 51 acres of forested land to a gravel pit, the Application does not identify or analyze impacts to native fauna. CSVN have communicated to PDS that bears, cougars, and bobcats have been known to frequent the area and that local residents regularly observe the use of that area as a wildlife corridor between Butler Hill to the south and the Samish River valley and Anderson Mountain to the north. Yet the SEPA Checklist asserts that the property is not an animal migration route. In addition to providing critical habitat for the Oregon spotted frog, bull trout, and Puget Sound steelhead, the Samish River and its associated wetlands provide important habitat for a wide range of species that include river otters, beavers, bald eagles, belted kingfishers, great blue herons, spotted sandpipers, and numerous species of migratory songbirds. The Application should be supplemented to identify the animal species that inhabit or necessarily transit that area and analyze the impacts of turning that land into an open gravel pit and the impacts of converting what is presumably a lightly-used forest road to heavy industrial use.

e. Potential water pollution impacts.

The Application repeatedly states that stormwater will be infiltrated at the site, and notes that the groundwater flows to the nearby Samish River, but does not evaluate whether spills of fuels or other hazardous materials will impact the river's water quality after traveling through, ultimately, just 10 feet of ground before entering the groundwater. The Application also does not evaluate potential impacts from stormwater runoff of the private haul road, including sedimentation and petroleum products entering Swede Creek or wetlands east of that road. The Application must evaluate the potential for water pollution and the effects on Samish River and Swede Creek.

f. Lack of requisite Critical Areas review.

Skagit County has incorporated the goals, policies, and purposes of its Critical Areas Ordinance ("CAO") into its SEPA policies. Consequently, to satisfy its duties under SEPA, the County must require compliance with CAO directives like the standard review of impacts that includes the submission of a critical area checklist and/or a site plan that shows the location of the proposed activity and associated area of disturbance in relation to all known critical areas or critical areas indicators. The County must then review these project documents, complete a critical areas staff checklist, inspect the site, and complete the critical areas field indicator form. Where the County's review concludes that the proposed activity extends to within 200 feet of critical area indicators or a distance otherwise specified by the chapter, it must require a critical areas site assessment. Ultimately, this process should result in protected critical areas being delineated and their outer edges and buffers marked permanently.

With regard to wetlands, any proposed high impact land use within 300 feet of wetland indicators, and any other proposed land use within 225 feet of wetland indicators, requires a wetland site assessment. The site assessment must result in a wetland delineation, classification, site plan with wetland and buffer boundaries, and functions and values analysis.

CNW's application does not satisfy these standards and thus does not meet Skagit County's SEPA requirements. The Application does not identify wetlands adjacent to the haul road at all, much less conduct a wetlands assessment for the impacts associated with the proposed hauling. The Application does acknowledge the existence of wetlands associated with the Samish River, but does not include a delineation, site plan with delineated boundaries depicted in relation to the Mine activities, or a full functions and values assessment. Absent this information, the County does not have sufficient information to issue a threshold determination.

g. Lack of sufficient review of noise impacts.

The Application's noise studies rely on a flawed methodology and overlook the planned removal of the forest buffer between the Mine and neighboring properties. For more information about this omission, see Attachment A, CSVN Letter at 13-14.

h. Lack of sufficient review of recreation impacts.

The Application omitted any acknowledgement or analysis of impacts to cycling along regional and federal bicycle routes. For more information about this omission, see Attachment A, CSVN Letter at 14-15.

i. Lack of sufficient information about transportation impacts.

As identified above, the Application omits significant, necessary information about potential traffic impacts, including final maximum traffic generation numbers, site distance impacts for intersections like that at Grip Rd/site access road, modeling with speeds anticipated by Skagit County's Road standards, mitigation for site distance impacts, the impact of truck-trailers crossing the centerline between the site and Old Highway 99, travel east of the Mine, and the redistributed traffic to Cook Road. These must be addressed.

2. The MDNS issued absent consideration of applicable mitigation measures.
While the MDNS included several conditions, the vast majority of them merely require

compliance with existing standards (though the MDNS did not require observation of Skagit County's 300-foot buffer and instead embraced CNW's decision to apply only a 200-foot buffer). To the extent that the MDNS included conditions for transportation impacts, it merely directs CNW to avoid hauling with trailers or to design and construct unidentified road improvements on two turns on Prairie Road. Other mitigation measures that should have been considered include:

- Scaled-back size of mine;
- Scaled-back rates of extraction;
- Limiting hours of operation to daylight hours during the workweek. This would partially address areas where the site distance is impaired;
- Limiting the daily number of truck trips;
- Protections from sedimentation and stormwater drainage into Swede Creek;
- A drainage/runoff plan for the length of the private haul road to prevent surface water impacts from heavy traffic on the haul road;
- Requiring roadway upgrades to decrease the likelihood of collisions between Project trucks and other vehicles, bicycles, and pedestrians; and
- Identifying a prescribed haul route.

D. Conclusion.

Notwithstanding the five-year interval since CNW initially applied for the special use permits, it has not supplied PDS with environmental information about the proposal sufficient to warrant a threshold determination. PDS issued the MDNS without fully considering the Project's significant environmental impacts, from loss of habitat for an endangered frog to traffic impacts to impacts associated with the private haul road. CSVN therefore asks PDS to correct that mistake by withdrawing the MDNS and by coordinating with the Applicant to conduct an EIS for the significant impacts referenced above.

In addition, CSVN requests that PDS publish online the comments submitted to address the MDNS as soon as possible.

If you have any questions, please contact me at 360-622-8060 or kyle@loringadvising.com.

Sincerely,

Kyle A. Loring
Counsel for Central Samish Valley CSVN

Cc: Michael Cerbone
Martha Bray
John Day

Attachs:

A. CSVN Letter to Hal Hart re: Proposed Grip Road Gravel Mine #PL16-0097—Comments on SEPA Review
B. WDNR timber harvest map
C. Skagit Valley Bike Map
D. Grip Road Gravel Mine Peer Review Traffic Impact Analysis
E. WDFW map showing wetlands and drainages near haul road
F. US Fish and Wildlife Service Critical Habitat map for Oregon Spotted Frog

From Host Address: 216.160.85.174

Date and time received: 4/30/2021 2:14:35 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 2:25:02 PM

Name : Monty W Mcintyre
Address : 585 PLEASANT BAY
City : Bellingham
State : WA
Zip : 98229
email : mont137@msn.com
PermitProposal : PL16-0097
Comments : Greetings
I am writing in regards to the MDNS to the proposed gravel pit by Miles Extraction Co.
My personal experience is that this is an irresponsible company that will not hold itself accountable. Please let me get this off my chest to start with!
While driving on Highway 9 a couple years ago an oncoming Miles Cement truck blew out a massive tire, just as we were passing one another south of 84th street. I was going north in my red 97 F250 and the Miles truck was going south. An extremely loud explosion occurred adjacent to me, mustard colored muck and tire debris slapped my vehicle, coating and chipping my windshield / drivers side and startling me the hell out of me. I pulled over immediately on the shoulder to see what had happened. I saw that the Miles truck had also pulled over. After surveying the situation beside that busy highway, I went north to the roundabout, and returned directly to the Miles vehicle, parking in front of it on the southbound shoulder of highway 9. I saw the tire behind the driver door was destroyed. It had caused the explosion and the damage to my truck. I spoke with the driver who told me to write down my name and phone number and he would "turn it into the office that day when he got back " I wrote my name and phone number on a slip of paper and gave it to the driver. I never received a call back about the incident and have a chip, from that blown tire, in my windshield to this day. I can honestly say that Miles damaged my truck. Then the driver, or the office personnel blew me off!
Why would I believe anything they or their agents will submit?

Regarding the MDNS. I hope our county can understand that this proposal has very significant, and permanent, negative impacts. As someone who has worked outside all his life and knows something about natural systems, it is absolutely absurd to me that the county is promoting this. Hugely damaging activities are now considered nonsignificant to our environment, or can be easily "mitigated: What will be the legacy of Skagit County's permitting process?

Does DNS really mean:
Damning Native Species?

Are Chinook Salmon of value to the declining local Orca population? WDF once had grand plans to restore native salmon runs. What are the current state of affairs? Can Samish River produce Chinook to alleviate some of the food shortage for Orca and provide for the human hunger for Kings as well??
What potential for siltation during a major pineapple express event would this disturbed acreage above portend for any restoration of Swede creek / Samish River salmonids?

What role did Skagit county play in permitting the logging that caused the mudded spawning gravels that caused the near extinction of Phinney Creek Steelhead, a run that was once spectacular?
What Role did the County play in permitting the destruction of Baker Lake Sockeye? How many return now compared with the 85,000 that was once an average run?
Historically the county has a terrible record of Native salmon conservation. From culverts to dams to gravel pits and logging. The lack of concern is cumulatively glaring!
Maybe MDNS is code for Maliciously Destructive Not (for) Salmon.
If it wasn't for the regional salmon enhancement groups our salmon may already be gone. Now they are just mostly gone! What does the future hold for salmon that are under constant attack from activities such as are proposed?
Consider the recent findings that Coho are particularly affected by an ingredient in tires which causes high mortality. Coho can live for a couple years in freshwater before out-migrating. What is the historical distribution of Coho in swede creek and Samish rivers? How many tires will wear away over the term of this proposal in the pit activity? How many pounds of rubber particles will run off from the road trips along all routes planned by these trucks? I'm still thinking about that tire blowing up next to me on # 9, what was in the mustard colored crap sprayed all over my truck?

Many forms of native life exist on this parcel, including hundreds of songbirds , currently singing to the brood in their nest at daybreak. What will happen to those birds when their nesting trees are excavated away so Miles can dig and then mix new cement for land developers? What will the morning sound like when diesel engines start with puffs of black smoke and no birds? I would proffer another DNS = Does Not Sing. It's a Dang Nincompoop Scheme that Dooms Nice Songbirds which is also D Nasty (&) S. Will human residents have a better day when they wake up hearing front end loaders, dump trucks, excavators and conveyors rather than birdsong and frogs - then get their windshield broken on the way to school?

I'm no biologist but did find a cute salamander with a yellow stripe on it's back last week. The frogs have been croaking for some time and so I think of all the amphibians along Swede Creek. Don't have time to make a list - should be doing taxes and going outside to work on some other stuff. I feel the need to get involved but it's most likely an aggravating waste of my time. Big business always get their way, they just pay an attorney to get it done! Ordinary citizens scramble to try and put in some feed back on short notice , THANK YOU FOR THAT!

Disavowing Natural Systems is Detrimental Not Sensible.
Our society will not be secure when some amongst us keep keep fouling our communal nest for profit, that's for sure. As I get older I see fewer functioning Natural Systems. I hope we can agree on this. Man has been wrecking things for a long time. Precious natural resources that effectively support healthy life have been in decline for decades. This dangerous trend is now exponentiating with increasing pressure from proposals such as this. Please pay attention and limit this destruction.

This gravel mining is Most Definitely Not Suitable for our community

STAY HOME STAY SAFE
Monty McIntyre

From Host Address: 75.172.124.90

Date and time received: 4/30/2021 2:23:03 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:20:02 PM

Name : Shelley Allen
Address : 22018 Grip Road
City : Sedro Woolley
State : WA
Zip : 98284
email : shelley@muzylowski.com
PermitProposal : PL 16-0097 Concrete Nor'west (CNW) application mining special use permit
Comments : Three Main issues regarding the proposed Mine on Grip road are: Environmental impact, Road safety and Third Party Sales. A comprehensive study of the issues and impacts of the effects of a gravel mine in this area should absolutely be implemented.

The Samish river and basin, have been a concern for habitat loss and degradation. The State and local communities have allocated enormous funding to protect these rivers. The mine project proposed on Grip Road, needs to be subject to a full environmental review.

Concrete Nor'West/Miles have already have an impact on this critical river from their Belleville site, also adjacent to the Samish River. Thousands of heavy load-filled trucks, leaking fluids, producing dust and emissions would be added to a second site of this critical river.

A full Environmental review must be required. This mine operation needs stringent environmental protection rules that protects the wetlands and that are carefully enforced.

Grip Road is a narrow, winding and steep road. With the current conditions there is no way that the addition of thousands of gravel trucks traveling on it could be considered safe. Grip Road is a regular route for many bicycling clubs/groups, as well as antique car clubs, as it is a quiet road that has been favored for it's scenic qualities and minimal commercial traffic. Many of our neighbors walk the road for exercise and also walk to the riverside in the summer.

Our home is on a hard corner on Grip Road, just up the hill from the proposed mine access/entrance. We have had many vehicles skid on the corner and slide off the road damaging trees and signs. Last month a Skagit county road worker had to replace or repair the corner sign three times. This and many other significant corners on Grip Road would be unsafe for large vehicles passing one another, and again, for pedestrians and cyclists. We have not seen maps and details that would show how these concerns would be mitigated.

What is the maximum runs of trucks per day (including roundtrips). Please confirm there will be a noise study of the use of compression brakes.

The proposal states that gravel can be sold directly to the market from this site. What are the restrictions on these transactions and what haul roads will they be using? Third party sales would create an undetermined effect on the area and should not be allowed.

From Host Address: 172.92.201.237

Date and time received: 4/30/2021 3:17:33 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:25:02 PM

Name : Frederic Allen
Address : 22018 Grip Road
City : Sedro Woolley
State : WA
Zip : 98284
email : rik@rikallen.com
PermitProposal : PL 16-0097 Concrete Nor'west (CNW) application mining special use permit
Comments : Two Main issues we have regarding the proposed Mine on Grip road are: Environmental impact and Road safety.

As proposed we believe that there is far too little done to study the site and mine proposal to mitigate the effects of a gravel mine in this area. A comprehensive study of the issues and impacts of this project should absolutely be implemented. The Samish river and basin, as well as many of Washington State's rivers have been a concern for habitat loss and degradation. The State and local communities have allocated enormous funding to protect these rivers, I can not understand why a project, as large as the mine proposed on Grip road, would not be subject to a full environmental review. Concrete Nor'West/ Miles have already have an impact on this critical river from their Belleville site, also adjacent to the Samish River. Thousands of trucks rumbling, leaking fluids, producing dust and emissions would be added to a second site of this critical river. A full Environmental review must be required. We all would be at a loss if this mine is permitted without stringent environmental review that protects the wetlands and all buffers are carefully enforced.

Regarding the road safety issues, this is one issue that has brought together all of our neighbors, regardless of anyone's political, social or community background. Grip Road is unsafe. The stretch of Grip road from Prairie road is has multiple blind corners on a steep hill. My wife and I frequently walk and bike on Grip road year round. It only takes a few large pick up trucks on Grip to force anyone on the road into the gravel embankment. Anytime a commercial truck has come around the corner with people on the road, they are forced to either brake hard, or cross over to the opposite lane. Two gravel trucks, passing each other, with or without trailers, will occupy all the available pavement making it an extremely dangerous situation for anyone (including animals). There is no way I can see this winding steep road being considered safe. Grip road is a regular route for many bicycling clubs/groups, as well as antique car clubs, as it is a quiet road that has been favored for it's scenic qualities and minimal commercial traffic.
Our home is on a hard corner on Grip road, just up the hill from the proposed mine access/entrance. We have had, almost monthly, vehicles leave the road and slide into the corner. Last month a Skagit county road worker had to replace or repair the corner sign three times. Grip road has many significant blind corners that would be unsafe for large vehicles passing one another, and again, for pedestrians and cyclists.
We have not seen maps and details that would show how these concerns would be mitigated. Truck traffic, as currently proposed, would have a major impact on our quality of life and safety.

Thank you.

From Host Address: 172.92.201.237

Date and time received: 4/30/2021 3:22:31 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:30:02 PM

Name : Ingo Lemme
Address : 5856 Park Ct
City : Sedro Woolley
State : WA
Zip : 98284
email : ilemme@cnw.com
PermitProposal : PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)
Comments : I would like to comment on the SEPA determination issued by Skagit County Planning and Development Services in response to the gravel mine development application submitted by Mile Sand & Gravel.

The route proposed for hauling the gravel over Grip Rd. and Prairie Rd. is inadequate for the type and volume of truck travel proposed. The MDNS does not adequately address the problems on this route including curves on the Grip Rd. hill that are not wide enough to accommodate the truck traffic without crossing the center line. There are many portions of this route that are dangerously narrow for such traffic. I am a bicyclist and long stretches of this route have virtually no shoulder, so that the road is not wide enough for a gravel truck, a vehicle travelling in the opposite direction and a bicycle. This is an extreme safety hazard. With the volume of truck traffic proposed by this project, the frequency of this hazard increases very significantly. These hazards are not adequately addressed in the MDNS and a full EIS is needed. Related hazards are the intersection of the haul road and Grip Rd. and the intersection of Grip Rd. and Prairie Rd., and these hazards are not adequately addressed in the MDNS. Another issue inadequately addressed in the MDNS is the impact of the proposed truck traffic on the physical infrastructure of the roads themselves; these roads are inadequate for this volume and type of truck traffic, which will cause accelerated wear and need for expensive repairs.

The proposed project will have significant impacts on wetlands, fish/wildlife and drainage, which are inadequately described in the MDNS. The MDNS also inadequately deals with the noise and vibration impacts and the increased diesel exhaust impact on air quality. These issues need to be considered with a full EIS.

Because of the inadequate delineation in the MDNS of both the impacts of this proposal on road safety and road degradation as well as the impacts on the environment, including wetlands, fish and wildlife, noise and air quality, I strongly disagree that a MDNS is adequate and request that a full EIS be required.

Thank you for your consideration of these issues.

From Host Address: 50.34.213.251

Date and time received: 4/30/2021 3:26:12 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:30:02 PM

Name : Jennifer Aven
Address : 6478 Lillian Lane
City : Sedro Woolley
State : WA
Zip : 98284
email : Jenjen2912@yahoo.com
PermitProposal : Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097
Comments : My husband and I are extremely concerned at the re-issuance of the permit for the gravel mine. There seems to be absolutely no concern for the safety of my family or my neighbors as we drive on the narrow and winding roads of Grip and Prairie. We demand that thorough and comprehensive studies be done to address the risks that this severe increase in large heavy trucks on our small backwoods roads be performed and then that any and all concerns be adequately addressed. My parents, my children, my husband and myself are on these roads two to four times a day each and the idea that county would ignore putting their lives at risk, especially for profit, is appalling. I find the idea of facing a large truck barreling down the "S" curved hill on Grip while in possible drifts across that center line terrifying. The option to avoid it would be down an embankment. What will happened when the school buses are passing through as well? What does it look like at those 90 degree corners on Prairie just before Old 99? Are we all just going to have to swerve and break hard to miss these trucks? I've had a close call with a large vehicle there before and the adrenaline rush doesn't dissipate until you reach Burlington. This is unacceptable. We shouldn't be forced to endure that every day.

Lets not also ignore the dramatic increase or the wear and tear of roads not built for that kind of traffic. We must study what the effects of those 30 round trips an hour means. And all the environmental effects...I'll leave it to my neighbors to cover those concerns in great detail, but we are worried about all of them as well.

We chose this beautiful area over 15 years ago because of the quietness and the serenity. We chose the intimacy and safety of tiny Samish Elementary and its back roads bus routes for our children. We expect to share the roads with an occasional tractor or horseback rider, not an industrial flow of heavy trucks. I know that things progress and change, but I implore you to please take the time to do the right thing. Study in depth all the consequences this mine will have on our community and hop in your own vehicle, go for a Sunday drive down the length of Prairie and Grip and picture what this mine and it's traffic will do to every single person who lives here and drive these roads.
Thank you for your time.

Sincerely,
Jennifer Aven

From Host Address: 50.34.125.113

Date and time received: 4/30/2021 3:26:26 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:30:02 PM

Name : Miles Sand & Gravel Company Inc.
Address : PO Box 280
City : Mount Vernon
State : US: Washington
Zip : 98273
email : dan.cox@miles.rocks
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : On behalf of Miles Sand & Gravel Company Inc. (Concrete Nor'West), I am writing to express our support of the 4-15-2021 MDNS for the above noted project. Miles has worked diligently to provide all of the requested information to allow the County to review and condition this application to address public concerns and ensure compliance with County requirements. We would encourage the County to move forward with preparation of the staff report and scheduling of the public hearing so that a decision on the application can be made.

From Host Address: 50.34.67.130

Date and time received: 4/30/2021 3:29:08 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:40:02 PM

Name : Jesse
Address : 20631 Prairie Rd
City : Sedro Woolley
State : WA
Zip : 98284
email : jfaxonmills@gmail.com
PermitProposal : Concreted Nor'west/Miles Sand & Gravel; PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)
Comments : April 30, 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concreted Nor'west/Miles Sand & Gravel; PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

Thank you for this opportunity to voice my concerns about Skagit County's recently re-issued MDNS regarding the mine development application of Miles Sand and Gravel.

Until recently, I wasn't fully aware of the extent to which this would impact the area where I live, and especially how it could upend the lives of my neighbors to the near south. I live about 1 mile north of the proposed gravel mine area have recently become aware of gravely concerning details of this proposed mine. I'm extremely worried about what seems to be a lack of thorough research by the county into what this project would mean for those living on Grip road and in the surrounding community. The lack of up-to-date studies by the County on the environmental impact is deeply concerning as well.

For over 30 years, my parents have lived ten minutes away from the forested land off of Grip Road. They know many of the people who live in that area and have been allowed by kind neighbors to explore those forest lands with their family. More recently, they've been sharing the beauty of those woods with their first grandchild. They've seen tracks of cougars and bears, in addition to a wide assortment of birds and other small creatures. This would all be profoundly impacted in a very sad way if we allow these territories to be stripped for gravel, fill the air with exhaust from transport trucks, and fundamentally disrupt their habitat.

And, the Samish River, which runs behind my house and which I fished in as a kid, would also be irreversibly impacted. The river and surrounding wetlands provide habitat for the Oregon Spotted Frog, designated endangered by the state and threatened federally, and the Bull Trout, another species listed as threatened on federal lists also has critical habitat on this river. As I understand it, when issuing the MDNS, the Fish and Wildlife Assessment used was

incomplete and over five years old. There's no mention of endangered status species in the MDNS. State and federal agencies addressing endangered species must be consulted.

I also can't help but think of how this project will affect the safety and infrastructure of the roads. Grip Rd is narrow, with twists and turns. It intersects with Prairie Rd (where I live) on a tight corner of Prairie, and I've already had cars pull out in front of me who didn't see me coming around that turn. I fear that the safety impact of dozens, perhaps hundreds of trucks daily on Grip road would be disastrous. I understand that the Traffic Impact Analysis located lane encroachment on this route, including on the twisting Grip Road hill spots, but neither the TIA nor the MDNS analyzes or mitigates this problem. Head on vehicle collision are horrific. Without properly addressing this truly life or death issue, there is no answer to the community's fearful question: how will trucks and school buses negotiate safely passing on these roads? For the County to refrain from insisting on additional information and assurances on this issue would be a costly and deadly mistake, in that severe accidents involving those civilians who travel these roads would be inevitable.

Although Miles Sand and Gravel suggests an average 46 truck trips per day (already high traffic), the company says it might run up to 60 trucks per hour, which likely would be the case in peak season. The impact of anything even close to such heavy traffic would pose both a safety hazard and a negative impact on road infrastructure. Impacts on infrastructure also need to be evaluated, and provision should be made for the applicant to pay a fair share of cost for maintenance and repairs if the project is approved.

From what I can see, this project has not been thoroughly examined. In order to allow the mine to exist, the County would make an exception to allow only a 200 foot buffer. How can this be considered acceptable when Critical Areas Ordinance (CAO) requires a 300 foot buffer adjacent to high intensity land use? This project will be nothing if not high intensity: a 60 acre mine site on 700 contiguous acres, going 90 feet deep, with over 11,000 heavy truck trips per day over 25 years. Clearly, the Critical Areas Ordinance defines its terms regarding high intensity projects for crucially important reasons. Those crucial points of this Ordinance must not be disregarded without closer examination of the high intensity nature of this entire proposal.

Grip Road/Prairie Road is our home. It is rural, and home to many farmers and families. It is the type of place that Skagit County is known for, which hasn't yet been overcrowded or stripped for profits. Pushing through this gravel mine without thoroughly examining its many impacts on the people, animals, and plant life would be an outright betrayal. An application to substantially change its character, its safety, and its multi-use function for all species should be assessed with all of the tools that the County has in place, including state and federal metrics.

Please reverse the Threshold Determination under SEPA, require a full Environmental Impact Statement to evaluate environmental fallout from this project, and fully examine the public safety and quality of life impacts of this proposal.

Sincerely,

Jesse Faxon-Mills
20631 Prairie Rd
Sedro Woolley, WA 98233

From Host Address: 172.92.208.120

Date and time received: 4/30/2021 3:36:01 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:40:02 PM

Name : Linda L Walsh
Address : 21710 Prairie Road
City : Sedro Woolley
State : WA
Zip : 98284
email : walshl2006@hotmail.com
PermitProposal : PL16-0097 & PL16-0098 Concrete Nor'West reissued MDNS
Comments : April 26, 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
MT Vernon WA 98273

RE: Concrete Nor'West/ Miles Sand & Gravel
PL 16-0097 & PL16-0098,
Notice of Withdrawn and re-issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

My husband and I own land adjacent to the proposed mine parcel so this project will have a significant impact on our lives and property. We have lived on Prairie Road for nearly 30 years. I have had many concerns regarding this project from the beginning in 2016 and want to comment on the many of the same concerns on the reissued MDNS.,

The revised MDNS has changed very little from the original 2016 document despite countless hours of documentation submitted to the County from our Community group that documents multiple traffic safety and environment issues. The video, photo, written and verbal communications provided over the past few years have recognized these serious concerns from the beginning.

It has taken nearly 5 years for County and experts to acknowledge what we have known from the beginning. The trucks cannot stay in their assigned lanes. However, the mitigation offered only addresses 2 intersections and 2 corners. Documentation is clear there are many other similar corners and intersections on the possible transportation routes. These routes and safety issues remain unevaluated and still falls far short of what Skagit County Code and SEPA requires. It does not fully evaluate the potential impacts of the proposed commercial mine project. This reflects the County's lack of understanding of the size and scope of this project. To ignore these documented problems will result in unacceptable risks for the environment and public safety. A full EIS must be required in order to adequately identify and address the number of safety and environment concerns.

The applicant’s TIA and the MDNS have already identified significant current traffic problems in the area without even using accurate data. The average 46 truck trips per day that

is calculated by spreading trips out over a 12 month period is a useless number for calculating traffic safety. The yearlong average of truck trips does not give an accurate number of trucks that will actually be present on the road system each day. During the high volume construction season they will exceed the average daily 46 truck trips for several months. The number is not only is inaccurate it is misleading to the public by implying there will be an actual 46 truck trips per day.
It does not take traffic experts to know the MDNS mitigation of the 2 corners which will not allow trucks and trailers, will cause a significant increase in the numbers of solo dump truck trips to haul the desired amount of material. These trips will far exceed the average 46 truck trips this proposal is based on and this increase of solo trucks must be evaluated. Likewise, sales to private or 3rd parties will also result in an increase of trucks. The additional number of trucks is not included in their TIA. These increases must be added to the 46 average truck trips. If the applicant decides to use alternate routes with truck and trailers, those routes need evaluated. A Level II TIA needs to be done.

Mitigation to comply with the weight limit on the Samish bridge will also cause unevaluated routes to be used. The Cook Road/Old Highway 99 intersection, which is included in the haul route but not evaluated in the TIA for safety or level of service (LOS), is well documented by the County to already be operating at LOS D, which is below the County's minimum requirement of LOS C. Adding hundreds of trucks to this intersection will degrade the LOS even farther. I have seen trucks and trailers force a vehicle stopped at the light to back up in order to avoid being hit by the truck trailer straying into their lane. The F & S Grade/Prairie Road intersection has in recent months had 4 traffic accidents and it remains unevaluated for safety of LOS, despite the fact it could become a regular alternate route for trucks and trailers. If it had been evaluated it would be apparent that trucks cannot stay in their assigned lanes, this is unacceptable.

The final SEPA determination must evaluate the traffic safety impacts of the project based on the actual maximum number or trips per hour and set a hard limit on it. The County must also set limits on the duration and frequency of occasions when it will allow higher than average trip numbers. We already see communication between the County and the Applicant deciding how they could be allowed to exceed a maximum of allowed trucks.
There should be no direct sales to private or 3rd parties without all routes being evaluated .

1. Require safety analysis and mitigation measures for ALL locations where trucks will encroach on the opposing lane of traffic. The MDNS states that trucks with trailers will encroach two to three feet into the opposing lanes of traffic at the two sharp corners on Prairie Road near the intersection with Old Highway 99. It also requires that the applicant reconstruct the road at this location and correct this acknowledged safety issue. The applicant's TIA identifies the same issue, but also states that there are several other locations on the haul route where trucks will cross over into the other lane. It does not identify these other locations, provide analysis of the specific safety issues there, or propose any mitigation. From my personal observations and those of other area residents, other locations where this is an issue include, but are not limited to, the steep S-curves on the Grip Road hill, the eastbound approach to the Samish River bridge on Grip Road, and practically every intersection on the identified haul routes.
2. Take increased non-mine traffic over time into account in analyzing the traffic safety and road capacity impacts of the project. The TIA uses intersection vehicle counts from 2020 as the base for evaluating the impact of mine traffic and does not factor in increasing traffic over time with growth. There is no explanation of why this was not done. If the applicant and the

County are not going to take this into account, they must provide clear evidence to show that substantial increases in background traffic are not likely to occur during the proposed 25-year lifetime of the mine.
3. Provide clear, graphic analysis of ALL locations on proposed haul routes where intersection and/or stopping sight distances do not meet required minimums for all types of vehicles. Require mitigation of all such locations. Graphic "Vision Clearance Triangle" analysis (Skagit County Road Standards, 2000, Appendix C-7) or other industry standard graphic analysis is needed for all such locations and adequate mitigation measures required for project approval.
4. Flashing speed warning beacon systems proposed for the Grip/Prairie and Grip/Mine Entrance intersections require analysis as to what they are intended to accomplish and how they will do it. The existing speed warning signs on Prairie Road at the Grip intersection clearly do not work and no analysis has been provided to show that a flashing warning light system will work better at either location. The County must require the applicant to conduct field studies to determine what the actual maximum safe speeds are for these intersections and require mitigation measures that will ensure these limits are met.
5. Fully evaluate accident records for all road segments and intersections on the haul route, including causes and contributing factors. Provide analysis of the impacts mine traffic will have on the number, type, and severity of accidents to be anticipated with both existing and future traffic volumes. Require effective mitigation measures. The existing TIA accident record analysis is limited to certain intersections on the haul route and does not look at causes and contributing factors. It excludes a number of additional intersections, including Cook Road and Old Highway 99, as well as accidents not occurring at intersections.
6. Evaluate the impacts of mine traffic on the existing roads and bridges and require the applicant pay its fair share of the costs for increased maintenance on our already sub-standard rural roads. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required significant repairs over the last few years. Roughly 12,000 truck and trailer trips per year over 25 years will necessitate a lot of additional maintenance by the county roads department. This must be paid for by the applicant, not the taxpayers.
7. School buses are not match for the large trucks and there are several times per day, 180 days per year that the will be transporting our children. These children wait in the dark on roads with little to no shoulder and no evaluations have been done to ensure the Buses can share the road safely with the massive dump trucks and trailers.
This is an industrial scale development located in sensitive rural environment where no commercial mining has ever occurred. It will cause irreparable and significant harm to the natural environment including habitats along the Samish River and Swede Creek, as well as upland wildlife habitat. The MDNS falls far short of identifying and mitigating impacts.

• The environmental review did not consider the full footprint of the project. Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.
We are disappointed the hours of transportation and operations have not been restricted more. Operating and transporting 10 hours per day and on weekends does address the negative impacts on my family and others trying to enjoy our homes and properties.
The County is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high

intensity land use and the MDNS needs to reflect proper mitigation to comply with CAO.
The Fish and Wildlife Assessment was done in 2015 and is out-of-date and incomplete. The limited Fish and Wildlife Assessment provided by the applicant is more than five years old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site. The MDNS does not mention these “ESA” species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.
Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the entire project footprint need to be identified so that operators and regulators know where they are.
Wildlife corridors are not identified and or protected. Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.
A drainage plan needs to be required to protect water quality from runoff on the private haul road. Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.
Impacts to groundwater are not adequately evaluated and protections measures are not required. They intend to excavate the mine to within 10 feet of groundwater. The hydrogeologic report is based on 2003 data supplied by Concrete Nor'West . They hydro company based the ground water levels on that data and it is nearly 18 years old. The High Seasonal Ground Water has not been re-evaluated since 2003 and yet they must keep the mine 10 feet above that unknown level. Leaving only 10 feet of natural material does allow for much error. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river.
The Noise and Vibration Study did not base information on specific size of equipment. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. Here again they try to use an average of dBA, not maximum noise levels. They did not measure noise received at neighboring property boundaries but instead chose areas to take data at least 1800 feet away from the property boundary. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a significant change for our property and should be taken into account in a full EIS.
Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves emissions from thousands of diesel trucks over a 25 year period. I know the County is aware of the significant adverse impacts vehicle emissions have on air quality because in their parking lot the have 'No Idle zone' signs. If there is a concern for ordinary automobile air pollution it seems thousands of diesel trucks and thousands of hours heavy equipment emitting pollutants would have been a priority to evaluate with an EIS.
Cumulative impacts were ignored. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a “temporary” activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat

and fish bearing streams. These are not reversible impacts. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period.
The MRO designation does not automatically give a business the 'green light' to operate, it does not even ensure extraction will be possible. It only identifies there are mineral resources present. This project would have received an automatic 'green light' to operate back in 2016 with little meaningful documentation if our Community had not spent countless hours and thousands of dollars submitting information supporting the safety issues and environmental issues, some are now recognized by the County to be present today. This industrial mine cannot be permitted based on incomplete and inaccurate data.
This project cannot be mitigated without causing undue hardship and adverse impacts on local residents and it is incompatible with current land uses.

In order to even try to fully mitigate road problems land-owners would be required to give up land on sections where the road needs to widen and there is no easement. The level of noise, dust and vibration that properties will receive cannot be mitigated. The County and the Applicant have had over a decade to invest into the infrastructure knowing they would be wanting to extract and transport the gravel, and yet their lack of investment and planning will cause an extreme burden on local residents if this project is allowed to move forward at this time.
Mitigation to lower the speed limit just because the applicant wants to introduce high volumes of trucks into our roads also adds the burden on the residents, increasing commute times which are already long.
There is no way to mitigate the decrease in property values due to the presence of undesirable truck traffic and adverse impacts of a nearby industrial gravel mine. Once again residents will bare the entire burden of this significant impact.
It is not just a "borrow pit" as one of the CNW representatives told the Hearing Examiner in a meeting. It is a high intensity, full scale industrial mine and transportation project that will remove and transport 4.2 million cubic yards of gravel and transport it via an inadequate, substandard public road system across wetlands and wildlife habitat. They will strip all topsoil, timber and vegetation and excavate 50 to 90 feet deep over 50 acres, this an open pit industrial mine with a 25 year duration. Approximately 6500 feet of Samish River front is the eastern border of the mine, this project clearly needs a comprehensive EIS to identify all its adverse and dangerous impacts.
Please take another look at all the impacts this industrial mine will have on this area and listen to the valid concerns we have regarding this project.

Sincerely,
Linda & Robert Walsh
21710 Prairie Road
Sedro Woolley WA 98284

From Host Address: 172.92.225.214

Date and time received: 4/30/2021 3:37:41 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 4:00:01 PM

Name : Larry William Hedgpeth
Address : 5809 Brookings Road
City : Sedro Woolley
State : wa
Zip : 98284
email : ljhedgpeth@gmail.com
PermitProposal : Special Use Permit Application #PL16-0097 Grip Road Gravel Mine
Comments : April 30, 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services 1800 Continental Place
Mount Vernon, WA 98273
RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads
Dear Mr. Cerbone,
Since I commented yesterday on this site about the proposed gravel mine on Grip road, my thoughts have kept going back to other concerns about roads and traffic safety. So I decided to submit another comment before the deadline today.
A major concern is the route the trucks will use getting to and leaving the mine. The only plan I have heard about is to take the gravel to a site south of Prairie Road on old 99 for processing and sale. Is there anything to limit Miles to that route or that destination? If so, that should be spelled out clearly in the paperwork for the permit and / or the MDNS. Failing that, shouldn't the county consider the condition of all likely haul routes and include reasonable requirements for them also in the MDNS? Many of these routes have some of the same problems as the route that has been identified – sharp turns, narrow roads, lack of shoulders wide enough for bicycles or people, limited visibility, etc.
Most of these roads up here were not built to any modern standard of width or materials. Running thousands of full gravel trucks a year over the same route could result in some pretty expensive repair bills. Will Miles be required to pay a share? Maybe using a variety of different routes would cause less of an overall impact and actually save money.
The warning lights at the mine entrance and at the Prairie/Grip intersection may work fine, or they may need some sort of an upgrade or to be replaced by a different traffic control system. How can anyone tell in advance what will be needed at those two spots to keep everyone safe? The county should examine all of this very carefully before giving Miles such a long permit.
Here's an idea I haven't heard considered yet: why not give the mine a provisional permit for 3 or 4 years of operation to see how many of these problems come up and how bad they are? Then the mitigations for the balance of the 25 year permit could be negotiated on the basis of evidence instead of conjecture.
Shouldn't the county represent the interests of all of us – Miles and the general public? Miles is a pretty large, successful company with people on staff who are well experienced working with government agencies on all the issues involved in the permitting process. Who in the county is representing the general public or the public interest?
Over this long process, many issues have been raised and questions asked by concerned citizens. And many, many comments submitted. But only vary rarely in the past 5 years have any of us been able to dialogue with county staff in a substantive way about any of these issues and concerns. The process has not worked very well for those of us on the outside. If

the county doesn’t listen to us, how can we be heard?
Larry Hedgpeth. 360-855-5326

From Host Address: 172.92.218.39

Date and time received: 4/30/2021 3:55:55 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 4:00:02 PM

Name : MATTHEW MAHAFFIE
Address : 22031 GRIP RD
City : Sedro Woolley
State : WA
Zip : 98284
email : mahaffim@hotmail.com
PermitProposal : PL16-0097
Comments : April 30, 2021

Matt Mahaffie
22031 Grip Road
Sedro Woolley, WA 98284

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

RE: PL16-0097

Dear Mr. Cerbone,

I am writing in comment to the special use permit application PL16-0097, a proposed operation of a gravel mine by Concrete Nor'West. I am supportive of the need of the company to have a reliable source of their base material going into the future, a need that also in many cases has a public benefit, but have serious concerns about the proposal as presented which will place undo burden upon the local community's quality of life, safety, and environment without any meaningful mitigating measures volunteered by Concrete Nor'West nor Skagit County, even after extensive public input for several years.

I am very familiar with this property, having spent over 20 years traversing all portions of the property when it was open for public access (previous owners) as well as reviewing it professionally as a wetland/critical areas specialist under other development proposals. I am also a nearby resident of the community who also spent many years as a CDL licensed driver of the types of trucks proposed to be utilized with this endeavor. Specific concerns are as follows:

Critical Areas Review

In the normal course of work I personally have the utmost respect for Graham-Bunting Associates and Skagit County Planning staff, and as previously commented, respectfully disagreed with a few key findings presented with the supplied report and/or the scope of work

that should have been specified by Skagit County. The fact that these distinct factual errors and very clear requirements of Skagit County Code were ignored after being pointed out by the Washington State Department of Ecology, two Skagit County approved Critical Area specialists, and countless community members is very disturbing.

• The singular wetland rating put forth appears accurate. However, the land use intensity (moderate) put forth in no way conforms to the land use intensity description put forth in Appendix 8C of WA DOE Publication No. 05-06-008 as required if using the alternative buffers in SCC 14.24.230(1)(b). This is not just my personal opinion; it is my opinion as a Natural Resource Planner and staff biologist for a local County government, trained by the Department of Ecology in the use of their rating system, as well as a consulting wetland professional recognized by Skagit County as such via inclusion as a recognized qualified professional included in Skagit County PDS list of approved consultant (having submitted hundreds of approved critical area assessments to Skagit County). It was also the consistent opinion every professional wetland scientist and agency reviewer that I inquired with, including the Department of Ecology (Doug Gresham, DOE, personal conversation 12/23/16) the authors of the said referenced publication who has also commented to Skagit County on this proposal with this fact. The land use intensity for a full-time gravel mining operation is unquestionably high. A high habitat score (as put forth by the supplied wetland rating) requires a 300ft wetland buffer per SCC 14.24.230, not 200ft as proposed (300 also being the standard buffer).

• The review/assessment also neglected SCC 14.24.230(2), where in general, buffers are to extend 25 feet past the top of sloping areas that are 25% or greater. The site plan as indicated shows areas where this provision is applicable. Regardless of the aforementioned land use intensity issue, the buffer likely should still extend past the line indicated in areas unless there is a rational reason put forth not to, which does not appear to have been done specific to this.

• A wetland assessment is required for this project as proposed (regardless of the land use intensity) per SCC 14.24.220. A wetland assessment has not been submitted for this project even though the Fish & Wildlife Assessment made it clear that a wetland was present. The wetland assessment should include a wetland delineation which was also requested to be completed by WA DOE during the initial SEPA comment period. It is unclear why this portion of Skagit County Code was ignored, as were all of the SEPA comments submitted by the singular state agency most relevant to the issue.

• Critical area review, and to a lesser extent SEPA, was limited to the proposed mine site only. However, Skagit County staff has consistently maintained that changing the use of forest roads to new uses was tantamount to a new impact, needing at a minimum assessment, and potentially mitigation. The haul road is most certainly a change of use by a drastic degree. Going from an access only used infrequently for forestry purposes to a road that could have hundreds of truck trips per day essentially in perpetuity will most certainly be an impact to the environment in numerous areas. This will be a distinct habitat break in what is presently one of the largest undeveloped tracts of left in lowland Skagit County, home to deer, bear, cougar, and elk as well as many avian and small mammal species. Heavily trafficked corridors are well known to affect the habits of such species. The haul road also drains to a salmon stream that has serious turbidity problems, and it seems inconceivable that the increased road traffic and maintenance/improvements without stormwater control will not affect this riparian area.

The road crosses one of the most productive tributaries in the Samish River basin as well as

being within the buffer of likely Category I wetlands. The road has already been improved, and it would be ridiculous to think that the significant improvements (grading, surfacing, and vegetation clearing) were solely for "forest management" after the special use permit is granted. It is unclear from the available documentation why Concrete Nor'West is not being held to the same standards as numerous clients of mine (professionally) building simple single-family homes have been; addressing the clear intensification of impacts when transferring the use of a logging road to another use.

• No meaningful protective measures have been assessed to the buffer of the critical area adjacent to the mine operations. While recording of a Protected Critical Area (PCA) site plan is standard and generally adequate for a single family home, a commercial operation with employees on heavy equipment, no oversight, and no vested interest in the observation of the buffer is a recipe for disregard of said buffer (not to mention a PCA is required by SCC). Glaringly as well, there is no reference on the ground for the buffer. If there is no survey or mapping, how will anyone know where the buffer is? The buffer should be required to be demarcated in the field, an absolute standard practice, and in reality, should be fenced as well (absolutely standard industry practice).

• All conversion activities (PL16-0098) were supposedly limited to the mine site. Most recent aerial photos of the site (Google Earth August 2020) clearly indicate conversion activities that have occurred onsite, including conclusively within the standard review area of a clearly apparent wetland, quite likely within the buffer. The proposal and subsequent review has in no way addressed these areas of converted forest land as defined by WAC/RCW, with the scope of the noticing of the conversion activities not held to, nor the apparent non-compliance of issued FPA conditions.

Noise

The applicants have stated that their project will have no noise concerns to the neighborhood. This is blatantly false. A raised voice can be heard on neighboring properties to the north (known from personal past observation) from the area proposed to be mined. How would heavy equipment not be heard? An excavator bucket hitting the side of a dump truck is as loud as a small caliber rifle shot, and such hits and bucket shaking will take place many times a day with such a mining operation. All of the neighboring properties will be subject to such noise. On the upslope side (where I live), any use of the onsite road system by even a diesel pickup truck can be clearly heard outside on a clear day, heavy equipment use can be heard inside. There is absolutely no way mining operations will be fully self contained in regards to noise. Operations during standard business hours would be one thing, but evening and weekend operations would result in a seriously degraded quality of life in this regard. While it can be noted that the area is in a mineral resource overlay (zoning), the overlay was added after many of us moved into the area.

Also lacking in analysis is the road noise going east from the site, and very questionable analysis going west. Although eastern traffic is not part of the proposal, without a condition regarding such, there will very likely be traffic going that way as well. We live on a small country road, and most of the homes are close to the road. When the infrequent gravel truck and trailer passes by, the entire house shakes, both from the noise of the truck/engine, and the constantly used exhaust brake. The noise has been so loud that objects have fallen off of walls, children wake from naps, and any sense of peace and quite country living is shattered. We knew the conditions when we bought property in the area, and were accepting, but a constant

and potentially hundredfold increase in daily gravel truck traffic would be unacceptable for any in the area, especially in light of the fact that Skagit County Planning staff required that my home be built abutting the road rather than the several hundred feet back that I desired to address such issues. These trucks will pass many homes and will cause significant duress for many residents.

Traffic Safety

While it is nice to see that the County added conditions regarding the two 90-degree corners closest to Old 99 on Prairie Road be fixed prior to truck/trailer combos being allowed to access the site in the updated MDNS, glaring omission was made to the status of Grip Road if such happens. As an experienced driver of the types of trucks in question (still hold Class A CDL and have for many years), yes, a dump truck and pup trailer may technically traverse Grip Road from the property to Prairie Road. Reality, however, is far different. Virtually no truck driver is going to consistently traverse this road section safely. Center lines will be crossed and shoulders will be driven upon, it is a given. This creates an issue for taxpayers who will have to repair the road, for the environment that will be degraded by the continual influx of sediment from damage to the shoulder/ditch, and the public safety. There will be no place to safely walk or ride a bike on this stretch of road with trucks and trailers cutting corners. Families walk in the area, ride bikes, and commute on this road (as well as Prairie Road). Also present are hundreds of bicyclists throughout the warmer months with numerous planned rides/races using this area as one of the "safer" routes. With the development of the Tope Ryan Conservation Area (Skagit Land Trust property at Swede Creek on Grip Road) trail system, the lower end of Grip Road has also become a park like setting with many families using the area, walking the road and bridge, and swimming in the river (which can only be accessed after walking from the parking spots down the road). How will this safety issue be mitigated. While I let our older children ride their bikes down to the river now, or their friends house, I cannot allow such with such an increase in industrial truck traffic. My children's safety and basic childhood experience will forever be altered by this proposal.

In over 30 years of living in the area, I have noted numerous very serious accidents at the intersection of Grip and Prairie Roads, one of the worst blind corners in the County. Recent work by Skagit County to extend the site distance has not significantly changed the response time for a driver, and while past lowering of the speed limit has helped some, but having trucks and trailers essentially blocking the intersection throughout the day will lead to disaster, regardless of a blinking warning light (that the drivers will assuredly become numb too).

While Grip Road can technically be argued to be traversable from the property in question to Prairie Road, it absolutely cannot the other way (east). The two 90-degree corners immediately west cannot physically be traversed by a truck and trailer within the bounds of their assigned lanes. Presently, when a truck meets another vehicle, one must stop as the truck must cross into another lane to traverse the corner. It is unclear why traffic analysis did not address this when application materials clearly left open the possibility and likelihood of routing this way (and why the County has only noticed the project with truck traffic going west) without any kind of mitigating measure put forth in the MDNS.

Future Plans

It is the stated purpose of the applicants and the County that Concrete Nor'West that this project is to haul gravel to haul to their other facilities for processing. However, onsite sales

are also mentioned in some documentation, as is residential development. Concrete Nor'West also states their need as the existing pits in their portfolio are being depleted. That begs the question of why would they continue to haul to other pits for processing? It would seem to be much more practical to bring their processing to this site. The issuing of this special use permit with the presently recommended conditions would simply lead to further intensification of the site and all that would entail (onsite processing, retail sales, batch plant construction?). Honesty and consistency on the part of the applicant with proper conditioning of the permit is a must, with an MDNS issued that applies concrete terms, not generalities; to be applied to any issued permits as well. Concrete Nor'West has not been a good neighbor here, or on other properties, and there is no reason to think that would change.

The County has consistently put forth an average number of truck trips per day. The applicants have clearly indicated not wishing to be bound by this number on a daily basis. Using it without any actual limitation or conditions is quite arbitrary and by not putting

Conclusions

Whether I am sure that it was not intentional, the permitting review of this project quite preferential to the applicants and has created a high level of distrust with Skagit County in the local community, and I find that quite unfortunate. It is understood that as a company that supplies materials derived from mining operations that a reliable supply going forward would be a business necessity. However, unlike the other gravel pits in the Concrete Nor'West portfolio, they are not acquiring an existing pit in a neighborhood, but creating a new one in an existing, long established neighborhood. There will be notable environmental, quality of life, and safety impacts with no notable or worthwhile mitigating conditions placed upon the applicants, and in many regards is a slap in the face to the citizens of Skagit County I work with on a daily basis that must comply with Skagit County Code to get their permits. Regardless of the complete lack of understanding of the SEPA process to put a mitigating condition as following County code, in the instance of following the CAO while blatantly ignoring factual errors as pointed out by professionals as well as representative of the Agency which wrote and manages the documentation the County is to follow is appalling.

A cursory exercise in the finances of the project shows that there will be in excess of $100,000,000 of material sold, this is of course before costs and using an average sale price (~$25/cy as typical for 5/8 minus), but reflects the sheer volume of money involved and the resources Concrete Nor'West should be willing and able to mitigate the impacts that they will create. We, the neighbors of this site, and the citizens of the County as a whole, should not have to bear the costs for a private companies profit whether it be lost property values, health and safety, or via sacrifice of local habitat and sensitive environments. While at this time I do not support the project as proposed, the appropriate conditions following review (that is required by Skagit County Code) would make it much more palatable and supportable. This should be via a holistic review of the proposal followed most likely by an EIS.

Thank you for your time and consideration on this matter.

Respectfully,

Matt Mahaffie

From Host Address: 172.92.224.146

Date and time received: 4/30/2021 3:56:38 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Friday, April 30, 2021 4:25:43 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Friday, April 30, 2021 4:20 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Dennis Whitcomb
Address : 19117 Prairie Rd
City : Burlington
State : Washington
Zip : 98233
email : dennis.whitcomb@gmail.com
PermitProposal : PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)
Comments : Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

As a community member and the owner of a working farm on the proposed route for trucks from this mine, I have serious concerns about the SEPA determination issued in response to the development application.

First, several environmental concerns are unaddressed in the MDNS and call for an Environmental Impact Statement under SEPA. The environmental review did not consider the full footprint of the project (in particular, it did not consider the two-mile-long private road along which gravel will be hauled). The Fish and Wildlife Assessment, now more than five years old and thus expired, is incomplete even as it stands (Bull Trout and the Oregon Spotted Frog have been located very near the proposed mine; both of these are classified federally as "Threatened" species; the Assessment must be updated to consider them). Perhaps most importantly from the standpoint of effected community members such as myself, cumulative emission impacts were ignored. Every day I drive my tractor and tend to my animals, right next to the road the gravel trucks will traverse. Cumulative impacts on air quality, for those of us who work and breathe here, should be addressed in an EIS under SEPA.

Second, several road, traffic, and public safety issues are unaddressed in the MDNS (and woefully under-addressed in the Traffic Impact Analysis proposed by Miles Sand and Gravel in October 2020). These too call for further review in an EIS. The MDNS takes a symbolic

step in the right direction by requiring warning beacon systems at the Grip/Prairie and Grip/Mine intersections. But, even given these systems, serious accidents would remain likely. My daughter rode the school bus where those systems would be in place; she did so from 2015-2019. She reported *several* cases in which school buses came dangerously close to gravel trucks. It was not because they were going too fast that these school buses nearly collided with gravel trucks (school buses studiously avoid speeding). It was, instead, because gravel trucks and school buses are both wide vehicles. When these vehicles pass one another, the narrow lanes, tight curves, and tiny shoulders near the Grip/Prairie intersection leave the tiniest of margins for error. Warning beacons will not solve this underlying problem. Even if they are in place, there will remain a significant chance of tragic accidents involving school buses and gravel trucks. The community deserves a full study of this possibility and a solution we can be sure is safe. The cursory analysis by Miles Sand and Gravel, and the symbolic help it has offered via warning beacons, do not give us those things.

These issues should be studied and addressed, at the very least with a complete EIS. I hope that you and your staff think carefully about these points and choose to require one.

Very respectfully,
Dennis Whitcomb

From Host Address: 172.92.233.233

Date and time received: 4/30/2021 4:16:27 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Friday, April 30, 2021 4:34:13 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Friday, April 30, 2021 4:30 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Maria Whitcomb
Address : 19117 PRAIRIE RD
City : Burlington
State : WA
Zip : 98233
email : riarae1@gmail.com
PermitProposal : Special Use Permit Application PL16-0097 and PL16-0098
Comments : Dear Mr. Cerbone,

I am a farmer who lives and works on Prairie Road near the intersection of Old Hwy 99 N. I am writing to request that you do not approve the above mentioned project. My primary objections include safety concerns, environmental concerns and the lack of information provided by the applicant. As a community member, I find it impossible to adequately comment on something that is incomplete, so am submitting a non-exhaustive list of my current objections and concerns.

I respectfully request that you withdraw the MDNS and address the following issues:

>Assess groundwater: How will the well water in our community be affected? How will runoff affect streams and protected animals?

>Property Values: How will this project affect the value of homes and property in our community?
>Air quality: I request that the potential for air quality impacts near the mining site, and also along the haul route be adequately assessed and that the county orders mitigation measures to ensure the community is protected.
>Crime: There have been significant issues with crime occurring at the quarry owned by CNW in Acme, WA. How will CNW ensure those same problems do not occur in our community? I request that Skagit County review the history of criminal activity at other nearby CNW quarries, and that the County puts measures in place to keep our community from suffering from the same issues.
>Road Safety: How will CNW and The County ensure the safety of myself, other road users, children waiting at bus stops and the community at large. Vulnerable road users are protected under SB 5723, a recently enacted WA State Law. Due to the design of the roads, it will be impractical or even impossible for a rock truck to pass a vulnerable road user lawfully, forcing them to either hold up traffic (which, according to RCW 46.61.42 is also against the law if they are holding up 5 or more vehicles).

How will CNW and The County address the increase in traffic congestion along the entire proposed haul route, but especially at the overpass on Cook Road over I-5? That area already regularly backs up onto the freeway and trucks with trailers will only exacerbate the problem.

The danger posed by rock trucks crossing traffic at each intersection along the proposed haul route must be addressed; especially those without designated turn lanes and those that cross oncoming traffic that does not stop, such as the intersection at Prairie Rd, Old Hwy 99 N and Bow Hill Rd. If this project is to proceed, we need adequate shoulders, room to pull safely off the road to let vehicles pass adequate turn lanes and significant upgrades to control the existing intersections.

>Environmental issues need proper assessment. As outlined in the letter sent to your office and posted on the project website (Nov 2020, Jim Wiggins), the July 2015 Graham Bunting Associates (GBA) Fish and Wildlife Habitat Site Assessment report is more than 5 years old which renders it no longer valid. Even before it expired, it did not address a number of critical environmental issues. Again, it is impossible for me to adequately comment on data that has not yet been provided.

As a farmer and resident in the area which would be most highly impacted by the proposed truck route, I have personally witnessed significant problems with the safety of the roads near me already. Adding rock trucks with trailers carrying over 100k pounds will lead to more injury and deaths; there is no other way to say it.

I have personally witnessed so many serious wrecks at the intersection of Old Hwy 99 N and Prairie Rd that I have lost count. The intersection is already woefully inadequate to handle the current traffic volume and prevent serious wrecks. I've had to assist so many people who have wrecked that I actually bought an orange safety vest to help ensure the safety of myself and others while we wait for emergency vehicles to arrive. In 2020 alone, three vehicles went through our fence as a result of wrecks at the corner of Old Hwy 99 and Prairie Rd, and at least that many went through our neighbors fence across the street. In one instance, our neighbors bull actually did get out of the fenced area, and nearly made it to the road.

When Old Hwy 99 N was closed to replace the bridge near Cook Rd, the trucks from Miles Sand and Gravel had to use Bow Hill Rd to haul loads. I ended up behind those trucks a number of times as they crawled up the hill at 15-20 mph in a 35 mph zone. On multiple occasions, impatient drivers passed me and the truck & trailer in front of me, going up Bow Hill Rd in a no passing zone with blind corners. Without a slow lane going up Bow Hill between Old Hwy 99 N and the Skagit Casino, there will be serious wrecks on that stretch of road.

It would be irresponsible for Skagit County to approve such a project until the roads are adequately improved to ensure the safety of both vulnerable road users and drivers. The potential for loss of property value, dust pollution of our air, contamination of our well water, and environmental damage also cannot be ignored. I ask that you withdraw the MDNS and order a proper and complete EIS for the project.

Thank you for your time.

Very best regards,
Maria Whitcomb

From Host Address: 172.92.233.233

Date and time received: 4/30/2021 4:26:17 PM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Monday, May 3, 2021 6:31:55 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Sunday, May 2, 2021 2:25 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Monique Brigham
Address : 22755 Prairie Rd
City : Sedro-Woolley
State : Wa
Zip : 98284
email : Monique@PlumeriaBreezesTravel.com
PermitProposal : Gravel Mine MDMA
Comments : I have many concerns, 1. How can they put this in so close to the river when I am a mile away from it and just to build our small home owner shop we had to have it engineered and sign affidavits stating we would dispose of chemicals properly? This is a lot grander scale of our small homeowner outbuilding. Not to mention the required routine septic system inspections for preservation and concern of the river and water-table....
2. Farmers have to jump through hoops and get hassled for farms that have been there for years but now its ok to put in a huge industrial operation?
3. Traffic? Have the people on the planning committee driven Prairie Rd on a regular basis? It is dangerous enough without adding hundreds more trucks on the road. The road is terrible with the traffic we already have, I live 2 miles from HWY 9 and tend to take Prairie more because there are so many truckers in a hurry on the highway, cutting corners and passing in no passing zones. Samish Island is closed to shellfish harvest due to environmental concerns quite often, I thought we were trying to clean up our rivers, lakes, and oceans.
4. Noise, we all live out here for peace and quiet not constant noise and a convoy of trucks.
I really hope they do not let this project pass.

From Host Address: 50.34.150.136

Date and time received: 5/2/2021 2:24:53 PM

From: Lori Anderson
To: Michael Cerbone
Subject: Comment Letters
Date: Friday, April 30, 2021 11:48:38 AM
Attachments: PDS Comments.msg
PDS Comments.msg

From dept email

From: Lori Anderson
To: Michael Cerbone
Subject: Comment Letters
Date: Friday, April 30, 2021 11:48:38 AM
Attachments: PDS Comments.msg
PDS Comments.msg

From dept email

From: Planning & Development Services
Sent: Monday, April 26, 2021 12:08 PM
To: Michael Cerbone <mcerbone@co.skagit.wa.us>
Subject: FW: PDS Comments

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 26, 2021 10:30 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Wallace Walter Groda
Address : 6386 Lillian Lane
City : Sedro Woolley
State : WA
Zip : 98284
email : wallacegroda@msn.com
PermitProposal : Special Use Permit Application #PL16-0097
Comments : April 26, 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads

Dear Mr. Cerbone,

I am writing to express my concerns on your April 15, 2021 revised SEPA threshold determination for Concrete Nor'West proposed Grip Road Gravel Mine. The revised MDNS falls woefully short of what is needed to identify serious traffic problems and the mitigation required to protect public safety. Your leadership for further progress will be key for the appropriate outcome.

Additional action needed:

1. Further analysis, i.e. a comprehensive TIA, should be required to identify all hazards on the haul route and appropriate mitigation. The limited evaluations of Prairie Road have already identified two curves where the truck and trailer will cross over the center line by two to three feet into the oncoming traffic and your newly re-issued MDNS require road modifications . Grip Road and associated intersections have equally problematic turns and curves that need identical attention. Not addressing that public safety risk is a clear case of willful negligence for both Mile's Sand and Gravel as well as the County.

2. Both Prairie Road and Grip Road are exceptionally narrow and do not meet code which poses

concerns for the gravel rig staying in their lanes to avoid potential collisions. This issue needs evaluation to avoid public safety risks. Again, another issue supporting a comprehensive TIA.

3. Clear haul route definition is needed to restrict gravel truck and trailer travel to qualified roads. No trailers should be allowed until all safety issues are resolved on the entire route. No third party sales should be allowed at the mine site so that route compliance is assured.

4. Turn and merge lanes should be required for both the mine entrance/exit and the Grip Road/Prairie Road intersections. As these narrow road intersections are currently constructed, a truck and trailer combination cannot turn at these intersections without crossing over the center line and risk collision.

5. The maximum number of round trips needs to be clearly defined for both a daily and weekly basis.

6. The Grip Road and Prairie Road intersection sight distance needs additional work. Recent regrading has helped but is still not adequate for the proposed level of traffic, particularly the intended truck and trailer combinations.

7. The proposed haul route has not been constructed for the heavy loads and damage that will result from the mine operation. The associated traffic analysis, road modifications, and increased maintenance costs should be paid by the applicant, not the taxpayers.

Thank you for your consideration of these comments.

Sincerely,

Wallace Groda

6386 Lillian Lane
Sedro Woolley, WA 98284
(360)420-5375
wallacegroda@msn.com

From Host Address: 50.34.116.4

Date and time received: 4/26/2021 10:25:14 AM

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Tuesday, April 20, 2021 2:20 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Abbe Rolnick
Address : 21993 Grip Road
City : Sedro Woolley
State : WA
Zip : 98284
email : abbe@abberolnick.com
PermitProposal : File # PL160098
Comments : Please clarify if there will be a max of 46 individual trips daily or 46 round trips –

You state an average amount of trips over a year. But usually gravel peak runs are during a five-month period during the construction season. How does this affect the daily runs? I don't think the term average fits the situation. Please spell out the maximum runs per day (roundtrips), that can't be exceeded.

The Grip Road should have a turnout or merge lane to get to the Access Road to the mine. There isn't enough room on that spot for trucks to turn, and for other cars to go around them.

The proposal states that gravel can be sold directly to the market from this site. What are the restrictions on these haulers—truck and trailer, or just trucks. What haul roads will they be using? Without clarification—third party sales would create an undetermined effect on the area. This should be disallowed.

Using flashing beacons at the Prairie Road and Grip Road intersection is only a warning to the public that there is a safety issue. It doesn't take care of the issue and now places responsibility on the individual who can't completely see around the corner. Note: the removal of part of the hillside helps but doesn't resolve the sight issue. I travel this spot daily, and within seconds a car is behind me after I've made the turn from Grip Road onto Prairie Road heading West.

The curves on Grip Road, one at our driveway entrance 21993 Grip Road, and one approximately one-half mile west, and two on the steep slope west of the mine entrance. These are severe and should be redesigned and improved as the trucks and trailers can't remain in their own lanes, crossing over into the other cars.

There has been no mention in the noise study of the use of compression brakes. This must be included.

From Host Address: 50.35.55.32

Date and time received: 4/20/2021 2:19:00 PM

From: lbjaye1@gmail.com
To: PDS comments
Subject: Grip Road Gravel Mine
Date: Saturday, April 24, 2021 2:35:10 PM

April 22, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine
File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA species

Dear Mr. Cerbone,

I wish to express my concern regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. Even though this proposal has supposedly been under review by Skagit County Planning and Development Services (PDS) for more than five years. It appears that very little has changed about the original proposal, especially in terms of protection of the natural environment. In fact, none of the assessments and application documents related to protection of fish, wildlife, water and air quality have been updated. They were incomplete and inaccurate in 2016 and they still are, nor do they reflect any of the concerns expressed by the community on these matters over the past years. To make things worse, all of those original documents and assessments are now completely outdated. Unfortunately, there now seems to be a rush to push through a new Threshold Determination without taking into consideration new public comment even though previous comments seem to have been ignored.

This is an industrial scale development located in sensitive rural environment where no commercial mining has ever occurred. It will cause irreparable and significant harm to the natural environment including habitats along the Samish River and Swede Creek, as well as upland wildlife habitat. The MDNS falls far short of identifying and mitigating impacts, including:

- **The environmental review did not consider the full footprint of the project.** Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.
- **The County is not following its own Critical Areas Ordinance (CAO).** Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.
- **The Fish and Wildlife Assessment is out-of-date and incomplete.** The limited Fish and Wildlife Assessment provided by the applicant is more than five years old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for

protecting endangered species need to be consulted.

- **Wetlands were not delineated, and there is no requirement for surveying and permanently marking them.** A full wetland delineation was never done. Sensitive areas and buffers within the entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.
- **Wildlife corridors are not identified and protected.** Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.
- **A drainage plan was not required to protect water quality from runoff on the private haul road.** Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.
- **Impacts to groundwater are not adequately evaluated and protections measures are not required.** They intend to excavate the mine to within 10 feet of groundwater. But it is unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river.
- **The Noise and Vibration Study did not use realistic scenarios to model noise impacts.** The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from "typical" and "average" mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.
- **Emissions were not evaluated and no mitigation plan was required**. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.
- **Cumulative impacts were ignored.** This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a "temporary" activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period.

Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and require a full Environmental Impact Statement that evaluates these and other impacts to the natural environment and identifies alternatives such as reducing the size of the mine.

Thank you for your time and consideration.

Sincerely,

Lauren Jaye

From: lbjaye@gmail.com
To: PDS comments
Subject: Grip Road Gravel Mine
Date: Saturday, April 24, 2021 2:38:38 PM

April 22, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine
File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA species

Dear Mr. Cerbone,

I wish to express my concern regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. Even though this proposal has supposedly been under review by Skagit County Planning and Development Services (PDS) for more than five years. It appears that very little has changed about the original proposal, especially in terms of protection of the natural environment. In fact, none of the assessments and application documents related to protection of fish, wildlife, water and air quality have been updated. They were incomplete and inaccurate in 2016 and they still are, nor do they reflect any of the concerns expressed by the community on these matters over the past years. To make things worse, all of those original documents and assessments are now completely outdated. Unfortunately, there now seems to be a rush to push through a new Threshold Determination without taking into consideration new public comment even though previous comments seem to have been ignored.

I taught seventh grade science at Cascade Middle School for 25 years and as a teacher I am alarmed by the effect that the proposed increase in traffic will have on the schools. There is significant risk to students and families in dropping off and picking up students and this proposal would significantly exacerbate the problem.

This is an industrial scale development located in sensitive rural environment where no commercial mining has ever occurred. It will cause irreparable and significant harm to the natural environment including habitats along the Samish River and Swede Creek, as well as upland wildlife habitat. The MDNS falls far short of identifying and mitigating impacts, including:

- **The environmental review did not consider the full footprint of the project.** Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.
- **The County is not following its own Critical Areas Ordinance (CAO).** Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land

use.

- **The Fish and Wildlife Assessment is out-of-date and incomplete.** The limited Fish and Wildlife Assessment provided by the applicant is more than five years old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.
- **Wetlands were not delineated, and there is no requirement for surveying and permanently marking them.** A full wetland delineation was never done. Sensitive areas and buffers within the entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.
- **Wildlife corridors are not identified and protected.** Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.
- **A drainage plan was not required to protect water quality from runoff on the private haul road.** Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.
- **Impacts to groundwater are not adequately evaluated and protections measures are not required.** They intend to excavate the mine to within 10 feet of groundwater. But it is unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river.
- **The Noise and Vibration Study did not use realistic scenarios to model noise impacts.** The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from "typical" and "average" mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.
- **Emissions were not evaluated and no mitigation plan was required**. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.
- **Cumulative impacts were ignored.** This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a "temporary" activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period.

Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and require a full Environmental Impact Statement that evaluates these and other impacts to the natural environment and identifies alternatives such as reducing the size of the mine.

Thank you for your time and consideration.

Sincerely,

Lauren Jaye

From: Lauren Jaye
To: PDS comments
Subject: Grip Road Gravel Mine
Date: Sunday, April 25, 2021 3:36:58 PM

April 22, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine
File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA species

Dear Mr. Cerbone,

I wish to express my concern regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. Even though this proposal has supposedly been under review by Skagit County Planning and Development Services (PDS) for more than five years. It appears that very little has changed about the original proposal, especially in terms of protection of the natural environment. In fact, none of the assessments and application documents related to protection of fish, wildlife, water and air quality have been updated. They were incomplete and inaccurate in 2016 and they still are, nor do they reflect any of the concerns expressed by the community on these matters over the past years. To make things worse, all of those original documents and assessments are now completely outdated. Unfortunately, there now seems to be a rush to push through a new Threshold Determination without taking into consideration new public comment even though previous comments seem to have been ignored.

As a seventh grade science teacher of 25 years at Cascade Middle school in Sedro Woolley I am worried about the increase in traffic that this project would cause. Transporting students in this rural area is dangerous enough without increased volume.

This is an industrial scale development located in sensitive rural environment where no commercial mining has ever occurred. It will cause irreparable and significant harm to the natural environment including habitats along the Samish River and Swede Creek, as well as upland wildlife habitat. The MDNS falls far short of identifying and mitigating impacts, including:

- **The environmental review did not consider the full footprint of the project.** Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.
- **The County is not following its own Critical Areas Ordinance (CAO).** Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.

- **The Fish and Wildlife Assessment is out-of-date and incomplete.** The limited Fish and Wildlife Assessment provided by the applicant is more than five years old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.
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Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and require a full Environmental Impact Statement that evaluates these and other impacts to the natural environment and identifies alternatives such as reducing the size of the mine.

Thank you for your time and consideration.

Sincerely,

Bill Robinson

941 South Fourth St

La Conner WA 98257

From: jsteinwa
To: PDS comments
Subject: Public comment: Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Date: Sunday, April 25, 2021 1:21:28 PM

Dear Mr Cerbone,

I wish to express the concerns of our family regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. This is an industrial scale development located in sensitive rural environment where no commercial mining has ever occurred. It will cause irreparable and significant harm to the natural environment including habitats along the Samish River and Swede Creek, as well as upland wildlife habitat. The MDNS falls far short of identifying and mitigating impacts just as it did in 2016 because none of the concerns expressed by the community then have been addressed.

The list of flaws in the proposal and the MDNS is long, encompassing everything from lack of critical areas protection, traffic safety concerns, drainage, and the potential for groundwater contamination. It appears the County is not following its own requirements in some of these areas.

Our family is particularly concerned about the obvious environmental risks, and the safety of community residents. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a "temporary" activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. The traffic studies state that the operation may run as many as 30 truck trips per hour. These are gravel trucks with pup trailers that cannot stay within their lane on these roads, clearly placing community residents at risk.

Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and require a full Environmental Impact Statement that evaluates these and other impacts to the natural environment and public safety, identifying alternatives such as reducing the size of the mine.

Thank you for your time and consideration.

Sincerely,

Christie Stewart Stein

16384 Donnelly Road
Mount Vernon, WA 98273

From: lbjaye1@gmail.com
To: PDS comments
Subject: Grip Road Gravel Mine
Date: Sunday, April 25, 2021 3:36:59 PM

April 22, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine
File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA species

Dear Mr. Cerbone,

I wish to express my concern regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. Even though this proposal has supposedly been under review by Skagit County Planning and Development Services (PDS) for more than five years. It appears that very little has changed about the original proposal, especially in terms of protection of the natural environment. In fact, none of the assessments and application documents related to protection of fish, wildlife, water and air quality have been updated. They were incomplete and inaccurate in 2016 and they still are, nor do they reflect any of the concerns expressed by the community on these matters over the past years. To make things worse, all of those original documents and assessments are now completely outdated. Unfortunately, there now seems to be a rush to push through a new Threshold Determination without taking into consideration new public comment even though previous comments seem to have been ignored.

This is an industrial scale development located in sensitive rural environment where no commercial mining has ever occurred. It will cause irreparable and significant harm to the natural environment including habitats along the Samish River and Swede Creek, as well as upland wildlife habitat. The MDNS falls far short of identifying and mitigating impacts, including:

- **The environmental review did not consider the full footprint of the project.** Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.
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- **The Fish and Wildlife Assessment is out-of-date and incomplete.** The limited Fish and Wildlife Assessment provided by the applicant is more than five years old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for

protecting endangered species need to be consulted.

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- **Wildlife corridors are not identified and protected.** Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.
- **A drainage plan was not required to protect water quality from runoff on the private haul road.** Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.
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Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and require a full Environmental Impact Statement that evaluates these and other impacts to the natural environment and identifies alternatives such as reducing the size of the mine.

Thank you for your time and consideration.

Sincerely,

Lauren Jaye

941 South Fourth St

La Conner WA 98257

From:	Wallace Groda
To:	PDS comments
Subject:	RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads
Date:	Monday, April 26, 2021 10:21:33 AM

April 26, 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads

Dear Mr. Cerbone,

I am writing to express my concerns on your April 15, 2021 revised SEPA threshold determination for Concrete Nor'West proposed Grip Road Gravel Mine. The revised MDNS falls woefully short of what is needed to identify serious traffic problems and the mitigation required to protect public safety. Your leadership for further progress will be key for the appropriate outcome.

Additional action needed:

1. Further analysis, i.e. a comprehensive TIA, should be required to identify all hazards on the haul route and appropriate mitigation. The limited evaluations of Prairie Road have already identified two curves where the truck and trailer will cross over the center line by two to three feet into the oncoming traffic and your newly re-issued MDNS require road modifications . Grip Road and associated intersections have equally problematic turns and curves that need identical attention. Not addressing that public safety risk is a clear case of willful negligence for both Mile's Sand and Gravel as well as the County.

2. Both Prairie Road and Grip Road are exceptionally narrow and do not meet code which poses concerns for the gravel rig staying in their lanes to avoid potential collisions. This issue needs evaluation to avoid public safety risks. Again, another issue supporting a comprehensive TIA.

3. Clear haul route definition is needed to restrict gravel truck and trailer travel to qualified roads. No trailers should be allowed until all safety issues are resolved on the entire route. No third party sales should be allowed at the mine site so that route compliance is assured.

4. Turn and merge lanes should be required for both the mine entrance/exit and the Grip Road/Prairie Road intersections. As these narrow road intersections are currently constructed, a truck and trailer combination cannot turn at these intersections without crossing over the center line and risk collision.

5. The maximum number of round trips needs to be clearly defined for both a daily and

weekly basis.

6. The Grip Road and Prairie Road intersection sight distance needs additional work. Recent regrading has helped but is still not adequate for the proposed level of traffic, particularly the intended truck and trailer combinations.

7. The proposed haul route has not been constructed for the heavy loads and damage that will result from the mine operation. The associated traffic analysis, road modifications, and increased maintenance costs should be paid by the applicant, not the taxpayers.

Thank you for your consideration of these comments.

Sincerely,

Wallace Groda

6386 Lillian Lane
Sedro Woolley, WA 98284
(360)420-5375
wallacegroda@msn.com

From: Rachel Reim-Ledbetter
To: PDS comments
Cc: Rachel Reim-Ledbetter; Kathy Reim
Subject: Please take us into consideration!!
Date: Tuesday, April 27, 2021 1:20:27 PM

April 22, 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services 1800 Continental Place
Mount Vernon, WA 98273
RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads
Dear Mr. Cerbone,
I am writing to comment on your April 15, 2021 revised SEPA threshold determination for the proposed Grip Road Gravel Mine. The revised MDNS has changed very little from the original 2016 document, and still falls far short of what Skagit County Code and SEPA requires. It does not fully evaluate the potential impacts of the proposed mine project and does not set out adequate requirements for mitigating those impacts. In its current form, the project would result in unavoidable and unacceptable risks for the environment and public safety. In order to address those risks, the County must require the applicant to prepare a full Environmental Impact Statement (EIS).
I am very concerned about the traffic safety and road impacts of this project. The following are some of the issues the applicant and the County have not addressed or have not addressed adequately under SEPA or the permit application process:
1. A Level II Traffic Impact Analysis (TIA) is required for this project per Skagit County Code and Skagit County Road Standards, 2000 (SCRS), but this has not been done. The applicant's TIA states that only a Level I analysis is required because the 50 trip per hour threshold in SCRS 4.02.B. is not met. SCRS 4.02.A., however, states "A level I TIA shall be expanded to a Level II TIA if any [emphasis mine] of the Level II warrants are met." SCRS 4.02.B. includes two warrants that apply, numbers 6 and 7. Number 6 reads, "If there exists (sic) any current traffic problems in the local area as identified by the County or a previous traffic study has identified high accident locations, poor roadway alignment or capacity deficiencies. The applicant's TIA and the MDNS have already identified significant current traffic problems in the area. Number 7 reads, "The current or projected level of service of the roadway system in the vicinity of the development will exceed County adopted level of service standards." The Cook Road/Old Highway 99 intersection, which is included in the haul route but not evaluated in the TIA for safety or level of service (LOS), is well documented by the County to be operating at LOS D, which is below the County's minimum requirement of LOS C.
2. Clearly define and limit the maximum number of truck trips: The MDNS states the mine will generate an average of approximately 46 truck and trailer trips per day (4.6 trips per hour). This figure is virtually meaningless, because the demand for sand and

gravel is seasonal. The applicant's October 8, 2020 Traffic Impact Analysis (TIA) proposes a maximum of 29.4 (rounded up to 30) trips per hour. The final SEPA determination must evaluate the traffic safety impacts of the project based on the maximum number or trips per hour and set a hard limit on it. The County must also set limits on the duration and frequency of occasions when it will allow higher than average trip numbers.
3. A clear definition and map(s) of all haul routes, and the limitation of mine traffic strictly to the defined routes.
4. Disallow direct, third-party sales from the mine site.
5. Require safety analysis and mitigation measures for ALL locations where trucks will encroach on the opposing lane of traffic. The MDNS states that trucks with trailers will encroach two to three feet into the opposing lanes of traffic at the two sharp corners on Prairie Road near the intersection with Old Highway 99. It also requires that the applicant reconstruct the road at this location and correct this acknowledged safety issue. The applicant's TIA identifies the same issue, but also states that there are several other locations on the haul route where trucks will cross over into the other lane. It does not identify these other locations, provide analysis of the specific safety issues there, or propose any mitigation. From my personal observations and those of other area residents, other locations where this is an issue include, but are not limited to, the steep S-curves on the Grip Road hill, the eastbound approach to the Samish River bridge on Grip Road, and practically every intersection on the identified haul routes.

6. Take increased non-mine traffic over time into account in analyzing the traffic safety and road capacity impacts of the project. The TIA uses intersection vehicle counts from 2020 as the base for evaluating the impact of mine traffic and does not factor in increasing traffic over time with growth. There is no explanation of why this was not done. If the applicant and the County are not going to take this into account, they must provide clear evidence to show that substantial increases in background traffic are not likely to occur during the proposed 25-year lifetime of the mine.
7. Provide clear, graphic analysis of ALL locations on proposed haul routes where intersection and/or stopping sight distances do not meet required minimums for all types of vehicles. Require mitigation of all such locations. Graphic "Vision Clearance Triangle" analysis (Skagit County Road Standards, 2000, Appendix C-7) or other industry standard graphic analysis is needed for all such locations and adequate mitigation measures required for project approval.
8. Flashing speed warning beacon systems proposed for the Grip/Prairie and Grip/Mine Entrance intersections require analysis as to what they are intended to accomplish and how they will do it. The existing speed warning signs on Prairie Road at the Grip intersection clearly do not work and no analysis has been provided to show that a flashing warning light system will work better at either location. The County must

require the applicant to conduct field studies to determine what the actual maximum safe speeds are for these intersections and require mitigation measures that will ensure these limits are met.
9. Fully evaluate accident records for all road segments and intersections on the haul route, including causes and contributing factors. Provide analysis of the impacts mine traffic will have on the number, type, and severity of accidents to be anticipated with both existing and future traffic volumes. Require effective mitigation measures. The existing TIA accident record analysis is limited to certain intersections on the haul route and does not look at causes and contributing factors. It excludes a number of additional intersections, including Cook Road and Old Highway 99, as well as accidents not occurring at intersections.
10. Evaluate the impacts of mine traffic on the existing roads and bridges and require the applicant pay its fair share of the costs for increased maintenance on our already sub- standard rural roads. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required significant repairs over the last few years. Roughly 12,000 truck and trailer trips per year over 25 years will necessitate a lot of additional maintenance by the county roads department. This must be paid for by the applicant not the taxpayers!!!
Thank you for your consideration.
Sincerely The Reim - Ledbetter's
Rachel Reim-Ledbetter
Tammy Reim-Ledbetter
Kathy Reim
Robert Reim
23262 Meadow View Lane
Sedro Woolley WA 98284
253-230-1692
Rachelreimledbetter@gmail.com

Sent from my iPhone

From: normfranwasson@gmail.com
To: PDS comments
Subject: Samish River / Grip Rd. Gravel Mine
Date: Wednesday, April 28, 2021 1:19:53 PM

April 28, 2021

Michael Cerbone, Assistant Director

Skagit County Planning and Development Services

1800 Continental Place

Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine

File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA species

Dear Mr. Cerbone,

I wish to express my concern regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. Even though this proposal has supposedly been under review by Skagit County Planning and Development Services (PDS) for more than five years. It appears that very little has changed about the original proposal, especially in terms of protection of the natural environment. In fact, none of the assessments and application documents related to protection of fish, wildlife, water and air quality have been updated. They were incomplete and inaccurate in 2016 and they still are, nor do they reflect any of the concerns expressed by the community on these matters over the past years. To make things worse, all of those original documents and assessments are now completely outdated. Unfortunately, there now seems to be a rush to push through a new Threshold Determination without taking into consideration new public comment even though previous comments seem to have been ignored.

This is an industrial scale development located in sensitive rural environment where no commercial mining has ever occurred. It will cause irreparable and significant harm to the natural environment including habitats along the Samish River and Swede Creek, as well as upland wildlife habitat. The MDNS falls far short of identifying and mitigating impacts, including:

- **The environmental review did not consider the full footprint of the project.** Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.
- **The County is not following its own Critical Areas Ordinance (CAO).** Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.
- **The Fish and Wildlife Assessment is out-of-date and incomplete.** The limited Fish and Wildlife Assessment provided by the applicant is more than five years old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.
- **Wetlands were not delineated, and there is no requirement for surveying and permanently marking them.** A full wetland delineation was never done. Sensitive areas and buffers within the entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.
- **Wildlife corridors are not identified and protected.** Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.
- **A drainage plan was not required to protect water quality from runoff on the private haul road.** Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.
- **Impacts to groundwater are not adequately evaluated and protections measures are not required.** They intend to excavate the mine to within 10 feet of groundwater. But it is unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river.
- **The Noise and Vibration Study did not use realistic scenarios to model noise impacts.** The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from "typical" and "average" mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.
- **Emissions were not evaluated and no mitigation plan was required**. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.
- **Cumulative impacts were ignored.** This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were

evaluated. Twenty-five years of mine operation is not a “temporary” activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period.

Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and require a full Environmental Impact Statement that evaluates these and other impacts to the natural environment and identifies alternatives such as reducing the size of the mine.

Thank you for your time and consideration.

Sincerely,

Norman Wasson
20836 Prairie Rd.
Sedro Woolley, Wa 98284
(360)724-5054
normfranwasson@gmail.com

Sent from Mail for Windows 10

From: normfranwasson@gmail.com
To: PDS comments
Date: Wednesday, April 28, 2021 12:58:49 PM

April 28, 2021

Michael Cerbone, Assistant Director

Skagit County Planning and Development Services

1800 Continental Place

Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine

File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA species

Dear Mr. Cerbone,

I wish to express my concern regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. Even though this proposal has supposedly been under review by Skagit County Planning and Development Services (PDS) for more than five years. It appears that very little has changed about the original proposal, especially in terms of protection of the natural environment. In fact, none of the assessments and application documents related to protection of fish, wildlife, water and air quality have been updated. They were incomplete and inaccurate in 2016 and they still are, nor do they reflect any of the concerns expressed by the community on these matters over the past years. To make things worse, all of those original documents and assessments are now completely outdated. Unfortunately, there now seems to be a rush to push through a new Threshold Determination without taking into consideration new public comment even though previous comments seem to have been ignored.

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- **The environmental review did not consider the full footprint of the project.** Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.
- **The County is not following its own Critical Areas Ordinance (CAO).** Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.
- **The Fish and Wildlife Assessment is out-of-date and incomplete.** The limited Fish and Wildlife Assessment provided by the applicant is more than five years old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.
- **Wetlands were not delineated, and there is no requirement for surveying and permanently marking them.** A full wetland delineation was never done. Sensitive areas and buffers within the entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.
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degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period.

Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and require a full Environmental Impact Statement that evaluates these and other impacts to the natural environment and identifies alternatives such as reducing the size of the mine.

Thank you for your time and consideration.

Sincerely,

Norman Wasson

20836 Prairie Rd.

Sedro Woolley, Wa 98284

(360)724-5054

normfranwasson@gmail.com

Sent from Mail for Windows 10

From: normfranwasson@gmail.com
To: PDS comments
Subject: Gravel Mine - Grip Rd & Samish River
Date: Wednesday, April 28, 2021 12:54:58 PM

April 28, 2021

Michael Cerbone, Assistant Director

Skagit County Planning and Development Services

1800 Continental Place

Mount Vernon, WA 98273

RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads

Dear Mr. Cerbone,

I am writing to comment on your April 15, 2021 revised SEPA threshold determination for the proposed Grip Road Gravel Mine. The revised MDNS has changed very little from the original 2016 document, and still falls far short of what Skagit County Code and SEPA requires. It does not fully evaluate the potential impacts of the proposed mine project and does not set out adequate requirements for mitigating those impacts. In its current form, the project would result in unavoidable and unacceptable risks for the environment and public safety. **In order to address those risks, the County must require the applicant to prepare a full Environmental Impact Statement (EIS).**

I am very concerned about the traffic safety and road impacts of this project. The following are some of the issues the applicant and the County have not addressed or have not addressed adequately under SEPA or the permit application process:

1. **A Level II Traffic Impact Analysis (TIA) is required for this project per Skagit County Code and Skagit County Road Standards, 2000 (SCRS), but this has not been done.** The applicant's TIA states that only a Level I analysis is required because the 50 trip per hour threshold in SCRS 4.02.B. is not met. SCRS 4.02.A., however, states "A level I TIA shall be expanded to a Level II TIA if **any** [emphasis mine] of the Level II warrants are met." SCRS 4.02.B. includes two warrants that apply, numbers 6

and 7. Number 6 reads, "If there exists (sic) any current traffic problems in the local area as identified by the County or a previous traffic study has identified high accident locations, poor roadway alignment or capacity deficiencies. The applicant's TIA and the MDNS have already identified significant current traffic problems in the area. Number 7 reads, "The current or projected level of service of the roadway system in the vicinity of the development will exceed County adopted level of service standards." The Cook Road/Old Highway 99 intersection, which is included in the haul route but not evaluated in the TIA for safety or level of service (LOS), is well documented by the County to be operating at LOS D, which is below the County's minimum requirement of LOS C.

2. **Clearly define and limit the maximum number of truck trips:** The MDNS states the mine will generate an average of approximately 46 truck and trailer trips per day (4.6 trips per hour). This figure is virtually meaningless, because the demand for sand and gravel is seasonal. The applicant's October 8, 2020 Traffic Impact Analysis (TIA) proposes a maximum of 29.4 (rounded up to 30) trips per hour. The final SEPA determination must evaluate the traffic safety impacts of the project based on the maximum number or trips per hour and set a hard limit on it. The County must also set limits on the duration and frequency of occasions when it will allow higher than average trip numbers.

3. **A clear definition and map(s) of all haul routes, and the limitation of mine traffic strictly to the defined routes.**

4. **Disallow direct, third-party sales from the mine site.**

5. **Require safety analysis and mitigation measures for ALL locations where trucks will encroach on the opposing lane of traffic.** The MDNS states that trucks with trailers will encroach two to three feet into the opposing lanes of traffic at the two sharp corners on Prairie Road near the intersection with Old Highway 99. It also requires that the applicant reconstruct the road at this location and correct this acknowledged safety issue. The applicant's TIA identifies the same issue, but also states that there are several other locations on the haul route where trucks will cross over into the other lane. It does not identify these other locations, provide analysis of the specific safety issues there, or propose any mitigation. From my personal observations and those of other area residents, other locations where this is an issue include, but are not limited to, the steep S-curves on the Grip Road hill, the eastbound approach to the Samish River bridge on Grip Road, and practically every intersection on the identified haul routes.

6. **Take increased non-mine traffic over time into account in analyzing the traffic safety and road capacity impacts of the project.** The TIA uses intersection vehicle counts from 2020 as the base for evaluating the impact of mine traffic and does not factor in increasing traffic over time with growth. There is no explanation of why this was not done. If the applicant and the County are not going to take this into account, they must provide clear evidence to show that substantial increases in background traffic are not likely to occur during the proposed 25-year lifetime of the mine.

7. **Provide clear, graphic analysis of ALL locations on proposed haul routes where intersection and/or stopping sight distances do not meet required minimums for all types of vehicles. Require mitigation of all such locations.** Graphic "Vision Clearance Triangle" analysis (Skagit County Road Standards, 2000, Appendix C-7) or other industry standard graphic analysis is needed for all such locations and adequate

mitigation measures required for project approval.

8. **Flashing speed warning beacon systems proposed for the Grip/Prairie and Grip/Mine Entrance intersections require analysis as to what they are intended to accomplish and how they will do it.** The existing speed warning signs on Prairie Road at the Grip intersection clearly do not work and no analysis has been provided to show that a flashing warning light system will work better at either location. The County must require the applicant to conduct field studies to determine what the actual maximum safe speeds are for these intersections and require mitigation measures that will ensure these limits are met.

9. **Fully evaluate accident records for all road segments and intersections on the haul route, including causes and contributing factors. Provide analysis of the impacts mine traffic will have on the number, type, and severity of accidents to be anticipated with both existing and future traffic volumes. Require effective mitigation measures.** The existing TIA accident record analysis is limited to certain intersections on the haul route and does not look at causes and contributing factors. It excludes a number of additional intersections, including Cook Road and Old Highway 99, as well as accidents not occurring at intersections.

10. **Evaluate the impacts of mine traffic on the existing roads and bridges and require the applicant pay its fair share of the costs for increased maintenance on our already sub-standard rural roads.** An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required significant repairs over the last few years. Roughly 12,000 truck and trailer trips per year over 25 years will necessitate a lot of additional maintenance by the county roads department. This must be paid for by the applicant, not the taxpayers.

Thank you for your consideration of these comments.

Sincerely,

Norman Wasson

20836 Prairie Rd.

Sedro Woolley, Wa 98284

(360)724-5054

normfranwasson@gmail.com

Sent from Mail for Windows 10

From: Jaye Stover
To: PDS comments
Subject: Mitigated Determination of Non-Significance for proposed Grip Road Gravel Mine
Date: Tuesday, April 27, 2021 9:37:18 PM

File #s PL16-0097 & PL16-0098 Impacts to the Ecosystem

Having worked as a volunteer in riparian habitat restoration this year on Grip Road along the Samish River and creeks intersecting with the Samish, I am extremely concerned about the destructive potential of the proposal to mine there and the inadequate planning and documentation of this ill-conceived project.

The property, including a 60-acre mine and intensive two-mile haul lane, is contiguous to Swede Creek and wetlands where I have planted trees and witnessed efforts by many agencies to restore and protect a fish-bearing stream. At this time of extreme environmental jeopardy and growing recognition of the urgency of keeping streams alive, not even "mitigation" – although NONE is proposed – it is essential that analysis be made of the repercussions on wildlife at this site. *A complete and current 2021 Fish and Wildlife Assessment is essential to evaluate how the ecosystem is being protected on behalf of all citizens of this county and of this state.*

Skagit County's Critical Area Ordinance requires a three hundred feet buffer in this environment for high intensity land use, however, this proposal does not include that buffer. Furthermore, wetlands which are critical to survival of fish and wildlife are not identified in these plans! Riparian habitat, wetlands, buffers and areas essential for natural water reservoirs (storage) are missing from the documents, as if they don't exist. They must be identified and labeled on the entire property so all "stakeholders" in this county know where they are and can plan accordingly for our future.

Now that there are more people than wildlife – a dramatic change since our youth – destruction of the last undeveloped land between Butler Hill, the Samish River and Anderson Mountain is unacceptable for the trade-off of 25 years of mining. Wildlife must have places to live. With 70% reduction of wildlife in the past two decades, projects such as this must be studied in depth and the costs to all calculated. There are no wildlife corridors or habitat areas provided.

The effects on groundwater – it's contamination by mining and trucking activities – have not been clearly described nor have thorough and adequate protections been offered to prevent pollution of the waterways into which drainage from mining would overflow. The groundwater is approximately the same level as the Samish River here!

With so many private sector, county, state, federal and mixed agencies working to protect and restore Skagit's delicate and endangered waterways and wetlands, this project definitively needs a Full Environmental Impact Statement and the County, as responsible caretakers and leaders needs to reverse its Threshold Determination.

Sincerely,

Jaye Stover

12213 Pulver Road
Burlington, WA 98233
360-770-5608

Sent from Mail for Windows 10

From: Julie Johnson
To: PDS comments
Subject: RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA species
Date: Tuesday, April 27, 2021 12:32:52 PM

April 27, 2021

Michael Cerbone, Assistant Director Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Dear Mr. Cerbone,

I wish to express my concern regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. Even though this proposal has been under review by Skagit County Planning and Development Services (PDS) for more than five years, it appears that very little has changed about the original proposal, especially in terms of protection of the natural environment. In fact, none of the assessments and application documents related to protection of fish, wildlife, water and air quality have been updated. They were incomplete and inaccurate in 2016 and they still are, nor do they reflect *any of the concerns expressed by the community on these matters over the past years*.

This is an industrial scale development located in sensitive rural environment where no commercial mining has ever occurred. It will cause irreparable and significant harm to the natural environment including habitats along the Samish River and Swede Creek, as well as upland wildlife habitat.

The MDNS falls far short of identifying and mitigating impacts. *The environmental review did not consider the full footprint of the project*. Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the twomile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

The County is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use. Furthermore, *state and federal agencies responsible for protecting endangered species need to be consulted*. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a "temporary" activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams.

Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and *require a full*

Environmental Impact Statement that evaluates these and other impacts to the natural environment and identifies alternatives such as reducing the size of the mine.

Thank you for your consideration.

Julie Anne Johnson
(360) 927-4365
julieannejohnson@lycos.com

Name : Nora Kammer, Skagit River System Cooperative
Address : PO Box 368
City : La Conner
State : WA
Zip : 98257
email : nkammer@skagitcoop.org
PermitProposal : PL16-0097, PL16-0098
Comments : April 30, 2021

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

Reference: Concrete Nor'West gravel pit (submitted via: County Comment Portal)

Dear Michael,

The Skagit River System Cooperative (SRSC) has reviewed the resubmittal of the proposal by Concrete Nor'West for a gravel pit near the Samish River (PL16-0097 and PL16-0098). The steelhead and coho salmon that spawn and rear in the Samish River and its tributaries are important tribal resources, so we are submitting comments on behalf of the Swinomish Indian Tribal Community and Sauk-Suiattle Indian Tribe.

Depth of Quarry Excavation

We would like to reiterate our previously stated concerns about the bottom depth of excavation for the pit. It is important to prevent ant interaction of surface water and ground water in order to prevent pollution and protect water quality. We understand from the project documents that the extent of gravel mining will not go deeper than 10-feet higher than the groundwater levels surrounding the Samish River in order to prevent this interaction between groundwater and surface water. Limiting the depth of excavation should prevent the gravel pit from becoming a pond, and from river water being affected by groundwater interaction. However, it is important to consider the practicality of conveying this provision to the on-the-ground employees operating the pit decades from now, when that maximum depth of excavation will be approached.

For clarity and certainty, we would like the specific elevation of final excavation to be established as part of the permitting process, and that elevation should be based on Samish River water surface elevations at normal winter flow, not during summer low flow. On-the-ground monumentation should be available onsite with clear signage, located where it won't be disturbed by decades of mining, but close enough to be useful when the pit begins to exhaust its capacity.

Additionally, we would like to see periodic site evaluations every five years with reporting to the Department of Ecology. The evaluations should include a rod-and-level survey to determine the current depth of excavation using onsite monumentation, and an evaluation of the depth of

excavation remaining. This evaluation will serve to continue to convey the provisions and on-the-ground expectations to the employees operating this mine.

We expect there to be no surface runoff from the gravel mine, as pits create a topographically closed depression. Finally, we expect there to be no on-site processing of gravel, as stated in the plans.

Haul Route

The project proponent must expand their environmental assessment to include the haul route from the gate at Grip Road to the mine site itself. The existing onsite haul route is about 2 miles long and was developed for forestry activities. The quantity, seasonality, and duration of traffic; types and weights of vehicles; agency with jurisdiction; and maintenance responsibility will all change with this proposal, and as such, impacts must be considered. The route crosses numerous wetlands, a couple of typed streams, and the gorge and large stream Swede Creek, a known salmon-bearing stream. We have concerns on how the proposal will affect these sensitive areas. The haul route was apparently widened recently. The as-built drawings recently provided by Semrau Engineering indicate the road is approximately 22 feet wide as-built. Archived airphotos and Google Earth indicate that this road was previously much narrower, approximately 15 feet as measured from airphotos.

I am unclear what permits were acquired to do the road widening, or if the work was under DNR jurisdiction (under FPA # 2816283 or FPA # 2814718) or Skagit County as improvements to a private road at the time. The two FPA's referenced do not indicate any road work or culvert replacements at typed streams would occur, but the roadwork did in fact replace culverts at approximate STA 12+27, STA 64+00, and STA 64+95 which with a cursory assessment and details in the FPA indicate would be Type N or Type F streams.

When this work occurred happens to be easy to ascertain. A 7/15/2018 Google Earth airphoto shows the work underway, with the northern portion of the haul route widened to more than 20 feet, and the southern part of the haul route remains narrow at about 10-12 feet and as in an apparent 2-track condition. An excavator is working at 48.563041, -122.280407. A roller is parked at 48.569462, -122.276716. The widening of the road adds up to more than 2 acres of new compacted gravel (2 miles x 10 feet). We would like to hear details of the design and regulatory approvals for this substantial road widening and project to replace all culverts. Moving forward, we expect an environmental assessment to survey the road for stream crossings, wetlands, and seeps (of which there are many) to support a design that meets the Skagit County Drainage Ordinance and allows free flow of all surface waters across the road through appropriately sized culverts and ditches for streams and cross drains. We expect all culverts to be appropriately spaced and located, in particular those at approximate road stations STA 12+27, STA 64+00, and STA 64+95 where we believe typed streams to be present. All culverts must be appropriately sized to meet Skagit County Code or Washington State Forest Practices, whichever is more restrictive.

We feel that over the long term that the gravel operations use of this road presents an impact to surface waters and aquatic habitat due to sedimentation and runoff, and presents a greatly

increased risk of slope failures that threaten to directly impact Swede Creek. We presume that the BMPs in the ditchline along the road were implemented concurrently with the above-described road work and the 2018 FPA. While remnants of the BMPs were evident in the ditchline (decayed straw wattles) recently, these BMPs are clearly short-term treatments for forest practices, which typically represent a short duration of heavy use along a forestry road, as in during the harvesting and subsequent replanting activities. However, the proposed mine will have a very long duration (25 years) of a very heavy use (documents indicate 4.6 up to 30 trucks per hour). Typical forest practices short-term BMPs and management of stormwater are likely insufficient, unless scrupulously maintained, to effectively prevent runoff into surface waters.

The type of vehicle that will be utilizing this haul route is also notably different than a typical log truck, which can typically weigh around 88,000 pounds. The application materials indicate that the typical loaded gravel truck and pup will weigh 105,500 pounds, or 20% heavier. This, combined with the vastly greater number of vehicles and duration of the action, must be considered in an adequate drainage and stormwater management plan.

The road and all crossing structures must be assessed to ensure that they are capable of handling the types of traffic expected on the mine service road. We would like to see information specific to the age of the bridge and an onsite assessment by a bridge engineer that the bridge is capable of handling long-term usage by 105,500 pound vehicles; the provided memo is based on a typical engineering drawing dated 1999 and "from the original bridge installation and "photos and descriptions" sent to the engineer by the project proponent. This seems like an insufficient assessment of a bridge that serves as the key haul route for this mining project and is central to our concerns about the risk to aquatic habitat.

From our perspective, the risk of failure at this bridge would bring substantial harm to downstream aquatic habitat and we would like to be assured that this timber bridge is capable of handling the mine traffic. Traffic along the haul route must be adequately planned for, maintained, and mitigated. We request an onsite bridge inspection be completed prior to permitting, and repeated periodically at no less than every 5 years for the duration of the mine. We request this bridge inspection schedule and submittal of inspection reports to Skagit County Public Works be a provision of the permitting of this mine.

We would like to see the applicant submit a maintenance plan for all stormwater and drainage conveyance systems, including the assignment of responsibility for such maintenance. The road maintenance provisions and the stormwater and drainage maintenance plan must be recorded with the permitting of the mine, and enforced and carried out as a provision to the permit, to prevent impacts to surface waters and wetlands in the vicinity of the haul route throughout the duration of this mine.
We also feel that the 2-mile haul route, which has been essentially doubled in width ahead of this mining activity, should be fully assessed by a qualified consultant who can identify sensitive areas, priority habitat areas, wetlands, and streams; quantify the impact; and suggest appropriate and mitigation measures to reduce impacts resulting from this project.

When identifying mitigation measures, we would like to draw attention to an undersized and impassable culvert on a Type F stream located along a spur road on the subject property that we

have recorded in a inventory of barrier culverts (48.563983, -122.275181). We suggest as a potential mitigation measure to compensate for road expansion and impacts to remove this culvert and naturalize the stream, or replace this culvert with an appropriately sized culvert based on an assessment of channel dimensions and fish use.

Swede Creek gorge

We have specific concerns about the haul route through the steep valley at Swede Creek. The route crosses a bridge at Swede Creek, which the proponent has designated will be a one-lane bridge with signage. The engineer, Semrau, has provided an as-built drawing set, dated 2018, for the haul route, which supported this review.
Firstly, we would like to see no additional road widening within the Swede Creek gorge. Should any widening be absolutely necessary, the road should be cut into the hillslope and not be built further onto the fillslope.

The slopes in this gorge are very steep, well over 70% at some locations, with delivery possible since Swede Creek is at the toe of steep slopes.

The are a couple of existing road failure issues within the gorge that must be corrected as soon as possible to prevent any further road failures or degradation to water bodies. These existing road failures serve as an example of the types of road issues we are very concerned about. There is presently a 60-80 foot long sidecast crack and slump (12-18” deep) on the fillslope near the top of the hill north of Swede Creek.

Any further failure risks sediment delivery directly into Swede Creek. The sidecast failure occurred recently, at a time with relatively little road traffic. With the constant impact of loaded 105,500-pound gravel trucks passing by at a rate of 4.6 to 30 trucks per hour, the compaction, vibration, and degradation of appropriate ditches and drainage features will be constant, greatly increasing the risks that use of this road presents to Swede Creek.

In addition to the sidecast cracking, there are two cutslope failures that have slumped and filled the ditchline. All three of these failures must be immediately addressed to ensure that no further damage to the drainage infrastructure or Swede Creek occur.

In an environment like the Swede Creek gorge, water management is of the utmost importance. This fact cannot be understated. Cross drains and backup cross drains must efficiently transport surface runoff across the road surface and not be allowed to run haphazardly down the ditchline. The outlet of cross drains must be carefully selected by an experienced road designer to ensure that erosion or failure of the fill slope will not be aggravated.

Slope failures and debris slides are disastrous for fish habitat. Debris slides can decimate instream biota and adjacent riparian areas, bury redds and appropriate spawning substrates, and contribute to downstream water quality problems. Road management and reducing the risk of debris torrents originating at forest roads is something that our organization has invested a great deal of time, effort, and money to address and correct, and remains a significant concern of ours at this location.

We understand that the road is proposed for paving at STA 21+00 to 26+00, located within the Swede Creek gorge and within the riparian buffer of Swede Creek. While there are some negative impacts and risks associated with paving due to increased impervious area and increased runoff quantity and speed, we recognize that paving can greatly reduce sediment delivery to streams. We recognize that sediment delivery is one of the greater threats to the aquatic habitat adjacent to this proposal. For that reason, we would like to see consideration of paving both the north and south approaches to the Swede Creek bridge, from hillcrest down to the bridge.

Washington State Forest Practices Board Manual suggests paving within 200 feet of a stream as a BMP for sediment control. "In situations where sediment control devices need to be used long-term consider surfacing that requires little to no maintenance such as chip sealing or paving portions of roads." We feel that would be a prudent BMP in this situation, where permanent management of sediment must be required. However, as will all surface water management in a steep gorge, paving must be designed with care by an experienced road engineer with experience working with these building materials in steep terrain, to ensure that runoff is carefully managed to avoid erosion or slope failure, and disconnect from streams and wetlands.

We would like to see some improvements to drainage management within the gorge, with additional cross drains installed to ensure capacity and redundancy in the case of slumping into the ditchline, as is presently occurring. This ensures that water can get off the road if a culvert is clogged, rather than run down the road and trigger further slope failures and damage to the aquatic environment. In risky terrain for forest roads, redundancy and maintenance are key. The outlet of any cross drains in the gorge should be disconnected from directly contributing to Swede Creek; this may be in the form of swales, settling basins, sediment curtains, or straw wattles that can prevent pollution from reaching a surface water body. Permanent treatment BMPs should be considered and utilized. Substantial rock aprons should be built at the outlet of all culverts, with particular attention and size emphasized at culverts within the Swede Creek gorge. We feel strongly that to reduce sediment runoff in the gorge, paving, permanent BMPs, and ample cross drainage opportunities can help to reduce impacts.

Road Maintenance

We understand the access road from Grip Road to the quarry (nearly 2 miles) will be designated a Private Road by Skagit County, and the landowner(s) of the road will be responsible for its maintenance. We are concerned about impacts of this road should it go unmaintained over the 25-year duration of this project. Ditches and culvert inlets that become clogged with debris and sediment, potholes, washboards, winter snowplowing that forms windrows along road edges, damaged culverts and aprons, or damage to the Swede Creek bridge all present situations where there are increased and avoidable impacts to surface water bodies.

We would like to see an adequate drainage and stormwater management plan assessing and prescribing improvements to the private haul route. We would like to see applicant submit a maintenance plan for all stormwater and drainage conveyance systems, including the assignment of responsibility for such maintenance. We would like to see a schedule of periodic on-site bridge inspection to assess the Swede Creek bridge and the anticipated traffic level and loads.

The road maintenance provisions and the stormwater and drainage maintenance plan must be recorded with the permitting of the mine, and enforced and carried out, to prevent impacts to surface waters and wetlands in the vicinity of the haul route.

Reclamation

We would like to see the proponent submit a reclamation plan for their proposal, and this plan should be provided for ours and public review. The mine reclamation plan for this site should specify access controls that are adequate to assure that no dumping will occur, either by Concrete Nor'West or any authorized or unauthorized parties. Obsolete gravel pits have a tendency to become dumping grounds for all kinds of waste and trash. If some of that trash were to leach toxic materials into the permeable gravel at the pit, the result could be devastating for Samish River fish. A robust plan to prevent dumping at the pit would be a prudent step at this stage of permitting the mine.

As always, SRSC appreciates the opportunity to comment on this proposal, and we look forward to continuing our collaboration with the County on these matters. If you have any questions about our comments, or if there is anything that we can provide, please don't hesitate to call me at (360) 391-8472 or email at nkammer@skagitcoop.org.
Sincerely,

Nora Kammer
Environmental Protection Ecologist
Skagit River System Cooperative

From Host Address: 24.113.8.118

Date and time received: 4/30/2021 11:18:03 AM

Name : Mary S. Neff
Address : 12123 Hilynn Drive
City : Burlington
State : WA
Zip : 98233
email : mandmneff67@gmail.com
PermitProposal : 16-0097 and 16-0098
Comments : As a concerned citizen, I believe it is absolutely essential that a Full EIS be required on this proposed mine project on Grip Rd. There are multiple concerns about this project, including huge traffic and public safety issues, and the effects on the natural environment. Adjacent to the Samish River, this project threatens fish and wildlife habitat, water quality, and the endangered Oregon Spotted Frog habitat. Please take your responsibilities seriously, on behalf of the citizens of Skagit County and require a Full EIS. It is unfathomable that this would be allowed to proceed without the proper channels being followed and protections enforced. Thank you for your consideration. Mary S. Neff

From Host Address: 73.42.202.5

Date and time received: 4/30/2021 11:11:10 AM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Monday, April 19, 2021 12:09:44 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Friday, April 16, 2021 9:50 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Barbara Lemme
Address : 5856 Park Court
City : Sedro Woolley,
State : WA
Zip : 98284
email : bobbil@cnw.com
PermitProposal : Grip Road Mine proposal
Comments : I have a tremendous concern for the safety of bike riders on Prairie Road. There is minimal shoulder space for a bike rider to safely get off the road in case a large truck comes by. With an increased number of trucks on the road, it will be extremely difficult to safely get off the road, especially if two trucks are passing each other, going different directions.

This is an accident waiting to happen. I would imagine a family would rightfully sue the county if a death or injury resulted from too many trucks on the road. Prairie road has too many curves. Grip Road is steep and narrow. And where the two roads meet, there is a blind spot for turning trucks, even with blinking lights.

It seems like the county is caving in to business interests instead of listening to the residents who live in the area. Who does the county represent??

I don't think that this proposal is a good one.

From Host Address: 50.34.189.197

Date and time received: 4/16/2021 9:46:11 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Monday, April 19, 2021 12:50:58 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, April 17, 2021 3:35 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Kathryn Longfellow
Address : 5318 Cedar Ridge Pl
City : Sedro Woolley
State : WA
Zip : 98284
email : klongfellow@frontier.com
PermitProposal : Grip Road Mining
Comments : Please consider postponing this request until appropriate infrastructure is in place which is beyond what is proposed in the resubmission.

I am driving a school bus on Grip Road having turned off Prairie Road and headed south toward Mosier. I have just entered one of the sharp turns and there in front of me is a full gravel truck with its bumper over the center line. I've a full load of children. Now the driver may not know he's over the center line as the paint line is invisible because its been crossed so much it is rubbed out. There are no fog lines to assist in lane visibility and there are no shoulders to give a little room to either vehicle. Not a good outcome.

The roads need to be brought to a standard that is applicable for the weight and width of the vehicles that are intended to drive on them. The trucks cause a serious deterioration of roadways due to weight and Grip Road nor Prairie have been brought up to that level of repair. Actually, noted in the reissue, that if there is a problem with the bridge on Highway 99 the trucks will need to re-route to I-5. Which begs the question of load limits and trucks on the bridge over the Samish River on Grip and Friday Creek on Prairie.

Please reconsider the issuance of this permit until road and bridge structures are sufficiently remediated to handle the proposed truck traffic.

From Host Address: 50.34.103.133

Date and time received: 4/17/2021 3:31:36 PM

From:	Planning & Development Services
To:	Michael Cerbone; Betsy D. Stevenson
Subject:	FW: PDS Comments
Date:	Tuesday, April 20, 2021 9:25:26 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 19, 2021 2:55 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Josh Nipges
Address : 20610 Prairie rd
City : Sedro Woolley
State : WA
Zip : 98284
email : nipges@juno.com
PermitProposal : PL16-0097
Comments : While it is nice to see that Concert Northwest is addressing the double corner east of the old 99 and Prairie Rd intersection and the intersection with grip. They still have not addressed the over all road itself. Prairie is road is narrow. It has become even more so since the guard rail was added along the high tension power lines. Widening the road needs to be addressed. With the number of truck trips and narrow road way it is only a matter of time before there is a head on collision. There have been many times that I have encountered semi trucks hugging or over the divider line in this section.

From Host Address: 165.225.217.34

Date and time received: 4/19/2021 2:52:41 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 22, 2021 8:50:02 AM

Name : Ellen Martin
Address : 4929 Ida Drive
City : Sedro-Woolley
State : WA
Zip : 98284
email : ellenkmartin39@gmail.com
PermitProposal : Reference: File #'s PL16-0097 & PL16-0098
Comments : Grip Road Gravel Mine Environmental Concerns Not Addressed in the MDNS

The Noise and Vibration Study did not use realistic scenarios to model noise impacts. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from "typical" and "average" mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.

The environmental review did not consider the full footprint of the project. The applicant owns more than 700 contiguous acres, however only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. This private road has previously been used only for forestry. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

The County is not following its own Critical Areas Ordinance(CAO).Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.

The Fish and Wildlife Assessment is out-of-date and incomplete. The limited Fish and Wildlife Assessment provided by the applicant is more than five-years-old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site; this animal is listed as "Endangered" in Washington State and "Threatened" federally. In addition critical habitat for Bull Trout is located just downstream, Bull Trout is a "Candidate" species for listing in WA State, and is listed as "Threatened" federally. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.

Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.

Wildlife corridors are not identified and protected. Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.

A drainage plan was not required to protect water quality from runoff on the private haul road. Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.

Impacts to groundwater are not adequately evaluated and protections measures are not required. They intend to excavate the mine to within 10 feet of groundwater. They claim that all runoff from the disturbed site will drain into the mine, and infiltration will protect the groundwater. But it is unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table. No mention of seasonal fluctuation of the groundwater is discussed. Further more, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river.

Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.

Cumulative impacts were ignored. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a “temporary” activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period. A full EIS needs to evaluate all cumulative impacts.

Grip Road Mine Traffic, Road and Public Safety Issues Not addressed in the MDNS: County government and the concerned public cannot evaluate the traffic safety impacts of the project and the adequacy of the MDNS without the following information:

The maximum number of truck trips per hour, how often the number of trips may exceed the average trips per hour, and how long the number of trips may exceed that average. The average of 46 trips per day or 4.6 trips per hour given in the MDNS is meaningless due to the seasonal nature of product demand. The applicant’s October 8, 2020 Traffic Impact Analysis (TIA) proposes a maximum of 60 trips per hour (30 trucks in each direction). The SEPA determination must evaluate the traffic safety impacts of the project based on this maximum and set hard limits on this number, frequency, and duration

A clear definition and map(s) of all haul routes, and the limitation of mine traffic strictly to the defined routes.

Safety analysis of all haul route intersections and road segments to determine whether or not trucks traveling to and from the mine will stay within their lane of traffic, and the mitigation

measures to be required for every location where they will not. The TIA provides analysis showing that truck and trailer combinations cannot traverse the two sharp curves on Prairie Road east of Old Highway 99 without encroaching on the opposing lane of traffic. The MDNS requires the applicant to take specific actions to mitigate this issue at this location. The TIA acknowledges that the same issue of lane encroachment exists at several other locations on the haul route, but neither it nor the MDNS lists those locations, provides any analysis of the problems there, or sets out the mitigation measures required to correct them. These locations include, among others, the S-curves on the Grip Road hill and practically all of the intersections on the haul route. This is unacceptable

Projections for the increase in non-mine traffic on the haul routes over time and evaluation of the safety and road capacity impacts of mine traffic with increased non-mine traffic. The TIA uses 2020 traffic levels to evaluate mine traffic impacts and does not factor in growth.

Field studies to determine the speeds at which vehicles are currently traveling on the haul route and evaluation of how mine traffic will impact existing traffic given those speeds.

More thorough evaluation of the accident records for all road segments and intersections on the haul route, including the contributing causes for the accidents. What are the implications for mine traffic safety?

Determinations as to the actual safe speeds for any given road segment or intersection on the haul route, along with recommendations for changes to legal speed limits where they are needed for safety.

More detailed evaluation of sight distances at all intersections, including “Vision Clearance Triangle” drawings as shown in Skagit County Road Standards, 2000, Appendix C –7.

A full evaluation of what the warning beacon systems proposed for the Grip Road/Prairie Road and Grip Road/Mine Entrance intersections are intended to accomplish and how they will do so. Drivers are clearly ignoring the existing speed warning signs at Grip and Prairie. How can they be expected to slow down adequately for the warning beacons?

“Third party” sales at the mine would mean trucks traveling to and from the site via every route possible. Disallow third party sales from the mine.

Adding heavy mine traffic to our existing, substandard roads will cause increased damage to public infrastructure and higher maintenance costs. These impacts must be evaluated and the applicant required to pay their proportional share of the costs. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required frequent repairs over the last few years just with existing traffic levels.

Pedestrian and bicycle safety must be evaluated along the entire haul route. This is a particular concern in areas where there are no shoulders on Grip and Prairie, and where guardrails were recently installed on Prairie Road. Necessary safety improvements must be required.

From Host Address: 172.92.201.41

Date and time received: 4/22/2021 8:49:19 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 22, 2021 10:40:02 AM

Name : Todd Ouellette
Address : PO Box 2255
City : Mt Vernon
State : WA
Zip : 98273
email : todd@nwlink.com
PermitProposal : Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098
Comments : Several concerns:
1: as a landowner near the proposed mine on a private well that shares the water table, I am concerned by the casual statement that they will limit mine depth to ten feet above the water table. Spills and contaminants in the mine may still infiltrate into water used by residential and agricultural citizens.

2: the wetlands assessment seems superficial. The Samish River drainage is home to several threatened or endangered species. I do not see this addressed in the documents I've seen, nor have I seen a full EIS on the projected mine. I see no actual wetlands assessment, something even a small land owner like myself had to file with the county when building.

3: Prairie Road is designed for rural traffic. If the mine runs only six trips / hour (three each way), a truck that will likely not achieve a thirty MPH average speed over the four miles from Gripp Rd to Hwy 99 will take eight minutes. The chance of trucks meeting seems inevitable, and at at least four places in that stretch, one will have to stop entirely while the other maneuvers through the turns using both lanes. This could happen multiple times / hour.

These are only a few of my concerns, none of which seem to be assessed in the documents on file at the county. I would ask for a more complete evaluation, as this projected mine will cause permanent changes, many of which seem potentially harmful, without adequate forethought.

Respectfully,
Todd Ouellette

From Host Address: 174.204.78.255

Date and time received: 4/22/2021 10:36:28 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 22, 2021 8:50:01 PM

Name : Leslie Mitchell
Address : 4929 Ida Drive
City : Sedro Woolley
State : Washington
Zip : 98284
email : ldmitch2015@gmail.com
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : 23 April 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

Please consider the following points concerning the need for greater and more specific study into three major areas related to the impacts that would result from the establishment of the Nor'west/Miles Sand & Gravel Mine:

1. Grip Road Gravel Mine Environmental Concerns Not Addressed in the MDNS
- The environmental review did not consider the full footprint of the project. The applicant owns
more than 700 contiguous acres, however only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road
that transects their larger ownership. The proposal will require more than 11,000 truck trips per
year on this haul road. This private road has previously been used only for forestry. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated
and no mitigation was proposed.
- The County is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot
buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet
adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.
? The Fish and Wildlife Assessment is out-of-date and incomplete. The limited Fish and

Wildlife
Assessment provided by the applicant is more than five-years-old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the
Samish River adjacent to the mine site; this animal is listed as “Endangered” in Washington State
and “Threatened” federally. In addition critical habitat for Bull Trout is located just downstream,
Bull Trout is a “Candidate” species for listing in WA State, and is listed as “Threatened” federally. The
MDNS does not mention these “ESA” species nor any protective measures necessary. Furthermore,
state and federal agencies responsible for protecting endangered species need to be consulted.
- Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the
entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.
- Wildlife corridors are not identified and protected. Cougar, bear and bobcat are known to use the
site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish
River and Anderson Mountain to the north. These animals require large territories and are sensitive
to disturbance.
- A drainage plan was not required to protect water quality from runoff on the private haul road.
Without a drainage plan that identifies treatment measures for runoff from the haul road, the high
volume of truck traffic is likely to cause excess sedimentation and potentially contamination from
petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.
? Impacts to groundwater are not adequately evaluated and protections measures are not required.
They intend to excavate the mine to within 10 feet of groundwater. They claim that all runoff from
the disturbed site will drain into the mine, and infiltration will protect the groundwater. But it is
unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table.
No mention of seasonal fluctuation of the groundwater is discussed. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants
such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish
River and flowing directly into it, with potential to contaminate the river.
2. The Noise and Vibration Study did not use realistic scenarios to model noise impacts. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from “typical” and “average” mine production, not maximum noise levels. The study did not address the significant noise fully

loaded
trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge
on the private haul road. Regardless of legal noise limits, all of this will be a major change to the
soundscape for residents of the area that should be taken into account in a full EIS.
3. Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining
equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.
4. Cumulative impacts were ignored. This is a major industrial scale proposal that would create many
cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years
of mine operation is not a "temporary" activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams.
To haul the amount of material proposed to the closest site for processing, requires driving diesel
trucks more than 5,500,000 cumulative miles over the 25 year period. A full EIS needs to evaluate
all cumulative impacts.

5.. Grip Road Mine Traffic, Road and Public Safety Issues Not addressed in the MDNS:
County government and the concerned public cannot evaluate the traffic safety impacts of the project
and the adequacy of the MDNS without the following information:
- The maximum number of truck trips per hour, how often the number of trips may exceed the average trips per hour, and how long the number of trips may exceed that average. The average
of 46 trips per day or 4.6 trips per hour given in the MDNS is meaningless due to the seasonal nature
of product demand. The applicant's October 8, 2020 Traffic Impact Analysis (TIA) proposes a maximum of 60 trips per hour (30 trucks in each direction). The SEPA determination must evaluate
the traffic safety impacts of the project based on this maximum and set hard limits on this number,
frequency, and duration
- A clear definition and map(s) of all haul routes, and the limitation of mine traffic strictly to the
defined routes.
- Safety analysis of all haul route intersections and road segments to determine whether or not trucks traveling to and from the mine will stay within their lane of traffic, and the mitigation measures to be required for every location where they will not. The TIA provides analysis showing
that truck and trailer combinations cannot traverse the two sharp curves on Prairie Road east of Old
Highway 99 without encroaching on the opposing lane of traffic. The MDNS requires the applicant
to take specific actions to mitigate this issue at this location. The TIA acknowledges that the

same
issue of lane encroachment exists at several other locations on the haul route, but neither it nor the
MDNS lists those locations, provides any analysis of the problems there, or sets out the mitigation
measures required to correct them. These locations include, among others, the S-curves on the Grip
Road hill and practically all of the intersections on the haul route. This is unacceptable.
- Projections for the increase in non-mine traffic on the haul routes over time and evaluation of the
safety and road capacity impacts of mine traffic with increased non-mine traffic. The TIA uses
2020 traffic levels to evaluate mine traffic impacts and does not factor in growth.
- Field studies to determine the speeds at which vehicles are currently traveling on the haul route
and evaluation of how mine traffic will impact existing traffic given those speeds.
- More thorough evaluation of the accident records for all road segments and intersections on the
haul route, including the contributing causes for the accidents. What are the implications for
mine traffic safety?
- Determinations as to the actual safe speeds for any given road segment or intersection on the
haul route, along with recommendations for changes to legal speed limits where they are needed
for safety.
- More detailed evaluation of sight distances at all intersections, including "Vision Clearance
Triangle" drawings as shown in Skagit County Road Standards, 2000, Appendix C – 7.
- A full evaluation of what the warning beacon systems proposed for the Grip Road/Prairie Road
and Grip Road/Mine Entrance intersections are intended to accomplish and how they will do so.
Drivers are clearly ignoring the existing speed warning signs at Grip and Prairie. How can they be
expected to slow down adequately for the warning beacons?
- "Third party" sales at the mine would mean trucks traveling to and from the site via every route
possible. Disallow third party sales from the mine.
- Adding heavy mine traffic to our existing, substandard roads will cause increased damage to
public infrastructure and higher maintenance costs. These impacts must be evaluated and the
applicant required to pay their proportional share of the costs. An important example is the
slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have
required frequent repairs over the last few years just with existing traffic levels.
- Pedestrian and bicycle safety must be evaluated along the entire haul route. This is a particular
concern in areas where there are no shoulders on Grip and Prairie, and where guardrails were
recently installed on Prairie Road. Necessary safety improvements must be required.

The Sedro-Woolley community is a rural respite from the traffic and noise of urban settings. This is a huge attribute for longtime residents and is an enormous attractant to those looking for a quite and calm place to live. Please take the time to do a methodical and adequate review of these permit proposals. This mine and associated increased traffic, noise and environmental impacts are not worth destroying the rural community calm of Sedro Woolley.

Respectfully,

Leslie Mitchell
4929 Ida Drive
Sedro-Woolley, WA 98284

From Host Address: 172.92.201.41

Date and time received: 4/22/2021 8:47:40 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 22, 2021 11:25:02 AM

Name : Terri Wilde
Address : po box 5
City : Rockport
State : WA
Zip : 98283
email : wildefoods@yahoo.com
PermitProposal : Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098
Comments : I don't believe this project is in the interest of Skagit County. I am disappointed that crucial aspects have not been studied sufficiently to know the potential damage that can be caused. For example, this project seems bound to have severe detrimental effects on the Samish River watershed. A complete wetland delineation has not been done on the whole site but apparently the proposed road for hauling is adjacent to a wetland and crosses Swede Creek, a fish bearing stream. The mining itself intends to excavate "to within 10 feet of groundwater" and expects to collect all runoff from the disturbed site in the mine. The groundwater at the site is near the level of the Samish River and flows directly into it. Add on to all these contaminations waiting to happen, we know there will definitely be runoff from the roads into the watershed from the extreme increase of large trucks on the county roads over sensitive habitat (more than 11,000 per year and up to 60 trips/ hour !?!). We have put so many efforts into trying to revitalize the delicate Samish River. It is critical habitat for the Bull Trout, designated habitat for the Endangered Oregon Spotted Frog and an important River for our dwindling salmon populations. This is not time to assault it with a project of this scope and destruction!

We are at a crucial time of understanding that we are at a tipping point and our actions today will have extreme effects on the livability of many species, including our own. The value of clean water, salmon and orcas is irreplaceable. Please don't go to your deathbeds not knowing you did the right thing for the future.

This proposal for the mine lacks identification and mitigation of wildlife corridors, mention of effected endangered species and the necessary agencies that need to be consulted for this, a drainage plan to protect water quality from runoff on the haul road, protections for groundwater and the expense of all the mitigations that would be needed to county road infrastructure to keep these roads from becoming a death trap for local travelers trying to navigate amongst the frankly inconceivable amount of heavy equipment on the county back roads.

Please do not approve it.
Thank you.

From Host Address: 50.34.194.251

Date and time received: 4/22/2021 11:21:55 AM

From: Planning & Development Services
To: Betsy D. Stevenson; Michael Cerbone
Subject: FW: PDS Comments
Date: Friday, April 23, 2021 12:11:38 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 21, 2021 8:15 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Jim Wiggins
Address : 21993 Grip Road
City : Sedro Woolley
State : WA
Zip : 98284
email : jimwiggins@fidalgo.net
PermitProposal : Concrete Nor'west (CNW) application mining special use permit, PL 16-0097.
Comments : Re: Concrete Nor'west (CNW) application mining special use permit, PL 16-0097.

Fish and Wildlife, and Water Quality (regulated Critical Areas [CA]) review, comments and questions. Wiggins, April 2021.

The information provided to date by CNW for the above referenced project regarding biological issues is insufficient to determine impacts the proposed project will have on regulated critical areas. At a minimum, we need to have maps, surveys, and descriptions of all regulated critical areas (species and habitats) including those in and near the proposed mine site, and, all roads, specifically the proposed haul road. In addition, we need to know all permit conditions that will be proposed to mitigate for impacts identified in this larger footprint. Only then can we assess impacts and adequately comment on how the proposed mine and other related project details will have on the biological environment.

SCC 14.24.060 Authorizations Required, of the county Critical Areas Ordinance, states: With the exception of activities identified as Allowed without Standard Review under SCC 14.24.107, any land use activity that can impair the functions and values of critical areas or their buffers including suspect or known geologically hazardous areas, through a development activity or by disturbance of the soil or water, and/or by removal of, or damage to existing vegetation shall require critical areas review and written authorization pursuant to this Chapter.

The July 2015 Graham Bunting Associates (GBA) Fish and Wildlife Habitat Site Assessment report does not include descriptions nor data of the 63-acre mine site, wetland/stream buffers, wooded slope, nor the access road. It focuses only on the Samish River and adjacent wetlands with no data sheets to corroborate their findings. Because CNW has not submitted an updated critical area report for the entire impact area (proposed mine site, private road, and adjacent public roads) it is not known what type of impacts to County Critical Areas, species and habitats, and their buffers will occur. Furthermore, Critical Areas Reports require to be

updated every 5 years. Said GBA report is over 5 years old.

The critical areas report completed by GBA for the wetlands associated with the Samish River recommends a 200' buffer. SCC 14.24.230 Wetland Protection Standards, requires a 300' buffer for High Intensity Land use, which the proposed mine is per the definitions section of the SCC CAO as follows: Land Use Intensity, High; Land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium-and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and commercial and industrial land uses. Therefore, the Samish River and its associated wetlands require a 300-foot buffer. It is inherent in the proposed use of the site as a commercial gravel mine, there will be a significant increase in noise, dust, and general overall on-site movement of heavy equipment. The assumed 300 foot existing buffer between the proposed mine and the Samish River and its associated wetlands is a wooded slope, protecting, in this case, all flora and fauna, such as migratory salmonids, trout, avian species, and large and medium fauna such a deer, elk, bear, cougar, coyote, and fox. Additionally, we are now aware Oregon Spotted Frog (Rana pretiosa) habitat occurs along the Samish River adjacent to the proposed mine site. Bull trout (Salvelinus confluentus) are also known to use the Samish River sometime during their lifecycle. A biological assessment is needed to address these species.

The Scope of a SCC critical areas study requires a full description of the proposed project and all biological features whether said features are regulated by the local, state, or federal government or not and is a combined quantitative (on the ground data collection) and qualitative (literature and map review) report. A description of all features such as flora and fauna, soils, topography (a survey of the top of slope), land use, a general description of the surrounding area needs to be included to provide us with an understanding of what the study area looks like and what features are present. Current and historical photographs help with this understanding of the study area. A broad-based literature review with the on-the-ground data collection of all potential areas that will be impacted needs to be studied and included in the contents of the report.

In the GBA assessment, the singular wetland rating they completed appears accurate. However, the land use intensity (moderate) they concluded does not conform to the land use intensity description put forth in Appendix 8C of WA DOE Publication No. 05-06-008 as required if using the alternative buffers in SCC 14.24.230(1)(b), Department of Ecology (Doug Gresham, DOE), the authors (DOE) of the said referenced publication. The land use intensity for a full-time gravel mining operation is high. A high habitat score (supplied by GBA wetland rating) requires a 300-foot wetland buffer per SCC 14.24.230, not 200 foot as proposed.

The review/assessment also neglected SCC 14.24.230(2), where in general, buffers are to extend 25 feet past the top of sloping areas that are 25% or greater. The site plan as indicated shows areas where this provision is applicable. Regardless of the aforementioned land use intensity issue, the buffer likely should still extend past the line indicated in areas unless there is a rational reason put forth not to, which does not appear to have been done specific to this project.

Going from an access only road that is used infrequently for forestry purposes to a gravel mine haul road that could have dozens of truck trips per day for many years will be an impact to the environment in numerous areas. This will be a distinct habitat break in what is presently one

of the largest undeveloped tracts of land remaining in lowland Skagit County, home to deer, bear, cougar, and elk *as well as many avian and small mammal species, and amphibians (* while CNW's application does not mention these species, local knowledge confirms their presence). Heavily trafficked corridors are well known to affect the habits of such species. The haul road also drains to a salmon stream that has turbidity problems, i.e. Swede Creek, and it is not practical that the increased road traffic and maintenance/improvements without stormwater control will further affect the onsite wetlands, streams and riparian areas.

No meaningful protective measures have been assessed to the buffers of the critical areas adjacent to the mine operations. While recording of a Protected Critical Area (PCA) site plan is standard and generally adequate for a single family home, a commercial operation with employees on heavy equipment, no oversight, and no vested interest in the observation of the buffers will not protect said buffers. If there is no survey or mapping, how will anyone know where the critical areas and their regulated buffers are? The buffers need to be demarcated in the field, a standard practice, and should be fenced as well.

Because a Critical Areas Review and Fish and Wildlife Assessment has not been completed on the entire project area, it is likely additional biological critical areas occur on and near the project area, such as wetlands and Swede Creek and they need to be identified and surveyed. Not to mention recently (summer 2019) much of the land owned by Miles has been logged and the haul road has been widened and resurfaced, thus because of these new modifications to the site, further necessitates an updated report.

Additional questions:
• What mitigation is proposed for CA impacts?
• How will mine excavation be monitored to ensure the "bottom" of the mine will remain greater than 10 feet above the seasonal high water table?
• Will the project occur beyond the mine site and proposed access road? If so, will there be road maintenance, widening, ditch maintenance, Grip/Prairie Road intersection maintenance/reconstruction? If so, said areas need to be assessed for regulated critical areas and mitigated for buffer impacts, habitat impacts, and stormwater quality.
• Because the mine site will be converted from forestry to a gravel mine, all habitat for the cursory list of species listed in this letter will be obliterated. For species such as amphibians that require upland habitat for a portion of their lifecycle further necessitates, at a minimum, the need for a 300-foot buffer off the wetlands adjacent to the Samish River. Also, other wetlands near the proposed mine and haul road mapped in the FPA further necessitates the need to complete an updated wetland/habitat reconnaissance and delineation report for all land within 300 feet of the mine and haul road.
• What mitigating measures have been included in the report for the introduction of invasive plant species such as Butterfly bush (Buddleja sp.) and spotted knapweed (Centaurea sp.) both of which occur on their Bellville pit site.
• What species and species habitats, such as Oregon Spotted Frog, Bulltrout, or other listed species occur in the Samish River watershed? Their presence needs to be assessed by qualified biologists and mitigation strategies addressed.

From Host Address: 50.35.55.32

Date and time received: 4/21/2021 8:10:15 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Sunday, April 25, 2021 10:17:30 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, April 24, 2021 4:05 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Norm Conrad
Address : 1120 S 25th St, #87
City : Mount Vernon
State : Washington
Zip : 98274
email : nsconrad@gmail.com
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : The Skagit County's "Mitigated Determination of NonSignificance" (MDNS) under the State Environmental Policy Act (SEPA) is ridiculous in that it is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.

The environmental review did not consider the full footprint of the project. The applicant owns more than 700 contiguous acres, however only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. This private road has previously been used only for forestry. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

The Fish and Wildlife Assessment is out-of-date and incomplete. The limited Fish and Wildlife Assessment provided by the applicant is more than five-years-old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site; this animal is listed as "Endangered" in Washington State and "Threatened" federally. In addition critical habitat for Bull Trout is located just downstream, Bull Trout is a "Candidate" species for listing in WA State, and is listed as "Threatened" federally. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.

Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.

Wildlife corridors are not identified and protected. Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the

Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.

A drainage plan was not required to protect water quality from runoff on the private haul road. Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.

Impacts to groundwater are not adequately evaluated and protections measures are not required. They intend to excavate the mine to within 10 feet of groundwater. They claim that all runoff from the disturbed site will drain into the mine, and infiltration will protect the groundwater. But it is unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table. No mention of seasonal fluctuation of the groundwater is discussed. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river.

The Noise and Vibration Study did not use realistic scenarios to model noise impacts. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from “typical” and “average” mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.

Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.

Cumulative impacts were ignored. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a “temporary” activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period. A full EIS needs to evaluate all cumulative impacts.

Do you need more reasons to reject this report? And this project?

Thank you.

From Host Address: 73.254.112.76

Date and time received: 4/24/2021 3:59:59 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Sunday, April 25, 2021 10:17:58 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, April 24, 2021 1:00 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Jerry Eisner MD
Address : 1618 E Broadway
City : Mount Vernon
State : WA
Zip : 98274
email : stardoc2@gmail.com
PermitProposal : PL16-0097 and PL16-0098
Comments : Dear Mr. Cerbone,
My wife Marilyn and I have lived in the Skagit Valley since 1980.

We would like to comment on the SEPA determination issued by Skagit County Planning and Development Services in response to the mine development application submitted by Mile Sand & Gravel's. Applications of this type have many unforseen effects on traffic, lifestyle, and environment.

While the conditions suggested in this MDNS are more substantial than in the previous one issued nearly five years ago, these conditions still reflect a limited understanding of the scale and scope of the project and offer only piecemeal and symbolic mitigation, rather than specific and prudent measures to protect our community's well-being.

There is no limitation on the volume of truck traffic. While the applicant suggests an average of 46 truck trips per day, it's clear that the average is a meaningless number when it comes to determining traffic safety impacts.
Speed limits, for example, are set based on the maximum safe speed of travel, and principle for a maximum limit on mine traffic volume should be similar. The applicant's own analysis suggests that up to 30 truck & trailer combos or up to 70 single dump truck trips per hour might occur. It is reasonable to expect the SEPA determination to evaluate the traffic safety impacts of the project based on this maximum, and mitigation conditions should set hard limits on this number, frequency, and duration.

We need a safety analysis of all haul route intersections and road segments to determine whether or not trucks traveling to and from the mine will stay within their lane of traffic, and the mitigation measures to be required for every location where they will not. We are glad to see that the new MDNS recognizes and requires mitigation for the fact that truck & trailer combos are unable to navigate the two sharp curves on Prairie Road east of Old Highway 99 without encroaching on the opposing lane of traffic. However, this is not the only spot along the proposed haul route, or the other likely alternative routes, which are similarly difficult to traverse for truck & trailer combos. The S-curves on Grip Road are particularly challenging

and on a steep incline. These other locations must be evaluated, and mitigation measures required. What happens when a school bus meets a gravel truck on these shoulderless curves? Slow-moving trucks can cause irritation and provoke unsafe passing behaviors in some drivers.

Adding heavy mine traffic to our existing, substandard roads will cause increased damage and higher maintenance costs. These impacts must be evaluated and the applicant should be required to pay their proportional share of the costs. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required frequent repairs over the last few years just with existing traffic levels. It's no secret that as the gross vehicle weight increases, the damage to road infrastructure increases exponentially.

As regards environmental concerns, the environmental review did not consider the full footprint of the project. Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

These are just a few of the concerns we share regarding this potential project. Each small piece of our local environment that gets mistreated adds up to a larger and more extensive impact on the whole.
Respectfully,
Jerry and Marilyn Eisner

From Host Address: 73.221.165.250

Date and time received: 4/24/2021 12:56:47 PM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Sunday, April 25, 2021 10:18:57 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, April 24, 2021 10:35 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : WILLIAM D PFEIFER
Address : 7472 Pressentin Ranch Dr
City : Concrete
State : WA
Zip : 98237
email : billpfeifer@yahoo.com
PermitProposal : PL16-0097 & PL16-0098
Comments : Why is the County not following its own rules when considering this proposed gravel mine? One of many examples is the approval of a 200-foot buffer when Critical Areas Ordinance rules call for a 300-foot buffer. Also, the environmental review did not consider the full footprint of the project (60 acres, rather than the whole 700-acre property) and the huge number of dump trucks that would drive on the 2-mile access road. Is the County being pressured by big-money lobbying sources? This is totally unacceptable. Follow established rules and the law.

From Host Address: 66.235.39.246

Date and time received: 4/24/2021 10:31:47 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Sunday, April 25, 2021 12:20:02 PM

Name : Anne Middleton
Address : 12694 Josh Wilson Rd
City : Mount Vernon
State : WA
Zip : 98273
email : anne.jackm@gmail.com
PermitProposal : PL16-0097 and PL16-0098
Comments : I am requesting the County require a complete EIS for the proposed MILES Quarry expansion.

Moral imperative tells us to take the very best care as possible of the lands and inhabitants of our County. In this case, the requirement of a complete EIS, carefully looking at potential impacts of quarry expansion on the Samish River, a salmon river, on the endangered Oregon Spotted Frog marsh habitat, on air quality, and traffic impacts on a small rural road is called for.

The choice to do what is right, requirement of a complete EIS, as well as the requirement of the maximum 300 foot buffer for this high intensity land use, is the right path forward.

Thank you for your careful work on this land use proposal.

Cordially, Anne Middleton

From Host Address: 172.92.210.127

Date and time received: 4/25/2021 12:20:00 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Sunday, April 25, 2021 11:20:02 AM

Name : Paula Shafransky
Address : 22461 Prairie Rd
City : Sedro-Woolley
State : WA
Zip : 98284-8586
email : pshafransky@gmail.com
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : Dear Mr. Cerbone,
As a 28 year resident on Prairie Road I am writing to say I have grave concerns about the Mitigated Determination of Non Significance for the proposed Grip Road mine project. Because this mine is in my neighborhood, I have been following these developments for the past 5 years.
I have always had significant concerns about the assessment and application documents that supposedly addressed the environmental protections for wild life and fish as well as water and air quality. Concrete Nor'west's application for this mine was denied in 2018 due to incomplete application materials and factual inaccuracies. In reviewing the current documents I don't see that much has changed since then. The same environmental concerns I had in 2018 still don't appear to being addressed or taken seriously.
In addition, the road safety issues are paramount. I have traveled Prairie Road for 28 years and have seen traffic increase significantly as well as numerous close calls and accidents, particularly at the Grip Road and Prairie Road intersection. It is inconceivable that truck and trailer rigs would be able to navigate that corner in a safe fashion. The TIA provided an analysis showing these truck/trailer combinations cannot make the two sharp curves on Prairie Road east of Old Highway 99 without encroaching on the opposing lane of traffic. As far as I know this problem has not been addressed.
My husband and I moved to this area to enjoy a rural setting with quiet living, clean air, and wild life viewing in our back yard. This mine will drastically change all that. I don't believe the planning commission is doing its due diligence in the oversight of this project. One example of this is the commission is not following its own critical area ordinance which requires a 300 foot buffer zone in areas of high density land use. This whole project seems to be about ignoring public comments and legitimate concerns in order to facilitate Concrete Nor'West's business interests at the expense of the environment and public safety issues. This MDNS decision needs to be reversed, and a full EIS should be required before moving forward.
Thank you for your consideration in this matter.

From Host Address: 172.92.213.103

Date and time received: 4/25/2021 11:16:21 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Sunday, April 25, 2021 2:45:02 PM

Name : Martha Hall
Address : 2617 16th Street
City : Anacortes
State : WA
Zip : 98221
email : pondfrog.mh@gmail.com
PermitProposal : File # PL 16-0097 and PL16-0098 (Grip Road Gravel Mine)
Comments : I am writing comments because of concerns about possible environmental impacts that should be carefully analyzed and presented to the public and decision-makers before a permit is considered.
A full Environmental Impact Statements is needed so
all impacts to important critical areas are fully understood, considered and mitigated. This has not been done.

At the top of my list are concerns about impacts
to fish and wildlife species that depend on the Samish River. Our County "Critical Area Ordinance" protects important wetlands and rivers like the area where this gravel mine is proposed by requiring large buffers when uses are "high intensity" as this mine certainly will be. Skagit County, WA State, our federal government and private citizens and landowners have spend large sums of money and countless hours of work to improve the Samish River and its adjacent wetlands and riparian areas. This has all been done because of concerns about species that are very important to the people of Skagit County, WA State and our country, several species of salmon and resident orcas. Numerous other species are tied into the food webs that support these species. These food webs extend into the Salish Sea and neighboring high quality wetlands and mudflats at the mouth of the Samish River.
All of these are connected - as this gravel mine may also be connected in its impacts.

This project should not proceed until its full impacts are fully understood or it could mean a step backwards in everyone's efforts to improve the Samish River riparian areas and the Salish Sea.

A full Environmental Impact State (EIS) is needed so we know impacts that could occur from the road leading to the mine as well as the mine itself.
These have not been adequately considered.
Swift Creek is also a fish-bearing stream that could be impacted by this road. These impacts and mitigation need to be part of an adequate evaluation of this permit.

I don't see that there has been a formal "consultation" with the federal agencies that protect some of the protected species that might be impacted including bull trout and the spotted frog. This is required and needs to be part of the EIS.

I also do not see that wetland delineations have been completed which should be part of any permit that might impact wetlands and rivers which are "critical areas" . This should be in an EIS.

To protect wetlands and rivers, our CAO should require drainage plans which seem to be missing from this permit. Run-off poses one of the greatest threats to our rivers, wetlands and the Salish Sea. This is needed in an EIS.

Groundwater is another concern whenever we think about drainage, water tables and protecting rivers such as the Samish River in the case of this mine. The Samish flows directly into the Salish Sea. Again, groundwater is a source of pollutants for all of these important habitats. The depth of this mining operation is a huge concern because of its close proximity to the river and wetlands . These impacts to the groundwater have not been analyzed and disclosed.

Wildlife corridors have been identified by ecologists and biologists as one of the most important features of wildlife habitats. Wild animals need connectivity between their habitats so they can move from one area to another to find food, breed, and meet the challenges of their daily lives. The amount of truck traffic generated by this mine along adjacent roads as well as the impacts at the site of the mine may well mean loss of connectivity for many wildlife species. This may impact the smaller and less mobile species such as frogs and salamanders and larger ones such as deer and black bear.

Finally, as is always true, and most important, are the cumulative impacts. Most often it is not one project but instead it is the cumulative impact of many projects that result in degraded habitats. This could be true of the Samish River which is already compromised by many other uses. This mine could result in various and significant additional negative impacts because impacts will occur not only at the site of the proposed mining, but also from the many loads that will be carried many miles beyond this mine in diesel trucks. An EIS is needed to study these impacts on on fish-bearing streams and wildlife corridors and other habitats.

It seems like little is really known about the negative impacts of this proposed mining operation because studies have been few and limited. Why is this when the county has a CAO that should be protecting a huge operation like the one that is proposed? Why hasn't an EIS already been required?

As a resident and tax payer in Skagit County, I also believe an EIS is needed so the public understands the added costs to tax payers of this project. We all notice and know and pay the costs of additional traffic. Additional heavy truck traffic will mean the need for far more road maintenance, repair, construc5tion and signage. How will public safety be protected from the additional traffic and pollution from this truck traffic? These concerns have not been adequately addressed so that the public can evaluate and understand what this project will cost us.

Finally, do we care about the quality of life and safety issues raised by people who live where this mine is located and near where the truck traffic will be greatest? I live in Anacortes and I know I
personally experienced the problems generated by mining of large rock that went from the Skagit River to Anacortes. I can't imagine what living along the truck route to this mine and/or near this mine might mean for the people who live nearby.
I care about these people. I hope the county does too.

I hope Skagit County will decide to require a full
Environmental Impact Statement for this mining permit. I am amazed by how inadequate the

MDNS was in analyzing and disclosing impacts of a project that is so near a river that is as important as the Samish River and a river that is so near the important mudflats of the Salish Sea. These are natural resources that are highly valued by the people of Skagit County and WA State. For the County to decide after such a limited and superficial assessment that impacts are not significant enough to require an EIS does not make sense.

Thank you for considering my comments,
Martha Hall
A concerned resident of Skagit County

From Host Address: 73.225.22.226

Date and time received: 4/25/2021 2:40:54 PM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Monday, April 26, 2021 7:09:44 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 26, 2021 7:05 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Donna Schoonover
Address : PO Box 207
City : Bow
State : WA
Zip : 98232
email : donnawh@earthlink.net
PermitProposal : PL16-0097 & PL16-0098
Comments : I live on Prairie Road, west of Grip.
I am very concerned about the traffic safety and road impacts of this project. I am concerned about the intersection of Grip and Prairie. Even with the proposed changes I do not feel that this is adequate to prevent a fatal accident at that site. I am concerned about the gravel trucks navigating the tight corners without shoulders to the west of us before Highway 99 and the crashes that will happen there. I am concerned about the increased truck traffic pulling onto Highway 99, already the scene of multiple wrecks. I am concerned about our safety, pulling out of our driveway onto Prairie Road in a section that is known for excessive speeding and reckless passing which will be markedly increased by the proposed average of 46 truck trips a day. And I am concerned about the effects of these heavy trucks on Prairie Road which is already in poor condition from the traffic it is already experiencing.
I am also very concerned about the impacts of this increased traffic on our desired rural lifestyle. We bought and are maintaining this farm on Prairie Road in order to have a quieter, more peaceful existence. In doing so we are helping support multiple farm related, local businesses. But with this increase in noise and congestion, it may not be feasible for us to continue to live here, and one more small farm in Skagit County may bite the dust.
I hope you consider these impacts in your decision making regarding this proposal and can mitigate some of the damages.
Sincerely,
Donna Schoonover

From Host Address: 172.92.229.37

Date and time received: 4/26/2021 7:02:17 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Monday, April 26, 2021 9:51:38 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 26, 2021 9:40 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Anne Winkes
Address : PO Box 586
City : Conway
State : Washington
Zip : 98238-0586
email : annewinkes@gmail.com
PermitProposal : PL16-0097 and PL16-0098
Comments : I am writing re PL 16-0097 and PL16-0098.

I urge the County to require a full Environmental Impact Statement (EIS) of the immediate, long term and cumulative adverse impacts posed by Miles Sand and Gravel's proposed gravel mine along the Samish River. The 60-acre open-pit mine that will eventually reach a depth of ninety feet is a major industrial scale proposal that will negatively impact the natural environment both on-site and off.

On April 15, 2021 the County issued a "Mitigated Determination of Non Significance" (MDNS) that did not consider all the possible adverse impacts of the proposed project on the environment. The issuance of a MDNS must be re-examined. The immediate, long-term, and cumulative adverse impacts to air and water quality and fish and wildlife habitat must be carefully studied and considered in a thorough and complete EIS.

A full EIS must consider not just the environmental impacts in the immediate vicinity of the 60 acre mine site. A full EIS must study the impacts, of which there are many, that will extend beyond that 60 acres.

A full EIS must analyze the immediate, long term and cumulative adverse impacts on the environment surrounding the two-mile haul road on which more than 11,000 trucks will pass each year as gravel is hauled from the pit mine toward its final destination. The EIS must examine all adverse impacts to the natural environment, including Swede Creek, a fish bearing stream over which the trucks will cross, and the adjacent Samish River by which the trucks will travel. Impacts on water quality and air quality must be studied. Impacts on wildlife and fish and their habitats must be analyzed. Mitigations must be proposed when the studies reveal adverse impacts.

The MDNS was based on a Fish and Wildlife Assessment done more than five years ago. A full EIS must study current conditions and habitat, including the potential impact on the Oregon Spotted Frog and the Bull Trout, both listed by the federal government as "threatened" species, with the Oregon Spotted Frog also listed as endangered in Washington State, and the

Bull Trout as a “candidate” for listing as an endangered species in Washington State.

The EIS must examine what impacts these same trucks will have on the wetlands that lie adjacent to the road. Wetlands protect and improve water quality. Wetlands are habitats for fish and wildlife. Wetlands’ plants and soil store carbon, thereby moderating global climate changes. A full EIS must study, survey and mark the wetlands. Wetlands are sensitive areas important to the health of the watershed. The adverse impacts of the project on the wetlands should not be ignored.

Prior to the issuance of the MDNS the impacts of the project on the fish, wildlife and habitat of neither the wetlands, Swede Creek, or the Samish River were evaluated. Because the impacts were not studied, no mitigation was, or could be, proposed. A full EIS must correct this omission and conduct in-depth studies of the impacts on the wetlands, on Swede Creek, and on the Samish River. Mitigations must be proposed and their impacts analyzed.

An EIS must look carefully at the buffer size recommended in the Fish and Wildlife Assessment submitted by Miles Sand and Gravel and determine if it is appropriate. A 60-acre gravel pit mine producing enough gravel to fill more than 11,000 truck loads per year is industrial scale mining. Industrial scale mining is a high intensity land use, yet Miles Sand and Gravel plan for only a 200 foot buffer, even though the Skagit County Critical Area Ordinance requires a 300 foot buffer adjacent to high intensity land use.

The 70 acres owned by Miles Sand and Gravel is the last large area of undeveloped land lying between Butler Hill, the Samish River and Anderson Mountain. Cougar, bear and bobcat inhabit and travel through these acres. The routes of these animals must be identified as these animals are dependent on intact wildlife corridors and protection from disturbance within their large territories if they are to survive. The MDNS did not identify nor protect these wildlife corridors. No mitigations were proposed. A full EIS must correct this omission.

An EIS must study the immediate, long term and cumulative impacts of the project on water pollution, air pollution and noise pollution. If adverse effects are revealed, mitigations must be proposed and their effectiveness evaluated.

In summary, The State Environmental Policy Act (SEPA) review done by the County prior to issuing the MDNS failed to take into account all the environmental impacts of the project. A full EIS must review in depth what the SEPA review did not. The County must require a full EIS that will study and analyze the immediate, long term and cumulative effects of the project on the environment both onsite and offsite. The County must require the full EIS contain mitigation proposals for all adverse impacts.

Thank you for considering my comments.

Anne Winkes
18562 Main St.
PO Box 586
Conway, WA
98238

From Host Address: 172.92.226.32

Date and time received: 4/26/2021 9:37:23 AM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Monday, April 26, 2021 2:35:51 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 26, 2021 2:25 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Lucy W Eggerth
Address : 1304 39TH ST
City : BELLINGHAM
State : WA
Zip : 98229
email : lweggerth@gmail.com
PermitProposal : PL16-097 and PL16098
Comments : I am writing to express my opposition to the proposed Grip Road Gravel Mine. This development will cause significant harm to the natural environment and wildlife habitats along the Samish River and Swede Creek as well as upland wildlife habitat. Before this proposal moves forward the County needs to reverse its Threshold Determination under SEPA and require a full Environmental Impact Statement that evaluates the impacts of the proposed project and identifies alternatives.

Respectfully submitted,

Lucy Eggerth

From Host Address: 71.197.249.80

Date and time received: 4/26/2021 2:21:19 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Wednesday, April 28, 2021 7:42:58 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 28, 2021 5:45 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Rick Eleazer
Address : PO Box 657
City : Sedro Woolley
State : WA
Zip : 98284
email : rickeleazer@aol.com
PermitProposal : CNW Gravel Pit. Grip Rd. Permit Application PL16-0097
Comments : 2019 10-16 ADDENDUM
Logging other parcels.

Noise study.
Response
Have they studied dump trucks or other equipment noise impact throughout the neighborhood. “”No”” Just the inner site of the gravel pit itself. If a dump truck goes by your house do you here it “”YES”” one truck is one thing but all day long, through out the year. This would be quite annoying. This would be a public nuisance and a safety issue.
There could not be anyone walking, riding a bike, or walking their dog(s) on the roads. They are not wide enough now as they are. The load noise of the trucks can cause safety issues as well for people and animals along the roadway by getting them scared and jumping into the ditch or the travel lane(s).
On--0ff site spill prevention & control measures for water quality.
You can not stop all pollution, you can control it, and contain it until its cleaned up. But eventually there will be a times where its not caught or cleaned up properly and ending up in environmental impacting the land and vegetation. Then potentially winding up into the aquatic system such as Swede creek and Samish river water shed below the CNW Grip Rd Gravel pit.
Please review 2018 WSDOT Spec. 1-07.4-----1.07.7 (2) 1—07.230

2019 10-1 Exhibit
Water pollution control & sources.
Response
All equipment breaks down sooner or later. Hyd. Hoses blow and break, along with the following. Radiators, Transmission and other petroleum transport lines or hoses. Sometimes you don’t find out until it’s too late, or the tank is empty. Sometimes you catch it. But no mater how big or small it is.
Its absorbed by the native ground. Sometimes it cleaned up, other times not. Then in the rainy days. It gets tracked around the site and out by equipment, and trucks going into, and out of the site, with smaller amounts on their tires that creates pollution everywhere. It’s called track out. Whether it be oil, gas, diesel, dirt, dust or mud. It’s all considered pollution by the

WSDOT standards. Environmental impact.
Then what about the dust. What about the mud. What about oil track leaking out the dump trucks as they drive up and down the road next to the ditches that lead into the near-by streams and rivers.
All these ditches around the site, or along the roadway go right into Swede creek or the Samish river.
To add to this. I'm sure the public doesn't understand how a gravel pit works. You take out loads of gravel all day long, then in return you bring back other waste or spoil materials from other sites to fill that hole back in.
Who knows from where or what was on this site years ago. That material brought back can be contaminated with various chemicals, oils and bio hazard materials. This would increase the potential hazard of possibility of the water and site pollution. Contamination to the wildlife and aquatic water shed around and below the said project..

2019 10-16 RESPONSE
Updated Traffic report.
Response
Why was this study done by just one sub-contractor picked by Miles Sand & Gravel out of Preston, Wa. They know nothing about our neighborhood or Skagit County. There is nothing mentioned about the surrounding area traffic impact on the Grip Rd. , Prairie Rd., Bow Hill, Hwy 99, or any intersections, blind corners, or roads that are not wide enough for two trucks and trailers to travel on at the same time, at or around the said project.
The Grip Rd can't be expanded as it is now. The road now is to the R/W limits. As you can see.
The power poles are in the ditches. This is the R/W line. Miles would have buy a portions of the landowners property to expand and widen the roadway on grip road and Prairie Rd. to the new construction standards. It doesn't say or mention the rail road bridge that has a low clearance on Prairie Rd. by Hwy 9.
The Grip Rd. is not designed for heavy traffic. It shows every year at the S corners at the bottom of the hill of Grip Rd. just below the said project. It breaks and cracks apart at the surface.

(Reading EX.3 DOC 7)
Gary Norris of DN Traffic Consultants states. ""States"" There is not enough dump trucks in Skagit county to fulfill the quantities they want to remove each day.

Response

This is not a true statement. Mills Sand & Gravel own trucks in WHATCOM, SKAGIT, SNOHOMISH, KING, PEIRCE Co. If they need more trucks, they just call and rent like all other Sub-Contractors do. I see Whatcom and Skagit Co. dump trucks all the time in King or Snohomish Co. working every day of the week. I'm sure they would rather work up north where they live.
Plus, I know for a fact Miles/ CNWs takes trucks from other locations to fill the gap if needed. Supply & demand.

EX. 1 -4.5.18
While the access road is currently being used for forest practice activities.
Response
No this statement is not true. Logging roads are not built with drainage ditches, culverts, cleared wide enough for two trucks to pass at the same time. Then gravel place down and graded like a standard gravel roadway is built. This supposedly logging road was built for heavy traffic, long term use.
Additionally, existing traffic reports from DN Traffic Consultants have not alleviated public concern. As a result, Skagit County Public Works is in the process of retaining a third party traffic consultant to further evaluate potential traffic impacts of the proposed project, including safety concerns relating to pedestrians, bicycle riders, and school bus stops. Pursuant to sec 14.16.440(8)(i), the consultant will also determine whether the "roads or bridges are capable of sustaining the necessary traffic for the proposed mineral extraction operation, and that the proposed operation meets level-of-service, safety, and other standards as outlined in the Skagit County Transportation Systems Plan, the Skagit County Comprehensive Plan, and applicable State and local regulations." Finally, the consultant will evaluate the sufficiency of the proposed mitigation and may propose additional mitigation if necessary to reduce or eliminate potential traffic impacts.
Response
The Grip Rd. is differently not wide enough for two dump trucks to pass at the same time, and I don't think Prairie Rd. in certain areas are not either. The road is an oil mat road. Its not designed for heavy hauling traffic day in and day out through the year. You can see signs of fatigue from the last few years of Miles Sand and Gravel working at the Samish pit from heavy truck traffic from hauling logs out clearing their gravel pit area. Bringing in other materials to build the roadway. Equipment pick up and Delv. There was never any problems before until then.
Then the intersection at Prairie Rd. and Grip Rd. is a blind corner. As a Past Volunteer fire fighter EMT for Skagit Co. Dist 8. Of 15 years. Prairie / Hickson halls. I have been on many accidents at this intersection. It's a blind corner. Someone pulling out onto prairie road from grip in a car is frightening enough some times when a car comes 50 Mph around the corner. Can you image a truck and trailer pulling out and onto Prairie road. Major Accidents.
They grip road can't be expanded as it is now. The road now is to the R/W limits. Miles would have buy a portion of the landowners property to expand the roadway on grip road and Prairie Rd.
Have they even done any core samples to see what the depth of the roadway section , or what's underneath it for stabilization.

Then. Just recently. The Skagit Co. Public works has removed a portion of that blind corner at Grip & Prairie. How did this become after all these years until the Gravel Pit is up for renewal now !!!!
It's still a public and traffic safety concern as it is now.
Also. They left the embankment vertically. That's illegal. Needs to be sloped back or fenced for public safety.

EX. 2 -3.14.17
"Shall not create undue noise, odor, heat, vibration, air or water pollution"

Response

In mining, you are going to do all the above.
You'll have equipment noise, mechanical various break downs, air pollution, dust falling into the aquatic and surrounding neighborhood. Then if you add a screen/ crusher plant you increase all the above while making sand, and smaller crushed rock materials for use.

For the 2000 gal fuel tank.

Response
This would need a 100% containment around it, with a oil /water separator installed to catch the diesel that gets spilled. Yes. it spills and drips every time you fuel something, or receive fuel form a supply truck. Environmental Impact

EX. 3 1 of 7 5.15.17
Response
46 trucks. This would be one every 10.43 minutes. Would you want this in front of your house our your neighborhood that is not designed for this type of use on the oil mat roads not wide enough for two truck to pass at the same time, or a dump truck and passenger car. Especially the winding corners of the Grip Road are subject to collapsing and moving due to all that surge pressure in which has been receiving and has shown in the last years of miles sand and gravel already prepping the gravel pit behind the tree line here so the public can't see. The county has been out here fixing it every year lately because the roadway has been moving. Again. These roads are not designed for heavy traffic. It's a residential. Not commercial. There are no shoulders. Only deep ditches on both sides of the road. No escape routes for public safety if needed.

EX. 3 doc 3 of 7
Bridge load limits. Grip Rd.
Response
U80 load limits. Grip Rd. Samish river bridge. The Maximum load design for this bridge is 37,000 Lbs. A loaded truck and trailer is 33,000---35,000 lbs loaded. Not far from the max load limit design. This bridge is not intended to get massive heavy traffic day in and day out. If this bridge was to fail or collapse. This would put a High Impact on this neighborhood such as emergency vehicles responding to aid, or fire calls, school buses, public access and transportation.

I'm very concerned about our neighborhood being turned into a Noisy, Dusty, Un-Safe for Public and Traffic, Damaged Aquatic system of the surrounding waters. Our roads getting damaged, to and from our homes being impacted daily throughout the year(s).
This would also, I believe drive our taxes up for road repairs for others, as well as a decline in property values.

Rick Eleazer

From Host Address: 172.92.225.18

Date and time received: 4/28/2021 5:43:20 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Tuesday, April 27, 2021 4:45:18 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Tuesday, April 27, 2021 2:15 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Dale Romain Abbott
Address : P.O. Box 804
City : Burlington
State : WA
Zip : 98233
email : d_abbott@hotmail.com
PermitProposal : PL16-0097 & PL16-0098
Comments : April 27, 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Proposed Concrete Nor'west Gravel Operation Near Grip Road
Special Use Permit Application PL16-0097
And Mitigated Determination of Non-Significance for proposed Grip Road Gravel Mine
File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA species

Dear Mr. Cerbone,

I wish to register my concerns about the proposed gravel mine along Grip Road which I believe will have significant deleterious effects on the surrounding environment and community. Many of these concerns do not appear to have been adequately addressed in the proposal.

First, there does not seem to be any mention about the safety of pedestrian and bicycle traffic on Grip and Prairie Roads. The shoulders are non-existent on long stretches, and yet I see many of my neighbors out walking or biking these roads on a regular basis. I also regularly ride my bike on Prairie Road for exercise. Having to share this road with huge dump trucks is a frightening thought.

I am worried about the environmental impact to the natural environment of the Samish River. This valley is home to a variety of wildlife which both reside here permanently or transit through. I've had a bobcat on my land, and my neighbor had a cougar cross his property. In addition, there are deer, coyotes, opossums, raccoons, muskrats, beaver, and all manner of amphibians, reptiles, salmon, and birds living here.

There does not appear to be any mention of wetlands protection in the proposal despite the

haul road crossing Swede Creek and the forest buffer being established as only 200 feet from the Samish River. The county's own regulations require a 300 foot buffer when adjacent to "high intensity" land use. As pointed out by the Central Valley Samish Neighbors group, a gravel mine would most certainly qualify as "high intensity" land use.

Another environmental concern I have that does not appear to have been addressed is the problem of light pollution. I can't tell from the reams of papers which have been filed just exactly what the working hours of the mine will be, and I see no mention of what kind of lighting will be utilized. Light pollution can have a significant deleterious effect on wildlife---particularly birds and insects---and there is growing evidence that it is harmful for human health as well.

I am worried about the effect that this mine will have on groundwater. By definition, they will be mining gravel which is much more porous than other forms of earth. How can they be sure that sediment, petroleum products, and other toxic debris will not migrate through the ground into the Samish River? Also, how will they handle runoff from the haul road and where will it go when it is raining? These concerns do not appear to have been adequately addressed in the proposal.

The noise studies mention the additional noise that the mine will contribute to the general background, but it is hard for me to believe that such low numbers can come from intermittently dumping a bucket load of gravel into the metal bed of a dump truck. I've stood next to that kind of activity, and it hurt my ears. The examiner must have been referring to the routine operation of the motors and trucks, not the dumping of gravel. Also, will the trucks be using their compression brakes as they descend the haul road? I grew up in Darrington, and you could hear the logging trucks coming into town from a mile away.

Before the mine proposal moves forward, I believe that the county needs to require a full Environmental Impact Statement to address these concerns and how they might be mitigated.

Thank you for your time and consideration.

Sincerely,

Dale R. Abbott
22290 Prairie Road
Sedro-Woolley, WA 98284

d_abbott@hotmail.com

From Host Address: 172.92.195.144

Date and time received: 4/27/2021 2:13:02 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Wednesday, April 28, 2021 3:48:15 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 28, 2021 10:45 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Donald J Allgire
Address : 1607 Birch Court
City : MOUNT VERNON
State : Washington
Zip : 98274
email : dkallgire@hotmail.com
PermitProposal : PL16-0097 PL16-0098
Comments : I was a Union Carpenter for 30 years and I am not anti growth. My wife and I built our dream home in 1994 at 17939 Valley Ridge Lane, fronting East Hickox Road 1/2 mile from Merridian Aggregates Rock Quary. We experienced first hand the effects of Gravel Truck Traffic on a road with little or no shoulder. During times of flooding Truck Traffic was greatly increased to reinforce Dikes in Skagit and Snohomish Counties. Often times schedule overshadowed safety. As East Hickox had an abundance of litter my wife volunteered to "Adopt East Hickox". The County and State denied her request since there was little or no shoulder and "it is not safe". It was also not safe to walk or ride a bicycle. In 2005 we moved into town where it was safe to walk.
As a member of the Skagit Bicycle Club I have ridden the roads all around the proposed Concrete Nor'west Rock Quary. I know 1st hand the safety issues created by the Quary as proposed. Unlike Seattle we do not have miles of converted Rails to Trails and must ride the Rural roads.
The County has a responsbility to fairly represent the citizens of Skagit County and follow the permit requirements as they were written and not " Rubber Stamp " this in the interest of Business or Tax Revenue. Respectfully Donald Allgire

From Host Address: 107.77.205.114

Date and time received: 4/28/2021 10:40:54 AM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Wednesday, April 28, 2021 4:42:15 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 28, 2021 10:50 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Erin Heckman
Address : 19254 Prairie rd
City : Sedro Woolley
State : washington
Zip : 98284
email : e.heckman@hotmail.com
PermitProposal : grip road gravel pit
Comments : I live on Prairie rd at the S curves. I have several concerns.

The first being the safety of my children getting on and off the bus at the S curve in front of our house, gravel trucks with delayed stopping time ability greatly concern me. this and also the potential increase for accidents in front of our home.

Second the noise due to the increase in traffic and size/type of vehicles.

Third; Decreased property values due to traffic, noise and/or encroachment on property for widening of roads.

fourth- water quality from our well, will mining release heavy metals into our water supply posing potential hazards to our health?

This road has many persons/children riding bikes. and walking, this gravel mine will adversely effect our quality of life. I hope that the mine approval will be reconsidered as our neighborhood would be ruined with the addition of this gravel pit.

From Host Address: 66.165.40.10

Date and time received: 4/28/2021 10:48:41 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Wednesday, April 28, 2021 4:42:35 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 28, 2021 10:55 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Mary Ruth Holder
Address : 201 S. 7th St.
City : Mt Vernon
State : WA
Zip : 98274
email : mruthholder@gmail.com
PermitProposal : Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Comments : Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098

Dear Mr. Cerbone:

We are writing to express our opposition to the Mitigated Determination of NonSignificance (MDNS) issued for the above-referenced Puyallup based Miles Sand and Gravel proposal for the 90-foot deep open pit Grip Road Gravel Mine, an industrial-scale mining operation adjacent to the Samish River. Among other things, this project would cause significant adverse impacts and irreparable harm to the natural environment, including to water and air quality and fish and wildlife habitat. The issuance of the MDNS is inappropriate: a full Environmental Impact Statement (EIS) should be required for the project. The applicant failed to identify all of the areas impacted by the project and to provide updated and complete studies of all fish and wildlife adversely impacted. Additionally, the MDNS allows applicant to violate the County's Critical Area Ordinance.

The flawed MDNS only took into account just 60 acres of the project's impact, and ignored applicant's more than 700 contiguous acres and the two-mile long private road over which 11,000 truck trips will travel annually. Significantly, this private road is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed. Sensitive areas and buffers within the entire project area (not just the 60-acre mine site) must be identified so that operators and regulators know where they are. Significant adverse impacts to these sensitive areas would be made worse by the County's allowing applicant to provide only a 200-foot buffer on the river instead of complying with the County's Critical Area Ordinance requiring a 300-foot buffer based on applicant's proposed high intensity land use (industrial scale mining. An appropriate environmental review (EIS)

must consider the full footprint of this project and all of its impacts.

The MDNS determination is based on applicant's out-of-date and incomplete Fish and Wildlife Assessment. This Assessment is more than five years old despite the fact that the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site; this animal is listed as "Endangered" in Washington State and "Threatened" federally. In addition, critical habitat for Bull Trout is located just downstream. Bull Trout is a "Candidate" species for listing in WA State, and is already listed as "Threatened" federally. The MDNS ignores these "ESA species" and does not require any protective measures for them. Furthermore, the County failed to consult with the appropriate state and federal agencies responsible for protecting these species pursuant to SEPA.

The MDNS was issued in the absence of a full wetlands delineation. Thus, there is no requirement for surveying and permanently marking wetlands. Sensitive areas and buffers within the entire project area (not just the mine site itself) must be identified so that operators and regulators know where they are.

Wildlife corridors were neither identified nor protected. This site is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. It is used by cougar, bear and bobcat - all animals that require large territories and are sensitive to disturbance.

Significant adverse water quality impacts could result from runoff from the private haul road, yet there is no drainage plan to identify treatment measures for this runoff. The high volume of truck traffic is likely to cause excess sedimentation and potential contamination from petroleum products that could pollute surface water flowing into Swede Creek, a fish bearing stream. An effective drainage plan must be developed.

Impacts to groundwater from the (eventually 90-feet deep)mining pit have not been adequately evaluated, and needed groundwater protection measures are not required in the MDNS. Applicant proposes to excavate the mine to within 10 feet of groundwater. Although applicant claims that runoff from the disturbed site will drain into the mine, and that infiltration will protect the groundwater, it is unclear how that ten-foot limit was determined, how the operation will avoid penetrating the water table and how seasonal groundwater fluctuation may influence drainage. The MDNS fails to consider the permeable nature of sand and gravel, thus it is unclear whether ten feet would be sufficient to filter out contaminants such as petroleum product spills. Applicant failed to address whether the groundwater at the site, essentially at the level of the Samish River and flowing directly into it, would contaminate the river.

Applicant failed to evaluate the impacts of emissions and dust on air quality resulting from mining equipment and hauling material minimum of 240,000 cumulative miles per year driven by diesel gravel trucks. No mitigation plan was prepared for this significant adverse impact on air quality.

Finally, the MDNS ignores the cumulative adverse impacts that the mine would create over its its 25 years of operation. Neither on-site nor off-site cumulative impacts were evaluated. The twenty-five year period of this large mining operation will radically change and irreparably harm the landscape and important wildlife habitat and fish bearing streams. It will also

degrade the quality of life of residents in surrounding areas and threaten their public health and safety (cumulative adverse impacts from noise, vibrations, air pollution and heavy diesel truck traffic driven more than 5,500,000 cumulative miles over the 25 year period).

For all of the above reasons, we request that you withdraw the MDNS and require a full EIS. Alternatives considered must include 1.) no permit and 2.) issuance of a permit for a much smaller operation for which impacts would be fully mitigated by applicant. Any permit must provide that any project expansion or other change to the operation will require a new application and full environmental review. If the applicant still fails to provide all the necessary updated and accurate information for purposes of an EIS, the permit must be denied. Thank you for your attention to our comments.

Sincerely,
Mary Ruth and Phillip Holder

From Host Address: 50.34.142.207

Date and time received: 4/28/2021 10:51:43 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Thursday, April 29, 2021 7:32:18 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 4:50 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Rick Eleazer
Address : PO Box 657
City : Sedro Woolley
State : WA
Zip : 98284
email : rrickeleazer@aol.com
PermitProposal : Samish River Gravel Pit. Miles/ CNW Grip Rd. Gravel Pit
Comments : Question:
Logging other parcels.
Noise study.

Response
Have they studied dump trucks or other equipment noise impact throughout the neighborhood. “”No”” Just the inner site of the gravel pit itself. If a dump truck goes by your house do you here it “”YES”” one truck is one thing but all day long, through out the year. This would be quite annoying. This would be a public nuisance and a safety issue.
There could not be anyone walking, riding a bike, or walking their dog(s) on the roads. They are not wide enough now as they are. The load noise of the trucks can cause safety issues as well for people and animals along the roadway by getting them scared and jumping into the ditch or the travel lane(s).

Question:
On--0ff site spill prevention & control measures for water quality.

You can not stop all pollution, you can control it, and contain it until its cleaned up. But eventually there will be a times where its not caught or cleaned up properly and ending up in environmental impacting the land and vegetation. Then potentially winding up into the aquatic system such as Swede creek and Samish river water shed below the CNW Grip Rd Gravel pit. Please review 2018 WSDOT Spec. 1-07.4-----1.07.7 (2) 1—07.230

Question:
2019 10-1 Exhibit
Water pollution control & sources.

Response
All equipment breaks down sooner or later. Hyd. Hoses blow and break, along with the following. Radiators, Transmission and other petroleum transport lines or hoses. Sometimes you don’t find out until it’s too late, or the tank is empty. Sometimes you catch it. But no

mater how big or small it is.
Its absorbed by the native ground. Sometimes it cleaned up, other times not. Then in the rainy days. It gets tracked around the site and out by equipment, and trucks going into, and out of the site, with smaller amounts on their tires that creates pollution everywhere. It's called track out. Whether it be oil, gas, diesel, dirt, dust or mud. It's all considered pollution by the WSDOT standards. Environmental impact.
Then what about the dust. What about the mud. What about oil track leaking out the dump trucks as they drive up and down the road next to the ditches that lead into the near-by streams and rivers.
All these ditches around the site, or along the roadway go right into Swede creek or the Samish river.
To add to this. I'm sure the public doesn't understand how a gravel pit works. You take out loads of gravel all day long, then in return you bring back other waste or spoil materials from other sites to fill that hole back in.
Who knows from where or what was on this site years ago. That material brought back can be contaminated with various chemicals, oils and bio hazard materials. This would increase the potential hazard of possibility of the water and site pollution. Contamination to the wildlife and aquatic water shed around and below the said project, and the community ground water wells

Question:
Updated Traffic report.

Response
Why was this study done by just one sub-contractor picked by Miles Sand & Gravel out of Preston, Wa. They know nothing about our neighborhood or Skagit County. There is nothing mentioned Response about the surrounding area traffic impact on the Grip Rd. , Prairie Rd., Bow Hill, Hwy 99, or any intersections, blind corners, or roads that are not wide enough for two trucks and trailers to travel on at the same time, at or around the said project.
The Grip Rd can't be expanded as it is now. The road now is to the R/W limits. As you can see.
The power poles are in the ditches. This is the R/W line. Miles would have buy a portions of the landowners property to expand and widen the roadway on grip road and Prairie Rd. to the new construction standards. It doesn't say or mention anything about the low rail road bridge that has a low clearance on Prairie Rd. by Hwy 9. I believe this is a bias traffic report just for Miles/CNW
The Grip Rd. is not designed for heavy traffic. It shows every year at the S corners at the bottom of the hill of Grip Rd. just below the said project. It breaks and cracks apart at the surface.

Question:
Reading EX.3 DOC 7)
Gary Norris of DN Traffic Consultants states. ""States"" There is not enough dump trucks in Skagit county to fulfill the quantities they want to remove each day.

Response
This is not a true statement. Mills Sand & Gravel own trucks in WHATCOM, SKAGIT, SNOHOMISH, KING, PEIRCE Co. If they need more trucks, they just call and rent like all other Sub-Contractors do. I see Whatcom and Skagit Co. dump trucks all the time in King or Snohomish Co. working every day of the week. I'm sure they would rather work up north

where they live.
Plus, I know for a fact Miles/ CNWs takes trucks their own trucks from other locations to fill the gap if needed. Supply & demand.

Question:
While the access road is currently being used for forest practice activities.

Response
No this statement is not true. Logging roads are not built with drainage ditches, culverts, cleared wide enough for two trucks to pass at the same time. Then gravel place down and graded like a standard gravel roadway is built. This supposedly logging road was built for heavy traffic, long term use.

Question:
Additionally, existing traffic reports from DN Traffic Consultants have not alleviated public concern. As a result, Skagit County Public Works is in the process of retaining a third party traffic consultant to further evaluate potential traffic impacts of the proposed project, including safety concerns relating to pedestrians, bicycle riders, and school bus stops. Pursuant to sec 14.16.440(8)(i), the consultant will also determine whether the "roads or bridges are capable of sustaining the necessary traffic for the proposed mineral extraction operation, and that the proposed operation meets level-of-service, safety, and other standards as outlined in the Skagit County Transportation Systems Plan, the Skagit County Comprehensive Plan, and applicable State and local regulations." Finally, the consultant will evaluate the sufficiency of the proposed mitigation and may propose additional mitigation if necessary to reduce or eliminate potential traffic impacts.

Response
The Grip Rd. is differently not wide enough for two dump trucks to pass at the same time, and I don't think Prairie Rd. in certain areas are not either. The road is an oil mat road. Its not designed for heavy hauling traffic day in and day out through the year. You can see signs of fatigue from the last few years of Miles Sand and Gravel working at the Samish pit from heavy truck traffic from hauling logs out clearing their gravel pit area. Bringing in other materials to build the roadway. Equipment pick up and Delv. There was never any problems before until then.
Then the intersection at Prairie Rd. and Grip Rd. is a blind corner. As a Past Volunteer fire fighter EMT for Skagit Co. Dist 8. Of 15 years. Prairie / Hickson halls. I have been on many accidents at this intersection. It's a blind corner. Someone pulling out onto prairie road from grip in a car is frightening enough some times when a car comes 50 Mph around the corner. Can you image a truck and trailer pulling out and onto Prairie road. Major Accidents.
They grip road can't be expanded as it is now. The road now is to the R/W limits. Miles would have buy a portion of the landowners property to expand the roadway on grip road and Prairie Rd.
Have they even done any core samples to see what the depth of the roadway section , or what's underneath it for stabilization.
Then. Just recently. The Skagit Co. Public works has removed a portion of that blind corner at Grip & Prairie. How did this become after all these years until the Gravel Pit is up for renewal now !!!! and new traffic study. Its still a blind corner for traffic doing 50 MPH and a truck or cars pulling off Grip Rd. onto Prairie Rd.
It's still a public and traffic safety concern as it is now.
Also. They left the 20' embankment vertically. That's illegal. Needs to be sloped back at a 2:1

or fenced for public safety.

Question:
Shall not create undue noise, odor, heat, vibration, air or water pollution”

Response
In mining, you are going to do all the above.
You’ll have equipment noise, various mechanical break downs, air pollution, dust falling into the aquatic water supply, ground water wells and surrounding neighborhood would hear and see signs of all the above..
Then if you add a screen/ crusher plant you increase it to double or more to all the above while making sand, and smaller crushed rock materials for use.

Question:
On-site 2000 gal fuel tank.

Response
This would need a 100% containment around it. A concrete barrier that would contain any leak or breakage of the said tank. Needs a oil /water separator installed to catch the diesel that gets spilled.
Yes. Spills and drips happen every time you fuel something up, or receive fuel form a supply truck. Its a on going Environmental Impact.
There is nothing mention about fuel spills clean up, or various spill kit stations if needed.
What actions are taken to prevent this or to do in case of.

Question:
EX. 3 1 of 7 5.15.17

46 trucks. This would be one every 10.43 minutes. Would you want this in front of your house our your neighborhood that is not designed for this type of use on the oil mat roads not wide enough for two truck to pass at the same time, or a dump truck and passenger car. Especially the winding corners of the Grip Road are subject to collapsing and moving due to all that surge pressure in which has been receiving and has shown in the last years of miles sand and gravel already prepping the gravel pit behind the tree line here so the public can’t see. The county has been out here fixing it every year lately because the roadway has been moving. Again. These roads are not designed for heavy traffic. It’s a residential. Not commercial. There are no shoulders. Only deep ditches on both sides of the road. No escape routes for public safety if needed.

Question:
Bridge load limits. Grip Rd.

Response
U80 load limits. Grip Rd. Samish river bridge. The Maximum load design for this bridge is 37,000 Lbs. A loaded truck and trailer is 33,000---35,000 lbs loaded. Not far from the max load limit design. This bridge is not intended to get massive heavy traffic day in and day out. If this bridge was to fail or collapse. This would put a High Impact on this neighborhood such as emergency vehicles responding to aid, or fire calls, school buses, public access and transportation.

I’m very concerned about our neighborhood being turned into a Noisy, Dusty, Un-Safe for Public and Traffic safety, Damaged Aquatic system of the surrounding waters. Our roads getting damaged, then the impact to and from our homes being impacted daily throughout the year(s) due to these heavy trucks and added traffic
This would also, I believe drive our taxes up for road repairs for others to use and damage, as well as a decline in property values, due to pollution and noise .

RE

From Host Address: 172.92.225.18

Date and time received: 4/29/2021 4:45:45 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Thursday, April 29, 2021 2:56:55 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 2:45 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Rick Brumfield
Address : 5318 Cedar Ridge Pl.
City : Sedro Woolley
State : WA
Zip : 98284
email : rbb123@frontier.com
PermitProposal : PL16-0097and PL18-0200
Comments : Re PL16-0097 and PL18-0200 … the gravel pit project off Grip Road:
1. I know it is anecdotal, but I have already been personally run off Grip Road by these truck trailer combos … twice. My fear is Skagit County is going to allow this activity to happen without sufficient safeguards to prevent severe injury or even death. Avoiding these truck trailer combos, especially in the tight turns where they violate their lanes, is a literal impossibility. There are either no shoulders or inadequate shoulders to provide "bail out" space. The county and Miles/Concrete Nor'West, could quite likely find themselves in costly lawsuits having to defend against serious injury or wrongful death by allowing the project to proceed with pre-knowledge of such hazardous conditions.
2. One option, to at least partially mitigate such hazardous conditions, would be to require the too wide truck trailer combos or lane violating truck trailer combos to use flaggers, or pilot/escort vehicles. Does Washington State Law already require such mitigations for "too¬ wide" or lane violating vehicles?
3. Re the lane violation issue, item #12. (2) … the NOTICE OF WITHDRAWN and RE-ISSUED MDNS speaks to the required mitigations if trailers are going to be used. The county and the applicant need to realize at these lane violation locations, the normal two lane roads really become one lane roads. The required mitigations need to be adequate to prevent related collisions … recommend automated red-light/green light one lane control systems.
4. 25 years is significant … to say it is non significant is a terrible judgment call.
5. The proposed volume of truck traffic is significant … to say it is non significant is a terrible judgment call.
6. I do not think this project should be allowed to proceed at all.
7. At a minimum, the project should be required to submit a full EIS … again, the project is significant.
8. If the project is allowed to proceed, one thing that might help would be to add fog lines to Grip Road. While there are no shoulders to provide "bail out" space, adding fog lines might at least encourage all vehicles to stay in their respective lanes and their drivers to know where the edge of the road is.
9. Or/and add guard rails along grip where there are no or inadequate shoulders … that is what that county did recently on Prairie between Old 99 and the Prairie/Grip Road intersection … and that was along a straight stretch of road. Guard rails along dangerous curves should be a

higher priority.
10. Truck trailer combos waiting to turn left, from Grip Road onto the access road, are going to block traffic wanting to proceed further west on Grip. Miles/Concrete Nor'West should be required to provide a center turn lane of adequate length to prevent such blockages.

From Host Address: 68.116.101.110

Date and time received: 4/29/2021 2:43:44 PM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Thursday, April 29, 2021 12:03:55 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 11:25 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Julia Hurd
Address : 19396 Ashe Lane
City : Burlington
State : WA
Zip : 98233-8578
email : hurdjulia@gmail.com
PermitProposal : Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Comments : I live in Alger, not far from the proposed Grip Road Gravel Mine. I am concerned about the effects on traffic, nature, and the radical change in the neighborhood from such a massive industrial project. I understood the now closed gravel mine on Highway 99 at the bottom of Bow Hill Road, and now the replacement mine farther down on 99 next to I-5 in terms of need and location, but this mine is significantly different.

The Grip Road Gravel Mine is located in a rural, sensitive, undeveloped 700-acre parcel of land next to a creek as well as the Samish River. Both are fish bearing and the home to listed threatened species. This mine will have negative impacts on and change life dramatically for local residents, wildlife and the environment.

The roads in and out of the mine are back county roads, not suitable for up to 30 noisy, heavy gravel trucks with trailers per hour; this is a problem for traffic, cyclists, pedestrians. The shoulders are too narrow in places and the roads were not designed for industrial usage or this type of traffic. Who will pay for road and safety improvements?

Such enormous industrial usage in this rural area poses threats to drainage, noise, emissions, groundwater, fish, wildlife wetlands, property values and everyday living. The impacts, especially over the 25 year life of the project, are all areas of concern that need to be fully addressed in an Environmental Impact Statement. The scope and location of the mine demand this.

Thank you for considering my concerns.

Julia Hurd

From Host Address: 172.92.219.225

Date and time received: 4/29/2021 11:21:17 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Thursday, April 29, 2021 5:26:17 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 3:55 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Suzanne Butler
Address : 109 S. 9th St
City : Mount Vernon
State : WA
Zip : 98274
email : suzanne.butler@outlook.com
PermitProposal : Proposed Gravel Mine off Grip Road
Comments : Dear Commissioners Browning, Wesen, and Janicki,
I would ask you to give serious thought to allowing a huge, open pit, gravel mine near Grip Rd in rural Skagit County. There is nothing environmentally insignificant about the proposal. It is close to the Samish River with a smaller buffer than usually demanded. Every river is a delicately balanced ecological system that cannot support such an intrusion. Assessments of water and air quality and their affect on all wildlife (flora and fauna) must be updated before a decision is made. The environmental impact will be monumental and must be examined carefully before giving this Puyallup company permission to break ground in Skagit County.
Respectfully, Suzanne Butler

From Host Address: 50.34.112.174

Date and time received: 4/29/2021 3:53:02 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Thursday, April 29, 2021 5:35:32 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 5:35 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Martha Bray and John Day
Address : 6368 Erwin Ln; Sedro Woolley, WA
City : Sedro Woolley
State : WA
Zip : 98284
email : mbray1107@gmail.com
PermitProposal : Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Comments : Dear Mr. Cerbone,

Central Samish Valley Neighbor's attorney, Kyle Loring, is submitting comments on behalf of our group regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. That letter provides a more comprehensive review of our concerns regarding this SEPA review process, and we fully support its findings. However, we are also submitting a few additional comments directly to express our concern with the state of this application and permit review process.

Even though this project has supposedly been under review by PDS for more than five years, it appears that very little has changed about the original proposal, especially in terms of protection of the natural environment. In fact, none of the assessments and application documents related to protection of fish, wildlife, and air and water quality have been updated (except the 2017 "Addendum to the Fish and Wildlife Assessment further evaluating ESA listed species", wherein there is a clear disclaimer stating that the addendum is not intended to address requirements of the ESA). The SEPA documents were incomplete and inaccurate in 2016-2017 and they still are. Further, it appears that the County has ignored almost all of the concerns expressed by the community on these matters over the past years. We acknowledge the County's efforts to provide better information regarding traffic and public safety impacts, however the additional traffic analysis has obvious, glaring omissions and the proposed mitigation falls far short.

And, now, there seems to be a rush to push through a new Threshold Determination without truly taking into consideration new public comment (as indicated by publishing the deadline for a SEPA appeal prior to even receiving public comment on the MDNS). This does not feel like a sincere effort at public process.

The volume of information referenced in the MDNS serves mostly to confuse and obfuscate. We have spent countless hours poring through these documents trying to understand what the applicant really proposes to do. And yet, we still don't know how many daily truck trips to

expect (presumably somewhere between “46 per day” and “30 per hour”). We are still confused about whether the applicant will adhere to “normal” or “extended hours” scenarios; or, whether they plan to haul during peak traffic hours or not. In addition, if they are allowed to haul during peak hours and/or at volumes up to 30 per hour, why doesn’t the MDNS specifically state this and require appropriate mitigation measures? With the modest requirement to fix some of the most glaring safety hazards on Prairie Road prior to using trucks with trailers, we are now confused as to whether they will run more single trucks until this work is completed, or if they might use ‘alternative haul routes’ instead – potentially generating even larger number of truck trips and/or new haul routes that haven’t been evaluated at all for safety concerns. In fact, we still don’t know what the haul route will be, with the MDNS simply stating that material will be “transported to nearby facilities for processing or sold directly to market”. We still find no mention in the traffic analyses of dozens of trucks per day added to the narrow steep “S” curves on the Grip Road hill. Community members have repeatedly expressed the danger of school buses, farm equipment and commuters encountering tandem gravel trucks here, yet it is not even mentioned, let alone evaluated. We find it bewildering that the County has still not required the applicant to clarify these issues.

We don’t even know if the County will require a 300-foot buffer on the Samish River, even though this is clearly required by the County’s CAO. And, we still don’t understand why the applicant wasn’t required to conduct an environmental review of the entire footprint of the project, including the two-mile long private haul road that is clearly integral to the project, with approximately 12,000 truck trips annually traveling on it.

This is an industrial scale development located in a vibrant rural community and a sensitive watershed, where no commercial mining anywhere near this scale has occurred. The applicant and the County still don’t seem to grasp the magnitude of impact and permanent change this proposal would cause to the place we call home. Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and require a full Environmental Impact Statement that fully evaluates the impacts, appropriate mitigation, and identifies scaled back alternatives.

Thank you for your time and consideration.

From Host Address: 50.34.124.61

Date and time received: 4/29/2021 5:30:42 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 9:10:02 PM

Name : Carolyn Gastellum
Address : 14451 Ashley Place
City : Anacortes
State : WA
Zip : 98221
email : Cgastellum67@gmail.com
PermitProposal : PL16-0097
Comments : Regarding Grip Road Gravel Mine Proposal

I previously wrote a comment requesting that a full EIS be required for the gravel Mine proposal because the MDNS that was issued on April 15, 2021 is not adequate. The electronic form would not "send" so I am writing the following summary in hopes that my comments are received before the April 30 deadline.

I agree with all comments that were submitted by Martha Bray and Jed Holmes. The MDNS is inadequate because it does not fully assess the potential negative impacts of the Gravel mine project. I request that Skagit County PDS require a complete EIS that will study the cumulative impacts on the environment and traffic safety due to approximately 11,000 diesel truck trips per year. Please study the impacts on Threatened and Endangered species like the Brown Trout. Study the need for wildlife corridors so that big mammals like cougar, bear, and bobcats are not cut off from the territory they need. These animals are essential to a well balanced ecosystem. Study the impacts on climate and air quality from heavy diesel truck traffic emissions over the life of the project. Please require thorough analysis of the potential negative impacts to wetlands which are critical ecosystems in themselves. Please carefully and thoroughly study traffic safety concerns from the rural route on Grip road to more populated areas of the county that would be impacted by such a large increase in heavy dump truck traffic.

Thank you for your careful attention the the concerns of the community. Please require a full EIS for this project.

From Host Address: 63.142.207.34

Date and time received: 4/29/2021 9:09:01 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 9:20:02 PM

Name : Rick Eggerth
Address : 1304 39th Street
City : Bellingham
State : WA
Zip : 98229
email : rickeggerth@gmail.com
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : April 29, 2021

Hal Hart, Director
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of Non-Significance for Proposed Grip Rd. Gravel Mine File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA Species

Dear Mr. Cerbone:

As the chair of the Mt. Mount Baker Group of the Washington State Chapter of the Sierra Club (MBG), encompassing San Juan/Skagit/Whatcom counties, I speak on behalf of thousands of Sierra Club members and supporters in Skagit county. While we greatly appreciate and commend the work of the Skagit Planning and Devt. Services (SPDS) staff in what is a difficult task, we nonetheless have serious concerns about the recently re-issued MDNS for the proposed Grip Road Gravel Mine. And while the Sierra Club's status as the nation's largest and oldest environmental protection organization means we must direct our attention in this letter to environmental concerns, we also note that there are other significant concerns that deserve attention, such as the traffic and public safety issues raised in comments by the Central Samish Valley Neighbors organization. These concerns are also shared and supported by MBG.

Little has changed from the original mining 2016 proposal, especially in protecting the natural environment, as there have been minimal updates to the assessments and application documents related to protecting fish, wildlife, water and air quality. They were incomplete and inaccurate then, despite a 2017 update to the Fish and Wildlife Assessment, they still are now.

In addition, these documents fail to address community concerns raised during the past few years, and are also now completely outdated. We sincerely hope that failing to address previous public comments does not signify a rush to a new Threshold Determination without seriously considering and evaluating new public comment.

The fact of the matter is that this is an industrial scale development in a sensitive rural environment where commercial mining has never occurred. It will irreparably and significantly harm the natural environment along the Samish River and Swede Creek, as well

as upland wildlife habitat. In light of these undeniable facts, the MDNS must identify and mitigate the harmful environmental impacts of this proposal, including:

• Considering the project's full footprint. Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on a two-mile long private road, requiring more than 11,000 heavy truck trips per year, that is adjacent to wetlands and crosses fish-bearing Swede Creek. These sensitive areas must be evaluated and mitigation proposed.

• The County's Critical Areas Ordinance (CAO) has not been followed. Only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, without justification and even though the CAO demands 300-feet adjacent to high intensity land use such as industrial scale mining. A full EIS is necessary to be sure that all relevant aspects of the CAO are followed.

• The Fish and Wildlife Assessment, though revised in 2017, is still out-of-date and incomplete. River and associated wetlands have changed and have not been adequately accounted for. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site. The MDNS does not mention this Endangered Species Act (ESA) species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.

• Wetlands must be delineated, surveyed and permanently marked. Sensitive areas and buffers within the entire project area (not just the mine site) must be identified so that operators and regulators know where they are.

• Wildlife must be identified and protected. As already mentioned, it must be determined whether the Oregon Spotted Frog, an endangered species and so protected under the ESA, is on or near the site. Reference to the OSF is by no means a shot in the dark. It was on the headwaters of the Samish River in Whatcom County in 2011-12 that OSF were found after having been thought to have been exterminated in the region. Which makes it all the more important that Samish County work with its northern neighbor to assure protection of this species. In addition, cougar, bear, and bobcat use the site. These animals require large territories and are sensitive to disturbance by human activity, so as the last large tract of undeveloped land between Butler Hill to the south and the Samish River and Anderson Mountain to the north, the site should accommodate the needs of these animals.

• A drainage plan is necessary to protect water quality against runoff on the private haul road. Treatment measures for runoff from the haul road must be identified, as the high volume of truck traffic is likely to cause pollution from petroleum products to pollute surface water flow into Swede Creek, a fish-bearing stream that also empties into the Samish River, which empties into Puget Sound. Pollution into any of these bodies of water must be stopped, or at least contained.

• Impacts to groundwater must be evaluated and protection measures required. The announced intent to excavate the mine to within 10 feet of groundwater leaves precious little room for error, especially because it is unclear how a 10-foot limit can be maintained for everywhere the aquifer touches the site. What measures will be undertaken to prevent pollutants from seeping down 10 feet to the water table? What measures will be taken to cleanse the aquifer if pollution does occur? These and related questions absolutely must be answered because, with the pervious nature of sand and gravel, 10 feet may not be enough to filter out pollution from

petroleum product spills. Furthermore, the groundwater at the site is essentially at the level of the Samish River and flows directly into it, so groundwater pollution would become river, and then Sound, pollution.

• The Noise and Vibration Study used unrealistic scenarios to model noise impacts. Assumptions as to number and size of equipment operating on-site are vague and misleading. Noise levels must be modeled at maximum mine production levels, not merely "typical" and "average" levels. The significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road must also be included. But regardless of legal noise limits, the question of how this major change in soundscape for residents of the area must be addressed in a full EIS.

• Emissions must be evaluated and mitigation plans required. There will be air pollution from mining equipment and haul trucks, and this must be quantified and prevented, especially considering that at least 240,000 cumulative miles per year will be driven by diesel gravel trucks.

• Cumulative impacts must be considered. This major industrial scale proposal will create many cumulative impacts, both on and off-site. 25 years of mining is not a "temporary" activity, yet no off-site impacts were evaluated. This will permanently change the character of the landscape and surrounding neighborhoods, degrading wildlife habitat and fish-bearing streams. Hauling the amount of material proposed to the closest site for processing means more than 5,500,000 cumulative diesel truck miles over 25 years. That's a lot of potential air and water pollution, not to mention road wear and tear and safety concerns. These and any other cumulative impacts, on and off-site, deserve evaluation and protective measures.

MBG respectfully requests that the County reverse its Threshold Determination under SEPA, and require instead a full Environmental Impact Statement that evaluates all impacts to the natural environment and identifies alternatives, including the possible alternatives of reducing the size of the mine, or denying the mine altogether.

Your cooperation in this matter is very much appreciated.

Sincerely,

Rick Eggerth
Chair, Mt. Baker Group, Washington State Sierra Club

Cc: Mt. Baker Group Executive Committee and Leadership Team
Central Samish Valley Neighbors

From Host Address: 71.197.249.80

Date and time received: 4/29/2021 9:17:04 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 9:30:02 PM

Name : Larry William Hedgpeth
Address : 5809 Brookings Road
City : Sedro Woolley
State : Wa
Zip : 98284
email : ljhedgpeth@gmail.com
PermitProposal : Special Use Permit Application #PL16-0097 Grip Road Gravel Mine
Comments : April 29, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services 1800 Continental Place
Mount Vernon, WA 98273
RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads

Dear Mr. Cerbone,

I am writing to comment on your April 15, 2021 revised SEPA threshold determination for the proposed Grip Road Gravel Mine. I have followed the county's oversight of this project almost since its start five years ago, but my personal interest is now much greater than it was back then. My 12-year-old grandson now lives with us and will be riding the school bus to Cascade Middle School in Sedro Woolley next school year. I am very concerned for the safety of everyone on the roads in our area, especially school busses, if the county doesn't do more to keep the roads here safe after the mine is in operation.

Now, I know your office took a look at some of these concerns because you're requiring Miles to either use trucks only (no trailers) OR fix the two sharp turns on Prairie just east of old 99 and detour around the Samish bridge on old 99 if the load is too heavy. --mitigation measures 12 and 15 in the new MDNS--

But what about the rest of the haul route? There are two areas especially where it is so dangerous even now that I can't understand why the county hasn't required effective mitigation measures in this new MDNA.

First, the downhill curvy stretch on Grip just west of where the mine access road comes in. As anyone will tell you, it's a white-knuckle experience meeting a dump truck anywhere on that short stretch of road. It's too narrow, the turns are pretty sharp, there's not much of a shoulder, the truck always comes over into your lane, and there is not much visibility around the curves – he's almost on top of you before you see him.

That's with a car or pickup meeting a dump truck. A school bus meeting a truck/pup combination on the road the way it is now could be such a tragedy. Isn't it your job to protect the public interest? How can the county turn a blind eye to such a dangerous situation?

The second part of road I want to talk about is the Grip / Prairie intersection just west of the downhill section on Grip. Two parts in this area—the bridge and the intersection.

The bridge -- Why is there no mention of any protection for the Samish bridge on Grip comparable to that for the bridge on old 99? Is the Grip bridge in better so much better shape?

The intersection – Visibility a big issue here. Traffic west bound on Prairie often goes past that intersection at a pretty good clip and has to slow down for rigs turning west onto Prairie from

Grip. When making that turn onto Prairie you just can't see far enough east on Prairie to avoid having traffic back up behind you. The recent work cutting the hill back has helped, but it is still a problem. With a gravel truck it's much more pronounced. With a constant string of truck/pup combinations, it could get pretty uncomfortable for everyone involved. Maybe you could require a merge lane from the intersection west long enough for the truck to get up to speed. That doesn't seem unreasonable, does it?
Both of these areas get some gravel truck use now, of course. But there will be a lot more truck traffic when the mine is up and running. How much more? Despite some numbers, (46/day, up to 30 /hr -- are there others I missed?) there isn't any real hard and fast limit. And even though Miles now says they plan to work set hours and not on Sundays, I couldn't find anything in the permit that actually limits trucks per hour or hours per day. Why do they need a blank check in this area? Why won't the county set limits to extra traffic on the roads and hours of operation? That would act to limit all potential dangers on the roads and seems very reasonable to me.
Thank you for your time considering my comments. This is very important to my wife and I – it will diresctly effect the risk our grandson will be exposed to while he is attending public school here – 6 more years!
Larry Hedgpeth. 360-855-8326

From Host Address: 172.92.218.39

Date and time received: 4/29/2021 9:28:50 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 9:45:03 PM

Name : Brian Bowser
Address : 21110 Parson Creek Road
City : Sedro Woolley WA
State : WA
Zip : 98284
email : CMSInc@myfrontiermail.com
PermitProposal : Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097
Comments : Dear Mr. Cerbone,
I am writing to express my concerns on your April 15, 2021 revised SEPA threshold determination for Concrete Nor'West proposed Grip Road Gravel Mine. The revised MDNS falls woefully short of what is needed to identify serious traffic problems and the mitigation required to protect public safety.
Additional items of concern:
• Grip Road intersection still has a service sight-distance issue. The proposed solution, "traffic activated flashing beacon system," does not solve the sight-distance problem. To solve the problem, part of the hillside needs to be completely excavated. The County recently made some improvements to the intersection by excavating a portion of the hillside, and by doing so, has proved fixing the sight-distance problem can be straight-forward and relatively inexpensive. Furthermore, the current Puget Sound Energy power pole upgrade project on Parson Creek Road has also proven that acquiring the right of way needed to fix the sight-distance problem is not cost prohibitive.
• Grip Road S-curves are not passible by a dump truck/pup trailer combination when met with simultaneous oncoming vehicular traffic; there simply is not enough room. Skagit County Public Works is aware of this problem, as I first-hand witnessed the test run with a Skagit County dump truck and pup trailer. I am left wondering why this problem is not being addressed. Likewise, on East-bound Grip Road, the curve at the Samish River bridge has the same issues as the Grip Road S-curves. I am once again wondering why this same problem is not being addressed.
• Yet another sight-distance problem exists for West-bound traffic at the F&S Grade Road and Prairie Road intersection; sight-distance at this intersection for West-bound traffic is approximately 50'. West-bound dump trucks hauling materials from the Grip Road pit should not attempt to turn South on F&S Grade Road. In addition to the sight-distance issue, the intersection is not wide enough to allow a vehicle and the dump truck access to the intersection at the same time.
• Haul routes should be limited to only those routes that have been evaluated with traffic safety studies. As it currently stands, CNW would be allowed to haul on any route they choose. A more thorough Transportation Impact Analysis needs to be completed that evaluates the road system as a whole. Then we can evaluate whether other haul routes can safely be used by CNW.
• Prairie and Grip Road systems were not designed to support any industrial mining activity. I am unaware of any real industrial mining activity in the area since the early 1970's; up until now, there have been only small, occasionally-used pits in the area.
• Further, we have serious concerns about the piece-meal SEPA. If Concrete Nor'West were asking to process materials on site, boundary setback requirements would be larger and would,

therefore, reduce the amount of gravel they can remove. We suspect that as CNW removes material and the mine boundaries are established, they will then apply for onsite processing, and all materials will be direct-to-market from that point forward, thus by-passing the proper permitting process.
• Moreover, there is currently no system in place to verify truck counts or to monitor noise levels generated, thus giving the appearance that CNW will operate on an honor system. If allowed to operate as is, the onus will then unfairly be on the community to monitor and prove that CNW is operating outside of their permit allowances.
• The current application provides average daily truck trips by CNW. The maximum number of round trips needs to be clearly defined for both a daily and weekly basis. The road systems need to be evaluated at this maximum number and not on an annual average rate
• Finally, Skagit County documentation/maps show Prairie Road and F&S Grade Road as part of U.S. Bicycle Route 87. This Federal designation should be removed unless mitigation is made to allow for bicycles to safely use the route.

Sincerely,

Brian Bowser
21110 Parson Creek Road
Sedro Woolley, WA 98284
(360) 202-3084
CMSinc@myfrontiermail.com

From Host Address: 50.34.127.171

Date and time received: 4/29/2021 9:42:31 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 10:50:02 PM

Name : Donald Butterfield
Address : 4380 Blank Rd
City : Sedro Woolley
State : WA
Zip : 98284
email : acupuncturedoeswork@gmail.com
PermitProposal : Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads
Comments : APRIL 29 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads
Dear Mr. Cerbone,
I live at the East end of Prairie Road and drive past Grip Road 4-5 times a week. I am very concerned about the traffic problems the Miles gravel pit will cause on Prairie Road. This is a sharp curve that has very poor sight lines. To have as many trucks the company is talking about will effectively shut down the use of Prairie Road in the summer time. This will cause an increase of traffic unto Parson Creek Road to access HWY 99. The other problem will be the cross traffic at Prairie Road and Hwy 99. The amount of trucks that will be entering Prairie Road will back up that intersection to be all but unusable. There will be an increase of accidents as HWY 99 is a 50 mile an hour road and people will have a hard time stopping at that intersection. We can all pretend that everything will just work out fine but this is not the reality of traffic flow. As the population growth continues and Prairie Road becomes more of a connector road we can expect more and more traffic flow problems. The traffic study the County has used for this project is so poorly related to the facts I found it hard to believe that is all you are asking. I would hope that a level II impact study is the only proper way to look at all these issues.
I also ask that a full CAO review be done. You have not asked for a full environmental review of the whole site. A WDFW review with an emphasis on whether there are any Oregon Spotted Frogs. Impacts to wetlands and ground water are also not adequately addressed in the present permit. I know this is zoned for mining but that does not mean they can extract the gravel without meeting current review standards. Having followed this from the start I have been disappointed in the way the Planning commissioner has done everything to try and pass this permit without acknowledging the citizens of Prairie Road. You act like our concerns are not valid. I drive by this every day and am very concerned about the potential impacts to my self and other drivers in this area. I don't want to see an increase in accidents and deaths because Miles wants to run a mine without addressing our concerns.
Donald Butterfield 4380 Blank Rd Sedro Woolley, WA 98284
360-856-4497

From Host Address: 50.34.98.158

Date and time received: 4/29/2021 10:49:50 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 6:25:02 AM

Name : Linda L Walsh
Address : 21710 Prairie Road
City : Sedro Woolley
State : WA
Zip : 98284
email : walshl2006@hotmail.com
PermitProposal : PL16-0097 & PL-0098 reissued MDNS
Comments : June 2020

This letter was used as a guideline to talk during the video meeting with Skagit County officials on 6-10-2020, I would like it entered into the record as a comment for the reissued MDNS on permit file #'s PL16-0097 & PL16-0098. Concrete Nor'West gravel mine.

My husband and I own land adjacent to this project. We have lived on Prairie Road since 1991. We chose this area for the peace and quiet of rural life to raise our family, as did many of the people that live in this area. I have driven on Prairie Road past Grip Road for the past 29 years several days a week. I have witnessed the number of vehicles steadily increasing on these roads. I have talked with hundreds of residents in our rural Community regarding the proposed Gravel Mine on Grip Road since December 2016 and not one of those people said they would feel safe on the roads out here with daily truck and trailer traffic. It seems to me if the majority of residents using these roads every day are telling you it is unsafe it may be worthwhile to look beyond the expert opinions. It is possible the experts may be relying on inaccurate data given to them and have not done a thorough onsite investigation. Should we be the ones burdened for the next 25 years with unsafe roads for vehicles, pedestrians and bicycles, expensive road improvements and repairs, longer commute times, noise and a disruption in our quiet country lifestyles in order for one business operate as they wish.
The permit process should be a transparent process and the County codes dictate it will include public participation. We have been excluded from this process many times over the past few years. Right from the beginning the process had already failed. Our Community brought up serious issues and they were heard by the County but they have been unable to get complete and accurate documentation from the Applicant to address these issues.
It is obvious in the comment letter presented earlier children recognize the dangers and are concerned. I wonder how each of us would feel if our child expressed a safety concern based on an actual experience and no one listened or even tried to make any changes. Many times these issues prove to be fatal oversights and there is no second chance for those impacted. There are several school buses traveling morning and night during many months when it is dark and rainy. I have no doubt if you were to ask these Bus drivers each of them would have similar stories. There are little to no shoulders on these roads so there is nowhere to get out of the way. I think it is very important to let the County and the Hearing Examiner, who will be making decisions, know this. We are the residents who will be impacted every day by their decisions. This 25 year proposal is not 'temporary', as the applicant describes, it spans the remaining life of many of us and the decisions made now will also impact our children and grandchildren for years to come
This project is asking for the ability to operate 24 hours per day 7 days per week with an actual unknown trucks per hour, it should be evaluated on that criteria. We all know the

impacts to people and their environment will greatly increase with longer hours of operation and more loads of material hauled. An industrial scale operation, even operating 6 to 8 hours per day 5 days per week with 46 trucks per day will have an adverse impact. Mining is known to have adverse impacts and we depend on the SUP permitting process to determine if a project is even mitigatable for a specific location. In Skagit County Code 14.16.440 it clearly states: The burden of proof shall be on the Applicant. I will be honest it feels like that burden has been placed on us. An industrial 68 acre mine excavating 4.2 million cubic yards of gravel is not a small borrow pit and it has irreversible impacts. The project must be burden with proof that it can operate and be safe as well as not cause harm to our Community and environment. We depend on people using common sense and knowledge when reviewing the project. The MRO only designates there are resources present it does not mean it is an landowner's right to operate an industrial mine. Especially in an area where the road infrastructure is already inadequate, sensitive environment is present and it is very well known the project is in conflict with the surrounding area landowners. Like many of our neighbors we chose our properties in this agricultural area decades before the MRO was placed on this area.

County Policy 4-D - 5.3 Roads and Bridges:

New public roads and bridges accessing designated MRO areas shall be designed to sustain the necessary traffic for mineral extraction operations. Existing roads and bridges shall be improved as needed as each new extraction operation is developed. Cost sharing for the improvement of roads and bridges shall be negotiated between the permitting authorities and the applicant.

The above Policy is listed in the Staff report issued for this permit. I believe it is possible this policy has been overlooked because otherwise it seems the County and Applicant would have had a plan and a budget in order to meet this policy goal years before now. However, it seems no improvements or budgeting has been done to address the new extraction operation impacts on the existing roads and bridges.

All residents on Prairie Road traveling west past Parsons Creek must travel past the Grip/Prairie Road intersection or turn onto Grip or F &S Grade Road to reach any connecting roads to any Cities. Going west past Parson Creek we don't have access to other routes to get to the cities so we will be forced to use the same route as the massive truck and trailers. Contrary to what the applicant has stated this is not a remote area but it is a rural area with a thriving Community. Other residential developments which feed into Prairie include residents traveling from Blank Road, Upper Samish, Ida Drive, Lois Lane, Prairie Lane, Parsons Creek, Double Creek Lane, Wildlife Acres, Grip Road & Park Ridge Lane. Many of us already commute 30 minutes and when we are told in reports that up to 30 trucks per hour will not reduce our LOS and will not be unsafe it is very hard to understand how that would be possible. We must be able to safely navigate the narrow windy roads past Grip/Prairie, Prairie/ F & S Grade and Prairie/Old 99 intersections to even reach Interstate 5. We feel our lives will be negatively impacted by the unsafe traffic, noise, vibration, air pollution and daily stress of changes to our environment. We all drive these roads frequently and deserve to be protected from known safety hazards.

In the noise study it looks like they designated a spot up by Prairie Road which would be the farthest point from the mine site(IMAP approx. 1800 feet) to determine the noise levels on our property. The point measured is thousands of feet from where the mine operation will be. A receiving property border is defined in WAC 173-60-020: (11) "Property boundary" means the surveyed line at ground surface, which separates the real property owned, rented, or leased by one or more persons, from that owned, rented, or leased by one or more other persons, and its vertical extension, this study does not measure noise using the code definition.

We own acreage on both sides of the Samish River and throughout the year our family and friends come here to visit and to seek shelter from the hectic, noisy world. This fact should not

be swept aside as if it does Not matter, it is even more important now to have a place of safety and well-being as the chaotic world unfolds around everyone these days. It is a gathering spot we center our family and friends' celebrations around, it is a way of life. This industrial scale open pit mine will be hundreds of feet away from our activities. We all enjoy recreation much of the year outside in our backyard which shares a border with the proposed mine site. Unfortunately for us and our Community the busiest time outside is also when most of the excavating and hauling will occur, causing the greatest impacts. I want to invite each of you to take a drive out to see first-hand what we are talking about. Thank you for your time and listening, I appreciate it.

Linda Walsh - Properties adjacent to mine
21710 Prairie Road
Sedro Woolley WA 98284

From Host Address: 172.92.225.214

Date and time received: 4/30/2021 6:23:26 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 7:45:02 AM

Name : Mark Hitchcock
Address : 9620 Samish Island Road
City : Bow
State : WA
Zip : 98232
email : 4s3@wavecable.com
PermitProposal : Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Comments : April 30, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098

Dear Mr. Cerbone,

Thank you for the opportunity to comment on the Mitigated Determination of NonSignificance (MDNS) for the proposed gravel mine on the Samish River near Grip Road. Since 1995 Skagit Land Trust has owned and cared for Tope Ryan Conservation Area, an important natural site along Grip Road approximately 2 miles downstream of the proposed mine. This preserve has long included 900 feet along the Samish River. The Trust also protects two other Samish River properties upstream of the project site and is continually seeking to protect more land along this important watercourse. All of Skagit Land Trust's properties along the Samish have been donated by landowners who wanted to protect the natural habitat of the river and its shoreline. We have partnered with federal, Tribal, state, and local agencies on numerous projects to protect and restore habitat in the Samish watershed. These partnerships include excellent work conducted by Skagit County Public Works Clean Samish Initiative, Skagit Fisheries Enhancement Group, and others.

Last year, Skagit Land Trust received a donation of land significantly expanding Tope Ryan Conservation Area on the other side of Grip Road protecting an additional 900 feet of shoreline along the Samish River and Swede Creek including their confluence. The river and creek in the vicinity of the conservation area are of particular importance for juvenile salmon due to the habitat complexity of the site. The river's wide gravel bars are critical spawning grounds for Coho and Chum Salmon as well as Steelhead and Cutthroat Trout. Last year, the latest restoration planting project at Tope Ryan added over 5,000 trees and shrubs. The costs of this effort were covered by the National Estuary Program, administered by the Washington State Department of Ecology with assistance from the U.S. Environmental Protection Agency. The Skagit Conservation District prepared the planting plan and helped secure a federal partnership grant to maintain the plantings. I mention these details to make the point that this is a preserve made possible and continually improved by the generosity of private landowners

supplemented by public funds and the dedication of many staff and volunteer hours over a long span of years. The potential for adverse impacts from a nearby mine and associated heavy truck traffic greatly concerns us and could directly affect our ability to meet our responsibility to protect this significant area of habitat.

Each year the Trust organizes community volunteers to conduct amphibian monitoring at the Tope Ryan site, gathering significant data about the wetlands which we convey to Washington Department of Fish and Wildlife. We hope to someday discover that the endangered Oregon Spotted Frog has returned to this site, given its appropriate habitat for this now rare species present elsewhere in the Samish Watershed. Tope Ryan is a rich area laced with beaver ponds, important not only for native amphibians but also for a rich assemblage of riparian dependent songbirds and waterfowl. It also supports commercially important fish stocks. In addition, restoring and protecting this large riparian area helps protect water quality in the river that is so important for commercial shellfish grown in Samish Bay. Potential river degradation due to the proposed mine and haul road puts a long list of values at risk.

One of the lessons we have learned from years of restoration work is that protecting habitat is far more cost effective than restoring it after the fact. In addition, there are factors contributing to habitat degradation that are more subtle than direct impacts, but perhaps even more concerning. For instance, Swede Creek routinely spills over its banks into the ditch along Grip Road by the Tope Ryan property. This has created a cascade of effects including accelerated erosion of the roadbed, routine flooding of the road and increased sediment loading in the creek and river. Skagit Land Trust staff and volunteers have on several occasions discussed with staff at Public Works various ideas for “fixing” the creek; but have yet to arrive at a cost effective and feasible plan to solve this problem. The volume and type of truck traffic that would be using the haul road crossing Swede Creek could well add to the present problem.

The Trust is concerned that the impacts of the proposed mine have not been adequately evaluated, nor we will look back and wish we had considered taking stronger measures to prevent the ongoing unraveling of important habitats in the Samish Watershed. Further review of the impacts to the riparian habitat and associated wetlands along the river should be conducted with special attention to Oregon Spotted Frog and Bull Trout habitat, both listed species.

Under Skagit County’s Critical Areas Ordinance it would be appropriate to require a 300’ buffer, rather than 200’, between the Samish River and the mine, clearly an industrial activity calling for this larger buffer. A larger buffer would provide greater assurance that the mining will not in fact degrade the river through sedimentation, erosion, and leaching of spilled fuel oil (noting the statement in the application materials that fueling of equipment will take place on site). We are also concerned that the plan to maintain the floor of the mine at least 10’ above the water table, while well-intended, lacks certainty. There should be a more thorough analysis of the site hydrology through the seasons and of how it will be affected by the mining plan.

In addition, as mentioned, there are issues with Swede Creek just downstream on Trust property, and yet it appears that the impacts to the creek from heavy truck traffic on the private haul road have not been evaluated. The haul road crosses Swede Creek approximately 0.6 stream miles above Land Trust property. Sedimentation from this unpaved road would likely degrade the salmonid habitat downstream which we have been working for years to protect. We are also aware that there are beaver ponds and wetlands near the haul road and that the

environmental review did not take these sensitive habitat areas into account.

The projected numbers of heavy trucks on this haul road are significant and will permanently change the nature of the forested upland habitat on the site. Local residents report that the uplands on the property are used by bear, cougar, and bobcat. Signs of these animals have also been observed on the Trust's nearby property. These animals require large territories, and the applicant's property is the last large undeveloped tract of land so close to the Samish River in this part of the watershed. The impacts from this disturbance to these important upland wildlife species should be evaluated.

We also have concerns related to the safety of staff, volunteers, and visitors to Tope Ryan Conservation Area in light of the heavy and frequent truck traffic which would be associated with the mine. Trucks entering Grip Road would pass the conservation area as they approach the turn onto Prairie Road. Vehicles using the preserve's small parking area will be at very significantly increased risk of collision as they pull into or out of the limited space. The conservation area lies on both sides of Grip Road. Pedestrians crossing from one part to the other will also be in the path of trucks approaching or leaving the mine.

Skagit Land Trust is not opposed to resource extraction; however, these uses must be balanced with effective measures to protect public resources, such as the Samish River, private ones such as Tope Ryan Conservation Area, and public safety. In addition, the Trust staff would be happy to discuss conservation options with the landowner to address some of these concerns.

Before recommending approval of the Grip Road Gravel Mine application, please conduct further evaluation to ensure measures are taken to adequately protect the natural habitats of the Samish watershed that all of us are working so hard to restore. We ask that you do this by withdrawing the MDNS and requiring a full Environmental Impact Statement with thorough consideration of project alternatives and a more complete scope of mitigations than in the MDNS. It is essential that this analysis include not only the mine site itself but also the area traversed by the haul road, the downstream reaches of the Samish River and Swede Creek, and areas adjacent to the public roadways the trucks would use.

Again, thank you for the opportunity to comment, and for your time and consideration.

Sincerely,

Mark Hitchcock
President
Skagit Land Trust

From Host Address: 172.92.212.48

Date and time received: 4/30/2021 7:42:19 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 8:00:02 AM

Name : Katelynn Piazza
Address : 3190 160th Ave SE
City : Bellevue
State : WA
Zip : 98008
email : kpia461@ecy.wa.gov
PermitProposal : Concrete Nor'West; File No. PL16-0097, PL16-0098
Comments : Thank you for the opportunity to provide comments on the State Environmental Policy Act (SEPA) mitigated determination of nonsignificance (DNS) process for the Concrete Nor'West proposal. Based on review of the checklist associated with this project, the Department of Ecology (Ecology) has the following comments:

The operation will require coverage under the NPDES Sand & Gravel General Permit to authorize the discharge of stormwater and/or process water to surface waters and/or groundwaters from sand and gravel operations. Applicants must submit the Notice of Intent (NOI) application online through Ecology's Water Quality Permitting Portal (WQWebPortal).

Thank you for considering these comments from Ecology. If you have any questions pertaining to the NPDES Permit or would like to respond to these comments, please contact Stephanie Barney at (360) 255-4390 or stephanie.barney@ecy.wa.gov. For assistance navigating the WQWebPortal, please contact Tonya Wolfe (800) 633-6193, option 3 or WQWebPortal@ecy.wa.gov.

From Host Address: 165.151.213.203

Date and time received: 4/30/2021 7:58:07 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Friday, April 30, 2021 11:50:53 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Friday, April 30, 2021 11:50 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : David Goehring
Address : 20002 Double Creek Lane
City : Sedro Woolley
State : Wa
Zip : 98284
email : davidgoehring@gmail.com
PermitProposal : Grip Road Gravel Mine
Comments : I have reviewed the traffic study done for Miles Gravel, and find it woefully insufficient in a number of areas. First off, why were no other routes besides the route east on Prairie included in the study? Who is going to make sure that every driver of every load takes this route. If the trucks turn left and go up Grip, that would be insanely dangerous with all those tight turns. It's bad enough just in my SUV. If they take Grip to then turn left onto F&S, they will be cutting off cars either at or coming up to the stop sign. Again, it is bad enough already because of the steep slant on F&S. I see that the study did acknowledge that the gravel trailers would be cutting off cars coming around the two 90' turns on Prairie just east of 99. This alone should be enough to deny this permit unless the turns can be widened. I think that one homeowner there on the first curve will be pretty upset to lose a big chunk of his lawn, which would be the case. I see the report also acknowledges that the Samish River bridge on 99 is not currently rated for this much heavy traffic. So that means that since the majority of the traffic is going to the Belleville pit that the trucks will have to proceed up the narrow windy Bow Hill Road, which has basically been trying to slide off the edge of the hill for years. Even worse, the trucks will then have to cross over the Cook Road I-5 overpass which is already a big mess as you surely know. The fact that this was not addressed in the study should tell you a little bit about it's veracity. That overpass already needs major upgrades, as all of us trying to get out onto the overpass from either the northbound or southbound exit ramps from I-5 can surely tell you. Both of those off ramps often back up onto the shoulders of the freeway, which makes for a very hazardous situation. Allowing all this additional truck and trailer traffic to use that route in it's current state would be completely irresponsible at best, criminally liable at worst. That whole interchange needs to be completely overhauled already, including more lanes. Another issue is this truly ridiculous band-aid proposal to put flashing yellow warning lights on Grip and Prairie. Is their another such arrangement anywhere else in the county? I've never seen one if there is. Prairie Road has become very heavily trafficked, especially during commuter hours. This isn't some backcountry lane. Why the hell should all of us who use that road be subjected to the delays resulting from this? Drivers from both directions who have to wait while one of the trucks enters onto Prairie will be frantically trying to pass it after it is out on the road, which is very dangerous on that narrow road. It is hairy enough just trying to pass a car. Prairie will have to be widened all the way to 99 to even think about using it as a haul route. Lastly, I see that Miles thinks that the

county should pay for any road upgrades. This just makes my blood boil. The roads are okay with the current levels of traffic, so any upgrades would be specifically to benefit Miles Sand & Gravel. They need to fully pay for any and all road work needed to make it safe to haul out their gravel. That property was originally zoned for timber as I understand it, and was converted to gravel with the State's blessing. The timber traffic would have been about 1% of what this gravel traffic will be. They decided to change it, so they can damn well foot the bill! If ANY of my taxes go to improving these roads for them, I will be the leading torchbearer when we descend upon the county offices. I would like to remind the Planning Commissioners and the County Commisioners that their number one priority as our elected and appointed representatives is public safety. I've said it before and I will say it again, approving this permit in its current state will get people injured, killed or both. The only even remotely safe way to get gravel out of that mine would be one single truckload at a time. NO TRAILERS! If Miles can't make a profit that way, then they can go find another site. It's not like there's a shortage of gravel pits around anyway.

From Host Address: 174.204.65.127

Date and time received: 4/30/2021 11:48:27 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 2:15:02 PM

Name : Kyle A Loring (on behalf of Central Samish Valley Neighbors)
Address : PO Box 3356
City : Friday Harbor
State : WA
Zip : 98250
email : kyle@loringadvising.com
PermitProposal : PL16-0097 & PL16-0098 MDNS part 1
Comments : By Electronic Portal and Email

April 30, 2021

Hal Hart
Director of Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: File No. PL16-0097 & PL16-0098; Concrete Nor'West Grip Road Gravel Mine
Skagit County Planning and Development Services Mitigated Determination of Nonsignificance

Dear Mr. Hart,

I'm writing on behalf of Central Samish Valley Neighbors ("CSVN") to request that Skagit County Planning and Development Services ("PDS") reconsider and withdraw the Mitigated Determination of NonSignificance ("MDNS") that it issued for the clearing and development of a 68-acre sand and gravel mine ("Mine") along the Samish River. The MDNS conflicts with Washington's State Environmental Policy Act ("SEPA") because it issued without an evaluation of multiple potential environmental impacts from the Project. For example, although prominent issues like the Mine's hours of operation and its encroachment into the 300-foot wetland buffer have been raised consistently since Concrete Nor'West ("CNW") applied for a special use permit for the Mine in 2016, the MDNS does not limit the hours of operation or reject CNW's proposed 200-foot buffer. Its silence on those issues can be presumed to allow CNW to operate the Mine without time limitations, as CNW has asserted that it may, and to mine up to just 200 feet from wetlands that host Endangered Species Act-listed species like the Oregon spotted frog. Yet the neither PDS nor the applicant has evaluated the impacts of those project operations. Absent this information, as well as significant information gaps like the refusal to evaluate private haul road impacts on Swede Creek, a fish-bearing tributary of the Samish River, PDS has not satisfied the SEPA requirement that it fully consider the environmental impacts of the Mine. The MDNS must be withdrawn.

Moreover, PDS must issue a Determination of Significance ("DS") because the information disclosed in the application materials for permits PL16-097 and PL16-0098 indicates that the Mine would cause significant impacts. For example, CNW's traffic impacts analysis confirms that dump trucks and trailers pose a threat to other users on the narrow, high-speed-limit roads that they will traverse.

CNW has had five years to address the potential impacts of its Mine, and while they have slowly piecemealed a few additional documents, they have not demonstrated that the Mine will address the impacts. As the representative of the local community entrusted with ensuring that applicants for large industrial development analyze and address environmental impacts, PDS must respond accordingly and issue a DS and start the Environmental Impact Statement ("EIS") process to address the Mine's impacts.

This letter explains below that: (1) the Project outlined by the application materials; (2) will have a variety of impacts, some unevaluated and others already identified as significant; on (3) its sensitive ecological surroundings and the local transportation network. The MDNS does not adequately condition the Mine to address those impacts.

In drafting this letter, we reviewed application materials that included the following: (1) the March 7, 2016 fact sheet, special use narrative, and project description; (2) subsequent special use narratives and revised project description; (2) SEPA Checklist; (3) fish and wildlife documents by Graham-Bunting Associates; (4) the Hydrogeologic Site Assessment from Associated Earth Sciences; and (5) traffic documents by DN Traffic Consultants. We also reviewed comment letters by state agency officials, consulted with fish and wildlife officials and a traffic engineer, and reviewed publicly-available information about the site and environs like aerial photographs and the regional bicycle map. We have attached the CSVN November 24, 2020 comments on the Project's SEPA process, none of which have been addressed since the submission of that letter, and incorporate it by reference.

A. Project Details.

Concrete Nor'West has applied for a Mining Special Use Permit to excavate approximately 4,280,000 cubic yards of sand and gravel in a 68-acre mine in the Central Samish Valley. CNW projects that the mining would occur over 25 years, though the proposal would not be limited to a specified period of time and the rate of excavation would depend on demand for sand and gravel. The mining would require the clear cutting of timber, followed by excavation that would dig down 90 feet toward the water table. The withdrawn MDNS stated in 2016 that logging would remove approximately 50,000 board feet of timber from the land but there are no updates on the progress of the logging. While the proposed mining would occur on three parcels totaling 77 acres, these parcels form just a portion of an overall block of parcels totaling more than 726 acres. Although the SEPA Checklist suggests that there are no plans for future additions, expansion, or further activity related to or connected with the proposal, a large portion of the other 650+ acres of land have also been designated as Mineral Resource Overlay, with some of it approved for active harvest by the Washington Department of Natural Resources. A noise and vibration study submitted by CNW did not evaluate the noise and vibration impacts that would occur after logging of the larger property.

1. Hours and staffing.

According to CNW, mine hours would be unlimited consistent with its underlying zoning, though normal working hours would typically extend for 10 hours, from 7am to 5pm, six days a week. According to the MDNS, hauling would occur during the workweek, Monday through Friday, and site operations would occur Monday through Saturday. CNW estimates that one to two full-time employees would work on-site and an unspecified number of truck drivers would haul gravel off-site throughout the day. On-site operations would involve heavy equipment like a front-end loader, excavator, dozer, and dump trucks.

2. Hazardous materials.

The Application offers conflicting information about whether hazardous materials will be stored at the site. It responds "Yes" to a question about whether chemicals, waste oils, solvents, and fuels would be stored at the site, and describes the possibility of installing a 2,000-gallon diesel fuel tank. But it also states that "[w]aste oils, solvents, etc. will not be stored on site."

3. Gravel and sand hauling routes and volume.

Application materials offer varying estimates of the amount of truck traffic that the mine would generate. A September 10, 2020 Traffic Impact Analysis ("TIA") by DN Traffic Consultants estimates that under "extended hours conditions," the Mine would generate 29.4 truck-and-trailer trips per hour. The TIA does not define extended hours or explain why the site would be limited to that number of trips if demand were high enough to require greater production. DN Traffic Consultants' earlier memo, aptly-titled "Maximum Daily Truck Traffic," estimated that a realistic maximum number of trips for truck-and-trailer was 60 trips per hour. That study assumed that increased demand for material would lead to increased production at the site, limited only by the (likely artificial) logistical consideration of the number of truck and pups available in Skagit County. DN Traffic explains in its TIA that the ~30 trips per hour that it estimates for a higher end number is based on the anticipation that the Mine could generate up to 5000 tons per day. It does not explain how this production amount was derived and does not explain the inconsistency between the ~30 trips figure and the 60 truck-and-trailer trips per hour that it deemed a realistic maximum in its Maximum Daily Truck Traffic memo.

The gravel and sand would be hauled by trucks and trailers forced to navigate narrow rural roads with medium to high speed limits. The original road special use narrative stated that hauling would occur along Old Highway 99, Prairie Road, and Grip Road. Subsequent documents identified Bow Hill Road and F&S Grade Road as potential route extensions. Road widths along these routes are just 20-22 feet and they allow speeds up to 50 mph. Although the TIA suggests that shoulders exist along each of these roads but Grip Road, the Skagit County Bike Map identifies Grip Road, Prairie Road, and F&S Grade Road as roads without shoulders. A simple review of these roads through google maps' street view function confirms that paved shoulders are largely non-existent on those roads, though some stretches contain large gravel that promptly slopes down to a ditch. In addition, the TIA asserts that there are no known bike routes in the subject area, yet the readily-available Skagit County Bike Map identifies Prairie and F&S Grade Roads as part of a federal bike route, US Route 87. Local residents have communicated that guard rails have been installed along a significant stretch of Prairie Road, shrinking the width available for cyclists and pedestrians outside the actual roadway to nothing.

The transportation documents associated with the application do not prescribe a haul route, but instead contemplate multiple options. The TIA states "[i]t is estimated that 95 percent of the trips will be assigned to and from the west on Prairie Road; with 80 percent south to the existing Belleville Pit Operation using either Old Highway 99N or I-5 south; ten (10) percent of the trips to end users via I-5 south, five (5) percent to end users west of I-5 on Bow Hill Road; and five (5) percent to end users east of the Mine access via Grip Road." One of the options in the TIA assumes that truck/trailer combinations using Old Highway 99 would be short-loaded to comply with current weight restrictions on the Old Highway 99 Samish River

bridge or that those restrictions would be removed. The Application does not evaluate the number of truck trips that would be required if vehicles were short-loaded to meet current bridge weight limits. The Application's revised project description identifies the route through Grip Road, Prairie Road, and Old Highway 99 North.

In addition, although the Application does not describe the on-site haul route on CNW property, a review of aerial photographs indicates that it would stretch for more than two (2) miles between the Mine and Grip Road.

4. Independent review of transportation documents.

Although CNW has provided several documents about the Mine's traffic impacts, a review by Jeffrey Hee, P.E., Senior Transportation Engineer at Transportation Solutions Incorporated ("TSI") reveals that some impacts have yet to be addressed and others have not been fully evaluated. Mr. Hee analyzed project documents, including the traffic reviews by DN Traffic Consultants, and discovered the following unresolved issues:

• the maximum trip generation numbers and frequency of maximum trip hours and days for the Mine have not been finalized. The Application offers conflicting information about the maximum traffic to be generated, and County conditions could require trucks without trailers, which would decrease capacity for each shipment and therefore increase the number of trips to ship the same overall volume of material. Also, the Application does not identify whether the trip generation numbers account for on-site workers and non-haul mining operations (page 3);
• site distance impacts were not evaluated based on common industry practice that contemplates the use of 85th-percentile design speeds from the County's Road Standards. Instead, even though those 85th-percentile speeds were readily available on the Skagit County of Governments website, DN Transportation relied on lower posted speeds for its modeling. This may underrepresent sight distance risks (page 4);
• site distance impacts were not evaluated for the intersection where the site access road meets Grip Road, based on the mistaken assumption that it wasn't required for a lower volume road (page 4);
• no mitigation was proposed to address site distance impacts at the Grip Road/access road intersection for egress to the east, and no analysis occurred to determine whether a gravel truck or truck/trailer combination can safely navigate the road network east of the mine (page 4);
• intersection sight distances were not evaluated for truck/trailer combinations at the intersection of F&S Grade Road and Prairie Road. Consequently, Mr. Hee recommended preventing the hauling on F&S Grade Road (page 5);
• the significant truck-trailer impacts that the TIA identifies between the site and Old Highway 99 have not been fully addressed (pages 1, 5);
• there has been no analysis of safety impacts associated with truck-and-trailer combinations traveling east of the Mine access. Mr. Hee recommended preventing hauling east of the Mine site (page 5-6);
• the Application does not evaluate traffic impacts associated with the redistribution of truck traffic onto Cook Road due to Samish River bridge weight limits. This is important given the traffic issues that WSDOT and Skagit County have identified for the Cook Road interchange at Old Highway 99 (page 6);
• the Application does not provide detailed specifications for the type(s) of vehicle(s) it modeled for transportation impacts, preventing confirmation of its results (page 5).
Specifically, with regard to site distance and haul route concerns, Mr. Hee notes at pages 5 and

6 that the following comments and questions should be answered:
• is the County's vision clearance triangle satisfied in the study area?
• what speed is needed to achieve site distance at the study locations?
• are sight distance exhibits available for public review?
• Why are total crashes different in some of the Tables in the TIA?
• Will the applicant complete the improvements recommended by the TIA for the intersection of Prairie Road and Old Highway 99?
• Why doesn't the TIA provide conclusions about whether the project traffic will increase the frequency and severity of collisions on the haul route given the route's geometric and sight distance constraints?

B. Valuable Ecological Setting.

The 68-acre mine site and associated properties provide important terrestrial and aquatic habitats. The Samish River, a salmon-bearing river, winds for more than one-quarter mile along the eastern portion of the mine property. Associated wetlands extend toward the Mine from the river's active channel and flood plain, though it is unknown just how close the edges of the wetland reach to the proposed mining area because they have not been delineated. Swede Creek, a documented fish-bearing stream, would be traversed by every truck hauling gravel and sand to and from the Mine on the private haul road. The Application does not acknowledge the private haul road as part of the project and therefore does not evaluate impacts to wetlands along that route or to Swede Creek from the haul road that crosses it. A fish-bearing tributary to the Samish River crosses the southeastern corner of the Mine site.

1. Lack of analysis of undersized Mine buffer.

According to the project description set forth in the MDNS, the Mine would observe a 200-foot wetland buffer rather than the 300-foot buffer required for the wetlands associated with the Samish River. The MDNS refers to the mining of approximately 4,280,000 cubic yards of sand and gravel. According to its Special Use Narrative, CNW will be able to extract 4,280,000 cubic yards of material if it mines up to 200 feet from the estimated edge of the wetlands, and approximately 3,942,000 cubic yards if it observes the required 300-foot buffer. By embracing the larger volume, the MDNS indicates PDS' approval of a 200-foot buffer for the Mine.

A buffer of at least 300 feet applies to the Mine as a high intensity land use adjacent to a Category II wetland. According to the Skagit County Code, "high intensity land uses" include "land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium- and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and commercial and industrial land uses." The Mine qualifies as a commercial and industrial use of the land, and the clear-cutting of existing forest and conversion to a sand and gravel mine qualifies as a high level of human disturbance and substantial habitat impacts. In addition, the Application does not evaluate the angle of the slope in the buffer to determine whether it is greater than 25%, and thus warrants an extension of the buffer 25 feet past the top of the slope.

In addition, by clearing the forest into the buffer, the Mine would eliminate functions that the forest furnishes the productive riparian zone, including: (1) maintaining water quality; (2) controlling fine sediment; (3) contributing large woody debris; (4) providing shade and moderating the microclimate; (5) contributing litter fall and organic matter; (6) moderating site

hydrology and stabilizing slopes; and (7) providing fish and wildlife habitat.

This riparian zone where the aquatic environment transitions to a terrestrial environment is essential for the Oregon spotted frog--listed as endangered by Washington in 1997 and threatened federally in 2014--that relies on the wetlands and environs. The US Fish & Wildlife Service has identified critical habitat for the frog that extends from far upstream on the Samish River and includes the mine property adjacent to the river. The 2017 GBA Addendum acknowledges that these wetlands meet the definition of critical habitat for the spotted frog due to their size, saturated soils, and shallow ponds. The GBA Addendum includes a photograph showing these ideal conditions, as well as a hand-drawn line intended to reflect the edge of the saturated area.

However, neither the SEPA Checklist nor the Application's documents by Graham-Bunting evaluate the impact on the Oregon spotted frog or other wetland species of converting one-third of the riparian buffer into a gravel mine. Consistent with the proposal to mine up to 200 feet from the wetland, the GBA Addendum suggests that a 200-foot buffer is sufficient to protect aquatic life, but does not offer any justification for that assertion other than the absurd claim that clear-cutting a forest and converting it to a sand and gravel mine is a "medium" intensity use. Nor does the GBA Addendum indicate why a 200-foot buffer would protect the Oregon spotted frog when Skagit County's critical areas ordinance requires a 300-foot buffer to protect the Category II wetland from the impacts of high intensity land uses like mining operations. In fact, the GBA Addendum expressly disclaims that it is not intended to be used for the purpose of evaluating the spotted frog under the Endangered Species Act.

2. Lack of response to Ecology concerns.

In addition to overlooking the impacts of developing 1/3 of the buffer intended to protect species such as the Oregon spotted frog, CNW declined to address state agency concerns expressed by Doug Gresham, the Washington Department of Ecology wetland specialist responsible for Skagit County. In his initial April 7, 2016 email, Mr. Gresham stated that wetland impacts should be avoided by refraining from excavating within the buffer area associated with the Samish River and its associated riparian wetlands and that any wetlands identified on the property that would be impacted should be delineated and permits should be submitted to Ecology. In a June 1, 2016 comment letter, Gresham declared that additional wetland requirements include: (1) flagging of the ordinary high water mark along the Samish River banks by a qualified biologist, and survey of the boundaries; (2) a jurisdictional determination from the U.S. Army Corps of Engineers stating whether the delineated wetlands on the property are under federal jurisdiction; (3) ratings of all wetlands based on Ecology standards; (4) a critical area report describing wetland conditions on the property, wetland data sheets, wetland rating forms, and photographs; and (5) a mitigation plan for unavoidable wetland and buffer impacts per Ecology standards. In addition, Mr. Gresham noted in his June 1, 2016 correspondence that the Application omitted maps showing associated wetlands or the ordinary high water mark of the Samish River.

Six months later, Mr. Gresham supplemented his earlier comments by expressing a concern with CNW's use of a 200-foot buffer rather than the required 300-foot buffer. Gresham stated that CNW needed to address the gravel mine's encroachment into the 300-foot buffer. Gresham also stated that he had "a concern with the access road that will need to be improved to accommodate 46 truckloads a day, which could impact wetlands and streams. This access road may need to be widened, the Swede Creek bridge may need to be upgraded, and storm

water drainage features may need to be reconfigured." Gresham noted that these issues had not been addressed.

Notwithstanding these clearly-stated agency concerns, CNW continues to propose to excavate up to 200-feet from what it assumes is the ordinary high water mark of the Samish River and associated wetlands without delineating the specific location of the river's edge, its floodplain, or the associated wetlands. CNW did not supplement the Application with a survey or flagging of the edge of Samish River, delineation of wetlands on the property (including any wetlands along the haul route), critical area reports for wetlands, a mitigation plan, or a discussion of impacts associated with the Swede Creek bridge or haul road development on the creek or wetlands. Instead, an engineering and surveying group drew a map with estimates for the location of Samish River "plotted from May 2011 aerial photo" and "wetland at toe of slope from LiDAR data and field observation," without a delineation survey. The map is captioned "alternate 300 foot buffer," but none of the application materials indicate that CNW has decided to apply anything other than a 200-foot buffer. The map shows what appear to be roads or mining areas extending into the estimated buffer.

3. Water quality and quantity impacts.

Drainage from the site currently flows to the Samish River both above and below ground. The Application indicates that the mining would occur in an area that is currently elevated about 90 feet above the river and its associated wetlands (50-75 feet above the valley floor in the eastern portion of the site), and that groundwater from the site flows in a northerly direction and discharges to the Samish River. According to the Application, CNW would construct a berm approximately 200 feet landward of the assumed wetland edge in order to direct drainage from the site to the gravel floor for infiltration into the groundwater. The Application does not evaluate whether that berm and mine infiltration would redirect surface water away from the wetlands and river complex and thus dewater these sensitive ecological features, or analyze the impacts of that dewatering.

Application materials offer conflicting information about whether the Mine would reach the water table. Although the GBA Assessment states that the mine would be excavated to a depth of 10 feet above the water table, the SEPA Checklist states that the Mine would be excavated to a depth of 154-163 feet above mean sea level while the hydrogeological assessment found the water table at 145-155 feet above mean sea level. The Application did not evaluate whether excavation to a depth of 154 feet would interfere with a water table at 155 feet.

From Host Address: 216.160.85.174

Date and time received: 4/30/2021 2:12:46 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 2:15:02 PM

Name : Kyle A Loring (on behalf of Central Samish Valley Neighbors)
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PermitProposal : PL16-0097 & PL16-0098 MDNS part 2
Comments : C. SEPA Requires Withdrawal of the MDNS Because the Application Does Not Supply PDS With Sufficient Information to Fully Consider the Project's Environmental Impacts.

PDS must withdraw the MDNS because it has not fully considered the environmental and ecological effects of CNW's sand and gravel mining proposal. RCW 43.21C.030; see Boehm v. City of Vancouver, 111 Wn. App. 711, 717, 47 P.3d 137 (2002). For example, PDS issued the MDNS without analyzing the impact of clearcutting and mining a large portion of a wetland buffer intended to protect wetland species like the federally-threatened and state-endangered Oregon spotted frog. Nor has the Application evaluated impacts associated with the private haul road that will traverse Swede Creek and travel near uncategorized and unsurveyed wetlands. The Application also omits a full analysis of the risk to human health and safety from a haul route that involves public roads where the proposed truck and trailer would not be able to stay in its lane on two-lane roads with speed limits up to 50 mph, and risks associated with the sight distance at the intersection of Grip Road and the site access road. In the absence of this information, PDS has not satisfied its duty under SEPA to fully consider the project's adverse environmental impacts.

SEPA requires agencies to "consider total environmental and ecological factors to the fullest extent when taking 'major actions significantly affecting the quality of the environment.'" Lassila v. City of Wenatchee, 89 Wn.2d 804, 814, 576 P.2d 54 (1978) (quoting Sisley v. San Juan County, 89 Wn.2d 822, 830, 567 P.2d 1125 (1977)). To determine whether an environmental impact statement is required for a major action, the responsible governmental body must first determine whether the action will cause significant impacts and render a threshold determination accordingly. RCW 43.21C.030(2)(c); Boehm, 111 Wn. App. at 717.

Agencies must first ensure that the proposal is properly defined. WAC 197-11-060(3). Every part of a proposal that combines to form a single course of action must be evaluated in the same environmental document. WAC 197-11-060(3)(b). Thus, where different parts of the same proposal could not proceed unless they are implemented simultaneously, they must be evaluated together. WAC 197-11-060(3)(b)(i). Because the Mine could not function without the use of the private haul road to transport the product off-site, environmental impacts associated with the use of that road must be evaluated as part of the project's SEPA review.

A major action significantly affects the environment when it is reasonably probable that the action will have more than a moderate effect on the quality of the environment. WAC 197-11-794; Boehm, 111 Wn. App. at 717 (citing Norway Hill Pres. & Prot. Ass'n v. King County Council, 87 Wn.2d 267, 278, 552 P.2d 674 (1976)). Significance involves a proposal's context

and intensity; an impact may be significant if its chance of occurrence is low but the resulting impact would be severe. WAC 197-11-794.

To evaluate an action's effects, a responsible official like PDS must: (1) review the environmental checklist and independently evaluate the responses of the applicant; (2) determine if the proposal is likely to have a probable significant environmental impact; and (3) consider mitigation measures that the applicant will implement as part of the proposal. WAC 197-11-060(1); WAC 197-11-330; Indian Trail Prop. Ass'n v. Spokane, 76 Wn. App. 430, 442, 886 P.2d 209 (1994). In reviewing a project's impacts, an official must review both direct and indirect impacts and both short-term and long-term impacts. WAC 197-11-060(4). If the responsible official's review concludes that the proposal will not cause probable significant adverse environmental impacts, she issues a determination of nonsignificance ("DNS"). WAC 197-11-340. Conversely, a finding of probable significant adverse environmental impact leads to the issuance of a Determination of Significance ("DS"). WAC 197-11-360. A determination of significance triggers the need for an environmental impacts statement to review the project's identified impacts. WAC 197-11-360.

An agency that determines that a proposal will not result in a significant impact bears the burden of demonstrating "that environmental factors were considered in a manner sufficient to be prima facie compliance with the procedural dictates of SEPA." Bellevue v. Boundary Rev. Bd., 90 Wn.2d 856, 867, 586 P.2d 470 (1978) (quoting Lassila, 89 Wn.2d at 814). For example, the threshold determination must be based on information sufficient to evaluate the proposal's environmental impact. Boehm, 111 Wn. App. at 718. In addition, a court will not uphold a DNS unless the record demonstrates that the government gave actual consideration to the environmental impact of the proposed action or recommendation. Boehm, 111 Wn. App. at 718. An incorrect threshold determination will be vacated because it thwarts SEPA's policy to ensure the full disclosure of environmental information so that environmental matters can be given proper consideration during decision-making. Norway Hill Pres. & Prot. Ass'n v. King County Council, 87 Wn.2d 267, 273, 552 P.2d 674 (1976)).

The MDNS, SEPA Checklist, and associated application materials here demonstrate that PDS did not adequately consider the environmental factors, "in a manner sufficient to be a prima facie compliance with the procedural dictates of SEPA." Lassila v. City of Wenatchee, 89 Wn.2d 804, 814, 576 P.2d 54 (1978). The MDNS is not based on information sufficient to evaluate the proposal's environmental impact, as identified below and as exemplified by the lack of response to riparian and wetland requirements noted by Doug Gresham, Ecology's wetland specialist for Skagit County.

1. The MDNS is not based on information sufficient to evaluate the proposal's environmental impact.

The sections below summarize some of the information omitted from the Application that is necessary to fully understand and consider the Mine's environmental impacts. For more detailed descriptions and additional flaws, please see the CSVN November 2020 comment letter at Attachment A.

a. Lack of review of impacts within the Project's full footprint.

The application materials do not evaluate environmental impacts associated with the two-mile-long private haul road that transects the applicant's larger contiguous ownership and traverses

Swede Creek, even though industrial-scale use of this haul road is a crucial element of the Project. For more information about this omission, see Attachment A, CSVN Letter at 4.

b. Lack of review of climate impacts associated with hauling sand and gravel.

No application materials, including the SEPA Checklist, evaluate the climate change impact associated with carbon emissions from mining and hauling more than 4 million cubic yards tons of sand and gravel over a 25-year period. Indeed, the SEPA Checklist asserts that, "[t]here are no off-site sources of emissions that would impact the proposal." For more information about this omission, see Attachment A, CSVN Letter at 5 (identifying off-site and cumulative impacts omitted and ignored).

c. Lack of review of impacts from converting 1/3 of a forested buffer into a gravel mine, including impacts to listed species.

Although the MDNS contemplates the mining of more than 4 million cubic yards of sand and gravel, which would occur only if PDS applies a 200-foot buffer rather than the required 300-foot buffer, neither CNW nor PDS evaluated the impacts of reducing the buffer by 100 feet over a stretch of approximately ¼ mile. Nor does the Application review the impacts of this reduction on the listed Oregon spotted frog that relies on the wetlands and environs for its habitat.

d. Lack of sufficient information about wildlife impacts.

Notwithstanding that the Project would convert at least 51 acres of forested land to a gravel pit, the Application does not identify or analyze impacts to native fauna. CSVN have communicated to PDS that bears, cougars, and bobcats have been known to frequent the area and that local residents regularly observe the use of that area as a wildlife corridor between Butler Hill to the south and the Samish River valley and Anderson Mountain to the north. Yet the SEPA Checklist asserts that the property is not an animal migration route. In addition to providing critical habitat for the Oregon spotted frog, bull trout, and Puget Sound steelhead, the Samish River and its associated wetlands provide important habitat for a wide range of species that include river otters, beavers, bald eagles, belted kingfishers, great blue herons, spotted sandpipers, and numerous species of migratory songbirds. The Application should be supplemented to identify the animal species that inhabit or necessarily transit that area and analyze the impacts of turning that land into an open gravel pit and the impacts of converting what is presumably a lightly-used forest road to heavy industrial use.

e. Potential water pollution impacts.

The Application repeatedly states that stormwater will be infiltrated at the site, and notes that the groundwater flows to the nearby Samish River, but does not evaluate whether spills of fuels or other hazardous materials will impact the river's water quality after traveling through, ultimately, just 10 feet of ground before entering the groundwater. The Application also does not evaluate potential impacts from stormwater runoff of the private haul road, including sedimentation and petroleum products entering Swede Creek or wetlands east of that road. The Application must evaluate the potential for water pollution and the effects on Samish River and Swede Creek.

f. Lack of requisite Critical Areas review.

Skagit County has incorporated the goals, policies, and purposes of its Critical Areas Ordinance ("CAO") into its SEPA policies. Consequently, to satisfy its duties under SEPA, the County must require compliance with CAO directives like the standard review of impacts that includes the submission of a critical area checklist and/or a site plan that shows the location of the proposed activity and associated area of disturbance in relation to all known critical areas or critical areas indicators. The County must then review these project documents, complete a critical areas staff checklist, inspect the site, and complete the critical areas field indicator form. Where the County's review concludes that the proposed activity extends to within 200 feet of critical area indicators or a distance otherwise specified by the chapter, it must require a critical areas site assessment. Ultimately, this process should result in protected critical areas being delineated and their outer edges and buffers marked permanently.

With regard to wetlands, any proposed high impact land use within 300 feet of wetland indicators, and any other proposed land use within 225 feet of wetland indicators, requires a wetland site assessment. The site assessment must result in a wetland delineation, classification, site plan with wetland and buffer boundaries, and functions and values analysis.

CNW's application does not satisfy these standards and thus does not meet Skagit County's SEPA requirements. The Application does not identify wetlands adjacent to the haul road at all, much less conduct a wetlands assessment for the impacts associated with the proposed hauling. The Application does acknowledge the existence of wetlands associated with the Samish River, but does not include a delineation, site plan with delineated boundaries depicted in relation to the Mine activities, or a full functions and values assessment. Absent this information, the County does not have sufficient information to issue a threshold determination.

g. Lack of sufficient review of noise impacts.

The Application's noise studies rely on a flawed methodology and overlook the planned removal of the forest buffer between the Mine and neighboring properties. For more information about this omission, see Attachment A, CSVN Letter at 13-14.

h. Lack of sufficient review of recreation impacts.

The Application omitted any acknowledgement or analysis of impacts to cycling along regional and federal bicycle routes. For more information about this omission, see Attachment A, CSVN Letter at 14-15.

i. Lack of sufficient information about transportation impacts.

As identified above, the Application omits significant, necessary information about potential traffic impacts, including final maximum traffic generation numbers, site distance impacts for intersections like that at Grip Rd/site access road, modeling with speeds anticipated by Skagit County's Road standards, mitigation for site distance impacts, the impact of truck-trailers crossing the centerline between the site and Old Highway 99, travel east of the Mine, and the redistributed traffic to Cook Road. These must be addressed.

2. The MDNS issued absent consideration of applicable mitigation measures.
While the MDNS included several conditions, the vast majority of them merely require

compliance with existing standards (though the MDNS did not require observation of Skagit County's 300-foot buffer and instead embraced CNW's decision to apply only a 200-foot buffer). To the extent that the MDNS included conditions for transportation impacts, it merely directs CNW to avoid hauling with trailers or to design and construct unidentified road improvements on two turns on Prairie Road. Other mitigation measures that should have been considered include:

- Scaled-back size of mine;
- Scaled-back rates of extraction;
- Limiting hours of operation to daylight hours during the workweek. This would partially address areas where the site distance is impaired;
- Limiting the daily number of truck trips;
- Protections from sedimentation and stormwater drainage into Swede Creek;
- A drainage/runoff plan for the length of the private haul road to prevent surface water impacts from heavy traffic on the haul road;
- Requiring roadway upgrades to decrease the likelihood of collisions between Project trucks and other vehicles, bicycles, and pedestrians; and
- Identifying a prescribed haul route.

D. Conclusion.

Notwithstanding the five-year interval since CNW initially applied for the special use permits, it has not supplied PDS with environmental information about the proposal sufficient to warrant a threshold determination. PDS issued the MDNS without fully considering the Project's significant environmental impacts, from loss of habitat for an endangered frog to traffic impacts to impacts associated with the private haul road. CSVN therefore asks PDS to correct that mistake by withdrawing the MDNS and by coordinating with the Applicant to conduct an EIS for the significant impacts referenced above.

In addition, CSVN requests that PDS publish online the comments submitted to address the MDNS as soon as possible.

If you have any questions, please contact me at 360-622-8060 or kyle@loringadvising.com.

Sincerely,

Kyle A. Loring
Counsel for Central Samish Valley CSVN

Cc: Michael Cerbone
Martha Bray
John Day

Attachs:

A. CSVN Letter to Hal Hart re: Proposed Grip Road Gravel Mine #PL16-0097—Comments on SEPA Review
B. WDNR timber harvest map
C. Skagit Valley Bike Map
D. Grip Road Gravel Mine Peer Review Traffic Impact Analysis
E. WDFW map showing wetlands and drainages near haul road
F. US Fish and Wildlife Service Critical Habitat map for Oregon Spotted Frog

From Host Address: 216.160.85.174

Date and time received: 4/30/2021 2:14:35 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 2:25:02 PM

Name : Monty W Mcintyre
Address : 585 PLEASANT BAY
City : Bellingham
State : WA
Zip : 98229
email : mont137@msn.com
PermitProposal : PL16-0097
Comments : Greetings
I am writing in regards to the MDNS to the proposed gravel pit by Miles Extraction Co.
My personal experience is that this is an irresponsible company that will not hold itself accountable. Please let me get this off my chest to start with!
While driving on Highway 9 a couple years ago an oncoming Miles Cement truck blew out a massive tire, just as we were passing one another south of 84th street. I was going north in my red 97 F250 and the Miles truck was going south. An extremely loud explosion occurred adjacent to me, mustard colored muck and tire debris slapped my vehicle, coating and chipping my windshield / drivers side and startling me the hell out of me. I pulled over immediately on the shoulder to see what had happened. I saw that the Miles truck had also pulled over. After surveying the situation beside that busy highway, I went north to the roundabout, and returned directly to the Miles vehicle, parking in front of it on the southbound shoulder of highway 9. I saw the tire behind the driver door was destroyed. It had caused the explosion and the damage to my truck. I spoke with the driver who told me to write down my name and phone number and he would "turn it into the office that day when he got back " I wrote my name and phone number on a slip of paper and gave it to the driver. I never received a call back about the incident and have a chip, from that blown tire, in my windshield to this day. I can honestly say that Miles damaged my truck. Then the driver, or the office personnel blew me off!
Why would I believe anything they or their agents will submit?

Regarding the MDNS. I hope our county can understand that this proposal has very significant, and permanent, negative impacts. As someone who has worked outside all his life and knows something about natural systems, it is absolutely absurd to me that the county is promoting this. Hugely damaging activities are now considered nonsignificant to our environment, or can be easily "mitigated: What will be the legacy of Skagit County's permitting process?

Does DNS really mean:
Damning Native Species?

Are Chinook Salmon of value to the declining local Orca population? WDF once had grand plans to restore native salmon runs. What are the current state of affairs? Can Samish River produce Chinook to alleviate some of the food shortage for Orca and provide for the human hunger for Kings as well??
What potential for siltation during a major pineapple express event would this disturbed acreage above portend for any restoration of Swede creek / Samish River salmonids?

What role did Skagit county play in permitting the logging that caused the mudded spawning gravels that caused the near extinction of Phinney Creek Steelhead, a run that was once spectacular?
What Role did the County play in permitting the destruction of Baker Lake Sockeye? How many return now compared with the 85,000 that was once an average run?
Historically the county has a terrible record of Native salmon conservation. From culverts to dams to gravel pits and logging. The lack of concern is cumulatively glaring!
Maybe MDNS is code for Maliciously Destructive Not (for) Salmon.
If it wasn't for the regional salmon enhancement groups our salmon may already be gone. Now they are just mostly gone! What does the future hold for salmon that are under constant attack from activities such as are proposed?
Consider the recent findings that Coho are particularly affected by an ingredient in tires which causes high mortality. Coho can live for a couple years in freshwater before out-migrating. What is the historical distribution of Coho in swede creek and Samish rivers? How many tires will wear away over the term of this proposal in the pit activity? How many pounds of rubber particles will run off from the road trips along all routes planned by these trucks? I'm still thinking about that tire blowing up next to me on # 9, what was in the mustard colored crap sprayed all over my truck?

Many forms of native life exist on this parcel, including hundreds of songbirds , currently singing to the brood in their nest at daybreak. What will happen to those birds when their nesting trees are excavated away so Miles can dig and then mix new cement for land developers? What will the morning sound like when diesel engines start with puffs of black smoke and no birds? I would proffer another DNS = Does Not Sing. It's a Dang Nincompoop Scheme that Dooms Nice Songbirds which is also D Nasty (&) S. Will human residents have a better day when they wake up hearing front end loaders, dump trucks, excavators and conveyors rather than birdsong and frogs - then get their windshield broken on the way to school?

I'm no biologist but did find a cute salamander with a yellow stripe on it's back last week. The frogs have been croaking for some time and so I think of all the amphibians along Swede Creek. Don't have time to make a list - should be doing taxes and going outside to work on some other stuff. I feel the need to get involved but it's most likely an aggravating waste of my time. Big business always get their way, they just pay an attorney to get it done! Ordinary citizens scramble to try and put in some feed back on short notice , THANK YOU FOR THAT!

Disavowing Natural Systems is Detrimental Not Sensible.
Our society will not be secure when some amongst us keep keep fouling our communal nest for profit, that's for sure. As I get older I see fewer functioning Natural Systems. I hope we can agree on this. Man has been wrecking things for a long time. Precious natural resources that effectively support healthy life have been in decline for decades. This dangerous trend is now exponentiating with increasing pressure from proposals such as this. Please pay attention and limit this destruction.

This gravel mining is Most Definitely Not Suitable for our community

STAY HOME STAY SAFE
Monty McIntyre

From Host Address: 75.172.124.90

Date and time received: 4/30/2021 2:23:03 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:20:02 PM

Name : Shelley Allen
Address : 22018 Grip Road
City : Sedro Woolley
State : WA
Zip : 98284
email : shelley@muzylowski.com
PermitProposal : PL 16-0097 Concrete Nor'west (CNW) application mining special use permit
Comments : Three Main issues regarding the proposed Mine on Grip road are: Environmental impact, Road safety and Third Party Sales. A comprehensive study of the issues and impacts of the effects of a gravel mine in this area should absolutely be implemented.

The Samish river and basin, have been a concern for habitat loss and degradation. The State and local communities have allocated enormous funding to protect these rivers. The mine project proposed on Grip Road, needs to be subject to a full environmental review.

Concrete Nor'West/Miles have already have an impact on this critical river from their Belleville site, also adjacent to the Samish River. Thousands of heavy load-filled trucks, leaking fluids, producing dust and emissions would be added to a second site of this critical river.

A full Environmental review must be required. This mine operation needs stringent environmental protection rules that protects the wetlands and that are carefully enforced.

Grip Road is a narrow, winding and steep road. With the current conditions there is no way that the addition of thousands of gravel trucks traveling on it could be considered safe. Grip Road is a regular route for many bicycling clubs/groups, as well as antique car clubs, as it is a quiet road that has been favored for it's scenic qualities and minimal commercial traffic. Many of our neighbors walk the road for exercise and also walk to the riverside in the summer.

Our home is on a hard corner on Grip Road, just up the hill from the proposed mine access/entrance. We have had many vehicles skid on the corner and slide off the road damaging trees and signs. Last month a Skagit county road worker had to replace or repair the corner sign three times. This and many other significant corners on Grip Road would be unsafe for large vehicles passing one another, and again, for pedestrians and cyclists. We have not seen maps and details that would show how these concerns would be mitigated.

What is the maximum runs of trucks per day (including roundtrips). Please confirm there will be a noise study of the use of compression brakes.

The proposal states that gravel can be sold directly to the market from this site. What are the restrictions on these transactions and what haul roads will they be using? Third party sales would create an undetermined effect on the area and should not be allowed.

From Host Address: 172.92.201.237

Date and time received: 4/30/2021 3:17:33 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:25:02 PM

Name : Frederic Allen
Address : 22018 Grip Road
City : Sedro Woolley
State : WA
Zip : 98284
email : rik@rikallen.com
PermitProposal : PL 16-0097 Concrete Nor'west (CNW) application mining special use permit
Comments : Two Main issues we have regarding the proposed Mine on Grip road are: Environmental impact and Road safety.

As proposed we believe that there is far too little done to study the site and mine proposal to mitigate the effects of a gravel mine in this area. A comprehensive study of the issues and impacts of this project should absolutely be implemented. The Samish river and basin, as well as many of Washington State's rivers have been a concern for habitat loss and degradation. The State and local communities have allocated enormous funding to protect these rivers, I can not understand why a project, as large as the mine proposed on Grip road, would not be subject to a full environmental review. Concrete Nor'West/ Miles have already have an impact on this critical river from their Belleville site, also adjacent to the Samish River. Thousands of trucks rumbling, leaking fluids, producing dust and emissions would be added to a second site of this critical river. A full Environmental review must be required. We all would be at a loss if this mine is permitted without stringent environmental review that protects the wetlands and all buffers are carefully enforced.

Regarding the road safety issues, this is one issue that has brought together all of our neighbors, regardless of anyone's political, social or community background. Grip Road is unsafe. The stretch of Grip road from Prairie road is has multiple blind corners on a steep hill. My wife and I frequently walk and bike on Grip road year round. It only takes a few large pick up trucks on Grip to force anyone on the road into the gravel embankment. Anytime a commercial truck has come around the corner with people on the road, they are forced to either brake hard, or cross over to the opposite lane. Two gravel trucks, passing each other, with or without trailers, will occupy all the available pavement making it an extremely dangerous situation for anyone (including animals). There is no way I can see this winding steep road being considered safe. Grip road is a regular route for many bicycling clubs/groups, as well as antique car clubs, as it is a quiet road that has been favored for it's scenic qualities and minimal commercial traffic.
Our home is on a hard corner on Grip road, just up the hill from the proposed mine access/entrance. We have had, almost monthly, vehicles leave the road and slide into the corner. Last month a Skagit county road worker had to replace or repair the corner sign three times. Grip road has many significant blind corners that would be unsafe for large vehicles passing one another, and again, for pedestrians and cyclists.
We have not seen maps and details that would show how these concerns would be mitigated. Truck traffic, as currently proposed, would have a major impact on our quality of life and safety.

Thank you.

From Host Address: 172.92.201.237

Date and time received: 4/30/2021 3:22:31 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:30:02 PM

Name : Ingo Lemme
Address : 5856 Park Ct
City : Sedro Woolley
State : WA
Zip : 98284
email : ilemme@cnw.com
PermitProposal : PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)
Comments : I would like to comment on the SEPA determination issued by Skagit County Planning and Development Services in response to the gravel mine development application submitted by Mile Sand & Gravel.

The route proposed for hauling the gravel over Grip Rd. and Prairie Rd. is inadequate for the type and volume of truck travel proposed. The MDNS does not adequately address the problems on this route including curves on the Grip Rd. hill that are not wide enough to accommodate the truck traffic without crossing the center line. There are many portions of this route that are dangerously narrow for such traffic. I am a bicyclist and long stretches of this route have virtually no shoulder, so that the road is not wide enough for a gravel truck, a vehicle travelling in the opposite direction and a bicycle. This is an extreme safety hazard. With the volume of truck traffic proposed by this project, the frequency of this hazard increases very significantly. These hazards are not adequately addressed in the MDNS and a full EIS is needed. Related hazards are the intersection of the haul road and Grip Rd. and the intersection of Grip Rd. and Prairie Rd., and these hazards are not adequately addressed in the MDNS. Another issue inadequately addressed in the MDNS is the impact of the proposed truck traffic on the physical infrastructure of the roads themselves; these roads are inadequate for this volume and type of truck traffic, which will cause accelerated wear and need for expensive repairs.

The proposed project will have significant impacts on wetlands, fish/wildlife and drainage, which are inadequately described in the MDNS. The MDNS also inadequately deals with the noise and vibration impacts and the increased diesel exhaust impact on air quality. These issues need to be considered with a full EIS.

Because of the inadequate delineation in the MDNS of both the impacts of this proposal on road safety and road degradation as well as the impacts on the environment, including wetlands, fish and wildlife, noise and air quality, I strongly disagree that a MDNS is adequate and request that a full EIS be required.

Thank you for your consideration of these issues.

From Host Address: 50.34.213.251

Date and time received: 4/30/2021 3:26:12 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:30:02 PM

Name : Jennifer Aven
Address : 6478 Lillian Lane
City : Sedro Woolley
State : WA
Zip : 98284
email : Jenjen2912@yahoo.com
PermitProposal : Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097
Comments : My husband and I are extremely concerned at the re-issuance of the permit for the gravel mine. There seems to be absolutely no concern for the safety of my family or my neighbors as we drive on the narrow and winding roads of Grip and Prairie. We demand that thorough and comprehensive studies be done to address the risks that this severe increase in large heavy trucks on our small backwoods roads be performed and then that any and all concerns be adequately addressed. My parents, my children, my husband and myself are on these roads two to four times a day each and the idea that county would ignore putting their lives at risk, especially for profit, is appalling. I find the idea of facing a large truck barreling down the "S" curved hill on Grip while in possible drifts across that center line terrifying. The option to avoid it would be down an embankment. What will happened when the school buses are passing through as well? What does it look like at those 90 degree corners on Prairie just before Old 99? Are we all just going to have to swerve and break hard to miss these trucks? I've had a close call with a large vehicle there before and the adrenaline rush doesn't dissipate until you reach Burlington. This is unacceptable. We shouldn't be forced to endure that every day.

Lets not also ignore the dramatic increase or the wear and tear of roads not built for that kind of traffic. We must study what the effects of those 30 round trips an hour means. And all the environmental effects...I'll leave it to my neighbors to cover those concerns in great detail, but we are worried about all of them as well.

We chose this beautiful area over 15 years ago because of the quietness and the serenity. We chose the intimacy and safety of tiny Samish Elementary and its back roads bus routes for our children. We expect to share the roads with an occasional tractor or horseback rider, not an industrial flow of heavy trucks. I know that things progress and change, but I implore you to please take the time to do the right thing. Study in depth all the consequences this mine will have on our community and hop in your own vehicle, go for a Sunday drive down the length of Prairie and Grip and picture what this mine and it's traffic will do to every single person who lives here and drive these roads.
Thank you for your time.

Sincerely,
Jennifer Aven

From Host Address: 50.34.125.113

Date and time received: 4/30/2021 3:26:26 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:30:02 PM

Name : Miles Sand & Gravel Company Inc.
Address : PO Box 280
City : Mount Vernon
State : US: Washington
Zip : 98273
email : dan.cox@miles.rocks
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : On behalf of Miles Sand & Gravel Company Inc. (Concrete Nor'West), I am writing to express our support of the 4-15-2021 MDNS for the above noted project. Miles has worked diligently to provide all of the requested information to allow the County to review and condition this application to address public concerns and ensure compliance with County requirements. We would encourage the County to move forward with preparation of the staff report and scheduling of the public hearing so that a decision on the application can be made.

From Host Address: 50.34.67.130

Date and time received: 4/30/2021 3:29:08 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:40:02 PM

Name : Jesse
Address : 20631 Prairie Rd
City : Sedro Woolley
State : WA
Zip : 98284
email : jfaxonmills@gmail.com
PermitProposal : Concreted Nor'west/Miles Sand & Gravel; PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)
Comments : April 30, 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concreted Nor'west/Miles Sand & Gravel; PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

Thank you for this opportunity to voice my concerns about Skagit County's recently re-issued MDNS regarding the mine development application of Miles Sand and Gravel.

Until recently, I wasn't fully aware of the extent to which this would impact the area where I live, and especially how it could upend the lives of my neighbors to the near south. I live about 1 mile north of the proposed gravel mine area have recently become aware of gravely concerning details of this proposed mine. I'm extremely worried about what seems to be a lack of thorough research by the county into what this project would mean for those living on Grip road and in the surrounding community. The lack of up-to-date studies by the County on the environmental impact is deeply concerning as well.

For over 30 years, my parents have lived ten minutes away from the forested land off of Grip Road. They know many of the people who live in that area and have been allowed by kind neighbors to explore those forest lands with their family. More recently, they've been sharing the beauty of those woods with their first grandchild. They've seen tracks of cougars and bears, in addition to a wide assortment of birds and other small creatures. This would all be profoundly impacted in a very sad way if we allow these territories to be stripped for gravel, fill the air with exhaust from transport trucks, and fundamentally disrupt their habitat.

And, the Samish River, which runs behind my house and which I fished in as a kid, would also be irreversibly impacted. The river and surrounding wetlands provide habitat for the Oregon Spotted Frog, designated endangered by the state and threatened federally, and the Bull Trout, another species listed as threatened on federal lists also has critical habitat on this river. As I understand it, when issuing the MDNS, the Fish and Wildlife Assessment used was

incomplete and over five years old. There's no mention of endangered status species in the MDNS. State and federal agencies addressing endangered species must be consulted.

I also can't help but think of how this project will affect the safety and infrastructure of the roads. Grip Rd is narrow, with twists and turns. It intersects with Prairie Rd (where I live) on a tight corner of Prairie, and I've already had cars pull out in front of me who didn't see me coming around that turn. I fear that the safety impact of dozens, perhaps hundreds of trucks daily on Grip road would be disastrous. I understand that the Traffic Impact Analysis located lane encroachment on this route, including on the twisting Grip Road hill spots, but neither the TIA nor the MDNS analyzes or mitigates this problem. Head on vehicle collision are horrific. Without properly addressing this truly life or death issue, there is no answer to the community's fearful question: how will trucks and school buses negotiate safely passing on these roads? For the County to refrain from insisting on additional information and assurances on this issue would be a costly and deadly mistake, in that severe accidents involving those civilians who travel these roads would be inevitable.

Although Miles Sand and Gravel suggests an average 46 truck trips per day (already high traffic), the company says it might run up to 60 trucks per hour, which likely would be the case in peak season. The impact of anything even close to such heavy traffic would pose both a safety hazard and a negative impact on road infrastructure. Impacts on infrastructure also need to be evaluated, and provision should be made for the applicant to pay a fair share of cost for maintenance and repairs if the project is approved.

From what I can see, this project has not been thoroughly examined. In order to allow the mine to exist, the County would make an exception to allow only a 200 foot buffer. How can this be considered acceptable when Critical Areas Ordinance (CAO) requires a 300 foot buffer adjacent to high intensity land use? This project will be nothing if not high intensity: a 60 acre mine site on 700 contiguous acres, going 90 feet deep, with over 11,000 heavy truck trips per day over 25 years. Clearly, the Critical Areas Ordinance defines its terms regarding high intensity projects for crucially important reasons. Those crucial points of this Ordinance must not be disregarded without closer examination of the high intensity nature of this entire proposal.

Grip Road/Prairie Road is our home. It is rural, and home to many farmers and families. It is the type of place that Skagit County is known for, which hasn't yet been overcrowded or stripped for profits. Pushing through this gravel mine without thoroughly examining its many impacts on the people, animals, and plant life would be an outright betrayal. An application to substantially change its character, its safety, and its multi-use function for all species should be assessed with all of the tools that the County has in place, including state and federal metrics.

Please reverse the Threshold Determination under SEPA, require a full Environmental Impact Statement to evaluate environmental fallout from this project, and fully examine the public safety and quality of life impacts of this proposal.

Sincerely,

Jesse Faxon-Mills
20631 Prairie Rd
Sedro Woolley, WA 98233

From Host Address: 172.92.208.120

Date and time received: 4/30/2021 3:36:01 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:40:02 PM

Name : Linda L Walsh
Address : 21710 Prairie Road
City : Sedro Woolley
State : WA
Zip : 98284
email : walshl2006@hotmail.com
PermitProposal : PL16-0097 & PL16-0098 Concrete Nor'West reissued MDNS
Comments : April 26, 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
MT Vernon WA 98273

RE: Concrete Nor'West/ Miles Sand & Gravel
PL 16-0097 & PL16-0098,
Notice of Withdrawn and re-issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

My husband and I own land adjacent to the proposed mine parcel so this project will have a significant impact on our lives and property. We have lived on Prairie Road for nearly 30 years. I have had many concerns regarding this project from the beginning in 2016 and want to comment on the many of the same concerns on the reissued MDNS.,

The revised MDNS has changed very little from the original 2016 document despite countless hours of documentation submitted to the County from our Community group that documents multiple traffic safety and environment issues. The video, photo, written and verbal communications provided over the past few years have recognized these serious concerns from the beginning.

It has taken nearly 5 years for County and experts to acknowledge what we have known from the beginning. The trucks cannot stay in their assigned lanes. However, the mitigation offered only addresses 2 intersections and 2 corners. Documentation is clear there are many other similar corners and intersections on the possible transportation routes. These routes and safety issues remain unevaluated and still falls far short of what Skagit County Code and SEPA requires. It does not fully evaluate the potential impacts of the proposed commercial mine project. This reflects the County's lack of understanding of the size and scope of this project. To ignore these documented problems will result in unacceptable risks for the environment and public safety. A full EIS must be required in order to adequately identify and address the number of safety and environment concerns.

The applicant’s TIA and the MDNS have already identified significant current traffic problems in the area without even using accurate data. The average 46 truck trips per day that

is calculated by spreading trips out over a 12 month period is a useless number for calculating traffic safety. The yearlong average of truck trips does not give an accurate number of trucks that will actually be present on the road system each day. During the high volume construction season they will exceed the average daily 46 truck trips for several months. The number is not only is inaccurate it is misleading to the public by implying there will be an actual 46 truck trips per day.
It does not take traffic experts to know the MDNS mitigation of the 2 corners which will not allow trucks and trailers, will cause a significant increase in the numbers of solo dump truck trips to haul the desired amount of material. These trips will far exceed the average 46 truck trips this proposal is based on and this increase of solo trucks must be evaluated. Likewise, sales to private or 3rd parties will also result in an increase of trucks. The additional number of trucks is not included in their TIA. These increases must be added to the 46 average truck trips. If the applicant decides to use alternate routes with truck and trailers, those routes need evaluated. A Level II TIA needs to be done.

Mitigation to comply with the weight limit on the Samish bridge will also cause unevaluated routes to be used. The Cook Road/Old Highway 99 intersection, which is included in the haul route but not evaluated in the TIA for safety or level of service (LOS), is well documented by the County to already be operating at LOS D, which is below the County's minimum requirement of LOS C. Adding hundreds of trucks to this intersection will degrade the LOS even farther. I have seen trucks and trailers force a vehicle stopped at the light to back up in order to avoid being hit by the truck trailer straying into their lane. The F & S Grade/Prairie Road intersection has in recent months had 4 traffic accidents and it remains unevaluated for safety of LOS, despite the fact it could become a regular alternate route for trucks and trailers. If it had been evaluated it would be apparent that trucks cannot stay in their assigned lanes, this is unacceptable.

The final SEPA determination must evaluate the traffic safety impacts of the project based on the actual maximum number or trips per hour and set a hard limit on it. The County must also set limits on the duration and frequency of occasions when it will allow higher than average trip numbers. We already see communication between the County and the Applicant deciding how they could be allowed to exceed a maximum of allowed trucks.
There should be no direct sales to private or 3rd parties without all routes being evaluated .

1. Require safety analysis and mitigation measures for ALL locations where trucks will encroach on the opposing lane of traffic. The MDNS states that trucks with trailers will encroach two to three feet into the opposing lanes of traffic at the two sharp corners on Prairie Road near the intersection with Old Highway 99. It also requires that the applicant reconstruct the road at this location and correct this acknowledged safety issue. The applicant's TIA identifies the same issue, but also states that there are several other locations on the haul route where trucks will cross over into the other lane. It does not identify these other locations, provide analysis of the specific safety issues there, or propose any mitigation. From my personal observations and those of other area residents, other locations where this is an issue include, but are not limited to, the steep S-curves on the Grip Road hill, the eastbound approach to the Samish River bridge on Grip Road, and practically every intersection on the identified haul routes.
2. Take increased non-mine traffic over time into account in analyzing the traffic safety and road capacity impacts of the project. The TIA uses intersection vehicle counts from 2020 as the base for evaluating the impact of mine traffic and does not factor in increasing traffic over time with growth. There is no explanation of why this was not done. If the applicant and the

County are not going to take this into account, they must provide clear evidence to show that substantial increases in background traffic are not likely to occur during the proposed 25-year lifetime of the mine.
3. Provide clear, graphic analysis of ALL locations on proposed haul routes where intersection and/or stopping sight distances do not meet required minimums for all types of vehicles. Require mitigation of all such locations. Graphic "Vision Clearance Triangle" analysis (Skagit County Road Standards, 2000, Appendix C-7) or other industry standard graphic analysis is needed for all such locations and adequate mitigation measures required for project approval.
4. Flashing speed warning beacon systems proposed for the Grip/Prairie and Grip/Mine Entrance intersections require analysis as to what they are intended to accomplish and how they will do it. The existing speed warning signs on Prairie Road at the Grip intersection clearly do not work and no analysis has been provided to show that a flashing warning light system will work better at either location. The County must require the applicant to conduct field studies to determine what the actual maximum safe speeds are for these intersections and require mitigation measures that will ensure these limits are met.
5. Fully evaluate accident records for all road segments and intersections on the haul route, including causes and contributing factors. Provide analysis of the impacts mine traffic will have on the number, type, and severity of accidents to be anticipated with both existing and future traffic volumes. Require effective mitigation measures. The existing TIA accident record analysis is limited to certain intersections on the haul route and does not look at causes and contributing factors. It excludes a number of additional intersections, including Cook Road and Old Highway 99, as well as accidents not occurring at intersections.
6. Evaluate the impacts of mine traffic on the existing roads and bridges and require the applicant pay its fair share of the costs for increased maintenance on our already sub-standard rural roads. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required significant repairs over the last few years. Roughly 12,000 truck and trailer trips per year over 25 years will necessitate a lot of additional maintenance by the county roads department. This must be paid for by the applicant, not the taxpayers.
7. School buses are not match for the large trucks and there are several times per day, 180 days per year that the will be transporting our children. These children wait in the dark on roads with little to no shoulder and no evaluations have been done to ensure the Buses can share the road safely with the massive dump trucks and trailers.
This is an industrial scale development located in sensitive rural environment where no commercial mining has ever occurred. It will cause irreparable and significant harm to the natural environment including habitats along the Samish River and Swede Creek, as well as upland wildlife habitat. The MDNS falls far short of identifying and mitigating impacts.

• The environmental review did not consider the full footprint of the project. Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.
We are disappointed the hours of transportation and operations have not been restricted more. Operating and transporting 10 hours per day and on weekends does address the negative impacts on my family and others trying to enjoy our homes and properties.
The County is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high

intensity land use and the MDNS needs to reflect proper mitigation to comply with CAO.
The Fish and Wildlife Assessment was done in 2015 and is out-of-date and incomplete. The limited Fish and Wildlife Assessment provided by the applicant is more than five years old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site. The MDNS does not mention these “ESA” species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.
Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the entire project footprint need to be identified so that operators and regulators know where they are.
Wildlife corridors are not identified and or protected. Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.
A drainage plan needs to be required to protect water quality from runoff on the private haul road. Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.
Impacts to groundwater are not adequately evaluated and protections measures are not required. They intend to excavate the mine to within 10 feet of groundwater. The hydrogeologic report is based on 2003 data supplied by Concrete Nor'West . They hydro company based the ground water levels on that data and it is nearly 18 years old. The High Seasonal Ground Water has not been re-evaluated since 2003 and yet they must keep the mine 10 feet above that unknown level. Leaving only 10 feet of natural material does allow for much error. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river.
The Noise and Vibration Study did not base information on specific size of equipment. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. Here again they try to use an average of dBA, not maximum noise levels. They did not measure noise received at neighboring property boundaries but instead chose areas to take data at least 1800 feet away from the property boundary. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a significant change for our property and should be taken into account in a full EIS.
Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves emissions from thousands of diesel trucks over a 25 year period. I know the County is aware of the significant adverse impacts vehicle emissions have on air quality because in their parking lot the have 'No Idle zone' signs. If there is a concern for ordinary automobile air pollution it seems thousands of diesel trucks and thousands of hours heavy equipment emitting pollutants would have been a priority to evaluate with an EIS.
Cumulative impacts were ignored. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a “temporary” activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat

and fish bearing streams. These are not reversible impacts. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period.
The MRO designation does not automatically give a business the 'green light' to operate, it does not even ensure extraction will be possible. It only identifies there are mineral resources present. This project would have received an automatic 'green light' to operate back in 2016 with little meaningful documentation if our Community had not spent countless hours and thousands of dollars submitting information supporting the safety issues and environmental issues, some are now recognized by the County to be present today. This industrial mine cannot be permitted based on incomplete and inaccurate data.
This project cannot be mitigated without causing undue hardship and adverse impacts on local residents and it is incompatible with current land uses.

In order to even try to fully mitigate road problems land-owners would be required to give up land on sections where the road needs to widen and there is no easement. The level of noise, dust and vibration that properties will receive cannot be mitigated. The County and the Applicant have had over a decade to invest into the infrastructure knowing they would be wanting to extract and transport the gravel, and yet their lack of investment and planning will cause an extreme burden on local residents if this project is allowed to move forward at this time.
Mitigation to lower the speed limit just because the applicant wants to introduce high volumes of trucks into our roads also adds the burden on the residents, increasing commute times which are already long.
There is no way to mitigate the decrease in property values due to the presence of undesirable truck traffic and adverse impacts of a nearby industrial gravel mine. Once again residents will bare the entire burden of this significant impact.
It is not just a "borrow pit" as one of the CNW representatives told the Hearing Examiner in a meeting. It is a high intensity, full scale industrial mine and transportation project that will remove and transport 4.2 million cubic yards of gravel and transport it via an inadequate, substandard public road system across wetlands and wildlife habitat. They will strip all topsoil, timber and vegetation and excavate 50 to 90 feet deep over 50 acres, this an open pit industrial mine with a 25 year duration. Approximately 6500 feet of Samish River front is the eastern border of the mine, this project clearly needs a comprehensive EIS to identify all its adverse and dangerous impacts.
Please take another look at all the impacts this industrial mine will have on this area and listen to the valid concerns we have regarding this project.

Sincerely,
Linda & Robert Walsh
21710 Prairie Road
Sedro Woolley WA 98284

From Host Address: 172.92.225.214

Date and time received: 4/30/2021 3:37:41 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 4:00:01 PM

Name : Larry William Hedgpeth
Address : 5809 Brookings Road
City : Sedro Woolley
State : wa
Zip : 98284
email : ljhedgpeth@gmail.com
PermitProposal : Special Use Permit Application #PL16-0097 Grip Road Gravel Mine
Comments : April 30, 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services 1800 Continental Place
Mount Vernon, WA 98273
RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads
Dear Mr. Cerbone,
Since I commented yesterday on this site about the proposed gravel mine on Grip road, my thoughts have kept going back to other concerns about roads and traffic safety. So I decided to submit another comment before the deadline today.
A major concern is the route the trucks will use getting to and leaving the mine. The only plan I have heard about is to take the gravel to a site south of Prairie Road on old 99 for processing and sale. Is there anything to limit Miles to that route or that destination? If so, that should be spelled out clearly in the paperwork for the permit and / or the MDNS. Failing that, shouldn't the county consider the condition of all likely haul routes and include reasonable requirements for them also in the MDNS? Many of these routes have some of the same problems as the route that has been identified – sharp turns, narrow roads, lack of shoulders wide enough for bicycles or people, limited visibility, etc.
Most of these roads up here were not built to any modern standard of width or materials. Running thousands of full gravel trucks a year over the same route could result in some pretty expensive repair bills. Will Miles be required to pay a share? Maybe using a variety of different routes would cause less of an overall impact and actually save money.
The warning lights at the mine entrance and at the Prairie/Grip intersection may work fine, or they may need some sort of an upgrade or to be replaced by a different traffic control system. How can anyone tell in advance what will be needed at those two spots to keep everyone safe? The county should examine all of this very carefully before giving Miles such a long permit.
Here's an idea I haven't heard considered yet: why not give the mine a provisional permit for 3 or 4 years of operation to see how many of these problems come up and how bad they are? Then the mitigations for the balance of the 25 year permit could be negotiated on the basis of evidence instead of conjecture.
Shouldn't the county represent the interests of all of us – Miles and the general public? Miles is a pretty large, successful company with people on staff who are well experienced working with government agencies on all the issues involved in the permitting process. Who in the county is representing the general public or the public interest?
Over this long process, many issues have been raised and questions asked by concerned citizens. And many, many comments submitted. But only vary rarely in the past 5 years have any of us been able to dialogue with county staff in a substantive way about any of these issues and concerns. The process has not worked very well for those of us on the outside. If

the county doesn’t listen to us, how can we be heard?
Larry Hedgpeth. 360-855-5326

From Host Address: 172.92.218.39

Date and time received: 4/30/2021 3:55:55 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 4:00:02 PM

Name : MATTHEW MAHAFFIE
Address : 22031 GRIP RD
City : Sedro Woolley
State : WA
Zip : 98284
email : mahaffim@hotmail.com
PermitProposal : PL16-0097
Comments : April 30, 2021

Matt Mahaffie
22031 Grip Road
Sedro Woolley, WA 98284

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

RE: PL16-0097

Dear Mr. Cerbone,

I am writing in comment to the special use permit application PL16-0097, a proposed operation of a gravel mine by Concrete Nor'West. I am supportive of the need of the company to have a reliable source of their base material going into the future, a need that also in many cases has a public benefit, but have serious concerns about the proposal as presented which will place undo burden upon the local community's quality of life, safety, and environment without any meaningful mitigating measures volunteered by Concrete Nor'West nor Skagit County, even after extensive public input for several years.

I am very familiar with this property, having spent over 20 years traversing all portions of the property when it was open for public access (previous owners) as well as reviewing it professionally as a wetland/critical areas specialist under other development proposals. I am also a nearby resident of the community who also spent many years as a CDL licensed driver of the types of trucks proposed to be utilized with this endeavor. Specific concerns are as follows:

Critical Areas Review

In the normal course of work I personally have the utmost respect for Graham-Bunting Associates and Skagit County Planning staff, and as previously commented, respectfully disagreed with a few key findings presented with the supplied report and/or the scope of work

that should have been specified by Skagit County. The fact that these distinct factual errors and very clear requirements of Skagit County Code were ignored after being pointed out by the Washington State Department of Ecology, two Skagit County approved Critical Area specialists, and countless community members is very disturbing.

• The singular wetland rating put forth appears accurate. However, the land use intensity (moderate) put forth in no way conforms to the land use intensity description put forth in Appendix 8C of WA DOE Publication No. 05-06-008 as required if using the alternative buffers in SCC 14.24.230(1)(b). This is not just my personal opinion; it is my opinion as a Natural Resource Planner and staff biologist for a local County government, trained by the Department of Ecology in the use of their rating system, as well as a consulting wetland professional recognized by Skagit County as such via inclusion as a recognized qualified professional included in Skagit County PDS list of approved consultant (having submitted hundreds of approved critical area assessments to Skagit County). It was also the consistent opinion every professional wetland scientist and agency reviewer that I inquired with, including the Department of Ecology (Doug Gresham, DOE, personal conversation 12/23/16) the authors of the said referenced publication who has also commented to Skagit County on this proposal with this fact. The land use intensity for a full-time gravel mining operation is unquestionably high. A high habitat score (as put forth by the supplied wetland rating) requires a 300ft wetland buffer per SCC 14.24.230, not 200ft as proposed (300 also being the standard buffer).

• The review/assessment also neglected SCC 14.24.230(2), where in general, buffers are to extend 25 feet past the top of sloping areas that are 25% or greater. The site plan as indicated shows areas where this provision is applicable. Regardless of the aforementioned land use intensity issue, the buffer likely should still extend past the line indicated in areas unless there is a rational reason put forth not to, which does not appear to have been done specific to this.

• A wetland assessment is required for this project as proposed (regardless of the land use intensity) per SCC 14.24.220. A wetland assessment has not been submitted for this project even though the Fish & Wildlife Assessment made it clear that a wetland was present. The wetland assessment should include a wetland delineation which was also requested to be completed by WA DOE during the initial SEPA comment period. It is unclear why this portion of Skagit County Code was ignored, as were all of the SEPA comments submitted by the singular state agency most relevant to the issue.

• Critical area review, and to a lesser extent SEPA, was limited to the proposed mine site only. However, Skagit County staff has consistently maintained that changing the use of forest roads to new uses was tantamount to a new impact, needing at a minimum assessment, and potentially mitigation. The haul road is most certainly a change of use by a drastic degree. Going from an access only used infrequently for forestry purposes to a road that could have hundreds of truck trips per day essentially in perpetuity will most certainly be an impact to the environment in numerous areas. This will be a distinct habitat break in what is presently one of the largest undeveloped tracts of left in lowland Skagit County, home to deer, bear, cougar, and elk as well as many avian and small mammal species. Heavily trafficked corridors are well known to affect the habits of such species. The haul road also drains to a salmon stream that has serious turbidity problems, and it seems inconceivable that the increased road traffic and maintenance/improvements without stormwater control will not affect this riparian area.

The road crosses one of the most productive tributaries in the Samish River basin as well as

being within the buffer of likely Category I wetlands. The road has already been improved, and it would be ridiculous to think that the significant improvements (grading, surfacing, and vegetation clearing) were solely for "forest management" after the special use permit is granted. It is unclear from the available documentation why Concrete Nor'West is not being held to the same standards as numerous clients of mine (professionally) building simple single-family homes have been; addressing the clear intensification of impacts when transferring the use of a logging road to another use.

• No meaningful protective measures have been assessed to the buffer of the critical area adjacent to the mine operations. While recording of a Protected Critical Area (PCA) site plan is standard and generally adequate for a single family home, a commercial operation with employees on heavy equipment, no oversight, and no vested interest in the observation of the buffer is a recipe for disregard of said buffer (not to mention a PCA is required by SCC). Glaringly as well, there is no reference on the ground for the buffer. If there is no survey or mapping, how will anyone know where the buffer is? The buffer should be required to be demarcated in the field, an absolute standard practice, and in reality, should be fenced as well (absolutely standard industry practice).

• All conversion activities (PL16-0098) were supposedly limited to the mine site. Most recent aerial photos of the site (Google Earth August 2020) clearly indicate conversion activities that have occurred onsite, including conclusively within the standard review area of a clearly apparent wetland, quite likely within the buffer. The proposal and subsequent review has in no way addressed these areas of converted forest land as defined by WAC/RCW, with the scope of the noticing of the conversion activities not held to, nor the apparent non-compliance of issued FPA conditions.

Noise

The applicants have stated that their project will have no noise concerns to the neighborhood. This is blatantly false. A raised voice can be heard on neighboring properties to the north (known from personal past observation) from the area proposed to be mined. How would heavy equipment not be heard? An excavator bucket hitting the side of a dump truck is as loud as a small caliber rifle shot, and such hits and bucket shaking will take place many times a day with such a mining operation. All of the neighboring properties will be subject to such noise. On the upslope side (where I live), any use of the onsite road system by even a diesel pickup truck can be clearly heard outside on a clear day, heavy equipment use can be heard inside. There is absolutely no way mining operations will be fully self contained in regards to noise. Operations during standard business hours would be one thing, but evening and weekend operations would result in a seriously degraded quality of life in this regard. While it can be noted that the area is in a mineral resource overlay (zoning), the overlay was added after many of us moved into the area.

Also lacking in analysis is the road noise going east from the site, and very questionable analysis going west. Although eastern traffic is not part of the proposal, without a condition regarding such, there will very likely be traffic going that way as well. We live on a small country road, and most of the homes are close to the road. When the infrequent gravel truck and trailer passes by, the entire house shakes, both from the noise of the truck/engine, and the constantly used exhaust brake. The noise has been so loud that objects have fallen off of walls, children wake from naps, and any sense of peace and quite country living is shattered. We knew the conditions when we bought property in the area, and were accepting, but a constant

and potentially hundredfold increase in daily gravel truck traffic would be unacceptable for any in the area, especially in light of the fact that Skagit County Planning staff required that my home be built abutting the road rather than the several hundred feet back that I desired to address such issues. These trucks will pass many homes and will cause significant duress for many residents.

Traffic Safety

While it is nice to see that the County added conditions regarding the two 90-degree corners closest to Old 99 on Prairie Road be fixed prior to truck/trailer combos being allowed to access the site in the updated MDNS, glaring omission was made to the status of Grip Road if such happens. As an experienced driver of the types of trucks in question (still hold Class A CDL and have for many years), yes, a dump truck and pup trailer may technically traverse Grip Road from the property to Prairie Road. Reality, however, is far different. Virtually no truck driver is going to consistently traverse this road section safely. Center lines will be crossed and shoulders will be driven upon, it is a given. This creates an issue for taxpayers who will have to repair the road, for the environment that will be degraded by the continual influx of sediment from damage to the shoulder/ditch, and the public safety. There will be no place to safely walk or ride a bike on this stretch of road with trucks and trailers cutting corners. Families walk in the area, ride bikes, and commute on this road (as well as Prairie Road). Also present are hundreds of bicyclists throughout the warmer months with numerous planned rides/races using this area as one of the "safer" routes. With the development of the Tope Ryan Conservation Area (Skagit Land Trust property at Swede Creek on Grip Road) trail system, the lower end of Grip Road has also become a park like setting with many families using the area, walking the road and bridge, and swimming in the river (which can only be accessed after walking from the parking spots down the road). How will this safety issue be mitigated. While I let our older children ride their bikes down to the river now, or their friends house, I cannot allow such with such an increase in industrial truck traffic. My children's safety and basic childhood experience will forever be altered by this proposal.

In over 30 years of living in the area, I have noted numerous very serious accidents at the intersection of Grip and Prairie Roads, one of the worst blind corners in the County. Recent work by Skagit County to extend the site distance has not significantly changed the response time for a driver, and while past lowering of the speed limit has helped some, but having trucks and trailers essentially blocking the intersection throughout the day will lead to disaster, regardless of a blinking warning light (that the drivers will assuredly become numb too).

While Grip Road can technically be argued to be traversable from the property in question to Prairie Road, it absolutely cannot the other way (east). The two 90-degree corners immediately west cannot physically be traversed by a truck and trailer within the bounds of their assigned lanes. Presently, when a truck meets another vehicle, one must stop as the truck must cross into another lane to traverse the corner. It is unclear why traffic analysis did not address this when application materials clearly left open the possibility and likelihood of routing this way (and why the County has only noticed the project with truck traffic going west) without any kind of mitigating measure put forth in the MDNS.

Future Plans

It is the stated purpose of the applicants and the County that Concrete Nor'West that this project is to haul gravel to haul to their other facilities for processing. However, onsite sales

are also mentioned in some documentation, as is residential development. Concrete Nor'West also states their need as the existing pits in their portfolio are being depleted. That begs the question of why would they continue to haul to other pits for processing? It would seem to be much more practical to bring their processing to this site. The issuing of this special use permit with the presently recommended conditions would simply lead to further intensification of the site and all that would entail (onsite processing, retail sales, batch plant construction?). Honesty and consistency on the part of the applicant with proper conditioning of the permit is a must, with an MDNS issued that applies concrete terms, not generalities; to be applied to any issued permits as well. Concrete Nor'West has not been a good neighbor here, or on other properties, and there is no reason to think that would change.

The County has consistently put forth an average number of truck trips per day. The applicants have clearly indicated not wishing to be bound by this number on a daily basis. Using it without any actual limitation or conditions is quite arbitrary and by not putting

Conclusions

Whether I am sure that it was not intentional, the permitting review of this project quite preferential to the applicants and has created a high level of distrust with Skagit County in the local community, and I find that quite unfortunate. It is understood that as a company that supplies materials derived from mining operations that a reliable supply going forward would be a business necessity. However, unlike the other gravel pits in the Concrete Nor'West portfolio, they are not acquiring an existing pit in a neighborhood, but creating a new one in an existing, long established neighborhood. There will be notable environmental, quality of life, and safety impacts with no notable or worthwhile mitigating conditions placed upon the applicants, and in many regards is a slap in the face to the citizens of Skagit County I work with on a daily basis that must comply with Skagit County Code to get their permits. Regardless of the complete lack of understanding of the SEPA process to put a mitigating condition as following County code, in the instance of following the CAO while blatantly ignoring factual errors as pointed out by professionals as well as representative of the Agency which wrote and manages the documentation the County is to follow is appalling.

A cursory exercise in the finances of the project shows that there will be in excess of $100,000,000 of material sold, this is of course before costs and using an average sale price (~$25/cy as typical for 5/8 minus), but reflects the sheer volume of money involved and the resources Concrete Nor'West should be willing and able to mitigate the impacts that they will create. We, the neighbors of this site, and the citizens of the County as a whole, should not have to bear the costs for a private companies profit whether it be lost property values, health and safety, or via sacrifice of local habitat and sensitive environments. While at this time I do not support the project as proposed, the appropriate conditions following review (that is required by Skagit County Code) would make it much more palatable and supportable. This should be via a holistic review of the proposal followed most likely by an EIS.

Thank you for your time and consideration on this matter.

Respectfully,

Matt Mahaffie

From Host Address: 172.92.224.146

Date and time received: 4/30/2021 3:56:38 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Friday, April 30, 2021 4:25:43 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Friday, April 30, 2021 4:20 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Dennis Whitcomb
Address : 19117 Prairie Rd
City : Burlington
State : Washington
Zip : 98233
email : dennis.whitcomb@gmail.com
PermitProposal : PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)
Comments : Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

As a community member and the owner of a working farm on the proposed route for trucks from this mine, I have serious concerns about the SEPA determination issued in response to the development application.

First, several environmental concerns are unaddressed in the MDNS and call for an Environmental Impact Statement under SEPA. The environmental review did not consider the full footprint of the project (in particular, it did not consider the two-mile-long private road along which gravel will be hauled). The Fish and Wildlife Assessment, now more than five years old and thus expired, is incomplete even as it stands (Bull Trout and the Oregon Spotted Frog have been located very near the proposed mine; both of these are classified federally as "Threatened" species; the Assessment must be updated to consider them). Perhaps most importantly from the standpoint of effected community members such as myself, cumulative emission impacts were ignored. Every day I drive my tractor and tend to my animals, right next to the road the gravel trucks will traverse. Cumulative impacts on air quality, for those of us who work and breathe here, should be addressed in an EIS under SEPA.

Second, several road, traffic, and public safety issues are unaddressed in the MDNS (and woefully under-addressed in the Traffic Impact Analysis proposed by Miles Sand and Gravel in October 2020). These too call for further review in an EIS. The MDNS takes a symbolic

step in the right direction by requiring warning beacon systems at the Grip/Prairie and Grip/Mine intersections. But, even given these systems, serious accidents would remain likely. My daughter rode the school bus where those systems would be in place; she did so from 2015-2019. She reported *several* cases in which school buses came dangerously close to gravel trucks. It was not because they were going too fast that these school buses nearly collided with gravel trucks (school buses studiously avoid speeding). It was, instead, because gravel trucks and school buses are both wide vehicles. When these vehicles pass one another, the narrow lanes, tight curves, and tiny shoulders near the Grip/Prairie intersection leave the tiniest of margins for error. Warning beacons will not solve this underlying problem. Even if they are in place, there will remain a significant chance of tragic accidents involving school buses and gravel trucks. The community deserves a full study of this possibility and a solution we can be sure is safe. The cursory analysis by Miles Sand and Gravel, and the symbolic help it has offered via warning beacons, do not give us those things.

These issues should be studied and addressed, at the very least with a complete EIS. I hope that you and your staff think carefully about these points and choose to require one.

Very respectfully,
Dennis Whitcomb

From Host Address: 172.92.233.233

Date and time received: 4/30/2021 4:16:27 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Friday, April 30, 2021 4:34:13 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Friday, April 30, 2021 4:30 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Maria Whitcomb
Address : 19117 PRAIRIE RD
City : Burlington
State : WA
Zip : 98233
email : riarae1@gmail.com
PermitProposal : Special Use Permit Application PL16-0097 and PL16-0098
Comments : Dear Mr. Cerbone,

I am a farmer who lives and works on Prairie Road near the intersection of Old Hwy 99 N. I am writing to request that you do not approve the above mentioned project. My primary objections include safety concerns, environmental concerns and the lack of information provided by the applicant. As a community member, I find it impossible to adequately comment on something that is incomplete, so am submitting a non-exhaustive list of my current objections and concerns.

I respectfully request that you withdraw the MDNS and address the following issues:

>Assess groundwater: How will the well water in our community be affected? How will runoff affect streams and protected animals?

>Property Values: How will this project affect the value of homes and property in our community?
>Air quality: I request that the potential for air quality impacts near the mining site, and also along the haul route be adequately assessed and that the county orders mitigation measures to ensure the community is protected.
>Crime: There have been significant issues with crime occurring at the quarry owned by CNW in Acme, WA. How will CNW ensure those same problems do not occur in our community? I request that Skagit County review the history of criminal activity at other nearby CNW quarries, and that the County puts measures in place to keep our community from suffering from the same issues.
>Road Safety: How will CNW and The County ensure the safety of myself, other road users, children waiting at bus stops and the community at large. Vulnerable road users are protected under SB 5723, a recently enacted WA State Law. Due to the design of the roads, it will be impractical or even impossible for a rock truck to pass a vulnerable road user lawfully, forcing them to either hold up traffic (which, according to RCW 46.61.42 is also against the law if they are holding up 5 or more vehicles).

How will CNW and The County address the increase in traffic congestion along the entire proposed haul route, but especially at the overpass on Cook Road over I-5? That area already regularly backs up onto the freeway and trucks with trailers will only exacerbate the problem.

The danger posed by rock trucks crossing traffic at each intersection along the proposed haul route must be addressed; especially those without designated turn lanes and those that cross oncoming traffic that does not stop, such as the intersection at Prairie Rd, Old Hwy 99 N and Bow Hill Rd. If this project is to proceed, we need adequate shoulders, room to pull safely off the road to let vehicles pass adequate turn lanes and significant upgrades to control the existing intersections.

>Environmental issues need proper assessment. As outlined in the letter sent to your office and posted on the project website (Nov 2020, Jim Wiggins), the July 2015 Graham Bunting Associates (GBA) Fish and Wildlife Habitat Site Assessment report is more than 5 years old which renders it no longer valid. Even before it expired, it did not address a number of critical environmental issues. Again, it is impossible for me to adequately comment on data that has not yet been provided.

As a farmer and resident in the area which would be most highly impacted by the proposed truck route, I have personally witnessed significant problems with the safety of the roads near me already. Adding rock trucks with trailers carrying over 100k pounds will lead to more injury and deaths; there is no other way to say it.

I have personally witnessed so many serious wrecks at the intersection of Old Hwy 99 N and Prairie Rd that I have lost count. The intersection is already woefully inadequate to handle the current traffic volume and prevent serious wrecks. I've had to assist so many people who have wrecked that I actually bought an orange safety vest to help ensure the safety of myself and others while we wait for emergency vehicles to arrive. In 2020 alone, three vehicles went through our fence as a result of wrecks at the corner of Old Hwy 99 and Prairie Rd, and at least that many went through our neighbors fence across the street. In one instance, our neighbors bull actually did get out of the fenced area, and nearly made it to the road.

When Old Hwy 99 N was closed to replace the bridge near Cook Rd, the trucks from Miles Sand and Gravel had to use Bow Hill Rd to haul loads. I ended up behind those trucks a number of times as they crawled up the hill at 15-20 mph in a 35 mph zone. On multiple occasions, impatient drivers passed me and the truck & trailer in front of me, going up Bow Hill Rd in a no passing zone with blind corners. Without a slow lane going up Bow Hill between Old Hwy 99 N and the Skagit Casino, there will be serious wrecks on that stretch of road.

It would be irresponsible for Skagit County to approve such a project until the roads are adequately improved to ensure the safety of both vulnerable road users and drivers. The potential for loss of property value, dust pollution of our air, contamination of our well water, and environmental damage also cannot be ignored. I ask that you withdraw the MDNS and order a proper and complete EIS for the project.

Thank you for your time.

Very best regards,
Maria Whitcomb

From Host Address: 172.92.233.233

Date and time received: 4/30/2021 4:26:17 PM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Monday, May 3, 2021 6:31:55 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Sunday, May 2, 2021 2:25 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Monique Brigham
Address : 22755 Prairie Rd
City : Sedro-Woolley
State : Wa
Zip : 98284
email : Monique@PlumeriaBreezesTravel.com
PermitProposal : Gravel Mine MDMA
Comments : I have many concerns, 1. How can they put this in so close to the river when I am a mile away from it and just to build our small home owner shop we had to have it engineered and sign affidavits stating we would dispose of chemicals properly? This is a lot grander scale of our small homeowner outbuilding. Not to mention the required routine septic system inspections for preservation and concern of the river and water-table....
2. Farmers have to jump through hoops and get hassled for farms that have been there for years but now its ok to put in a huge industrial operation?
3. Traffic? Have the people on the planning committee driven Prairie Rd on a regular basis? It is dangerous enough without adding hundreds more trucks on the road. The road is terrible with the traffic we already have, I live 2 miles from HWY 9 and tend to take Prairie more because there are so many truckers in a hurry on the highway, cutting corners and passing in no passing zones. Samish Island is closed to shellfish harvest due to environmental concerns quite often, I thought we were trying to clean up our rivers, lakes, and oceans.
4. Noise, we all live out here for peace and quiet not constant noise and a convoy of trucks.
I really hope they do not let this project pass.

From Host Address: 50.34.150.136

Date and time received: 5/2/2021 2:24:53 PM

From: Lori Anderson
To: Michael Cerbone
Subject: Comment Letters
Date: Friday, April 30, 2021 11:48:38 AM
Attachments: PDS Comments.msg
PDS Comments.msg

From dept email

From: Lori Anderson
To: Michael Cerbone
Subject: Comment Letters
Date: Friday, April 30, 2021 11:48:38 AM
Attachments: PDS Comments.msg
PDS Comments.msg

From dept email

From: Planning & Development Services
Sent: Monday, April 26, 2021 12:08 PM
To: Michael Cerbone <mcerbone@co.skagit.wa.us>
Subject: FW: PDS Comments

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 26, 2021 10:30 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Wallace Walter Groda
Address : 6386 Lillian Lane
City : Sedro Woolley
State : WA
Zip : 98284
email : wallacegroda@msn.com
PermitProposal : Special Use Permit Application #PL16-0097
Comments : April 26, 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads

Dear Mr. Cerbone,

I am writing to express my concerns on your April 15, 2021 revised SEPA threshold determination for Concrete Nor'West proposed Grip Road Gravel Mine. The revised MDNS falls woefully short of what is needed to identify serious traffic problems and the mitigation required to protect public safety. Your leadership for further progress will be key for the appropriate outcome.

Additional action needed:

1. Further analysis, i.e. a comprehensive TIA, should be required to identify all hazards on the haul route and appropriate mitigation. The limited evaluations of Prairie Road have already identified two curves where the truck and trailer will cross over the center line by two to three feet into the oncoming traffic and your newly re-issued MDNS require road modifications . Grip Road and associated intersections have equally problematic turns and curves that need identical attention. Not addressing that public safety risk is a clear case of willful negligence for both Mile's Sand and Gravel as well as the County.

2. Both Prairie Road and Grip Road are exceptionally narrow and do not meet code which poses

concerns for the gravel rig staying in their lanes to avoid potential collisions. This issue needs evaluation to avoid public safety risks. Again, another issue supporting a comprehensive TIA.

3. Clear haul route definition is needed to restrict gravel truck and trailer travel to qualified roads. No trailers should be allowed until all safety issues are resolved on the entire route. No third party sales should be allowed at the mine site so that route compliance is assured.

4. Turn and merge lanes should be required for both the mine entrance/exit and the Grip Road/Prairie Road intersections. As these narrow road intersections are currently constructed, a truck and trailer combination cannot turn at these intersections without crossing over the center line and risk collision.

5. The maximum number of round trips needs to be clearly defined for both a daily and weekly basis.

6. The Grip Road and Prairie Road intersection sight distance needs additional work. Recent regrading has helped but is still not adequate for the proposed level of traffic, particularly the intended truck and trailer combinations.

7. The proposed haul route has not been constructed for the heavy loads and damage that will result from the mine operation. The associated traffic analysis, road modifications, and increased maintenance costs should be paid by the applicant, not the taxpayers.

Thank you for your consideration of these comments.

Sincerely,

Wallace Groda

6386 Lillian Lane
Sedro Woolley, WA 98284
(360)420-5375
wallacegroda@msn.com

From Host Address: 50.34.116.4

Date and time received: 4/26/2021 10:25:14 AM

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Tuesday, April 20, 2021 2:20 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Abbe Rolnick
Address : 21993 Grip Road
City : Sedro Woolley
State : WA
Zip : 98284
email : abbe@abberolnick.com
PermitProposal : File # PL160098
Comments : Please clarify if there will be a max of 46 individual trips daily or 46 round trips –

You state an average amount of trips over a year. But usually gravel peak runs are during a five-month period during the construction season. How does this affect the daily runs? I don't think the term average fits the situation. Please spell out the maximum runs per day (roundtrips), that can't be exceeded.

The Grip Road should have a turnout or merge lane to get to the Access Road to the mine. There isn't enough room on that spot for trucks to turn, and for other cars to go around them.

The proposal states that gravel can be sold directly to the market from this site. What are the restrictions on these haulers—truck and trailer, or just trucks. What haul roads will they be using? Without clarification—third party sales would create an undetermined effect on the area. This should be disallowed.

Using flashing beacons at the Prairie Road and Grip Road intersection is only a warning to the public that there is a safety issue. It doesn't take care of the issue and now places responsibility on the individual who can't completely see around the corner. Note: the removal of part of the hillside helps but doesn't resolve the sight issue. I travel this spot daily, and within seconds a car is behind me after I've made the turn from Grip Road onto Prairie Road heading West.

The curves on Grip Road, one at our driveway entrance 21993 Grip Road, and one approximately one-half mile west, and two on the steep slope west of the mine entrance. These are severe and should be redesigned and improved as the trucks and trailers can't remain in their own lanes, crossing over into the other cars.

There has been no mention in the noise study of the use of compression brakes. This must be included.

From Host Address: 50.35.55.32

Date and time received: 4/20/2021 2:19:00 PM

From: lbjaye1@gmail.com
To: PDS comments
Subject: Grip Road Gravel Mine
Date: Saturday, April 24, 2021 2:35:10 PM

April 22, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine
File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA species

Dear Mr. Cerbone,

I wish to express my concern regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. Even though this proposal has supposedly been under review by Skagit County Planning and Development Services (PDS) for more than five years. It appears that very little has changed about the original proposal, especially in terms of protection of the natural environment. In fact, none of the assessments and application documents related to protection of fish, wildlife, water and air quality have been updated. They were incomplete and inaccurate in 2016 and they still are, nor do they reflect any of the concerns expressed by the community on these matters over the past years. To make things worse, all of those original documents and assessments are now completely outdated. Unfortunately, there now seems to be a rush to push through a new Threshold Determination without taking into consideration new public comment even though previous comments seem to have been ignored.

This is an industrial scale development located in sensitive rural environment where no commercial mining has ever occurred. It will cause irreparable and significant harm to the natural environment including habitats along the Samish River and Swede Creek, as well as upland wildlife habitat. The MDNS falls far short of identifying and mitigating impacts, including:

- **The environmental review did not consider the full footprint of the project.** Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.
- **The County is not following its own Critical Areas Ordinance (CAO).** Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.
- **The Fish and Wildlife Assessment is out-of-date and incomplete.** The limited Fish and Wildlife Assessment provided by the applicant is more than five years old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for

protecting endangered species need to be consulted.

- **Wetlands were not delineated, and there is no requirement for surveying and permanently marking them.** A full wetland delineation was never done. Sensitive areas and buffers within the entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.
- **Wildlife corridors are not identified and protected.** Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.
- **A drainage plan was not required to protect water quality from runoff on the private haul road.** Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.
- **Impacts to groundwater are not adequately evaluated and protections measures are not required.** They intend to excavate the mine to within 10 feet of groundwater. But it is unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river.
- **The Noise and Vibration Study did not use realistic scenarios to model noise impacts.** The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from "typical" and "average" mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.
- **Emissions were not evaluated and no mitigation plan was required**. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.
- **Cumulative impacts were ignored.** This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a "temporary" activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period.

Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and require a full Environmental Impact Statement that evaluates these and other impacts to the natural environment and identifies alternatives such as reducing the size of the mine.

Thank you for your time and consideration.

Sincerely,

Lauren Jaye

From: lbjaye@gmail.com
To: PDS comments
Subject: Grip Road Gravel Mine
Date: Saturday, April 24, 2021 2:38:38 PM

April 22, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine
File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA species

Dear Mr. Cerbone,

I wish to express my concern regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. Even though this proposal has supposedly been under review by Skagit County Planning and Development Services (PDS) for more than five years. It appears that very little has changed about the original proposal, especially in terms of protection of the natural environment. In fact, none of the assessments and application documents related to protection of fish, wildlife, water and air quality have been updated. They were incomplete and inaccurate in 2016 and they still are, nor do they reflect any of the concerns expressed by the community on these matters over the past years. To make things worse, all of those original documents and assessments are now completely outdated. Unfortunately, there now seems to be a rush to push through a new Threshold Determination without taking into consideration new public comment even though previous comments seem to have been ignored.

I taught seventh grade science at Cascade Middle School for 25 years and as a teacher I am alarmed by the effect that the proposed increase in traffic will have on the schools. There is significant risk to students and families in dropping off and picking up students and this proposal would significantly exacerbate the problem.

This is an industrial scale development located in sensitive rural environment where no commercial mining has ever occurred. It will cause irreparable and significant harm to the natural environment including habitats along the Samish River and Swede Creek, as well as upland wildlife habitat. The MDNS falls far short of identifying and mitigating impacts, including:

- **The environmental review did not consider the full footprint of the project.** Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.
- **The County is not following its own Critical Areas Ordinance (CAO).** Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land

use.

- **The Fish and Wildlife Assessment is out-of-date and incomplete.** The limited Fish and Wildlife Assessment provided by the applicant is more than five years old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.
- **Wetlands were not delineated, and there is no requirement for surveying and permanently marking them.** A full wetland delineation was never done. Sensitive areas and buffers within the entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.
- **Wildlife corridors are not identified and protected.** Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.
- **A drainage plan was not required to protect water quality from runoff on the private haul road.** Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.
- **Impacts to groundwater are not adequately evaluated and protections measures are not required.** They intend to excavate the mine to within 10 feet of groundwater. But it is unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river.
- **The Noise and Vibration Study did not use realistic scenarios to model noise impacts.** The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from "typical" and "average" mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.
- **Emissions were not evaluated and no mitigation plan was required**. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.
- **Cumulative impacts were ignored.** This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a "temporary" activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period.

Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and require a full Environmental Impact Statement that evaluates these and other impacts to the natural environment and identifies alternatives such as reducing the size of the mine.

Thank you for your time and consideration.

Sincerely,

Lauren Jaye

From: Lauren Jaye
To: PDS comments
Subject: Grip Road Gravel Mine
Date: Sunday, April 25, 2021 3:36:58 PM

April 22, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine
File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA species

Dear Mr. Cerbone,

I wish to express my concern regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. Even though this proposal has supposedly been under review by Skagit County Planning and Development Services (PDS) for more than five years. It appears that very little has changed about the original proposal, especially in terms of protection of the natural environment. In fact, none of the assessments and application documents related to protection of fish, wildlife, water and air quality have been updated. They were incomplete and inaccurate in 2016 and they still are, nor do they reflect any of the concerns expressed by the community on these matters over the past years. To make things worse, all of those original documents and assessments are now completely outdated. Unfortunately, there now seems to be a rush to push through a new Threshold Determination without taking into consideration new public comment even though previous comments seem to have been ignored.

As a seventh grade science teacher of 25 years at Cascade Middle school in Sedro Woolley I am worried about the increase in traffic that this project would cause. Transporting students in this rural area is dangerous enough without increased volume.

This is an industrial scale development located in sensitive rural environment where no commercial mining has ever occurred. It will cause irreparable and significant harm to the natural environment including habitats along the Samish River and Swede Creek, as well as upland wildlife habitat. The MDNS falls far short of identifying and mitigating impacts, including:

- **The environmental review did not consider the full footprint of the project.** Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.
- **The County is not following its own Critical Areas Ordinance (CAO).** Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.

- **The Fish and Wildlife Assessment is out-of-date and incomplete.** The limited Fish and Wildlife Assessment provided by the applicant is more than five years old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.
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- **A drainage plan was not required to protect water quality from runoff on the private haul road.** Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.
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Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and require a full Environmental Impact Statement that evaluates these and other impacts to the natural environment and identifies alternatives such as reducing the size of the mine.

Thank you for your time and consideration.

Sincerely,

Bill Robinson

941 South Fourth St

La Conner WA 98257

From: jsteinwa
To: PDS comments
Subject: Public comment: Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Date: Sunday, April 25, 2021 1:21:28 PM

Dear Mr Cerbone,

I wish to express the concerns of our family regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. This is an industrial scale development located in sensitive rural environment where no commercial mining has ever occurred. It will cause irreparable and significant harm to the natural environment including habitats along the Samish River and Swede Creek, as well as upland wildlife habitat. The MDNS falls far short of identifying and mitigating impacts just as it did in 2016 because none of the concerns expressed by the community then have been addressed.

The list of flaws in the proposal and the MDNS is long, encompassing everything from lack of critical areas protection, traffic safety concerns, drainage, and the potential for groundwater contamination. It appears the County is not following its own requirements in some of these areas.

Our family is particularly concerned about the obvious environmental risks, and the safety of community residents. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a "temporary" activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. The traffic studies state that the operation may run as many as 30 truck trips per hour. These are gravel trucks with pup trailers that cannot stay within their lane on these roads, clearly placing community residents at risk.

Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and require a full Environmental Impact Statement that evaluates these and other impacts to the natural environment and public safety, identifying alternatives such as reducing the size of the mine.

Thank you for your time and consideration.

Sincerely,

Christie Stewart Stein

16384 Donnelly Road
Mount Vernon, WA 98273

From: lbjaye1@gmail.com
To: PDS comments
Subject: Grip Road Gravel Mine
Date: Sunday, April 25, 2021 3:36:59 PM

April 22, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine
File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA species

Dear Mr. Cerbone,

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- **The Fish and Wildlife Assessment is out-of-date and incomplete.** The limited Fish and Wildlife Assessment provided by the applicant is more than five years old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for

protecting endangered species need to be consulted.

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- **Wildlife corridors are not identified and protected.** Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.
- **A drainage plan was not required to protect water quality from runoff on the private haul road.** Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.
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- **The Noise and Vibration Study did not use realistic scenarios to model noise impacts.** The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from "typical" and "average" mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.
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Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and require a full Environmental Impact Statement that evaluates these and other impacts to the natural environment and identifies alternatives such as reducing the size of the mine.

Thank you for your time and consideration.

Sincerely,

Lauren Jaye

941 South Fourth St

La Conner WA 98257

From:	Wallace Groda
To:	PDS comments
Subject:	RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads
Date:	Monday, April 26, 2021 10:21:33 AM

April 26, 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads

Dear Mr. Cerbone,

I am writing to express my concerns on your April 15, 2021 revised SEPA threshold determination for Concrete Nor'West proposed Grip Road Gravel Mine. The revised MDNS falls woefully short of what is needed to identify serious traffic problems and the mitigation required to protect public safety. Your leadership for further progress will be key for the appropriate outcome.

Additional action needed:

1. Further analysis, i.e. a comprehensive TIA, should be required to identify all hazards on the haul route and appropriate mitigation. The limited evaluations of Prairie Road have already identified two curves where the truck and trailer will cross over the center line by two to three feet into the oncoming traffic and your newly re-issued MDNS require road modifications . Grip Road and associated intersections have equally problematic turns and curves that need identical attention. Not addressing that public safety risk is a clear case of willful negligence for both Mile's Sand and Gravel as well as the County.

2. Both Prairie Road and Grip Road are exceptionally narrow and do not meet code which poses concerns for the gravel rig staying in their lanes to avoid potential collisions. This issue needs evaluation to avoid public safety risks. Again, another issue supporting a comprehensive TIA.

3. Clear haul route definition is needed to restrict gravel truck and trailer travel to qualified roads. No trailers should be allowed until all safety issues are resolved on the entire route. No third party sales should be allowed at the mine site so that route compliance is assured.

4. Turn and merge lanes should be required for both the mine entrance/exit and the Grip Road/Prairie Road intersections. As these narrow road intersections are currently constructed, a truck and trailer combination cannot turn at these intersections without crossing over the center line and risk collision.

5. The maximum number of round trips needs to be clearly defined for both a daily and

weekly basis.

6. The Grip Road and Prairie Road intersection sight distance needs additional work. Recent regrading has helped but is still not adequate for the proposed level of traffic, particularly the intended truck and trailer combinations.

7. The proposed haul route has not been constructed for the heavy loads and damage that will result from the mine operation. The associated traffic analysis, road modifications, and increased maintenance costs should be paid by the applicant, not the taxpayers.

Thank you for your consideration of these comments.

Sincerely,

Wallace Groda

6386 Lillian Lane
Sedro Woolley, WA 98284
(360)420-5375
wallacegroda@msn.com

From: Rachel Reim-Ledbetter
To: PDS comments
Cc: Rachel Reim-Ledbetter; Kathy Reim
Subject: Please take us into consideration!!
Date: Tuesday, April 27, 2021 1:20:27 PM

April 22, 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services 1800 Continental Place
Mount Vernon, WA 98273
RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads
Dear Mr. Cerbone,
I am writing to comment on your April 15, 2021 revised SEPA threshold determination for the proposed Grip Road Gravel Mine. The revised MDNS has changed very little from the original 2016 document, and still falls far short of what Skagit County Code and SEPA requires. It does not fully evaluate the potential impacts of the proposed mine project and does not set out adequate requirements for mitigating those impacts. In its current form, the project would result in unavoidable and unacceptable risks for the environment and public safety. In order to address those risks, the County must require the applicant to prepare a full Environmental Impact Statement (EIS).
I am very concerned about the traffic safety and road impacts of this project. The following are some of the issues the applicant and the County have not addressed or have not addressed adequately under SEPA or the permit application process:
1. A Level II Traffic Impact Analysis (TIA) is required for this project per Skagit County Code and Skagit County Road Standards, 2000 (SCRS), but this has not been done. The applicant's TIA states that only a Level I analysis is required because the 50 trip per hour threshold in SCRS 4.02.B. is not met. SCRS 4.02.A., however, states "A level I TIA shall be expanded to a Level II TIA if any [emphasis mine] of the Level II warrants are met." SCRS 4.02.B. includes two warrants that apply, numbers 6 and 7. Number 6 reads, "If there exists (sic) any current traffic problems in the local area as identified by the County or a previous traffic study has identified high accident locations, poor roadway alignment or capacity deficiencies. The applicant's TIA and the MDNS have already identified significant current traffic problems in the area. Number 7 reads, "The current or projected level of service of the roadway system in the vicinity of the development will exceed County adopted level of service standards." The Cook Road/Old Highway 99 intersection, which is included in the haul route but not evaluated in the TIA for safety or level of service (LOS), is well documented by the County to be operating at LOS D, which is below the County's minimum requirement of LOS C.
2. Clearly define and limit the maximum number of truck trips: The MDNS states the mine will generate an average of approximately 46 truck and trailer trips per day (4.6 trips per hour). This figure is virtually meaningless, because the demand for sand and

gravel is seasonal. The applicant's October 8, 2020 Traffic Impact Analysis (TIA) proposes a maximum of 29.4 (rounded up to 30) trips per hour. The final SEPA determination must evaluate the traffic safety impacts of the project based on the maximum number or trips per hour and set a hard limit on it. The County must also set limits on the duration and frequency of occasions when it will allow higher than average trip numbers.
3. A clear definition and map(s) of all haul routes, and the limitation of mine traffic strictly to the defined routes.
4. Disallow direct, third-party sales from the mine site.
5. Require safety analysis and mitigation measures for ALL locations where trucks will encroach on the opposing lane of traffic. The MDNS states that trucks with trailers will encroach two to three feet into the opposing lanes of traffic at the two sharp corners on Prairie Road near the intersection with Old Highway 99. It also requires that the applicant reconstruct the road at this location and correct this acknowledged safety issue. The applicant's TIA identifies the same issue, but also states that there are several other locations on the haul route where trucks will cross over into the other lane. It does not identify these other locations, provide analysis of the specific safety issues there, or propose any mitigation. From my personal observations and those of other area residents, other locations where this is an issue include, but are not limited to, the steep S-curves on the Grip Road hill, the eastbound approach to the Samish River bridge on Grip Road, and practically every intersection on the identified haul routes.

6. Take increased non-mine traffic over time into account in analyzing the traffic safety and road capacity impacts of the project. The TIA uses intersection vehicle counts from 2020 as the base for evaluating the impact of mine traffic and does not factor in increasing traffic over time with growth. There is no explanation of why this was not done. If the applicant and the County are not going to take this into account, they must provide clear evidence to show that substantial increases in background traffic are not likely to occur during the proposed 25-year lifetime of the mine.
7. Provide clear, graphic analysis of ALL locations on proposed haul routes where intersection and/or stopping sight distances do not meet required minimums for all types of vehicles. Require mitigation of all such locations. Graphic "Vision Clearance Triangle" analysis (Skagit County Road Standards, 2000, Appendix C-7) or other industry standard graphic analysis is needed for all such locations and adequate mitigation measures required for project approval.
8. Flashing speed warning beacon systems proposed for the Grip/Prairie and Grip/Mine Entrance intersections require analysis as to what they are intended to accomplish and how they will do it. The existing speed warning signs on Prairie Road at the Grip intersection clearly do not work and no analysis has been provided to show that a flashing warning light system will work better at either location. The County must

require the applicant to conduct field studies to determine what the actual maximum safe speeds are for these intersections and require mitigation measures that will ensure these limits are met.
9. Fully evaluate accident records for all road segments and intersections on the haul route, including causes and contributing factors. Provide analysis of the impacts mine traffic will have on the number, type, and severity of accidents to be anticipated with both existing and future traffic volumes. Require effective mitigation measures. The existing TIA accident record analysis is limited to certain intersections on the haul route and does not look at causes and contributing factors. It excludes a number of additional intersections, including Cook Road and Old Highway 99, as well as accidents not occurring at intersections.
10. Evaluate the impacts of mine traffic on the existing roads and bridges and require the applicant pay its fair share of the costs for increased maintenance on our already sub- standard rural roads. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required significant repairs over the last few years. Roughly 12,000 truck and trailer trips per year over 25 years will necessitate a lot of additional maintenance by the county roads department. This must be paid for by the applicant not the taxpayers!!!
Thank you for your consideration.
Sincerely The Reim - Ledbetter's
Rachel Reim-Ledbetter
Tammy Reim-Ledbetter
Kathy Reim
Robert Reim
23262 Meadow View Lane
Sedro Woolley WA 98284
253-230-1692
Rachelreimledbetter@gmail.com

Sent from my iPhone

From: normfranwasson@gmail.com
To: PDS comments
Subject: Samish River / Grip Rd. Gravel Mine
Date: Wednesday, April 28, 2021 1:19:53 PM

April 28, 2021

Michael Cerbone, Assistant Director

Skagit County Planning and Development Services

1800 Continental Place

Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine

File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA species

Dear Mr. Cerbone,

I wish to express my concern regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. Even though this proposal has supposedly been under review by Skagit County Planning and Development Services (PDS) for more than five years. It appears that very little has changed about the original proposal, especially in terms of protection of the natural environment. In fact, none of the assessments and application documents related to protection of fish, wildlife, water and air quality have been updated. They were incomplete and inaccurate in 2016 and they still are, nor do they reflect any of the concerns expressed by the community on these matters over the past years. To make things worse, all of those original documents and assessments are now completely outdated. Unfortunately, there now seems to be a rush to push through a new Threshold Determination without taking into consideration new public comment even though previous comments seem to have been ignored.

This is an industrial scale development located in sensitive rural environment where no commercial mining has ever occurred. It will cause irreparable and significant harm to the natural environment including habitats along the Samish River and Swede Creek, as well as upland wildlife habitat. The MDNS falls far short of identifying and mitigating impacts, including:

- **The environmental review did not consider the full footprint of the project.** Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.
- **The County is not following its own Critical Areas Ordinance (CAO).** Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.
- **The Fish and Wildlife Assessment is out-of-date and incomplete.** The limited Fish and Wildlife Assessment provided by the applicant is more than five years old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.
- **Wetlands were not delineated, and there is no requirement for surveying and permanently marking them.** A full wetland delineation was never done. Sensitive areas and buffers within the entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.
- **Wildlife corridors are not identified and protected.** Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.
- **A drainage plan was not required to protect water quality from runoff on the private haul road.** Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.
- **Impacts to groundwater are not adequately evaluated and protections measures are not required.** They intend to excavate the mine to within 10 feet of groundwater. But it is unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river.
- **The Noise and Vibration Study did not use realistic scenarios to model noise impacts.** The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from "typical" and "average" mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.
- **Emissions were not evaluated and no mitigation plan was required**. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.
- **Cumulative impacts were ignored.** This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were

evaluated. Twenty-five years of mine operation is not a “temporary” activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period.

Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and require a full Environmental Impact Statement that evaluates these and other impacts to the natural environment and identifies alternatives such as reducing the size of the mine.

Thank you for your time and consideration.

Sincerely,

Norman Wasson
20836 Prairie Rd.
Sedro Woolley, Wa 98284
(360)724-5054
normfranwasson@gmail.com

Sent from Mail for Windows 10

From: normfranwasson@gmail.com
To: PDS comments
Date: Wednesday, April 28, 2021 12:58:49 PM

April 28, 2021

Michael Cerbone, Assistant Director

Skagit County Planning and Development Services

1800 Continental Place

Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine

File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA species

Dear Mr. Cerbone,

I wish to express my concern regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. Even though this proposal has supposedly been under review by Skagit County Planning and Development Services (PDS) for more than five years. It appears that very little has changed about the original proposal, especially in terms of protection of the natural environment. In fact, none of the assessments and application documents related to protection of fish, wildlife, water and air quality have been updated. They were incomplete and inaccurate in 2016 and they still are, nor do they reflect any of the concerns expressed by the community on these matters over the past years. To make things worse, all of those original documents and assessments are now completely outdated. Unfortunately, there now seems to be a rush to push through a new Threshold Determination without taking into consideration new public comment even though previous comments seem to have been ignored.

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Thank you for your time and consideration.

Sincerely,

Norman Wasson

20836 Prairie Rd.

Sedro Woolley, Wa 98284

(360)724-5054

normfranwasson@gmail.com

Sent from Mail for Windows 10

From: normfranwasson@gmail.com
To: PDS comments
Subject: Gravel Mine - Grip Rd & Samish River
Date: Wednesday, April 28, 2021 12:54:58 PM

April 28, 2021

Michael Cerbone, Assistant Director

Skagit County Planning and Development Services

1800 Continental Place

Mount Vernon, WA 98273

RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads

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and 7. Number 6 reads, "If there exists (sic) any current traffic problems in the local area as identified by the County or a previous traffic study has identified high accident locations, poor roadway alignment or capacity deficiencies. The applicant's TIA and the MDNS have already identified significant current traffic problems in the area. Number 7 reads, "The current or projected level of service of the roadway system in the vicinity of the development will exceed County adopted level of service standards." The Cook Road/Old Highway 99 intersection, which is included in the haul route but not evaluated in the TIA for safety or level of service (LOS), is well documented by the County to be operating at LOS D, which is below the County's minimum requirement of LOS C.

2. **Clearly define and limit the maximum number of truck trips:** The MDNS states the mine will generate an average of approximately 46 truck and trailer trips per day (4.6 trips per hour). This figure is virtually meaningless, because the demand for sand and gravel is seasonal. The applicant's October 8, 2020 Traffic Impact Analysis (TIA) proposes a maximum of 29.4 (rounded up to 30) trips per hour. The final SEPA determination must evaluate the traffic safety impacts of the project based on the maximum number or trips per hour and set a hard limit on it. The County must also set limits on the duration and frequency of occasions when it will allow higher than average trip numbers.

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4. **Disallow direct, third-party sales from the mine site.**

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mitigation measures required for project approval.

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Thank you for your consideration of these comments.

Sincerely,

Norman Wasson

20836 Prairie Rd.

Sedro Woolley, Wa 98284

(360)724-5054

normfranwasson@gmail.com

Sent from Mail for Windows 10

From: Jaye Stover
To: PDS comments
Subject: Mitigated Determination of Non-Significance for proposed Grip Road Gravel Mine
Date: Tuesday, April 27, 2021 9:37:18 PM

File #s PL16-0097 & PL16-0098 Impacts to the Ecosystem

Having worked as a volunteer in riparian habitat restoration this year on Grip Road along the Samish River and creeks intersecting with the Samish, I am extremely concerned about the destructive potential of the proposal to mine there and the inadequate planning and documentation of this ill-conceived project.

The property, including a 60-acre mine and intensive two-mile haul lane, is contiguous to Swede Creek and wetlands where I have planted trees and witnessed efforts by many agencies to restore and protect a fish-bearing stream. At this time of extreme environmental jeopardy and growing recognition of the urgency of keeping streams alive, not even "mitigation" – although NONE is proposed – it is essential that analysis be made of the repercussions on wildlife at this site. *A complete and current 2021 Fish and Wildlife Assessment is essential to evaluate how the ecosystem is being protected on behalf of all citizens of this county and of this state.*

Skagit County's Critical Area Ordinance requires a three hundred feet buffer in this environment for high intensity land use, however, this proposal does not include that buffer. Furthermore, wetlands which are critical to survival of fish and wildlife are not identified in these plans! Riparian habitat, wetlands, buffers and areas essential for natural water reservoirs (storage) are missing from the documents, as if they don't exist. They must be identified and labeled on the entire property so all "stakeholders" in this county know where they are and can plan accordingly for our future.

Now that there are more people than wildlife – a dramatic change since our youth – destruction of the last undeveloped land between Butler Hill, the Samish River and Anderson Mountain is unacceptable for the trade-off of 25 years of mining. Wildlife must have places to live. With 70% reduction of wildlife in the past two decades, projects such as this must be studied in depth and the costs to all calculated. There are no wildlife corridors or habitat areas provided.

The effects on groundwater – it's contamination by mining and trucking activities – have not been clearly described nor have thorough and adequate protections been offered to prevent pollution of the waterways into which drainage from mining would overflow. The groundwater is approximately the same level as the Samish River here!

With so many private sector, county, state, federal and mixed agencies working to protect and restore Skagit's delicate and endangered waterways and wetlands, this project definitively needs a Full Environmental Impact Statement and the County, as responsible caretakers and leaders needs to reverse its Threshold Determination.

Sincerely,

Jaye Stover

12213 Pulver Road
Burlington, WA 98233
360-770-5608

Sent from Mail for Windows 10

From: Julie Johnson
To: PDS comments
Subject: RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA species
Date: Tuesday, April 27, 2021 12:32:52 PM

April 27, 2021

Michael Cerbone, Assistant Director Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Dear Mr. Cerbone,

I wish to express my concern regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. Even though this proposal has been under review by Skagit County Planning and Development Services (PDS) for more than five years, it appears that very little has changed about the original proposal, especially in terms of protection of the natural environment. In fact, none of the assessments and application documents related to protection of fish, wildlife, water and air quality have been updated. They were incomplete and inaccurate in 2016 and they still are, nor do they reflect *any of the concerns expressed by the community on these matters over the past years*.

This is an industrial scale development located in sensitive rural environment where no commercial mining has ever occurred. It will cause irreparable and significant harm to the natural environment including habitats along the Samish River and Swede Creek, as well as upland wildlife habitat.

The MDNS falls far short of identifying and mitigating impacts. *The environmental review did not consider the full footprint of the project*. Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the twomile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

The County is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use. Furthermore, *state and federal agencies responsible for protecting endangered species need to be consulted*. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a "temporary" activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams.

Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and *require a full*

Environmental Impact Statement that evaluates these and other impacts to the natural environment and identifies alternatives such as reducing the size of the mine.

Thank you for your consideration.

Julie Anne Johnson
(360) 927-4365
julieannejohnson@lycos.com

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Monday, April 19, 2021 12:09:44 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Friday, April 16, 2021 9:50 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Barbara Lemme
Address : 5856 Park Court
City : Sedro Woolley,
State : WA
Zip : 98284
email : bobbil@cnw.com
PermitProposal : Grip Road Mine proposal
Comments : I have a tremendous concern for the safety of bike riders on Prairie Road. There is minimal shoulder space for a bike rider to safely get off the road in case a large truck comes by. With an increased number of trucks on the road, it will be extremely difficult to safely get off the road, especially if two trucks are passing each other, going different directions.

This is an accident waiting to happen. I would imagine a family would rightfully sue the county if a death or injury resulted from too many trucks on the road. Prairie road has too many curves. Grip Road is steep and narrow. And where the two roads meet, there is a blind spot for turning trucks, even with blinking lights.

It seems like the county is caving in to business interests instead of listening to the residents who live in the area. Who does the county represent??

I don't think that this proposal is a good one.

From Host Address: 50.34.189.197

Date and time received: 4/16/2021 9:46:11 AM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Monday, April 19, 2021 12:50:58 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, April 17, 2021 3:35 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Kathryn Longfellow
Address : 5318 Cedar Ridge Pl
City : Sedro Woolley
State : WA
Zip : 98284
email : klongfellow@frontier.com
PermitProposal : Grip Road Mining
Comments : Please consider postponing this request until appropriate infrastructure is in place which is beyond what is proposed in the resubmission.

I am driving a school bus on Grip Road having turned off Prairie Road and headed south toward Mosier. I have just entered one of the sharp turns and there in front of me is a full gravel truck with its bumper over the center line. I've a full load of children. Now the driver may not know he's over the center line as the paint line is invisible because its been crossed so much it is rubbed out. There are no fog lines to assist in lane visibility and there are no shoulders to give a little room to either vehicle. Not a good outcome.

The roads need to be brought to a standard that is applicable for the weight and width of the vehicles that are intended to drive on them. The trucks cause a serious deterioration of roadways due to weight and Grip Road nor Prairie have been brought up to that level of repair. Actually, noted in the reissue, that if there is a problem with the bridge on Highway 99 the trucks will need to re-route to I-5. Which begs the question of load limits and trucks on the bridge over the Samish River on Grip and Friday Creek on Prairie.

Please reconsider the issuance of this permit until road and bridge structures are sufficiently remediated to handle the proposed truck traffic.

From Host Address: 50.34.103.133

Date and time received: 4/17/2021 3:31:36 PM

From:	Planning & Development Services
To:	Michael Cerbone; Betsy D. Stevenson
Subject:	FW: PDS Comments
Date:	Tuesday, April 20, 2021 9:25:26 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 19, 2021 2:55 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Josh Nipges
Address : 20610 Prairie rd
City : Sedro Woolley
State : WA
Zip : 98284
email : nipges@juno.com
PermitProposal : PL16-0097
Comments : While it is nice to see that Concert Northwest is addressing the double corner east of the old 99 and Prairie Rd intersection and the intersection with grip. They still have not addressed the over all road itself. Prairie is road is narrow. It has become even more so since the guard rail was added along the high tension power lines. Widening the road needs to be addressed. With the number of truck trips and narrow road way it is only a matter of time before there is a head on collision. There have been many times that I have encountered semi trucks hugging or over the divider line in this section.

From Host Address: 165.225.217.34

Date and time received: 4/19/2021 2:52:41 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 22, 2021 8:50:02 AM

Name : Ellen Martin
Address : 4929 Ida Drive
City : Sedro-Woolley
State : WA
Zip : 98284
email : ellenkmartin39@gmail.com
PermitProposal : Reference: File #'s PL16-0097 & PL16-0098
Comments : Grip Road Gravel Mine Environmental Concerns Not Addressed in the MDNS

The Noise and Vibration Study did not use realistic scenarios to model noise impacts. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from "typical" and "average" mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.

The environmental review did not consider the full footprint of the project. The applicant owns more than 700 contiguous acres, however only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. This private road has previously been used only for forestry. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

The County is not following its own Critical Areas Ordinance(CAO).Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.

The Fish and Wildlife Assessment is out-of-date and incomplete. The limited Fish and Wildlife Assessment provided by the applicant is more than five-years-old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site; this animal is listed as "Endangered" in Washington State and "Threatened" federally. In addition critical habitat for Bull Trout is located just downstream, Bull Trout is a "Candidate" species for listing in WA State, and is listed as "Threatened" federally. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.

Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.

Wildlife corridors are not identified and protected. Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.

A drainage plan was not required to protect water quality from runoff on the private haul road. Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.

Impacts to groundwater are not adequately evaluated and protections measures are not required. They intend to excavate the mine to within 10 feet of groundwater. They claim that all runoff from the disturbed site will drain into the mine, and infiltration will protect the groundwater. But it is unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table. No mention of seasonal fluctuation of the groundwater is discussed. Further more, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river.

Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.

Cumulative impacts were ignored. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a “temporary” activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period. A full EIS needs to evaluate all cumulative impacts.

Grip Road Mine Traffic, Road and Public Safety Issues Not addressed in the MDNS: County government and the concerned public cannot evaluate the traffic safety impacts of the project and the adequacy of the MDNS without the following information:

The maximum number of truck trips per hour, how often the number of trips may exceed the average trips per hour, and how long the number of trips may exceed that average. The average of 46 trips per day or 4.6 trips per hour given in the MDNS is meaningless due to the seasonal nature of product demand. The applicant’s October 8, 2020 Traffic Impact Analysis (TIA) proposes a maximum of 60 trips per hour (30 trucks in each direction). The SEPA determination must evaluate the traffic safety impacts of the project based on this maximum and set hard limits on this number, frequency, and duration

A clear definition and map(s) of all haul routes, and the limitation of mine traffic strictly to the defined routes.

Safety analysis of all haul route intersections and road segments to determine whether or not trucks traveling to and from the mine will stay within their lane of traffic, and the mitigation

measures to be required for every location where they will not. The TIA provides analysis showing that truck and trailer combinations cannot traverse the two sharp curves on Prairie Road east of Old Highway 99 without encroaching on the opposing lane of traffic. The MDNS requires the applicant to take specific actions to mitigate this issue at this location. The TIA acknowledges that the same issue of lane encroachment exists at several other locations on the haul route, but neither it nor the MDNS lists those locations, provides any analysis of the problems there, or sets out the mitigation measures required to correct them. These locations include, among others, the S-curves on the Grip Road hill and practically all of the intersections on the haul route. This is unacceptable

Projections for the increase in non-mine traffic on the haul routes over time and evaluation of the safety and road capacity impacts of mine traffic with increased non-mine traffic. The TIA uses 2020 traffic levels to evaluate mine traffic impacts and does not factor in growth.

Field studies to determine the speeds at which vehicles are currently traveling on the haul route and evaluation of how mine traffic will impact existing traffic given those speeds.

More thorough evaluation of the accident records for all road segments and intersections on the haul route, including the contributing causes for the accidents. What are the implications for mine traffic safety?

Determinations as to the actual safe speeds for any given road segment or intersection on the haul route, along with recommendations for changes to legal speed limits where they are needed for safety.

More detailed evaluation of sight distances at all intersections, including “Vision Clearance Triangle” drawings as shown in Skagit County Road Standards, 2000, Appendix C –7.

A full evaluation of what the warning beacon systems proposed for the Grip Road/Prairie Road and Grip Road/Mine Entrance intersections are intended to accomplish and how they will do so. Drivers are clearly ignoring the existing speed warning signs at Grip and Prairie. How can they be expected to slow down adequately for the warning beacons?

“Third party” sales at the mine would mean trucks traveling to and from the site via every route possible. Disallow third party sales from the mine.

Adding heavy mine traffic to our existing, substandard roads will cause increased damage to public infrastructure and higher maintenance costs. These impacts must be evaluated and the applicant required to pay their proportional share of the costs. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required frequent repairs over the last few years just with existing traffic levels.

Pedestrian and bicycle safety must be evaluated along the entire haul route. This is a particular concern in areas where there are no shoulders on Grip and Prairie, and where guardrails were recently installed on Prairie Road. Necessary safety improvements must be required.

From Host Address: 172.92.201.41

Date and time received: 4/22/2021 8:49:19 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 22, 2021 10:40:02 AM

Name : Todd Ouellette
Address : PO Box 2255
City : Mt Vernon
State : WA
Zip : 98273
email : todd@nwlink.com
PermitProposal : Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098
Comments : Several concerns:
1: as a landowner near the proposed mine on a private well that shares the water table, I am concerned by the casual statement that they will limit mine depth to ten feet above the water table. Spills and contaminants in the mine may still infiltrate into water used by residential and agricultural citizens.

2: the wetlands assessment seems superficial. The Samish River drainage is home to several threatened or endangered species. I do not see this addressed in the documents I've seen, nor have I seen a full EIS on the projected mine. I see no actual wetlands assessment, something even a small land owner like myself had to file with the county when building.

3: Prairie Road is designed for rural traffic. If the mine runs only six trips / hour (three each way), a truck that will likely not achieve a thirty MPH average speed over the four miles from Gripp Rd to Hwy 99 will take eight minutes. The chance of trucks meeting seems inevitable, and at at least four places in that stretch, one will have to stop entirely while the other maneuvers through the turns using both lanes. This could happen multiple times / hour.

These are only a few of my concerns, none of which seem to be assessed in the documents on file at the county. I would ask for a more complete evaluation, as this projected mine will cause permanent changes, many of which seem potentially harmful, without adequate forethought.

Respectfully,
Todd Ouellette

From Host Address: 174.204.78.255

Date and time received: 4/22/2021 10:36:28 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 22, 2021 8:50:01 PM

Name : Leslie Mitchell
Address : 4929 Ida Drive
City : Sedro Woolley
State : Washington
Zip : 98284
email : ldmitch2015@gmail.com
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : 23 April 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

Please consider the following points concerning the need for greater and more specific study into three major areas related to the impacts that would result from the establishment of the Nor'west/Miles Sand & Gravel Mine:

1. Grip Road Gravel Mine Environmental Concerns Not Addressed in the MDNS
- The environmental review did not consider the full footprint of the project. The applicant owns
more than 700 contiguous acres, however only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road
that transects their larger ownership. The proposal will require more than 11,000 truck trips per
year on this haul road. This private road has previously been used only for forestry. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated
and no mitigation was proposed.
- The County is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot
buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet
adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.
? The Fish and Wildlife Assessment is out-of-date and incomplete. The limited Fish and

Wildlife
Assessment provided by the applicant is more than five-years-old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the
Samish River adjacent to the mine site; this animal is listed as “Endangered” in Washington State
and “Threatened” federally. In addition critical habitat for Bull Trout is located just downstream,
Bull Trout is a “Candidate” species for listing in WA State, and is listed as “Threatened” federally. The
MDNS does not mention these “ESA” species nor any protective measures necessary. Furthermore,
state and federal agencies responsible for protecting endangered species need to be consulted.
- Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the
entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.
- Wildlife corridors are not identified and protected. Cougar, bear and bobcat are known to use the
site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish
River and Anderson Mountain to the north. These animals require large territories and are sensitive
to disturbance.
- A drainage plan was not required to protect water quality from runoff on the private haul road.
Without a drainage plan that identifies treatment measures for runoff from the haul road, the high
volume of truck traffic is likely to cause excess sedimentation and potentially contamination from
petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.
? Impacts to groundwater are not adequately evaluated and protections measures are not required.
They intend to excavate the mine to within 10 feet of groundwater. They claim that all runoff from
the disturbed site will drain into the mine, and infiltration will protect the groundwater. But it is
unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table.
No mention of seasonal fluctuation of the groundwater is discussed. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants
such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish
River and flowing directly into it, with potential to contaminate the river.
2. The Noise and Vibration Study did not use realistic scenarios to model noise impacts. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from “typical” and “average” mine production, not maximum noise levels. The study did not address the significant noise fully

loaded
trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge
on the private haul road. Regardless of legal noise limits, all of this will be a major change to the
soundscape for residents of the area that should be taken into account in a full EIS.
3. Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining
equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.
4. Cumulative impacts were ignored. This is a major industrial scale proposal that would create many
cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years
of mine operation is not a "temporary" activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams.
To haul the amount of material proposed to the closest site for processing, requires driving diesel
trucks more than 5,500,000 cumulative miles over the 25 year period. A full EIS needs to evaluate
all cumulative impacts.

5.. Grip Road Mine Traffic, Road and Public Safety Issues Not addressed in the MDNS:
County government and the concerned public cannot evaluate the traffic safety impacts of the project
and the adequacy of the MDNS without the following information:
- The maximum number of truck trips per hour, how often the number of trips may exceed the average trips per hour, and how long the number of trips may exceed that average. The average
of 46 trips per day or 4.6 trips per hour given in the MDNS is meaningless due to the seasonal nature
of product demand. The applicant's October 8, 2020 Traffic Impact Analysis (TIA) proposes a maximum of 60 trips per hour (30 trucks in each direction). The SEPA determination must evaluate
the traffic safety impacts of the project based on this maximum and set hard limits on this number,
frequency, and duration
- A clear definition and map(s) of all haul routes, and the limitation of mine traffic strictly to the
defined routes.
- Safety analysis of all haul route intersections and road segments to determine whether or not trucks traveling to and from the mine will stay within their lane of traffic, and the mitigation measures to be required for every location where they will not. The TIA provides analysis showing
that truck and trailer combinations cannot traverse the two sharp curves on Prairie Road east of Old
Highway 99 without encroaching on the opposing lane of traffic. The MDNS requires the applicant
to take specific actions to mitigate this issue at this location. The TIA acknowledges that the

same
issue of lane encroachment exists at several other locations on the haul route, but neither it nor the
MDNS lists those locations, provides any analysis of the problems there, or sets out the mitigation
measures required to correct them. These locations include, among others, the S-curves on the Grip
Road hill and practically all of the intersections on the haul route. This is unacceptable.
- Projections for the increase in non-mine traffic on the haul routes over time and evaluation of the
safety and road capacity impacts of mine traffic with increased non-mine traffic. The TIA uses
2020 traffic levels to evaluate mine traffic impacts and does not factor in growth.
- Field studies to determine the speeds at which vehicles are currently traveling on the haul route
and evaluation of how mine traffic will impact existing traffic given those speeds.
- More thorough evaluation of the accident records for all road segments and intersections on the
haul route, including the contributing causes for the accidents. What are the implications for
mine traffic safety?
- Determinations as to the actual safe speeds for any given road segment or intersection on the
haul route, along with recommendations for changes to legal speed limits where they are needed
for safety.
- More detailed evaluation of sight distances at all intersections, including "Vision Clearance
Triangle" drawings as shown in Skagit County Road Standards, 2000, Appendix C – 7.
- A full evaluation of what the warning beacon systems proposed for the Grip Road/Prairie Road
and Grip Road/Mine Entrance intersections are intended to accomplish and how they will do so.
Drivers are clearly ignoring the existing speed warning signs at Grip and Prairie. How can they be
expected to slow down adequately for the warning beacons?
- "Third party" sales at the mine would mean trucks traveling to and from the site via every route
possible. Disallow third party sales from the mine.
- Adding heavy mine traffic to our existing, substandard roads will cause increased damage to
public infrastructure and higher maintenance costs. These impacts must be evaluated and the
applicant required to pay their proportional share of the costs. An important example is the
slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have
required frequent repairs over the last few years just with existing traffic levels.
- Pedestrian and bicycle safety must be evaluated along the entire haul route. This is a particular
concern in areas where there are no shoulders on Grip and Prairie, and where guardrails were
recently installed on Prairie Road. Necessary safety improvements must be required.

The Sedro-Woolley community is a rural respite from the traffic and noise of urban settings. This is a huge attribute for longtime residents and is an enormous attractant to those looking for a quite and calm place to live. Please take the time to do a methodical and adequate review of these permit proposals. This mine and associated increased traffic, noise and environmental impacts are not worth destroying the rural community calm of Sedro Woolley.

Respectfully,

Leslie Mitchell
4929 Ida Drive
Sedro-Woolley, WA 98284

From Host Address: 172.92.201.41

Date and time received: 4/22/2021 8:47:40 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 22, 2021 11:25:02 AM

Name : Terri Wilde
Address : po box 5
City : Rockport
State : WA
Zip : 98283
email : wildefoods@yahoo.com
PermitProposal : Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098
Comments : I don't believe this project is in the interest of Skagit County. I am disappointed that crucial aspects have not been studied sufficiently to know the potential damage that can be caused. For example, this project seems bound to have severe detrimental effects on the Samish River watershed. A complete wetland delineation has not been done on the whole site but apparently the proposed road for hauling is adjacent to a wetland and crosses Swede Creek, a fish bearing stream. The mining itself intends to excavate "to within 10 feet of groundwater" and expects to collect all runoff from the disturbed site in the mine. The groundwater at the site is near the level of the Samish River and flows directly into it. Add on to all these contaminations waiting to happen, we know there will definitely be runoff from the roads into the watershed from the extreme increase of large trucks on the county roads over sensitive habitat (more than 11,000 per year and up to 60 trips/ hour !?!). We have put so many efforts into trying to revitalize the delicate Samish River. It is critical habitat for the Bull Trout, designated habitat for the Endangered Oregon Spotted Frog and an important River for our dwindling salmon populations. This is not time to assault it with a project of this scope and destruction!

We are at a crucial time of understanding that we are at a tipping point and our actions today will have extreme effects on the livability of many species, including our own. The value of clean water, salmon and orcas is irreplaceable. Please don't go to your deathbeds not knowing you did the right thing for the future.

This proposal for the mine lacks identification and mitigation of wildlife corridors, mention of effected endangered species and the necessary agencies that need to be consulted for this, a drainage plan to protect water quality from runoff on the haul road, protections for groundwater and the expense of all the mitigations that would be needed to county road infrastructure to keep these roads from becoming a death trap for local travelers trying to navigate amongst the frankly inconceivable amount of heavy equipment on the county back roads.

Please do not approve it.
Thank you.

From Host Address: 50.34.194.251

Date and time received: 4/22/2021 11:21:55 AM

From: Planning & Development Services
To: Betsy D. Stevenson; Michael Cerbone
Subject: FW: PDS Comments
Date: Friday, April 23, 2021 12:11:38 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 21, 2021 8:15 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Jim Wiggins
Address : 21993 Grip Road
City : Sedro Woolley
State : WA
Zip : 98284
email : jimwiggins@fidalgo.net
PermitProposal : Concrete Nor'west (CNW) application mining special use permit, PL 16-0097.
Comments : Re: Concrete Nor'west (CNW) application mining special use permit, PL 16-0097.

Fish and Wildlife, and Water Quality (regulated Critical Areas [CA]) review, comments and questions. Wiggins, April 2021.

The information provided to date by CNW for the above referenced project regarding biological issues is insufficient to determine impacts the proposed project will have on regulated critical areas. At a minimum, we need to have maps, surveys, and descriptions of all regulated critical areas (species and habitats) including those in and near the proposed mine site, and, all roads, specifically the proposed haul road. In addition, we need to know all permit conditions that will be proposed to mitigate for impacts identified in this larger footprint. Only then can we assess impacts and adequately comment on how the proposed mine and other related project details will have on the biological environment.

SCC 14.24.060 Authorizations Required, of the county Critical Areas Ordinance, states: With the exception of activities identified as Allowed without Standard Review under SCC 14.24.107, any land use activity that can impair the functions and values of critical areas or their buffers including suspect or known geologically hazardous areas, through a development activity or by disturbance of the soil or water, and/or by removal of, or damage to existing vegetation shall require critical areas review and written authorization pursuant to this Chapter.

The July 2015 Graham Bunting Associates (GBA) Fish and Wildlife Habitat Site Assessment report does not include descriptions nor data of the 63-acre mine site, wetland/stream buffers, wooded slope, nor the access road. It focuses only on the Samish River and adjacent wetlands with no data sheets to corroborate their findings. Because CNW has not submitted an updated critical area report for the entire impact area (proposed mine site, private road, and adjacent public roads) it is not known what type of impacts to County Critical Areas, species and habitats, and their buffers will occur. Furthermore, Critical Areas Reports require to be

updated every 5 years. Said GBA report is over 5 years old.

The critical areas report completed by GBA for the wetlands associated with the Samish River recommends a 200' buffer. SCC 14.24.230 Wetland Protection Standards, requires a 300' buffer for High Intensity Land use, which the proposed mine is per the definitions section of the SCC CAO as follows: Land Use Intensity, High; Land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium-and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and commercial and industrial land uses. Therefore, the Samish River and its associated wetlands require a 300-foot buffer. It is inherent in the proposed use of the site as a commercial gravel mine, there will be a significant increase in noise, dust, and general overall on-site movement of heavy equipment. The assumed 300 foot existing buffer between the proposed mine and the Samish River and its associated wetlands is a wooded slope, protecting, in this case, all flora and fauna, such as migratory salmonids, trout, avian species, and large and medium fauna such a deer, elk, bear, cougar, coyote, and fox. Additionally, we are now aware Oregon Spotted Frog (Rana pretiosa) habitat occurs along the Samish River adjacent to the proposed mine site. Bull trout (Salvelinus confluentus) are also known to use the Samish River sometime during their lifecycle. A biological assessment is needed to address these species.

The Scope of a SCC critical areas study requires a full description of the proposed project and all biological features whether said features are regulated by the local, state, or federal government or not and is a combined quantitative (on the ground data collection) and qualitative (literature and map review) report. A description of all features such as flora and fauna, soils, topography (a survey of the top of slope), land use, a general description of the surrounding area needs to be included to provide us with an understanding of what the study area looks like and what features are present. Current and historical photographs help with this understanding of the study area. A broad-based literature review with the on-the-ground data collection of all potential areas that will be impacted needs to be studied and included in the contents of the report.

In the GBA assessment, the singular wetland rating they completed appears accurate. However, the land use intensity (moderate) they concluded does not conform to the land use intensity description put forth in Appendix 8C of WA DOE Publication No. 05-06-008 as required if using the alternative buffers in SCC 14.24.230(1)(b), Department of Ecology (Doug Gresham, DOE), the authors (DOE) of the said referenced publication. The land use intensity for a full-time gravel mining operation is high. A high habitat score (supplied by GBA wetland rating) requires a 300-foot wetland buffer per SCC 14.24.230, not 200 foot as proposed.

The review/assessment also neglected SCC 14.24.230(2), where in general, buffers are to extend 25 feet past the top of sloping areas that are 25% or greater. The site plan as indicated shows areas where this provision is applicable. Regardless of the aforementioned land use intensity issue, the buffer likely should still extend past the line indicated in areas unless there is a rational reason put forth not to, which does not appear to have been done specific to this project.

Going from an access only road that is used infrequently for forestry purposes to a gravel mine haul road that could have dozens of truck trips per day for many years will be an impact to the environment in numerous areas. This will be a distinct habitat break in what is presently one

of the largest undeveloped tracts of land remaining in lowland Skagit County, home to deer, bear, cougar, and elk *as well as many avian and small mammal species, and amphibians (* while CNW's application does not mention these species, local knowledge confirms their presence). Heavily trafficked corridors are well known to affect the habits of such species. The haul road also drains to a salmon stream that has turbidity problems, i.e. Swede Creek, and it is not practical that the increased road traffic and maintenance/improvements without stormwater control will further affect the onsite wetlands, streams and riparian areas.

No meaningful protective measures have been assessed to the buffers of the critical areas adjacent to the mine operations. While recording of a Protected Critical Area (PCA) site plan is standard and generally adequate for a single family home, a commercial operation with employees on heavy equipment, no oversight, and no vested interest in the observation of the buffers will not protect said buffers. If there is no survey or mapping, how will anyone know where the critical areas and their regulated buffers are? The buffers need to be demarcated in the field, a standard practice, and should be fenced as well.

Because a Critical Areas Review and Fish and Wildlife Assessment has not been completed on the entire project area, it is likely additional biological critical areas occur on and near the project area, such as wetlands and Swede Creek and they need to be identified and surveyed. Not to mention recently (summer 2019) much of the land owned by Miles has been logged and the haul road has been widened and resurfaced, thus because of these new modifications to the site, further necessitates an updated report.

Additional questions:
• What mitigation is proposed for CA impacts?
• How will mine excavation be monitored to ensure the "bottom" of the mine will remain greater than 10 feet above the seasonal high water table?
• Will the project occur beyond the mine site and proposed access road? If so, will there be road maintenance, widening, ditch maintenance, Grip/Prairie Road intersection maintenance/reconstruction? If so, said areas need to be assessed for regulated critical areas and mitigated for buffer impacts, habitat impacts, and stormwater quality.
• Because the mine site will be converted from forestry to a gravel mine, all habitat for the cursory list of species listed in this letter will be obliterated. For species such as amphibians that require upland habitat for a portion of their lifecycle further necessitates, at a minimum, the need for a 300-foot buffer off the wetlands adjacent to the Samish River. Also, other wetlands near the proposed mine and haul road mapped in the FPA further necessitates the need to complete an updated wetland/habitat reconnaissance and delineation report for all land within 300 feet of the mine and haul road.
• What mitigating measures have been included in the report for the introduction of invasive plant species such as Butterfly bush (Buddleja sp.) and spotted knapweed (Centaurea sp.) both of which occur on their Bellville pit site.
• What species and species habitats, such as Oregon Spotted Frog, Bulltrout, or other listed species occur in the Samish River watershed? Their presence needs to be assessed by qualified biologists and mitigation strategies addressed.

From Host Address: 50.35.55.32

Date and time received: 4/21/2021 8:10:15 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Sunday, April 25, 2021 10:17:30 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, April 24, 2021 4:05 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Norm Conrad
Address : 1120 S 25th St, #87
City : Mount Vernon
State : Washington
Zip : 98274
email : nsconrad@gmail.com
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : The Skagit County's "Mitigated Determination of NonSignificance" (MDNS) under the State Environmental Policy Act (SEPA) is ridiculous in that it is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.

The environmental review did not consider the full footprint of the project. The applicant owns more than 700 contiguous acres, however only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. This private road has previously been used only for forestry. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

The Fish and Wildlife Assessment is out-of-date and incomplete. The limited Fish and Wildlife Assessment provided by the applicant is more than five-years-old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site; this animal is listed as "Endangered" in Washington State and "Threatened" federally. In addition critical habitat for Bull Trout is located just downstream, Bull Trout is a "Candidate" species for listing in WA State, and is listed as "Threatened" federally. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.

Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.

Wildlife corridors are not identified and protected. Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the

Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.

A drainage plan was not required to protect water quality from runoff on the private haul road. Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.

Impacts to groundwater are not adequately evaluated and protections measures are not required. They intend to excavate the mine to within 10 feet of groundwater. They claim that all runoff from the disturbed site will drain into the mine, and infiltration will protect the groundwater. But it is unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table. No mention of seasonal fluctuation of the groundwater is discussed. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river.

The Noise and Vibration Study did not use realistic scenarios to model noise impacts. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from “typical” and “average” mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.

Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.

Cumulative impacts were ignored. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a “temporary” activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period. A full EIS needs to evaluate all cumulative impacts.

Do you need more reasons to reject this report? And this project?

Thank you.

From Host Address: 73.254.112.76

Date and time received: 4/24/2021 3:59:59 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Sunday, April 25, 2021 10:17:58 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, April 24, 2021 1:00 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Jerry Eisner MD
Address : 1618 E Broadway
City : Mount Vernon
State : WA
Zip : 98274
email : stardoc2@gmail.com
PermitProposal : PL16-0097 and PL16-0098
Comments : Dear Mr. Cerbone,
My wife Marilyn and I have lived in the Skagit Valley since 1980.

We would like to comment on the SEPA determination issued by Skagit County Planning and Development Services in response to the mine development application submitted by Mile Sand & Gravel's. Applications of this type have many unforseen effects on traffic, lifestyle, and environment.

While the conditions suggested in this MDNS are more substantial than in the previous one issued nearly five years ago, these conditions still reflect a limited understanding of the scale and scope of the project and offer only piecemeal and symbolic mitigation, rather than specific and prudent measures to protect our community's well-being.

There is no limitation on the volume of truck traffic. While the applicant suggests an average of 46 truck trips per day, it's clear that the average is a meaningless number when it comes to determining traffic safety impacts.
Speed limits, for example, are set based on the maximum safe speed of travel, and principle for a maximum limit on mine traffic volume should be similar. The applicant's own analysis suggests that up to 30 truck & trailer combos or up to 70 single dump truck trips per hour might occur. It is reasonable to expect the SEPA determination to evaluate the traffic safety impacts of the project based on this maximum, and mitigation conditions should set hard limits on this number, frequency, and duration.

We need a safety analysis of all haul route intersections and road segments to determine whether or not trucks traveling to and from the mine will stay within their lane of traffic, and the mitigation measures to be required for every location where they will not. We are glad to see that the new MDNS recognizes and requires mitigation for the fact that truck & trailer combos are unable to navigate the two sharp curves on Prairie Road east of Old Highway 99 without encroaching on the opposing lane of traffic. However, this is not the only spot along the proposed haul route, or the other likely alternative routes, which are similarly difficult to traverse for truck & trailer combos. The S-curves on Grip Road are particularly challenging

and on a steep incline. These other locations must be evaluated, and mitigation measures required. What happens when a school bus meets a gravel truck on these shoulderless curves? Slow-moving trucks can cause irritation and provoke unsafe passing behaviors in some drivers.

Adding heavy mine traffic to our existing, substandard roads will cause increased damage and higher maintenance costs. These impacts must be evaluated and the applicant should be required to pay their proportional share of the costs. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required frequent repairs over the last few years just with existing traffic levels. It's no secret that as the gross vehicle weight increases, the damage to road infrastructure increases exponentially.

As regards environmental concerns, the environmental review did not consider the full footprint of the project. Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

These are just a few of the concerns we share regarding this potential project. Each small piece of our local environment that gets mistreated adds up to a larger and more extensive impact on the whole.
Respectfully,
Jerry and Marilyn Eisner

From Host Address: 73.221.165.250

Date and time received: 4/24/2021 12:56:47 PM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Sunday, April 25, 2021 10:18:57 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, April 24, 2021 10:35 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : WILLIAM D PFEIFER
Address : 7472 Pressentin Ranch Dr
City : Concrete
State : WA
Zip : 98237
email : billpfeifer@yahoo.com
PermitProposal : PL16-0097 & PL16-0098
Comments : Why is the County not following its own rules when considering this proposed gravel mine? One of many examples is the approval of a 200-foot buffer when Critical Areas Ordinance rules call for a 300-foot buffer. Also, the environmental review did not consider the full footprint of the project (60 acres, rather than the whole 700-acre property) and the huge number of dump trucks that would drive on the 2-mile access road. Is the County being pressured by big-money lobbying sources? This is totally unacceptable. Follow established rules and the law.

From Host Address: 66.235.39.246

Date and time received: 4/24/2021 10:31:47 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Sunday, April 25, 2021 12:20:02 PM

Name : Anne Middleton
Address : 12694 Josh Wilson Rd
City : Mount Vernon
State : WA
Zip : 98273
email : anne.jackm@gmail.com
PermitProposal : PL16-0097 and PL16-0098
Comments : I am requesting the County require a complete EIS for the proposed MILES Quarry expansion.

Moral imperative tells us to take the very best care as possible of the lands and inhabitants of our County. In this case, the requirement of a complete EIS, carefully looking at potential impacts of quarry expansion on the Samish River, a salmon river, on the endangered Oregon Spotted Frog marsh habitat, on air quality, and traffic impacts on a small rural road is called for.

The choice to do what is right, requirement of a complete EIS, as well as the requirement of the maximum 300 foot buffer for this high intensity land use, is the right path forward.

Thank you for your careful work on this land use proposal.

Cordially, Anne Middleton

From Host Address: 172.92.210.127

Date and time received: 4/25/2021 12:20:00 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Sunday, April 25, 2021 11:20:02 AM

Name : Paula Shafransky
Address : 22461 Prairie Rd
City : Sedro-Woolley
State : WA
Zip : 98284-8586
email : pshafransky@gmail.com
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : Dear Mr. Cerbone,
As a 28 year resident on Prairie Road I am writing to say I have grave concerns about the Mitigated Determination of Non Significance for the proposed Grip Road mine project. Because this mine is in my neighborhood, I have been following these developments for the past 5 years.
I have always had significant concerns about the assessment and application documents that supposedly addressed the environmental protections for wild life and fish as well as water and air quality. Concrete Nor'west's application for this mine was denied in 2018 due to incomplete application materials and factual inaccuracies. In reviewing the current documents I don't see that much has changed since then. The same environmental concerns I had in 2018 still don't appear to being addressed or taken seriously.
In addition, the road safety issues are paramount. I have traveled Prairie Road for 28 years and have seen traffic increase significantly as well as numerous close calls and accidents, particularly at the Grip Road and Prairie Road intersection. It is inconceivable that truck and trailer rigs would be able to navigate that corner in a safe fashion. The TIA provided an analysis showing these truck/trailer combinations cannot make the two sharp curves on Prairie Road east of Old Highway 99 without encroaching on the opposing lane of traffic. As far as I know this problem has not been addressed.
My husband and I moved to this area to enjoy a rural setting with quiet living, clean air, and wild life viewing in our back yard. This mine will drastically change all that. I don't believe the planning commission is doing its due diligence in the oversight of this project. One example of this is the commission is not following its own critical area ordinance which requires a 300 foot buffer zone in areas of high density land use. This whole project seems to be about ignoring public comments and legitimate concerns in order to facilitate Concrete Nor'West's business interests at the expense of the environment and public safety issues. This MDNS decision needs to be reversed, and a full EIS should be required before moving forward.
Thank you for your consideration in this matter.

From Host Address: 172.92.213.103

Date and time received: 4/25/2021 11:16:21 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Sunday, April 25, 2021 2:45:02 PM

Name : Martha Hall
Address : 2617 16th Street
City : Anacortes
State : WA
Zip : 98221
email : pondfrog.mh@gmail.com
PermitProposal : File # PL 16-0097 and PL16-0098 (Grip Road Gravel Mine)
Comments : I am writing comments because of concerns about possible environmental impacts that should be carefully analyzed and presented to the public and decision-makers before a permit is considered.
A full Environmental Impact Statements is needed so
all impacts to important critical areas are fully understood, considered and mitigated. This has not been done.

At the top of my list are concerns about impacts
to fish and wildlife species that depend on the Samish River. Our County "Critical Area Ordinance" protects important wetlands and rivers like the area where this gravel mine is proposed by requiring large buffers when uses are "high intensity" as this mine certainly will be. Skagit County, WA State, our federal government and private citizens and landowners have spend large sums of money and countless hours of work to improve the Samish River and its adjacent wetlands and riparian areas. This has all been done because of concerns about species that are very important to the people of Skagit County, WA State and our country, several species of salmon and resident orcas. Numerous other species are tied into the food webs that support these species. These food webs extend into the Salish Sea and neighboring high quality wetlands and mudflats at the mouth of the Samish River.
All of these are connected - as this gravel mine may also be connected in its impacts.

This project should not proceed until its full impacts are fully understood or it could mean a step backwards in everyone's efforts to improve the Samish River riparian areas and the Salish Sea.

A full Environmental Impact State (EIS) is needed so we know impacts that could occur from the road leading to the mine as well as the mine itself.
These have not been adequately considered.
Swift Creek is also a fish-bearing stream that could be impacted by this road. These impacts and mitigation need to be part of an adequate evaluation of this permit.

I don't see that there has been a formal "consultation" with the federal agencies that protect some of the protected species that might be impacted including bull trout and the spotted frog. This is required and needs to be part of the EIS.

I also do not see that wetland delineations have been completed which should be part of any permit that might impact wetlands and rivers which are "critical areas" . This should be in an EIS.

To protect wetlands and rivers, our CAO should require drainage plans which seem to be missing from this permit. Run-off poses one of the greatest threats to our rivers, wetlands and the Salish Sea. This is needed in an EIS.

Groundwater is another concern whenever we think about drainage, water tables and protecting rivers such as the Samish River in the case of this mine. The Samish flows directly into the Salish Sea. Again, groundwater is a source of pollutants for all of these important habitats. The depth of this mining operation is a huge concern because of its close proximity to the river and wetlands . These impacts to the groundwater have not been analyzed and disclosed.

Wildlife corridors have been identified by ecologists and biologists as one of the most important features of wildlife habitats. Wild animals need connectivity between their habitats so they can move from one area to another to find food, breed, and meet the challenges of their daily lives. The amount of truck traffic generated by this mine along adjacent roads as well as the impacts at the site of the mine may well mean loss of connectivity for many wildlife species. This may impact the smaller and less mobile species such as frogs and salamanders and larger ones such as deer and black bear.

Finally, as is always true, and most important, are the cumulative impacts. Most often it is not one project but instead it is the cumulative impact of many projects that result in degraded habitats. This could be true of the Samish River which is already compromised by many other uses. This mine could result in various and significant additional negative impacts because impacts will occur not only at the site of the proposed mining, but also from the many loads that will be carried many miles beyond this mine in diesel trucks. An EIS is needed to study these impacts on on fish-bearing streams and wildlife corridors and other habitats.

It seems like little is really known about the negative impacts of this proposed mining operation because studies have been few and limited. Why is this when the county has a CAO that should be protecting a huge operation like the one that is proposed? Why hasn't an EIS already been required?

As a resident and tax payer in Skagit County, I also believe an EIS is needed so the public understands the added costs to tax payers of this project. We all notice and know and pay the costs of additional traffic. Additional heavy truck traffic will mean the need for far more road maintenance, repair, construc5tion and signage. How will public safety be protected from the additional traffic and pollution from this truck traffic? These concerns have not been adequately addressed so that the public can evaluate and understand what this project will cost us.

Finally, do we care about the quality of life and safety issues raised by people who live where this mine is located and near where the truck traffic will be greatest? I live in Anacortes and I know I
personally experienced the problems generated by mining of large rock that went from the Skagit River to Anacortes. I can't imagine what living along the truck route to this mine and/or near this mine might mean for the people who live nearby.
I care about these people. I hope the county does too.

I hope Skagit County will decide to require a full
Environmental Impact Statement for this mining permit. I am amazed by how inadequate the

MDNS was in analyzing and disclosing impacts of a project that is so near a river that is as important as the Samish River and a river that is so near the important mudflats of the Salish Sea. These are natural resources that are highly valued by the people of Skagit County and WA State. For the County to decide after such a limited and superficial assessment that impacts are not significant enough to require an EIS does not make sense.

Thank you for considering my comments,
Martha Hall
A concerned resident of Skagit County

From Host Address: 73.225.22.226

Date and time received: 4/25/2021 2:40:54 PM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Monday, April 26, 2021 7:09:44 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 26, 2021 7:05 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Donna Schoonover
Address : PO Box 207
City : Bow
State : WA
Zip : 98232
email : donnawh@earthlink.net
PermitProposal : PL16-0097 & PL16-0098
Comments : I live on Prairie Road, west of Grip.
I am very concerned about the traffic safety and road impacts of this project. I am concerned about the intersection of Grip and Prairie. Even with the proposed changes I do not feel that this is adequate to prevent a fatal accident at that site. I am concerned about the gravel trucks navigating the tight corners without shoulders to the west of us before Highway 99 and the crashes that will happen there. I am concerned about the increased truck traffic pulling onto Highway 99, already the scene of multiple wrecks. I am concerned about our safety, pulling out of our driveway onto Prairie Road in a section that is known for excessive speeding and reckless passing which will be markedly increased by the proposed average of 46 truck trips a day. And I am concerned about the effects of these heavy trucks on Prairie Road which is already in poor condition from the traffic it is already experiencing.
I am also very concerned about the impacts of this increased traffic on our desired rural lifestyle. We bought and are maintaining this farm on Prairie Road in order to have a quieter, more peaceful existence. In doing so we are helping support multiple farm related, local businesses. But with this increase in noise and congestion, it may not be feasible for us to continue to live here, and one more small farm in Skagit County may bite the dust.
I hope you consider these impacts in your decision making regarding this proposal and can mitigate some of the damages.
Sincerely,
Donna Schoonover

From Host Address: 172.92.229.37

Date and time received: 4/26/2021 7:02:17 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Monday, April 26, 2021 9:51:38 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 26, 2021 9:40 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Anne Winkes
Address : PO Box 586
City : Conway
State : Washington
Zip : 98238-0586
email : annewinkes@gmail.com
PermitProposal : PL16-0097 and PL16-0098
Comments : I am writing re PL 16-0097 and PL16-0098.

I urge the County to require a full Environmental Impact Statement (EIS) of the immediate, long term and cumulative adverse impacts posed by Miles Sand and Gravel's proposed gravel mine along the Samish River. The 60-acre open-pit mine that will eventually reach a depth of ninety feet is a major industrial scale proposal that will negatively impact the natural environment both on-site and off.

On April 15, 2021 the County issued a "Mitigated Determination of Non Significance" (MDNS) that did not consider all the possible adverse impacts of the proposed project on the environment. The issuance of a MDNS must be re-examined. The immediate, long-term, and cumulative adverse impacts to air and water quality and fish and wildlife habitat must be carefully studied and considered in a thorough and complete EIS.

A full EIS must consider not just the environmental impacts in the immediate vicinity of the 60 acre mine site. A full EIS must study the impacts, of which there are many, that will extend beyond that 60 acres.

A full EIS must analyze the immediate, long term and cumulative adverse impacts on the environment surrounding the two-mile haul road on which more than 11,000 trucks will pass each year as gravel is hauled from the pit mine toward its final destination. The EIS must examine all adverse impacts to the natural environment, including Swede Creek, a fish bearing stream over which the trucks will cross, and the adjacent Samish River by which the trucks will travel. Impacts on water quality and air quality must be studied. Impacts on wildlife and fish and their habitats must be analyzed. Mitigations must be proposed when the studies reveal adverse impacts.

The MDNS was based on a Fish and Wildlife Assessment done more than five years ago. A full EIS must study current conditions and habitat, including the potential impact on the Oregon Spotted Frog and the Bull Trout, both listed by the federal government as "threatened" species, with the Oregon Spotted Frog also listed as endangered in Washington State, and the

Bull Trout as a “candidate” for listing as an endangered species in Washington State.

The EIS must examine what impacts these same trucks will have on the wetlands that lie adjacent to the road. Wetlands protect and improve water quality. Wetlands are habitats for fish and wildlife. Wetlands’ plants and soil store carbon, thereby moderating global climate changes. A full EIS must study, survey and mark the wetlands. Wetlands are sensitive areas important to the health of the watershed. The adverse impacts of the project on the wetlands should not be ignored.

Prior to the issuance of the MDNS the impacts of the project on the fish, wildlife and habitat of neither the wetlands, Swede Creek, or the Samish River were evaluated. Because the impacts were not studied, no mitigation was, or could be, proposed. A full EIS must correct this omission and conduct in-depth studies of the impacts on the wetlands, on Swede Creek, and on the Samish River. Mitigations must be proposed and their impacts analyzed.

An EIS must look carefully at the buffer size recommended in the Fish and Wildlife Assessment submitted by Miles Sand and Gravel and determine if it is appropriate. A 60-acre gravel pit mine producing enough gravel to fill more than 11,000 truck loads per year is industrial scale mining. Industrial scale mining is a high intensity land use, yet Miles Sand and Gravel plan for only a 200 foot buffer, even though the Skagit County Critical Area Ordinance requires a 300 foot buffer adjacent to high intensity land use.

The 70 acres owned by Miles Sand and Gravel is the last large area of undeveloped land lying between Butler Hill, the Samish River and Anderson Mountain. Cougar, bear and bobcat inhabit and travel through these acres. The routes of these animals must be identified as these animals are dependent on intact wildlife corridors and protection from disturbance within their large territories if they are to survive. The MDNS did not identify nor protect these wildlife corridors. No mitigations were proposed. A full EIS must correct this omission.

An EIS must study the immediate, long term and cumulative impacts of the project on water pollution, air pollution and noise pollution. If adverse effects are revealed, mitigations must be proposed and their effectiveness evaluated.

In summary, The State Environmental Policy Act (SEPA) review done by the County prior to issuing the MDNS failed to take into account all the environmental impacts of the project. A full EIS must review in depth what the SEPA review did not. The County must require a full EIS that will study and analyze the immediate, long term and cumulative effects of the project on the environment both onsite and offsite. The County must require the full EIS contain mitigation proposals for all adverse impacts.

Thank you for considering my comments.

Anne Winkes
18562 Main St.
PO Box 586
Conway, WA
98238

From Host Address: 172.92.226.32

Date and time received: 4/26/2021 9:37:23 AM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Monday, April 26, 2021 2:35:51 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 26, 2021 2:25 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Lucy W Eggerth
Address : 1304 39TH ST
City : BELLINGHAM
State : WA
Zip : 98229
email : lweggerth@gmail.com
PermitProposal : PL16-097 and PL16098
Comments : I am writing to express my opposition to the proposed Grip Road Gravel Mine. This development will cause significant harm to the natural environment and wildlife habitats along the Samish River and Swede Creek as well as upland wildlife habitat. Before this proposal moves forward the County needs to reverse its Threshold Determination under SEPA and require a full Environmental Impact Statement that evaluates the impacts of the proposed project and identifies alternatives.

Respectfully submitted,

Lucy Eggerth

From Host Address: 71.197.249.80

Date and time received: 4/26/2021 2:21:19 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Wednesday, April 28, 2021 7:42:58 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 28, 2021 5:45 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Rick Eleazer
Address : PO Box 657
City : Sedro Woolley
State : WA
Zip : 98284
email : rickeleazer@aol.com
PermitProposal : CNW Gravel Pit. Grip Rd. Permit Application PL16-0097
Comments : 2019 10-16 ADDENDUM
Logging other parcels.

Noise study.
Response
Have they studied dump trucks or other equipment noise impact throughout the neighborhood. “”No”” Just the inner site of the gravel pit itself. If a dump truck goes by your house do you here it “”YES”” one truck is one thing but all day long, through out the year. This would be quite annoying. This would be a public nuisance and a safety issue.
There could not be anyone walking, riding a bike, or walking their dog(s) on the roads. They are not wide enough now as they are. The load noise of the trucks can cause safety issues as well for people and animals along the roadway by getting them scared and jumping into the ditch or the travel lane(s).
On--0ff site spill prevention & control measures for water quality.
You can not stop all pollution, you can control it, and contain it until its cleaned up. But eventually there will be a times where its not caught or cleaned up properly and ending up in environmental impacting the land and vegetation. Then potentially winding up into the aquatic system such as Swede creek and Samish river water shed below the CNW Grip Rd Gravel pit.
Please review 2018 WSDOT Spec. 1-07.4-----1.07.7 (2) 1—07.230

2019 10-1 Exhibit
Water pollution control & sources.
Response
All equipment breaks down sooner or later. Hyd. Hoses blow and break, along with the following. Radiators, Transmission and other petroleum transport lines or hoses. Sometimes you don’t find out until it’s too late, or the tank is empty. Sometimes you catch it. But no mater how big or small it is.
Its absorbed by the native ground. Sometimes it cleaned up, other times not. Then in the rainy days. It gets tracked around the site and out by equipment, and trucks going into, and out of the site, with smaller amounts on their tires that creates pollution everywhere. It’s called track out. Whether it be oil, gas, diesel, dirt, dust or mud. It’s all considered pollution by the

WSDOT standards. Environmental impact.
Then what about the dust. What about the mud. What about oil track leaking out the dump trucks as they drive up and down the road next to the ditches that lead into the near-by streams and rivers.
All these ditches around the site, or along the roadway go right into Swede creek or the Samish river.
To add to this. I'm sure the public doesn't understand how a gravel pit works. You take out loads of gravel all day long, then in return you bring back other waste or spoil materials from other sites to fill that hole back in.
Who knows from where or what was on this site years ago. That material brought back can be contaminated with various chemicals, oils and bio hazard materials. This would increase the potential hazard of possibility of the water and site pollution. Contamination to the wildlife and aquatic water shed around and below the said project..

2019 10-16 RESPONSE
Updated Traffic report.
Response
Why was this study done by just one sub-contractor picked by Miles Sand & Gravel out of Preston, Wa. They know nothing about our neighborhood or Skagit County. There is nothing mentioned about the surrounding area traffic impact on the Grip Rd. , Prairie Rd., Bow Hill, Hwy 99, or any intersections, blind corners, or roads that are not wide enough for two trucks and trailers to travel on at the same time, at or around the said project.
The Grip Rd can't be expanded as it is now. The road now is to the R/W limits. As you can see.
The power poles are in the ditches. This is the R/W line. Miles would have buy a portions of the landowners property to expand and widen the roadway on grip road and Prairie Rd. to the new construction standards. It doesn't say or mention the rail road bridge that has a low clearance on Prairie Rd. by Hwy 9.
The Grip Rd. is not designed for heavy traffic. It shows every year at the S corners at the bottom of the hill of Grip Rd. just below the said project. It breaks and cracks apart at the surface.

(Reading EX.3 DOC 7)
Gary Norris of DN Traffic Consultants states. ""States"" There is not enough dump trucks in Skagit county to fulfill the quantities they want to remove each day.

Response

This is not a true statement. Mills Sand & Gravel own trucks in WHATCOM, SKAGIT, SNOHOMISH, KING, PEIRCE Co. If they need more trucks, they just call and rent like all other Sub-Contractors do. I see Whatcom and Skagit Co. dump trucks all the time in King or Snohomish Co. working every day of the week. I'm sure they would rather work up north where they live.
Plus, I know for a fact Miles/ CNWs takes trucks from other locations to fill the gap if needed. Supply & demand.

EX. 1 -4.5.18
While the access road is currently being used for forest practice activities.
Response
No this statement is not true. Logging roads are not built with drainage ditches, culverts, cleared wide enough for two trucks to pass at the same time. Then gravel place down and graded like a standard gravel roadway is built. This supposedly logging road was built for heavy traffic, long term use.
Additionally, existing traffic reports from DN Traffic Consultants have not alleviated public concern. As a result, Skagit County Public Works is in the process of retaining a third party traffic consultant to further evaluate potential traffic impacts of the proposed project, including safety concerns relating to pedestrians, bicycle riders, and school bus stops. Pursuant to sec 14.16.440(8)(i), the consultant will also determine whether the "roads or bridges are capable of sustaining the necessary traffic for the proposed mineral extraction operation, and that the proposed operation meets level-of-service, safety, and other standards as outlined in the Skagit County Transportation Systems Plan, the Skagit County Comprehensive Plan, and applicable State and local regulations." Finally, the consultant will evaluate the sufficiency of the proposed mitigation and may propose additional mitigation if necessary to reduce or eliminate potential traffic impacts.
Response
The Grip Rd. is differently not wide enough for two dump trucks to pass at the same time, and I don't think Prairie Rd. in certain areas are not either. The road is an oil mat road. Its not designed for heavy hauling traffic day in and day out through the year. You can see signs of fatigue from the last few years of Miles Sand and Gravel working at the Samish pit from heavy truck traffic from hauling logs out clearing their gravel pit area. Bringing in other materials to build the roadway. Equipment pick up and Delv. There was never any problems before until then.
Then the intersection at Prairie Rd. and Grip Rd. is a blind corner. As a Past Volunteer fire fighter EMT for Skagit Co. Dist 8. Of 15 years. Prairie / Hickson halls. I have been on many accidents at this intersection. It's a blind corner. Someone pulling out onto prairie road from grip in a car is frightening enough some times when a car comes 50 Mph around the corner. Can you image a truck and trailer pulling out and onto Prairie road. Major Accidents.
They grip road can't be expanded as it is now. The road now is to the R/W limits. Miles would have buy a portion of the landowners property to expand the roadway on grip road and Prairie Rd.
Have they even done any core samples to see what the depth of the roadway section , or what's underneath it for stabilization.

Then. Just recently. The Skagit Co. Public works has removed a portion of that blind corner at Grip & Prairie. How did this become after all these years until the Gravel Pit is up for renewal now !!!!
It's still a public and traffic safety concern as it is now.
Also. They left the embankment vertically. That's illegal. Needs to be sloped back or fenced for public safety.

EX. 2 -3.14.17
"Shall not create undue noise, odor, heat, vibration, air or water pollution"

Response

In mining, you are going to do all the above.
You'll have equipment noise, mechanical various break downs, air pollution, dust falling into the aquatic and surrounding neighborhood. Then if you add a screen/ crusher plant you increase all the above while making sand, and smaller crushed rock materials for use.

For the 2000 gal fuel tank.

Response
This would need a 100% containment around it, with a oil /water separator installed to catch the diesel that gets spilled. Yes. it spills and drips every time you fuel something, or receive fuel form a supply truck. Environmental Impact

EX. 3 1 of 7 5.15.17
Response
46 trucks. This would be one every 10.43 minutes. Would you want this in front of your house our your neighborhood that is not designed for this type of use on the oil mat roads not wide enough for two truck to pass at the same time, or a dump truck and passenger car. Especially the winding corners of the Grip Road are subject to collapsing and moving due to all that surge pressure in which has been receiving and has shown in the last years of miles sand and gravel already prepping the gravel pit behind the tree line here so the public can't see. The county has been out here fixing it every year lately because the roadway has been moving. Again. These roads are not designed for heavy traffic. It's a residential. Not commercial. There are no shoulders. Only deep ditches on both sides of the road. No escape routes for public safety if needed.

EX. 3 doc 3 of 7
Bridge load limits. Grip Rd.
Response
U80 load limits. Grip Rd. Samish river bridge. The Maximum load design for this bridge is 37,000 Lbs. A loaded truck and trailer is 33,000---35,000 lbs loaded. Not far from the max load limit design. This bridge is not intended to get massive heavy traffic day in and day out. If this bridge was to fail or collapse. This would put a High Impact on this neighborhood such as emergency vehicles responding to aid, or fire calls, school buses, public access and transportation.

I'm very concerned about our neighborhood being turned into a Noisy, Dusty, Un-Safe for Public and Traffic, Damaged Aquatic system of the surrounding waters. Our roads getting damaged, to and from our homes being impacted daily throughout the year(s).
This would also, I believe drive our taxes up for road repairs for others, as well as a decline in property values.

Rick Eleazer

From Host Address: 172.92.225.18

Date and time received: 4/28/2021 5:43:20 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Tuesday, April 27, 2021 4:45:18 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Tuesday, April 27, 2021 2:15 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Dale Romain Abbott
Address : P.O. Box 804
City : Burlington
State : WA
Zip : 98233
email : d_abbott@hotmail.com
PermitProposal : PL16-0097 & PL16-0098
Comments : April 27, 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Proposed Concrete Nor'west Gravel Operation Near Grip Road
Special Use Permit Application PL16-0097
And Mitigated Determination of Non-Significance for proposed Grip Road Gravel Mine
File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA species

Dear Mr. Cerbone,

I wish to register my concerns about the proposed gravel mine along Grip Road which I believe will have significant deleterious effects on the surrounding environment and community. Many of these concerns do not appear to have been adequately addressed in the proposal.

First, there does not seem to be any mention about the safety of pedestrian and bicycle traffic on Grip and Prairie Roads. The shoulders are non-existent on long stretches, and yet I see many of my neighbors out walking or biking these roads on a regular basis. I also regularly ride my bike on Prairie Road for exercise. Having to share this road with huge dump trucks is a frightening thought.

I am worried about the environmental impact to the natural environment of the Samish River. This valley is home to a variety of wildlife which both reside here permanently or transit through. I've had a bobcat on my land, and my neighbor had a cougar cross his property. In addition, there are deer, coyotes, opossums, raccoons, muskrats, beaver, and all manner of amphibians, reptiles, salmon, and birds living here.

There does not appear to be any mention of wetlands protection in the proposal despite the

haul road crossing Swede Creek and the forest buffer being established as only 200 feet from the Samish River. The county's own regulations require a 300 foot buffer when adjacent to "high intensity" land use. As pointed out by the Central Valley Samish Neighbors group, a gravel mine would most certainly qualify as "high intensity" land use.

Another environmental concern I have that does not appear to have been addressed is the problem of light pollution. I can't tell from the reams of papers which have been filed just exactly what the working hours of the mine will be, and I see no mention of what kind of lighting will be utilized. Light pollution can have a significant deleterious effect on wildlife---particularly birds and insects---and there is growing evidence that it is harmful for human health as well.

I am worried about the effect that this mine will have on groundwater. By definition, they will be mining gravel which is much more porous than other forms of earth. How can they be sure that sediment, petroleum products, and other toxic debris will not migrate through the ground into the Samish River? Also, how will they handle runoff from the haul road and where will it go when it is raining? These concerns do not appear to have been adequately addressed in the proposal.

The noise studies mention the additional noise that the mine will contribute to the general background, but it is hard for me to believe that such low numbers can come from intermittently dumping a bucket load of gravel into the metal bed of a dump truck. I've stood next to that kind of activity, and it hurt my ears. The examiner must have been referring to the routine operation of the motors and trucks, not the dumping of gravel. Also, will the trucks be using their compression brakes as they descend the haul road? I grew up in Darrington, and you could hear the logging trucks coming into town from a mile away.

Before the mine proposal moves forward, I believe that the county needs to require a full Environmental Impact Statement to address these concerns and how they might be mitigated.

Thank you for your time and consideration.

Sincerely,

Dale R. Abbott
22290 Prairie Road
Sedro-Woolley, WA 98284

d_abbott@hotmail.com

From Host Address: 172.92.195.144

Date and time received: 4/27/2021 2:13:02 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Wednesday, April 28, 2021 3:48:15 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 28, 2021 10:45 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Donald J Allgire
Address : 1607 Birch Court
City : MOUNT VERNON
State : Washington
Zip : 98274
email : dkallgire@hotmail.com
PermitProposal : PL16-0097 PL16-0098
Comments : I was a Union Carpenter for 30 years and I am not anti growth. My wife and I built our dream home in 1994 at 17939 Valley Ridge Lane, fronting East Hickox Road 1/2 mile from Merridian Aggregates Rock Quary. We experienced first hand the effects of Gravel Truck Traffic on a road with little or no shoulder. During times of flooding Truck Traffic was greatly increased to reinforce Dikes in Skagit and Snohomish Counties. Often times schedule overshadowed safety. As East Hickox had an abundance of litter my wife volunteered to "Adopt East Hickox". The County and State denied her request since there was little or no shoulder and "it is not safe". It was also not safe to walk or ride a bicycle. In 2005 we moved into town where it was safe to walk.
As a member of the Skagit Bicycle Club I have ridden the roads all around the proposed Concrete Nor'west Rock Quary. I know 1st hand the safety issues created by the Quary as proposed. Unlike Seattle we do not have miles of converted Rails to Trails and must ride the Rural roads.
The County has a responsbility to fairly represent the citizens of Skagit County and follow the permit requirements as they were written and not " Rubber Stamp " this in the interest of Business or Tax Revenue. Respectfully Donald Allgire

From Host Address: 107.77.205.114

Date and time received: 4/28/2021 10:40:54 AM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Wednesday, April 28, 2021 4:42:15 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 28, 2021 10:50 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Erin Heckman
Address : 19254 Prairie rd
City : Sedro Woolley
State : washington
Zip : 98284
email : e.heckman@hotmail.com
PermitProposal : grip road gravel pit
Comments : I live on Prairie rd at the S curves. I have several concerns.

The first being the safety of my children getting on and off the bus at the S curve in front of our house, gravel trucks with delayed stopping time ability greatly concern me. this and also the potential increase for accidents in front of our home.

Second the noise due to the increase in traffic and size/type of vehicles.

Third; Decreased property values due to traffic, noise and/or encroachment on property for widening of roads.

fourth- water quality from our well, will mining release heavy metals into our water supply posing potential hazards to our health?

This road has many persons/children riding bikes. and walking, this gravel mine will adversely effect our quality of life. I hope that the mine approval will be reconsidered as our neighborhood would be ruined with the addition of this gravel pit.

From Host Address: 66.165.40.10

Date and time received: 4/28/2021 10:48:41 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Wednesday, April 28, 2021 4:42:35 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 28, 2021 10:55 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Mary Ruth Holder
Address : 201 S. 7th St.
City : Mt Vernon
State : WA
Zip : 98274
email : mruthholder@gmail.com
PermitProposal : Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Comments : Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098

Dear Mr. Cerbone:

We are writing to express our opposition to the Mitigated Determination of NonSignificance (MDNS) issued for the above-referenced Puyallup based Miles Sand and Gravel proposal for the 90-foot deep open pit Grip Road Gravel Mine, an industrial-scale mining operation adjacent to the Samish River. Among other things, this project would cause significant adverse impacts and irreparable harm to the natural environment, including to water and air quality and fish and wildlife habitat. The issuance of the MDNS is inappropriate: a full Environmental Impact Statement (EIS) should be required for the project. The applicant failed to identify all of the areas impacted by the project and to provide updated and complete studies of all fish and wildlife adversely impacted. Additionally, the MDNS allows applicant to violate the County's Critical Area Ordinance.

The flawed MDNS only took into account just 60 acres of the project's impact, and ignored applicant's more than 700 contiguous acres and the two-mile long private road over which 11,000 truck trips will travel annually. Significantly, this private road is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed. Sensitive areas and buffers within the entire project area (not just the 60-acre mine site) must be identified so that operators and regulators know where they are. Significant adverse impacts to these sensitive areas would be made worse by the County's allowing applicant to provide only a 200-foot buffer on the river instead of complying with the County's Critical Area Ordinance requiring a 300-foot buffer based on applicant's proposed high intensity land use (industrial scale mining. An appropriate environmental review (EIS)

must consider the full footprint of this project and all of its impacts.

The MDNS determination is based on applicant's out-of-date and incomplete Fish and Wildlife Assessment. This Assessment is more than five years old despite the fact that the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site; this animal is listed as "Endangered" in Washington State and "Threatened" federally. In addition, critical habitat for Bull Trout is located just downstream. Bull Trout is a "Candidate" species for listing in WA State, and is already listed as "Threatened" federally. The MDNS ignores these "ESA species" and does not require any protective measures for them. Furthermore, the County failed to consult with the appropriate state and federal agencies responsible for protecting these species pursuant to SEPA.

The MDNS was issued in the absence of a full wetlands delineation. Thus, there is no requirement for surveying and permanently marking wetlands. Sensitive areas and buffers within the entire project area (not just the mine site itself) must be identified so that operators and regulators know where they are.

Wildlife corridors were neither identified nor protected. This site is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. It is used by cougar, bear and bobcat - all animals that require large territories and are sensitive to disturbance.

Significant adverse water quality impacts could result from runoff from the private haul road, yet there is no drainage plan to identify treatment measures for this runoff. The high volume of truck traffic is likely to cause excess sedimentation and potential contamination from petroleum products that could pollute surface water flowing into Swede Creek, a fish bearing stream. An effective drainage plan must be developed.

Impacts to groundwater from the (eventually 90-feet deep)mining pit have not been adequately evaluated, and needed groundwater protection measures are not required in the MDNS. Applicant proposes to excavate the mine to within 10 feet of groundwater. Although applicant claims that runoff from the disturbed site will drain into the mine, and that infiltration will protect the groundwater, it is unclear how that ten-foot limit was determined, how the operation will avoid penetrating the water table and how seasonal groundwater fluctuation may influence drainage. The MDNS fails to consider the permeable nature of sand and gravel, thus it is unclear whether ten feet would be sufficient to filter out contaminants such as petroleum product spills. Applicant failed to address whether the groundwater at the site, essentially at the level of the Samish River and flowing directly into it, would contaminate the river.

Applicant failed to evaluate the impacts of emissions and dust on air quality resulting from mining equipment and hauling material minimum of 240,000 cumulative miles per year driven by diesel gravel trucks. No mitigation plan was prepared for this significant adverse impact on air quality.

Finally, the MDNS ignores the cumulative adverse impacts that the mine would create over its its 25 years of operation. Neither on-site nor off-site cumulative impacts were evaluated. The twenty-five year period of this large mining operation will radically change and irreparably harm the landscape and important wildlife habitat and fish bearing streams. It will also

degrade the quality of life of residents in surrounding areas and threaten their public health and safety (cumulative adverse impacts from noise, vibrations, air pollution and heavy diesel truck traffic driven more than 5,500,000 cumulative miles over the 25 year period).

For all of the above reasons, we request that you withdraw the MDNS and require a full EIS. Alternatives considered must include 1.) no permit and 2.) issuance of a permit for a much smaller operation for which impacts would be fully mitigated by applicant. Any permit must provide that any project expansion or other change to the operation will require a new application and full environmental review. If the applicant still fails to provide all the necessary updated and accurate information for purposes of an EIS, the permit must be denied. Thank you for your attention to our comments.

Sincerely,
Mary Ruth and Phillip Holder

From Host Address: 50.34.142.207

Date and time received: 4/28/2021 10:51:43 AM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Thursday, April 29, 2021 7:32:18 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 4:50 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Rick Eleazer
Address : PO Box 657
City : Sedro Woolley
State : WA
Zip : 98284
email : rrickeleazer@aol.com
PermitProposal : Samish River Gravel Pit. Miles/ CNW Grip Rd. Gravel Pit
Comments : Question:
Logging other parcels.
Noise study.

Response
Have they studied dump trucks or other equipment noise impact throughout the neighborhood. “”No”” Just the inner site of the gravel pit itself. If a dump truck goes by your house do you here it “”YES”” one truck is one thing but all day long, through out the year. This would be quite annoying. This would be a public nuisance and a safety issue.
There could not be anyone walking, riding a bike, or walking their dog(s) on the roads. They are not wide enough now as they are. The load noise of the trucks can cause safety issues as well for people and animals along the roadway by getting them scared and jumping into the ditch or the travel lane(s).

Question:
On--0ff site spill prevention & control measures for water quality.

You can not stop all pollution, you can control it, and contain it until its cleaned up. But eventually there will be a times where its not caught or cleaned up properly and ending up in environmental impacting the land and vegetation. Then potentially winding up into the aquatic system such as Swede creek and Samish river water shed below the CNW Grip Rd Gravel pit. Please review 2018 WSDOT Spec. 1-07.4-----1.07.7 (2) 1—07.230

Question:
2019 10-1 Exhibit
Water pollution control & sources.

Response
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mater how big or small it is.
Its absorbed by the native ground. Sometimes it cleaned up, other times not. Then in the rainy days. It gets tracked around the site and out by equipment, and trucks going into, and out of the site, with smaller amounts on their tires that creates pollution everywhere. It's called track out. Whether it be oil, gas, diesel, dirt, dust or mud. It's all considered pollution by the WSDOT standards. Environmental impact.
Then what about the dust. What about the mud. What about oil track leaking out the dump trucks as they drive up and down the road next to the ditches that lead into the near-by streams and rivers.
All these ditches around the site, or along the roadway go right into Swede creek or the Samish river.
To add to this. I'm sure the public doesn't understand how a gravel pit works. You take out loads of gravel all day long, then in return you bring back other waste or spoil materials from other sites to fill that hole back in.
Who knows from where or what was on this site years ago. That material brought back can be contaminated with various chemicals, oils and bio hazard materials. This would increase the potential hazard of possibility of the water and site pollution. Contamination to the wildlife and aquatic water shed around and below the said project, and the community ground water wells

Question:
Updated Traffic report.

Response
Why was this study done by just one sub-contractor picked by Miles Sand & Gravel out of Preston, Wa. They know nothing about our neighborhood or Skagit County. There is nothing mentioned Response about the surrounding area traffic impact on the Grip Rd. , Prairie Rd., Bow Hill, Hwy 99, or any intersections, blind corners, or roads that are not wide enough for two trucks and trailers to travel on at the same time, at or around the said project.
The Grip Rd can't be expanded as it is now. The road now is to the R/W limits. As you can see.
The power poles are in the ditches. This is the R/W line. Miles would have buy a portions of the landowners property to expand and widen the roadway on grip road and Prairie Rd. to the new construction standards. It doesn't say or mention anything about the low rail road bridge that has a low clearance on Prairie Rd. by Hwy 9. I believe this is a bias traffic report just for Miles/CNW
The Grip Rd. is not designed for heavy traffic. It shows every year at the S corners at the bottom of the hill of Grip Rd. just below the said project. It breaks and cracks apart at the surface.

Question:
Reading EX.3 DOC 7)
Gary Norris of DN Traffic Consultants states. ""States"" There is not enough dump trucks in Skagit county to fulfill the quantities they want to remove each day.

Response
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where they live.
Plus, I know for a fact Miles/ CNWs takes trucks their own trucks from other locations to fill the gap if needed. Supply & demand.

Question:
While the access road is currently being used for forest practice activities.

Response
No this statement is not true. Logging roads are not built with drainage ditches, culverts, cleared wide enough for two trucks to pass at the same time. Then gravel place down and graded like a standard gravel roadway is built. This supposedly logging road was built for heavy traffic, long term use.

Question:
Additionally, existing traffic reports from DN Traffic Consultants have not alleviated public concern. As a result, Skagit County Public Works is in the process of retaining a third party traffic consultant to further evaluate potential traffic impacts of the proposed project, including safety concerns relating to pedestrians, bicycle riders, and school bus stops. Pursuant to sec 14.16.440(8)(i), the consultant will also determine whether the "roads or bridges are capable of sustaining the necessary traffic for the proposed mineral extraction operation, and that the proposed operation meets level-of-service, safety, and other standards as outlined in the Skagit County Transportation Systems Plan, the Skagit County Comprehensive Plan, and applicable State and local regulations." Finally, the consultant will evaluate the sufficiency of the proposed mitigation and may propose additional mitigation if necessary to reduce or eliminate potential traffic impacts.

Response
The Grip Rd. is differently not wide enough for two dump trucks to pass at the same time, and I don't think Prairie Rd. in certain areas are not either. The road is an oil mat road. Its not designed for heavy hauling traffic day in and day out through the year. You can see signs of fatigue from the last few years of Miles Sand and Gravel working at the Samish pit from heavy truck traffic from hauling logs out clearing their gravel pit area. Bringing in other materials to build the roadway. Equipment pick up and Delv. There was never any problems before until then.
Then the intersection at Prairie Rd. and Grip Rd. is a blind corner. As a Past Volunteer fire fighter EMT for Skagit Co. Dist 8. Of 15 years. Prairie / Hickson halls. I have been on many accidents at this intersection. It's a blind corner. Someone pulling out onto prairie road from grip in a car is frightening enough some times when a car comes 50 Mph around the corner. Can you image a truck and trailer pulling out and onto Prairie road. Major Accidents.
They grip road can't be expanded as it is now. The road now is to the R/W limits. Miles would have buy a portion of the landowners property to expand the roadway on grip road and Prairie Rd.
Have they even done any core samples to see what the depth of the roadway section , or what's underneath it for stabilization.
Then. Just recently. The Skagit Co. Public works has removed a portion of that blind corner at Grip & Prairie. How did this become after all these years until the Gravel Pit is up for renewal now !!!! and new traffic study. Its still a blind corner for traffic doing 50 MPH and a truck or cars pulling off Grip Rd. onto Prairie Rd.
It's still a public and traffic safety concern as it is now.
Also. They left the 20' embankment vertically. That's illegal. Needs to be sloped back at a 2:1

or fenced for public safety.

Question:
Shall not create undue noise, odor, heat, vibration, air or water pollution”

Response
In mining, you are going to do all the above.
You’ll have equipment noise, various mechanical break downs, air pollution, dust falling into the aquatic water supply, ground water wells and surrounding neighborhood would hear and see signs of all the above..
Then if you add a screen/ crusher plant you increase it to double or more to all the above while making sand, and smaller crushed rock materials for use.

Question:
On-site 2000 gal fuel tank.

Response
This would need a 100% containment around it. A concrete barrier that would contain any leak or breakage of the said tank. Needs a oil /water separator installed to catch the diesel that gets spilled.
Yes. Spills and drips happen every time you fuel something up, or receive fuel form a supply truck. Its a on going Environmental Impact.
There is nothing mention about fuel spills clean up, or various spill kit stations if needed. What actions are taken to prevent this or to do in case of.

Question:
EX. 3 1 of 7 5.15.17

46 trucks. This would be one every 10.43 minutes. Would you want this in front of your house our your neighborhood that is not designed for this type of use on the oil mat roads not wide enough for two truck to pass at the same time, or a dump truck and passenger car. Especially the winding corners of the Grip Road are subject to collapsing and moving due to all that surge pressure in which has been receiving and has shown in the last years of miles sand and gravel already prepping the gravel pit behind the tree line here so the public can’t see. The county has been out here fixing it every year lately because the roadway has been moving. Again. These roads are not designed for heavy traffic. It’s a residential. Not commercial. There are no shoulders. Only deep ditches on both sides of the road. No escape routes for public safety if needed.

Question:
Bridge load limits. Grip Rd.

Response
U80 load limits. Grip Rd. Samish river bridge. The Maximum load design for this bridge is 37,000 Lbs. A loaded truck and trailer is 33,000---35,000 lbs loaded. Not far from the max load limit design. This bridge is not intended to get massive heavy traffic day in and day out. If this bridge was to fail or collapse. This would put a High Impact on this neighborhood such as emergency vehicles responding to aid, or fire calls, school buses, public access and transportation.

I’m very concerned about our neighborhood being turned into a Noisy, Dusty, Un-Safe for Public and Traffic safety, Damaged Aquatic system of the surrounding waters. Our roads getting damaged, then the impact to and from our homes being impacted daily throughout the year(s) due to these heavy trucks and added traffic
This would also, I believe drive our taxes up for road repairs for others to use and damage, as well as a decline in property values, due to pollution and noise .

RE

From Host Address: 172.92.225.18

Date and time received: 4/29/2021 4:45:45 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Thursday, April 29, 2021 2:56:55 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 2:45 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Rick Brumfield
Address : 5318 Cedar Ridge Pl.
City : Sedro Woolley
State : WA
Zip : 98284
email : rbb123@frontier.com
PermitProposal : PL16-0097and PL18-0200
Comments : Re PL16-0097 and PL18-0200 … the gravel pit project off Grip Road:
1. I know it is anecdotal, but I have already been personally run off Grip Road by these truck trailer combos … twice. My fear is Skagit County is going to allow this activity to happen without sufficient safeguards to prevent severe injury or even death. Avoiding these truck trailer combos, especially in the tight turns where they violate their lanes, is a literal impossibility. There are either no shoulders or inadequate shoulders to provide "bail out" space. The county and Miles/Concrete Nor'West, could quite likely find themselves in costly lawsuits having to defend against serious injury or wrongful death by allowing the project to proceed with pre-knowledge of such hazardous conditions.
2. One option, to at least partially mitigate such hazardous conditions, would be to require the too wide truck trailer combos or lane violating truck trailer combos to use flaggers, or pilot/escort vehicles. Does Washington State Law already require such mitigations for "too¬ wide" or lane violating vehicles?
3. Re the lane violation issue, item #12. (2) … the NOTICE OF WITHDRAWN and RE-ISSUED MDNS speaks to the required mitigations if trailers are going to be used. The county and the applicant need to realize at these lane violation locations, the normal two lane roads really become one lane roads. The required mitigations need to be adequate to prevent related collisions … recommend automated red-light/green light one lane control systems.
4. 25 years is significant … to say it is non significant is a terrible judgment call.
5. The proposed volume of truck traffic is significant … to say it is non significant is a terrible judgment call.
6. I do not think this project should be allowed to proceed at all.
7. At a minimum, the project should be required to submit a full EIS … again, the project is significant.
8. If the project is allowed to proceed, one thing that might help would be to add fog lines to Grip Road. While there are no shoulders to provide "bail out" space, adding fog lines might at least encourage all vehicles to stay in their respective lanes and their drivers to know where the edge of the road is.
9. Or/and add guard rails along grip where there are no or inadequate shoulders … that is what that county did recently on Prairie between Old 99 and the Prairie/Grip Road intersection … and that was along a straight stretch of road. Guard rails along dangerous curves should be a

higher priority.
10. Truck trailer combos waiting to turn left, from Grip Road onto the access road, are going to block traffic wanting to proceed further west on Grip. Miles/Concrete Nor'West should be required to provide a center turn lane of adequate length to prevent such blockages.

From Host Address: 68.116.101.110

Date and time received: 4/29/2021 2:43:44 PM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Thursday, April 29, 2021 12:03:55 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 11:25 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Julia Hurd
Address : 19396 Ashe Lane
City : Burlington
State : WA
Zip : 98233-8578
email : hurdjulia@gmail.com
PermitProposal : Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Comments : I live in Alger, not far from the proposed Grip Road Gravel Mine. I am concerned about the effects on traffic, nature, and the radical change in the neighborhood from such a massive industrial project. I understood the now closed gravel mine on Highway 99 at the bottom of Bow Hill Road, and now the replacement mine farther down on 99 next to I-5 in terms of need and location, but this mine is significantly different.

The Grip Road Gravel Mine is located in a rural, sensitive, undeveloped 700-acre parcel of land next to a creek as well as the Samish River. Both are fish bearing and the home to listed threatened species. This mine will have negative impacts on and change life dramatically for local residents, wildlife and the environment.

The roads in and out of the mine are back county roads, not suitable for up to 30 noisy, heavy gravel trucks with trailers per hour; this is a problem for traffic, cyclists, pedestrians. The shoulders are too narrow in places and the roads were not designed for industrial usage or this type of traffic. Who will pay for road and safety improvements?

Such enormous industrial usage in this rural area poses threats to drainage, noise, emissions, groundwater, fish, wildlife wetlands, property values and everyday living. The impacts, especially over the 25 year life of the project, are all areas of concern that need to be fully addressed in an Environmental Impact Statement. The scope and location of the mine demand this.

Thank you for considering my concerns.

Julia Hurd

From Host Address: 172.92.219.225

Date and time received: 4/29/2021 11:21:17 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Thursday, April 29, 2021 5:26:17 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 3:55 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Suzanne Butler
Address : 109 S. 9th St
City : Mount Vernon
State : WA
Zip : 98274
email : suzanne.butler@outlook.com
PermitProposal : Proposed Gravel Mine off Grip Road
Comments : Dear Commissioners Browning, Wesen, and Janicki,
I would ask you to give serious thought to allowing a huge, open pit, gravel mine near Grip Rd in rural Skagit County. There is nothing environmentally insignificant about the proposal. It is close to the Samish River with a smaller buffer than usually demanded. Every river is a delicately balanced ecological system that cannot support such an intrusion. Assessments of water and air quality and their affect on all wildlife (flora and fauna) must be updated before a decision is made. The environmental impact will be monumental and must be examined carefully before giving this Puyallup company permission to break ground in Skagit County.
Respectfully, Suzanne Butler

From Host Address: 50.34.112.174

Date and time received: 4/29/2021 3:53:02 PM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Thursday, April 29, 2021 5:35:32 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 5:35 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Martha Bray and John Day
Address : 6368 Erwin Ln; Sedro Woolley, WA
City : Sedro Woolley
State : WA
Zip : 98284
email : mbray1107@gmail.com
PermitProposal : Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Comments : Dear Mr. Cerbone,

Central Samish Valley Neighbor's attorney, Kyle Loring, is submitting comments on behalf of our group regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. That letter provides a more comprehensive review of our concerns regarding this SEPA review process, and we fully support its findings. However, we are also submitting a few additional comments directly to express our concern with the state of this application and permit review process.

Even though this project has supposedly been under review by PDS for more than five years, it appears that very little has changed about the original proposal, especially in terms of protection of the natural environment. In fact, none of the assessments and application documents related to protection of fish, wildlife, and air and water quality have been updated (except the 2017 "Addendum to the Fish and Wildlife Assessment further evaluating ESA listed species", wherein there is a clear disclaimer stating that the addendum is not intended to address requirements of the ESA). The SEPA documents were incomplete and inaccurate in 2016-2017 and they still are. Further, it appears that the County has ignored almost all of the concerns expressed by the community on these matters over the past years. We acknowledge the County's efforts to provide better information regarding traffic and public safety impacts, however the additional traffic analysis has obvious, glaring omissions and the proposed mitigation falls far short.

And, now, there seems to be a rush to push through a new Threshold Determination without truly taking into consideration new public comment (as indicated by publishing the deadline for a SEPA appeal prior to even receiving public comment on the MDNS). This does not feel like a sincere effort at public process.

The volume of information referenced in the MDNS serves mostly to confuse and obfuscate. We have spent countless hours poring through these documents trying to understand what the applicant really proposes to do. And yet, we still don't know how many daily truck trips to

expect (presumably somewhere between “46 per day” and “30 per hour”). We are still confused about whether the applicant will adhere to “normal” or “extended hours” scenarios; or, whether they plan to haul during peak traffic hours or not. In addition, if they are allowed to haul during peak hours and/or at volumes up to 30 per hour, why doesn’t the MDNS specifically state this and require appropriate mitigation measures? With the modest requirement to fix some of the most glaring safety hazards on Prairie Road prior to using trucks with trailers, we are now confused as to whether they will run more single trucks until this work is completed, or if they might use ‘alternative haul routes’ instead – potentially generating even larger number of truck trips and/or new haul routes that haven’t been evaluated at all for safety concerns. In fact, we still don’t know what the haul route will be, with the MDNS simply stating that material will be “transported to nearby facilities for processing or sold directly to market”. We still find no mention in the traffic analyses of dozens of trucks per day added to the narrow steep “S” curves on the Grip Road hill. Community members have repeatedly expressed the danger of school buses, farm equipment and commuters encountering tandem gravel trucks here, yet it is not even mentioned, let alone evaluated. We find it bewildering that the County has still not required the applicant to clarify these issues.

We don’t even know if the County will require a 300-foot buffer on the Samish River, even though this is clearly required by the County’s CAO. And, we still don’t understand why the applicant wasn’t required to conduct an environmental review of the entire footprint of the project, including the two-mile long private haul road that is clearly integral to the project, with approximately 12,000 truck trips annually traveling on it.

This is an industrial scale development located in a vibrant rural community and a sensitive watershed, where no commercial mining anywhere near this scale has occurred. The applicant and the County still don’t seem to grasp the magnitude of impact and permanent change this proposal would cause to the place we call home. Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and require a full Environmental Impact Statement that fully evaluates the impacts, appropriate mitigation, and identifies scaled back alternatives.

Thank you for your time and consideration.

From Host Address: 50.34.124.61

Date and time received: 4/29/2021 5:30:42 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 9:10:02 PM

Name : Carolyn Gastellum
Address : 14451 Ashley Place
City : Anacortes
State : WA
Zip : 98221
email : Cgastellum67@gmail.com
PermitProposal : PL16-0097
Comments : Regarding Grip Road Gravel Mine Proposal

I previously wrote a comment requesting that a full EIS be required for the gravel Mine proposal because the MDNS that was issued on April 15, 2021 is not adequate. The electronic form would not "send" so I am writing the following summary in hopes that my comments are received before the April 30 deadline.

I agree with all comments that were submitted by Martha Bray and Jed Holmes. The MDNS is inadequate because it does not fully assess the potential negative impacts of the Gravel mine project. I request that Skagit County PDS require a complete EIS that will study the cumulative impacts on the environment and traffic safety due to approximately 11,000 diesel truck trips per year. Please study the impacts on Threatened and Endangered species like the Brown Trout. Study the need for wildlife corridors so that big mammals like cougar, bear, and bobcats are not cut off from the territory they need. These animals are essential to a well balanced ecosystem. Study the impacts on climate and air quality from heavy diesel truck traffic emissions over the life of the project. Please require thorough analysis of the potential negative impacts to wetlands which are critical ecosystems in themselves. Please carefully and thoroughly study traffic safety concerns from the rural route on Grip road to more populated areas of the county that would be impacted by such a large increase in heavy dump truck traffic.

Thank you for your careful attention the the concerns of the community. Please require a full EIS for this project.

From Host Address: 63.142.207.34

Date and time received: 4/29/2021 9:09:01 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 9:20:02 PM

Name : Rick Eggerth
Address : 1304 39th Street
City : Bellingham
State : WA
Zip : 98229
email : rickeggerth@gmail.com
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : April 29, 2021

Hal Hart, Director
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of Non-Significance for Proposed Grip Rd. Gravel Mine File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA Species

Dear Mr. Cerbone:

As the chair of the Mt. Mount Baker Group of the Washington State Chapter of the Sierra Club (MBG), encompassing San Juan/Skagit/Whatcom counties, I speak on behalf of thousands of Sierra Club members and supporters in Skagit county. While we greatly appreciate and commend the work of the Skagit Planning and Devt. Services (SPDS) staff in what is a difficult task, we nonetheless have serious concerns about the recently re-issued MDNS for the proposed Grip Road Gravel Mine. And while the Sierra Club's status as the nation's largest and oldest environmental protection organization means we must direct our attention in this letter to environmental concerns, we also note that there are other significant concerns that deserve attention, such as the traffic and public safety issues raised in comments by the Central Samish Valley Neighbors organization. These concerns are also shared and supported by MBG.

Little has changed from the original mining 2016 proposal, especially in protecting the natural environment, as there have been minimal updates to the assessments and application documents related to protecting fish, wildlife, water and air quality. They were incomplete and inaccurate then, despite a 2017 update to the Fish and Wildlife Assessment, they still are now.

In addition, these documents fail to address community concerns raised during the past few years, and are also now completely outdated. We sincerely hope that failing to address previous public comments does not signify a rush to a new Threshold Determination without seriously considering and evaluating new public comment.

The fact of the matter is that this is an industrial scale development in a sensitive rural environment where commercial mining has never occurred. It will irreparably and significantly harm the natural environment along the Samish River and Swede Creek, as well

as upland wildlife habitat. In light of these undeniable facts, the MDNS must identify and mitigate the harmful environmental impacts of this proposal, including:

• Considering the project's full footprint. Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on a two-mile long private road, requiring more than 11,000 heavy truck trips per year, that is adjacent to wetlands and crosses fish-bearing Swede Creek. These sensitive areas must be evaluated and mitigation proposed.

• The County's Critical Areas Ordinance (CAO) has not been followed. Only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, without justification and even though the CAO demands 300-feet adjacent to high intensity land use such as industrial scale mining. A full EIS is necessary to be sure that all relevant aspects of the CAO are followed.

• The Fish and Wildlife Assessment, though revised in 2017, is still out-of-date and incomplete. River and associated wetlands have changed and have not been adequately accounted for. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site. The MDNS does not mention this Endangered Species Act (ESA) species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.

• Wetlands must be delineated, surveyed and permanently marked. Sensitive areas and buffers within the entire project area (not just the mine site) must be identified so that operators and regulators know where they are.

• Wildlife must be identified and protected. As already mentioned, it must be determined whether the Oregon Spotted Frog, an endangered species and so protected under the ESA, is on or near the site. Reference to the OSF is by no means a shot in the dark. It was on the headwaters of the Samish River in Whatcom County in 2011-12 that OSF were found after having been thought to have been exterminated in the region. Which makes it all the more important that Samish County work with its northern neighbor to assure protection of this species. In addition, cougar, bear, and bobcat use the site. These animals require large territories and are sensitive to disturbance by human activity, so as the last large tract of undeveloped land between Butler Hill to the south and the Samish River and Anderson Mountain to the north, the site should accommodate the needs of these animals.

• A drainage plan is necessary to protect water quality against runoff on the private haul road. Treatment measures for runoff from the haul road must be identified, as the high volume of truck traffic is likely to cause pollution from petroleum products to pollute surface water flow into Swede Creek, a fish-bearing stream that also empties into the Samish River, which empties into Puget Sound. Pollution into any of these bodies of water must be stopped, or at least contained.

• Impacts to groundwater must be evaluated and protection measures required. The announced intent to excavate the mine to within 10 feet of groundwater leaves precious little room for error, especially because it is unclear how a 10-foot limit can be maintained for everywhere the aquifer touches the site. What measures will be undertaken to prevent pollutants from seeping down 10 feet to the water table? What measures will be taken to cleanse the aquifer if pollution does occur? These and related questions absolutely must be answered because, with the pervious nature of sand and gravel, 10 feet may not be enough to filter out pollution from

petroleum product spills. Furthermore, the groundwater at the site is essentially at the level of the Samish River and flows directly into it, so groundwater pollution would become river, and then Sound, pollution.

• The Noise and Vibration Study used unrealistic scenarios to model noise impacts. Assumptions as to number and size of equipment operating on-site are vague and misleading. Noise levels must be modeled at maximum mine production levels, not merely "typical" and "average" levels. The significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road must also be included. But regardless of legal noise limits, the question of how this major change in soundscape for residents of the area must be addressed in a full EIS.

• Emissions must be evaluated and mitigation plans required. There will be air pollution from mining equipment and haul trucks, and this must be quantified and prevented, especially considering that at least 240,000 cumulative miles per year will be driven by diesel gravel trucks.

• Cumulative impacts must be considered. This major industrial scale proposal will create many cumulative impacts, both on and off-site. 25 years of mining is not a "temporary" activity, yet no off-site impacts were evaluated. This will permanently change the character of the landscape and surrounding neighborhoods, degrading wildlife habitat and fish-bearing streams. Hauling the amount of material proposed to the closest site for processing means more than 5,500,000 cumulative diesel truck miles over 25 years. That's a lot of potential air and water pollution, not to mention road wear and tear and safety concerns. These and any other cumulative impacts, on and off-site, deserve evaluation and protective measures.

MBG respectfully requests that the County reverse its Threshold Determination under SEPA, and require instead a full Environmental Impact Statement that evaluates all impacts to the natural environment and identifies alternatives, including the possible alternatives of reducing the size of the mine, or denying the mine altogether.

Your cooperation in this matter is very much appreciated.

Sincerely,

Rick Eggerth
Chair, Mt. Baker Group, Washington State Sierra Club

Cc: Mt. Baker Group Executive Committee and Leadership Team
Central Samish Valley Neighbors

From Host Address: 71.197.249.80

Date and time received: 4/29/2021 9:17:04 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 9:30:02 PM

Name : Larry William Hedgpeth
Address : 5809 Brookings Road
City : Sedro Woolley
State : Wa
Zip : 98284
email : ljhedgpeth@gmail.com
PermitProposal : Special Use Permit Application #PL16-0097 Grip Road Gravel Mine
Comments : April 29, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services 1800 Continental Place
Mount Vernon, WA 98273
RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads

Dear Mr. Cerbone,

I am writing to comment on your April 15, 2021 revised SEPA threshold determination for the proposed Grip Road Gravel Mine. I have followed the county's oversight of this project almost since its start five years ago, but my personal interest is now much greater than it was back then. My 12-year-old grandson now lives with us and will be riding the school bus to Cascade Middle School in Sedro Woolley next school year. I am very concerned for the safety of everyone on the roads in our area, especially school busses, if the county doesn't do more to keep the roads here safe after the mine is in operation.

Now, I know your office took a look at some of these concerns because you're requiring Miles to either use trucks only (no trailers) OR fix the two sharp turns on Prairie just east of old 99 and detour around the Samish bridge on old 99 if the load is too heavy. --mitigation measures 12 and 15 in the new MDNS--

But what about the rest of the haul route? There are two areas especially where it is so dangerous even now that I can't understand why the county hasn't required effective mitigation measures in this new MDNA.

First, the downhill curvy stretch on Grip just west of where the mine access road comes in. As anyone will tell you, it's a white-knuckle experience meeting a dump truck anywhere on that short stretch of road. It's too narrow, the turns are pretty sharp, there's not much of a shoulder, the truck always comes over into your lane, and there is not much visibility around the curves – he's almost on top of you before you see him.

That's with a car or pickup meeting a dump truck. A school bus meeting a truck/pup combination on the road the way it is now could be such a tragedy. Isn't it your job to protect the public interest? How can the county turn a blind eye to such a dangerous situation?

The second part of road I want to talk about is the Grip / Prairie intersection just west of the downhill section on Grip. Two parts in this area—the bridge and the intersection.

The bridge -- Why is there no mention of any protection for the Samish bridge on Grip comparable to that for the bridge on old 99? Is the Grip bridge in better so much better shape?

The intersection – Visibility a big issue here. Traffic west bound on Prairie often goes past that intersection at a pretty good clip and has to slow down for rigs turning west onto Prairie from

Grip. When making that turn onto Prairie you just can't see far enough east on Prairie to avoid having traffic back up behind you. The recent work cutting the hill back has helped, but it is still a problem. With a gravel truck it's much more pronounced. With a constant string of truck/pup combinations, it could get pretty uncomfortable for everyone involved. Maybe you could require a merge lane from the intersection west long enough for the truck to get up to speed. That doesn't seem unreasonable, does it?
Both of these areas get some gravel truck use now, of course. But there will be a lot more truck traffic when the mine is up and running. How much more? Despite some numbers, (46/day, up to 30 /hr -- are there others I missed?) there isn't any real hard and fast limit. And even though Miles now says they plan to work set hours and not on Sundays, I couldn't find anything in the permit that actually limits trucks per hour or hours per day. Why do they need a blank check in this area? Why won't the county set limits to extra traffic on the roads and hours of operation? That would act to limit all potential dangers on the roads and seems very reasonable to me.
Thank you for your time considering my comments. This is very important to my wife and I – it will diresctly effect the risk our grandson will be exposed to while he is attending public school here – 6 more years!
Larry Hedgpeth. 360-855-8326

From Host Address: 172.92.218.39

Date and time received: 4/29/2021 9:28:50 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 9:45:03 PM

Name : Brian Bowser
Address : 21110 Parson Creek Road
City : Sedro Woolley WA
State : WA
Zip : 98284
email : CMSInc@myfrontiermail.com
PermitProposal : Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097
Comments : Dear Mr. Cerbone,
I am writing to express my concerns on your April 15, 2021 revised SEPA threshold determination for Concrete Nor'West proposed Grip Road Gravel Mine. The revised MDNS falls woefully short of what is needed to identify serious traffic problems and the mitigation required to protect public safety.
Additional items of concern:
• Grip Road intersection still has a service sight-distance issue. The proposed solution, "traffic activated flashing beacon system," does not solve the sight-distance problem. To solve the problem, part of the hillside needs to be completely excavated. The County recently made some improvements to the intersection by excavating a portion of the hillside, and by doing so, has proved fixing the sight-distance problem can be straight-forward and relatively inexpensive. Furthermore, the current Puget Sound Energy power pole upgrade project on Parson Creek Road has also proven that acquiring the right of way needed to fix the sight-distance problem is not cost prohibitive.
• Grip Road S-curves are not passible by a dump truck/pup trailer combination when met with simultaneous oncoming vehicular traffic; there simply is not enough room. Skagit County Public Works is aware of this problem, as I first-hand witnessed the test run with a Skagit County dump truck and pup trailer. I am left wondering why this problem is not being addressed. Likewise, on East-bound Grip Road, the curve at the Samish River bridge has the same issues as the Grip Road S-curves. I am once again wondering why this same problem is not being addressed.
• Yet another sight-distance problem exists for West-bound traffic at the F&S Grade Road and Prairie Road intersection; sight-distance at this intersection for West-bound traffic is approximately 50'. West-bound dump trucks hauling materials from the Grip Road pit should not attempt to turn South on F&S Grade Road. In addition to the sight-distance issue, the intersection is not wide enough to allow a vehicle and the dump truck access to the intersection at the same time.
• Haul routes should be limited to only those routes that have been evaluated with traffic safety studies. As it currently stands, CNW would be allowed to haul on any route they choose. A more thorough Transportation Impact Analysis needs to be completed that evaluates the road system as a whole. Then we can evaluate whether other haul routes can safely be used by CNW.
• Prairie and Grip Road systems were not designed to support any industrial mining activity. I am unaware of any real industrial mining activity in the area since the early 1970's; up until now, there have been only small, occasionally-used pits in the area.
• Further, we have serious concerns about the piece-meal SEPA. If Concrete Nor'West were asking to process materials on site, boundary setback requirements would be larger and would,

therefore, reduce the amount of gravel they can remove. We suspect that as CNW removes material and the mine boundaries are established, they will then apply for onsite processing, and all materials will be direct-to-market from that point forward, thus by-passing the proper permitting process.
• Moreover, there is currently no system in place to verify truck counts or to monitor noise levels generated, thus giving the appearance that CNW will operate on an honor system. If allowed to operate as is, the onus will then unfairly be on the community to monitor and prove that CNW is operating outside of their permit allowances.
• The current application provides average daily truck trips by CNW. The maximum number of round trips needs to be clearly defined for both a daily and weekly basis. The road systems need to be evaluated at this maximum number and not on an annual average rate
• Finally, Skagit County documentation/maps show Prairie Road and F&S Grade Road as part of U.S. Bicycle Route 87. This Federal designation should be removed unless mitigation is made to allow for bicycles to safely use the route.

Sincerely,

Brian Bowser
21110 Parson Creek Road
Sedro Woolley, WA 98284
(360) 202-3084
CMSinc@myfrontiermail.com

From Host Address: 50.34.127.171

Date and time received: 4/29/2021 9:42:31 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 10:50:02 PM

Name : Donald Butterfield
Address : 4380 Blank Rd
City : Sedro Woolley
State : WA
Zip : 98284
email : acupuncturedoeswork@gmail.com
PermitProposal : Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads
Comments : APRIL 29 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads
Dear Mr. Cerbone,
I live at the East end of Prairie Road and drive past Grip Road 4-5 times a week. I am very concerned about the traffic problems the Miles gravel pit will cause on Prairie Road. This is a sharp curve that has very poor sight lines. To have as many trucks the company is talking about will effectively shut down the use of Prairie Road in the summer time. This will cause an increase of traffic unto Parson Creek Road to access HWY 99. The other problem will be the cross traffic at Prairie Road and Hwy 99. The amount of trucks that will be entering Prairie Road will back up that intersection to be all but unusable. There will be an increase of accidents as HWY 99 is a 50 mile an hour road and people will have a hard time stopping at that intersection. We can all pretend that everything will just work out fine but this is not the reality of traffic flow. As the population growth continues and Prairie Road becomes more of a connector road we can expect more and more traffic flow problems. The traffic study the County has used for this project is so poorly related to the facts I found it hard to believe that is all you are asking. I would hope that a level II impact study is the only proper way to look at all these issues.
I also ask that a full CAO review be done. You have not asked for a full environmental review of the whole site. A WDFW review with an emphasis on whether there are any Oregon Spotted Frogs. Impacts to wetlands and ground water are also not adequately addressed in the present permit. I know this is zoned for mining but that does not mean they can extract the gravel without meeting current review standards. Having followed this from the start I have been disappointed in the way the Planning commissioner has done everything to try and pass this permit without acknowledging the citizens of Prairie Road. You act like our concerns are not valid. I drive by this every day and am very concerned about the potential impacts to my self and other drivers in this area. I don't want to see an increase in accidents and deaths because Miles wants to run a mine without addressing our concerns.
Donald Butterfield 4380 Blank Rd Sedro Woolley, WA 98284
360-856-4497

From Host Address: 50.34.98.158

Date and time received: 4/29/2021 10:49:50 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 6:25:02 AM

Name : Linda L Walsh
Address : 21710 Prairie Road
City : Sedro Woolley
State : WA
Zip : 98284
email : walshl2006@hotmail.com
PermitProposal : PL16-0097 & PL-0098 reissued MDNS
Comments : June 2020

This letter was used as a guideline to talk during the video meeting with Skagit County officials on 6-10-2020, I would like it entered into the record as a comment for the reissued MDNS on permit file #'s PL16-0097 & PL16-0098. Concrete Nor'West gravel mine.

My husband and I own land adjacent to this project. We have lived on Prairie Road since 1991. We chose this area for the peace and quiet of rural life to raise our family, as did many of the people that live in this area. I have driven on Prairie Road past Grip Road for the past 29 years several days a week. I have witnessed the number of vehicles steadily increasing on these roads. I have talked with hundreds of residents in our rural Community regarding the proposed Gravel Mine on Grip Road since December 2016 and not one of those people said they would feel safe on the roads out here with daily truck and trailer traffic. It seems to me if the majority of residents using these roads every day are telling you it is unsafe it may be worthwhile to look beyond the expert opinions. It is possible the experts may be relying on inaccurate data given to them and have not done a thorough onsite investigation. Should we be the ones burdened for the next 25 years with unsafe roads for vehicles, pedestrians and bicycles, expensive road improvements and repairs, longer commute times, noise and a disruption in our quiet country lifestyles in order for one business operate as they wish.
The permit process should be a transparent process and the County codes dictate it will include public participation. We have been excluded from this process many times over the past few years. Right from the beginning the process had already failed. Our Community brought up serious issues and they were heard by the County but they have been unable to get complete and accurate documentation from the Applicant to address these issues.
It is obvious in the comment letter presented earlier children recognize the dangers and are concerned. I wonder how each of us would feel if our child expressed a safety concern based on an actual experience and no one listened or even tried to make any changes. Many times these issues prove to be fatal oversights and there is no second chance for those impacted. There are several school buses traveling morning and night during many months when it is dark and rainy. I have no doubt if you were to ask these Bus drivers each of them would have similar stories. There are little to no shoulders on these roads so there is nowhere to get out of the way. I think it is very important to let the County and the Hearing Examiner, who will be making decisions, know this. We are the residents who will be impacted every day by their decisions. This 25 year proposal is not 'temporary', as the applicant describes, it spans the remaining life of many of us and the decisions made now will also impact our children and grandchildren for years to come
This project is asking for the ability to operate 24 hours per day 7 days per week with an actual unknown trucks per hour, it should be evaluated on that criteria. We all know the

impacts to people and their environment will greatly increase with longer hours of operation and more loads of material hauled. An industrial scale operation, even operating 6 to 8 hours per day 5 days per week with 46 trucks per day will have an adverse impact. Mining is known to have adverse impacts and we depend on the SUP permitting process to determine if a project is even mitigatable for a specific location. In Skagit County Code 14.16.440 it clearly states: The burden of proof shall be on the Applicant. I will be honest it feels like that burden has been placed on us. An industrial 68 acre mine excavating 4.2 million cubic yards of gravel is not a small borrow pit and it has irreversible impacts. The project must be burden with proof that it can operate and be safe as well as not cause harm to our Community and environment. We depend on people using common sense and knowledge when reviewing the project. The MRO only designates there are resources present it does not mean it is an landowner's right to operate an industrial mine. Especially in an area where the road infrastructure is already inadequate, sensitive environment is present and it is very well known the project is in conflict with the surrounding area landowners. Like many of our neighbors we chose our properties in this agricultural area decades before the MRO was placed on this area.

County Policy 4-D - 5.3 Roads and Bridges:

New public roads and bridges accessing designated MRO areas shall be designed to sustain the necessary traffic for mineral extraction operations. Existing roads and bridges shall be improved as needed as each new extraction operation is developed. Cost sharing for the improvement of roads and bridges shall be negotiated between the permitting authorities and the applicant.

The above Policy is listed in the Staff report issued for this permit. I believe it is possible this policy has been overlooked because otherwise it seems the County and Applicant would have had a plan and a budget in order to meet this policy goal years before now. However, it seems no improvements or budgeting has been done to address the new extraction operation impacts on the existing roads and bridges.

All residents on Prairie Road traveling west past Parsons Creek must travel past the Grip/Prairie Road intersection or turn onto Grip or F &S Grade Road to reach any connecting roads to any Cities. Going west past Parson Creek we don't have access to other routes to get to the cities so we will be forced to use the same route as the massive truck and trailers. Contrary to what the applicant has stated this is not a remote area but it is a rural area with a thriving Community. Other residential developments which feed into Prairie include residents traveling from Blank Road, Upper Samish, Ida Drive, Lois Lane, Prairie Lane, Parsons Creek, Double Creek Lane, Wildlife Acres, Grip Road & Park Ridge Lane. Many of us already commute 30 minutes and when we are told in reports that up to 30 trucks per hour will not reduce our LOS and will not be unsafe it is very hard to understand how that would be possible. We must be able to safely navigate the narrow windy roads past Grip/Prairie, Prairie/ F & S Grade and Prairie/Old 99 intersections to even reach Interstate 5. We feel our lives will be negatively impacted by the unsafe traffic, noise, vibration, air pollution and daily stress of changes to our environment. We all drive these roads frequently and deserve to be protected from known safety hazards.

In the noise study it looks like they designated a spot up by Prairie Road which would be the farthest point from the mine site(IMAP approx. 1800 feet) to determine the noise levels on our property. The point measured is thousands of feet from where the mine operation will be. A receiving property border is defined in WAC 173-60-020: (11) "Property boundary" means the surveyed line at ground surface, which separates the real property owned, rented, or leased by one or more persons, from that owned, rented, or leased by one or more other persons, and its vertical extension, this study does not measure noise using the code definition.

We own acreage on both sides of the Samish River and throughout the year our family and friends come here to visit and to seek shelter from the hectic, noisy world. This fact should not

be swept aside as if it does Not matter, it is even more important now to have a place of safety and well-being as the chaotic world unfolds around everyone these days. It is a gathering spot we center our family and friends' celebrations around, it is a way of life. This industrial scale open pit mine will be hundreds of feet away from our activities. We all enjoy recreation much of the year outside in our backyard which shares a border with the proposed mine site. Unfortunately for us and our Community the busiest time outside is also when most of the excavating and hauling will occur, causing the greatest impacts. I want to invite each of you to take a drive out to see first-hand what we are talking about. Thank you for your time and listening, I appreciate it.

Linda Walsh - Properties adjacent to mine
21710 Prairie Road
Sedro Woolley WA 98284

From Host Address: 172.92.225.214

Date and time received: 4/30/2021 6:23:26 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 7:45:02 AM

Name : Mark Hitchcock
Address : 9620 Samish Island Road
City : Bow
State : WA
Zip : 98232
email : 4s3@wavecable.com
PermitProposal : Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Comments : April 30, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098

Dear Mr. Cerbone,

Thank you for the opportunity to comment on the Mitigated Determination of NonSignificance (MDNS) for the proposed gravel mine on the Samish River near Grip Road. Since 1995 Skagit Land Trust has owned and cared for Tope Ryan Conservation Area, an important natural site along Grip Road approximately 2 miles downstream of the proposed mine. This preserve has long included 900 feet along the Samish River. The Trust also protects two other Samish River properties upstream of the project site and is continually seeking to protect more land along this important watercourse. All of Skagit Land Trust's properties along the Samish have been donated by landowners who wanted to protect the natural habitat of the river and its shoreline. We have partnered with federal, Tribal, state, and local agencies on numerous projects to protect and restore habitat in the Samish watershed. These partnerships include excellent work conducted by Skagit County Public Works Clean Samish Initiative, Skagit Fisheries Enhancement Group, and others.

Last year, Skagit Land Trust received a donation of land significantly expanding Tope Ryan Conservation Area on the other side of Grip Road protecting an additional 900 feet of shoreline along the Samish River and Swede Creek including their confluence. The river and creek in the vicinity of the conservation area are of particular importance for juvenile salmon due to the habitat complexity of the site. The river's wide gravel bars are critical spawning grounds for Coho and Chum Salmon as well as Steelhead and Cutthroat Trout. Last year, the latest restoration planting project at Tope Ryan added over 5,000 trees and shrubs. The costs of this effort were covered by the National Estuary Program, administered by the Washington State Department of Ecology with assistance from the U.S. Environmental Protection Agency. The Skagit Conservation District prepared the planting plan and helped secure a federal partnership grant to maintain the plantings. I mention these details to make the point that this is a preserve made possible and continually improved by the generosity of private landowners

supplemented by public funds and the dedication of many staff and volunteer hours over a long span of years. The potential for adverse impacts from a nearby mine and associated heavy truck traffic greatly concerns us and could directly affect our ability to meet our responsibility to protect this significant area of habitat.

Each year the Trust organizes community volunteers to conduct amphibian monitoring at the Tope Ryan site, gathering significant data about the wetlands which we convey to Washington Department of Fish and Wildlife. We hope to someday discover that the endangered Oregon Spotted Frog has returned to this site, given its appropriate habitat for this now rare species present elsewhere in the Samish Watershed. Tope Ryan is a rich area laced with beaver ponds, important not only for native amphibians but also for a rich assemblage of riparian dependent songbirds and waterfowl. It also supports commercially important fish stocks. In addition, restoring and protecting this large riparian area helps protect water quality in the river that is so important for commercial shellfish grown in Samish Bay. Potential river degradation due to the proposed mine and haul road puts a long list of values at risk.

One of the lessons we have learned from years of restoration work is that protecting habitat is far more cost effective than restoring it after the fact. In addition, there are factors contributing to habitat degradation that are more subtle than direct impacts, but perhaps even more concerning. For instance, Swede Creek routinely spills over its banks into the ditch along Grip Road by the Tope Ryan property. This has created a cascade of effects including accelerated erosion of the roadbed, routine flooding of the road and increased sediment loading in the creek and river. Skagit Land Trust staff and volunteers have on several occasions discussed with staff at Public Works various ideas for “fixing” the creek; but have yet to arrive at a cost effective and feasible plan to solve this problem. The volume and type of truck traffic that would be using the haul road crossing Swede Creek could well add to the present problem.

The Trust is concerned that the impacts of the proposed mine have not been adequately evaluated, nor we will look back and wish we had considered taking stronger measures to prevent the ongoing unraveling of important habitats in the Samish Watershed. Further review of the impacts to the riparian habitat and associated wetlands along the river should be conducted with special attention to Oregon Spotted Frog and Bull Trout habitat, both listed species.

Under Skagit County’s Critical Areas Ordinance it would be appropriate to require a 300’ buffer, rather than 200’, between the Samish River and the mine, clearly an industrial activity calling for this larger buffer. A larger buffer would provide greater assurance that the mining will not in fact degrade the river through sedimentation, erosion, and leaching of spilled fuel oil (noting the statement in the application materials that fueling of equipment will take place on site). We are also concerned that the plan to maintain the floor of the mine at least 10’ above the water table, while well-intended, lacks certainty. There should be a more thorough analysis of the site hydrology through the seasons and of how it will be affected by the mining plan.

In addition, as mentioned, there are issues with Swede Creek just downstream on Trust property, and yet it appears that the impacts to the creek from heavy truck traffic on the private haul road have not been evaluated. The haul road crosses Swede Creek approximately 0.6 stream miles above Land Trust property. Sedimentation from this unpaved road would likely degrade the salmonid habitat downstream which we have been working for years to protect. We are also aware that there are beaver ponds and wetlands near the haul road and that the

environmental review did not take these sensitive habitat areas into account.

The projected numbers of heavy trucks on this haul road are significant and will permanently change the nature of the forested upland habitat on the site. Local residents report that the uplands on the property are used by bear, cougar, and bobcat. Signs of these animals have also been observed on the Trust's nearby property. These animals require large territories, and the applicant's property is the last large undeveloped tract of land so close to the Samish River in this part of the watershed. The impacts from this disturbance to these important upland wildlife species should be evaluated.

We also have concerns related to the safety of staff, volunteers, and visitors to Tope Ryan Conservation Area in light of the heavy and frequent truck traffic which would be associated with the mine. Trucks entering Grip Road would pass the conservation area as they approach the turn onto Prairie Road. Vehicles using the preserve's small parking area will be at very significantly increased risk of collision as they pull into or out of the limited space. The conservation area lies on both sides of Grip Road. Pedestrians crossing from one part to the other will also be in the path of trucks approaching or leaving the mine.

Skagit Land Trust is not opposed to resource extraction; however, these uses must be balanced with effective measures to protect public resources, such as the Samish River, private ones such as Tope Ryan Conservation Area, and public safety. In addition, the Trust staff would be happy to discuss conservation options with the landowner to address some of these concerns.

Before recommending approval of the Grip Road Gravel Mine application, please conduct further evaluation to ensure measures are taken to adequately protect the natural habitats of the Samish watershed that all of us are working so hard to restore. We ask that you do this by withdrawing the MDNS and requiring a full Environmental Impact Statement with thorough consideration of project alternatives and a more complete scope of mitigations than in the MDNS. It is essential that this analysis include not only the mine site itself but also the area traversed by the haul road, the downstream reaches of the Samish River and Swede Creek, and areas adjacent to the public roadways the trucks would use.

Again, thank you for the opportunity to comment, and for your time and consideration.

Sincerely,

Mark Hitchcock
President
Skagit Land Trust

From Host Address: 172.92.212.48

Date and time received: 4/30/2021 7:42:19 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 8:00:02 AM

Name : Katelynn Piazza
Address : 3190 160th Ave SE
City : Bellevue
State : WA
Zip : 98008
email : kpia461@ecy.wa.gov
PermitProposal : Concrete Nor'West; File No. PL16-0097, PL16-0098
Comments : Thank you for the opportunity to provide comments on the State Environmental Policy Act (SEPA) mitigated determination of nonsignificance (DNS) process for the Concrete Nor'West proposal. Based on review of the checklist associated with this project, the Department of Ecology (Ecology) has the following comments:

The operation will require coverage under the NPDES Sand & Gravel General Permit to authorize the discharge of stormwater and/or process water to surface waters and/or groundwaters from sand and gravel operations. Applicants must submit the Notice of Intent (NOI) application online through Ecology's Water Quality Permitting Portal (WQWebPortal).

Thank you for considering these comments from Ecology. If you have any questions pertaining to the NPDES Permit or would like to respond to these comments, please contact Stephanie Barney at (360) 255-4390 or stephanie.barney@ecy.wa.gov. For assistance navigating the WQWebPortal, please contact Tonya Wolfe (800) 633-6193, option 3 or WQWebPortal@ecy.wa.gov.

From Host Address: 165.151.213.203

Date and time received: 4/30/2021 7:58:07 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Friday, April 30, 2021 11:50:53 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Friday, April 30, 2021 11:50 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : David Goehring
Address : 20002 Double Creek Lane
City : Sedro Woolley
State : Wa
Zip : 98284
email : davidgoehring@gmail.com
PermitProposal : Grip Road Gravel Mine
Comments : I have reviewed the traffic study done for Miles Gravel, and find it woefully insufficient in a number of areas. First off, why were no other routes besides the route east on Prairie included in the study? Who is going to make sure that every driver of every load takes this route. If the trucks turn left and go up Grip, that would be insanely dangerous with all those tight turns. It's bad enough just in my SUV. If they take Grip to then turn left onto F&S, they will be cutting off cars either at or coming up to the stop sign. Again, it is bad enough already because of the steep slant on F&S. I see that the study did acknowledge that the gravel trailers would be cutting off cars coming around the two 90' turns on Prairie just east of 99. This alone should be enough to deny this permit unless the turns can be widened. I think that one homeowner there on the first curve will be pretty upset to lose a big chunk of his lawn, which would be the case. I see the report also acknowledges that the Samish River bridge on 99 is not currently rated for this much heavy traffic. So that means that since the majority of the traffic is going to the Belleville pit that the trucks will have to proceed up the narrow windy Bow Hill Road, which has basically been trying to slide off the edge of the hill for years. Even worse, the trucks will then have to cross over the Cook Road I-5 overpass which is already a big mess as you surely know. The fact that this was not addressed in the study should tell you a little bit about it's veracity. That overpass already needs major upgrades, as all of us trying to get out onto the overpass from either the northbound or southbound exit ramps from I-5 can surely tell you. Both of those off ramps often back up onto the shoulders of the freeway, which makes for a very hazardous situation. Allowing all this additional truck and trailer traffic to use that route in it's current state would be completely irresponsible at best, criminally liable at worst. That whole interchange needs to be completely overhauled already, including more lanes. Another issue is this truly ridiculous band-aid proposal to put flashing yellow warning lights on Grip and Prairie. Is their another such arrangement anywhere else in the county? I've never seen one if there is. Prairie Road has become very heavily trafficked, especially during commuter hours. This isn't some backcountry lane. Why the hell should all of us who use that road be subjected to the delays resulting from this? Drivers from both directions who have to wait while one of the trucks enters onto Prairie will be frantically trying to pass it after it is out on the road, which is very dangerous on that narrow road. It is hairy enough just trying to pass a car. Prairie will have to be widened all the way to 99 to even think about using it as a haul route. Lastly, I see that Miles thinks that the

county should pay for any road upgrades. This just makes my blood boil. The roads are okay with the current levels of traffic, so any upgrades would be specifically to benefit Miles Sand & Gravel. They need to fully pay for any and all road work needed to make it safe to haul out their gravel. That property was originally zoned for timber as I understand it, and was converted to gravel with the State's blessing. The timber traffic would have been about 1% of what this gravel traffic will be. They decided to change it, so they can damn well foot the bill! If ANY of my taxes go to improving these roads for them, I will be the leading torchbearer when we descend upon the county offices. I would like to remind the Planning Commissioners and the County Commisioners that their number one priority as our elected and appointed representatives is public safety. I've said it before and I will say it again, approving this permit in its current state will get people injured, killed or both. The only even remotely safe way to get gravel out of that mine would be one single truckload at a time. NO TRAILERS! If Miles can't make a profit that way, then they can go find another site. It's not like there's a shortage of gravel pits around anyway.

From Host Address: 174.204.65.127

Date and time received: 4/30/2021 11:48:27 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 2:15:02 PM

Name : Kyle A Loring (on behalf of Central Samish Valley Neighbors)
Address : PO Box 3356
City : Friday Harbor
State : WA
Zip : 98250
email : kyle@loringadvising.com
PermitProposal : PL16-0097 & PL16-0098 MDNS part 1
Comments : By Electronic Portal and Email

April 30, 2021

Hal Hart
Director of Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: File No. PL16-0097 & PL16-0098; Concrete Nor'West Grip Road Gravel Mine
Skagit County Planning and Development Services Mitigated Determination of Nonsignificance

Dear Mr. Hart,

I'm writing on behalf of Central Samish Valley Neighbors ("CSVN") to request that Skagit County Planning and Development Services ("PDS") reconsider and withdraw the Mitigated Determination of NonSignificance ("MDNS") that it issued for the clearing and development of a 68-acre sand and gravel mine ("Mine") along the Samish River. The MDNS conflicts with Washington's State Environmental Policy Act ("SEPA") because it issued without an evaluation of multiple potential environmental impacts from the Project. For example, although prominent issues like the Mine's hours of operation and its encroachment into the 300-foot wetland buffer have been raised consistently since Concrete Nor'West ("CNW") applied for a special use permit for the Mine in 2016, the MDNS does not limit the hours of operation or reject CNW's proposed 200-foot buffer. Its silence on those issues can be presumed to allow CNW to operate the Mine without time limitations, as CNW has asserted that it may, and to mine up to just 200 feet from wetlands that host Endangered Species Act-listed species like the Oregon spotted frog. Yet the neither PDS nor the applicant has evaluated the impacts of those project operations. Absent this information, as well as significant information gaps like the refusal to evaluate private haul road impacts on Swede Creek, a fish-bearing tributary of the Samish River, PDS has not satisfied the SEPA requirement that it fully consider the environmental impacts of the Mine. The MDNS must be withdrawn.

Moreover, PDS must issue a Determination of Significance ("DS") because the information disclosed in the application materials for permits PL16-097 and PL16-0098 indicates that the Mine would cause significant impacts. For example, CNW's traffic impacts analysis confirms that dump trucks and trailers pose a threat to other users on the narrow, high-speed-limit roads that they will traverse.

CNW has had five years to address the potential impacts of its Mine, and while they have slowly piecemealed a few additional documents, they have not demonstrated that the Mine will address the impacts. As the representative of the local community entrusted with ensuring that applicants for large industrial development analyze and address environmental impacts, PDS must respond accordingly and issue a DS and start the Environmental Impact Statement ("EIS") process to address the Mine's impacts.

This letter explains below that: (1) the Project outlined by the application materials; (2) will have a variety of impacts, some unevaluated and others already identified as significant; on (3) its sensitive ecological surroundings and the local transportation network. The MDNS does not adequately condition the Mine to address those impacts.

In drafting this letter, we reviewed application materials that included the following: (1) the March 7, 2016 fact sheet, special use narrative, and project description; (2) subsequent special use narratives and revised project description; (2) SEPA Checklist; (3) fish and wildlife documents by Graham-Bunting Associates; (4) the Hydrogeologic Site Assessment from Associated Earth Sciences; and (5) traffic documents by DN Traffic Consultants. We also reviewed comment letters by state agency officials, consulted with fish and wildlife officials and a traffic engineer, and reviewed publicly-available information about the site and environs like aerial photographs and the regional bicycle map. We have attached the CSVN November 24, 2020 comments on the Project's SEPA process, none of which have been addressed since the submission of that letter, and incorporate it by reference.

A. Project Details.

Concrete Nor'West has applied for a Mining Special Use Permit to excavate approximately 4,280,000 cubic yards of sand and gravel in a 68-acre mine in the Central Samish Valley. CNW projects that the mining would occur over 25 years, though the proposal would not be limited to a specified period of time and the rate of excavation would depend on demand for sand and gravel. The mining would require the clear cutting of timber, followed by excavation that would dig down 90 feet toward the water table. The withdrawn MDNS stated in 2016 that logging would remove approximately 50,000 board feet of timber from the land but there are no updates on the progress of the logging. While the proposed mining would occur on three parcels totaling 77 acres, these parcels form just a portion of an overall block of parcels totaling more than 726 acres. Although the SEPA Checklist suggests that there are no plans for future additions, expansion, or further activity related to or connected with the proposal, a large portion of the other 650+ acres of land have also been designated as Mineral Resource Overlay, with some of it approved for active harvest by the Washington Department of Natural Resources. A noise and vibration study submitted by CNW did not evaluate the noise and vibration impacts that would occur after logging of the larger property.

1. Hours and staffing.

According to CNW, mine hours would be unlimited consistent with its underlying zoning, though normal working hours would typically extend for 10 hours, from 7am to 5pm, six days a week. According to the MDNS, hauling would occur during the workweek, Monday through Friday, and site operations would occur Monday through Saturday. CNW estimates that one to two full-time employees would work on-site and an unspecified number of truck drivers would haul gravel off-site throughout the day. On-site operations would involve heavy equipment like a front-end loader, excavator, dozer, and dump trucks.

2. Hazardous materials.

The Application offers conflicting information about whether hazardous materials will be stored at the site. It responds "Yes" to a question about whether chemicals, waste oils, solvents, and fuels would be stored at the site, and describes the possibility of installing a 2,000-gallon diesel fuel tank. But it also states that "[w]aste oils, solvents, etc. will not be stored on site."

3. Gravel and sand hauling routes and volume.

Application materials offer varying estimates of the amount of truck traffic that the mine would generate. A September 10, 2020 Traffic Impact Analysis ("TIA") by DN Traffic Consultants estimates that under "extended hours conditions," the Mine would generate 29.4 truck-and-trailer trips per hour. The TIA does not define extended hours or explain why the site would be limited to that number of trips if demand were high enough to require greater production. DN Traffic Consultants' earlier memo, aptly-titled "Maximum Daily Truck Traffic," estimated that a realistic maximum number of trips for truck-and-trailer was 60 trips per hour. That study assumed that increased demand for material would lead to increased production at the site, limited only by the (likely artificial) logistical consideration of the number of truck and pups available in Skagit County. DN Traffic explains in its TIA that the ~30 trips per hour that it estimates for a higher end number is based on the anticipation that the Mine could generate up to 5000 tons per day. It does not explain how this production amount was derived and does not explain the inconsistency between the ~30 trips figure and the 60 truck-and-trailer trips per hour that it deemed a realistic maximum in its Maximum Daily Truck Traffic memo.

The gravel and sand would be hauled by trucks and trailers forced to navigate narrow rural roads with medium to high speed limits. The original road special use narrative stated that hauling would occur along Old Highway 99, Prairie Road, and Grip Road. Subsequent documents identified Bow Hill Road and F&S Grade Road as potential route extensions. Road widths along these routes are just 20-22 feet and they allow speeds up to 50 mph. Although the TIA suggests that shoulders exist along each of these roads but Grip Road, the Skagit County Bike Map identifies Grip Road, Prairie Road, and F&S Grade Road as roads without shoulders. A simple review of these roads through google maps' street view function confirms that paved shoulders are largely non-existent on those roads, though some stretches contain large gravel that promptly slopes down to a ditch. In addition, the TIA asserts that there are no known bike routes in the subject area, yet the readily-available Skagit County Bike Map identifies Prairie and F&S Grade Roads as part of a federal bike route, US Route 87. Local residents have communicated that guard rails have been installed along a significant stretch of Prairie Road, shrinking the width available for cyclists and pedestrians outside the actual roadway to nothing.

The transportation documents associated with the application do not prescribe a haul route, but instead contemplate multiple options. The TIA states "[i]t is estimated that 95 percent of the trips will be assigned to and from the west on Prairie Road; with 80 percent south to the existing Belleville Pit Operation using either Old Highway 99N or I-5 south; ten (10) percent of the trips to end users via I-5 south, five (5) percent to end users west of I-5 on Bow Hill Road; and five (5) percent to end users east of the Mine access via Grip Road." One of the options in the TIA assumes that truck/trailer combinations using Old Highway 99 would be short-loaded to comply with current weight restrictions on the Old Highway 99 Samish River

bridge or that those restrictions would be removed. The Application does not evaluate the number of truck trips that would be required if vehicles were short-loaded to meet current bridge weight limits. The Application's revised project description identifies the route through Grip Road, Prairie Road, and Old Highway 99 North.

In addition, although the Application does not describe the on-site haul route on CNW property, a review of aerial photographs indicates that it would stretch for more than two (2) miles between the Mine and Grip Road.

4. Independent review of transportation documents.

Although CNW has provided several documents about the Mine's traffic impacts, a review by Jeffrey Hee, P.E., Senior Transportation Engineer at Transportation Solutions Incorporated ("TSI") reveals that some impacts have yet to be addressed and others have not been fully evaluated. Mr. Hee analyzed project documents, including the traffic reviews by DN Traffic Consultants, and discovered the following unresolved issues:

• the maximum trip generation numbers and frequency of maximum trip hours and days for the Mine have not been finalized. The Application offers conflicting information about the maximum traffic to be generated, and County conditions could require trucks without trailers, which would decrease capacity for each shipment and therefore increase the number of trips to ship the same overall volume of material. Also, the Application does not identify whether the trip generation numbers account for on-site workers and non-haul mining operations (page 3);
• site distance impacts were not evaluated based on common industry practice that contemplates the use of 85th-percentile design speeds from the County's Road Standards. Instead, even though those 85th-percentile speeds were readily available on the Skagit County of Governments website, DN Transportation relied on lower posted speeds for its modeling. This may underrepresent sight distance risks (page 4);
• site distance impacts were not evaluated for the intersection where the site access road meets Grip Road, based on the mistaken assumption that it wasn't required for a lower volume road (page 4);
• no mitigation was proposed to address site distance impacts at the Grip Road/access road intersection for egress to the east, and no analysis occurred to determine whether a gravel truck or truck/trailer combination can safely navigate the road network east of the mine (page 4);
• intersection sight distances were not evaluated for truck/trailer combinations at the intersection of F&S Grade Road and Prairie Road. Consequently, Mr. Hee recommended preventing the hauling on F&S Grade Road (page 5);
• the significant truck-trailer impacts that the TIA identifies between the site and Old Highway 99 have not been fully addressed (pages 1, 5);
• there has been no analysis of safety impacts associated with truck-and-trailer combinations traveling east of the Mine access. Mr. Hee recommended preventing hauling east of the Mine site (page 5-6);
• the Application does not evaluate traffic impacts associated with the redistribution of truck traffic onto Cook Road due to Samish River bridge weight limits. This is important given the traffic issues that WSDOT and Skagit County have identified for the Cook Road interchange at Old Highway 99 (page 6);
• the Application does not provide detailed specifications for the type(s) of vehicle(s) it modeled for transportation impacts, preventing confirmation of its results (page 5).
Specifically, with regard to site distance and haul route concerns, Mr. Hee notes at pages 5 and

6 that the following comments and questions should be answered:
• is the County's vision clearance triangle satisfied in the study area?
• what speed is needed to achieve site distance at the study locations?
• are sight distance exhibits available for public review?
• Why are total crashes different in some of the Tables in the TIA?
• Will the applicant complete the improvements recommended by the TIA for the intersection of Prairie Road and Old Highway 99?
• Why doesn't the TIA provide conclusions about whether the project traffic will increase the frequency and severity of collisions on the haul route given the route's geometric and sight distance constraints?

B. Valuable Ecological Setting.

The 68-acre mine site and associated properties provide important terrestrial and aquatic habitats. The Samish River, a salmon-bearing river, winds for more than one-quarter mile along the eastern portion of the mine property. Associated wetlands extend toward the Mine from the river's active channel and flood plain, though it is unknown just how close the edges of the wetland reach to the proposed mining area because they have not been delineated. Swede Creek, a documented fish-bearing stream, would be traversed by every truck hauling gravel and sand to and from the Mine on the private haul road. The Application does not acknowledge the private haul road as part of the project and therefore does not evaluate impacts to wetlands along that route or to Swede Creek from the haul road that crosses it. A fish-bearing tributary to the Samish River crosses the southeastern corner of the Mine site.

1. Lack of analysis of undersized Mine buffer.

According to the project description set forth in the MDNS, the Mine would observe a 200-foot wetland buffer rather than the 300-foot buffer required for the wetlands associated with the Samish River. The MDNS refers to the mining of approximately 4,280,000 cubic yards of sand and gravel. According to its Special Use Narrative, CNW will be able to extract 4,280,000 cubic yards of material if it mines up to 200 feet from the estimated edge of the wetlands, and approximately 3,942,000 cubic yards if it observes the required 300-foot buffer. By embracing the larger volume, the MDNS indicates PDS' approval of a 200-foot buffer for the Mine.

A buffer of at least 300 feet applies to the Mine as a high intensity land use adjacent to a Category II wetland. According to the Skagit County Code, "high intensity land uses" include "land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium- and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and commercial and industrial land uses." The Mine qualifies as a commercial and industrial use of the land, and the clear-cutting of existing forest and conversion to a sand and gravel mine qualifies as a high level of human disturbance and substantial habitat impacts. In addition, the Application does not evaluate the angle of the slope in the buffer to determine whether it is greater than 25%, and thus warrants an extension of the buffer 25 feet past the top of the slope.

In addition, by clearing the forest into the buffer, the Mine would eliminate functions that the forest furnishes the productive riparian zone, including: (1) maintaining water quality; (2) controlling fine sediment; (3) contributing large woody debris; (4) providing shade and moderating the microclimate; (5) contributing litter fall and organic matter; (6) moderating site

hydrology and stabilizing slopes; and (7) providing fish and wildlife habitat.

This riparian zone where the aquatic environment transitions to a terrestrial environment is essential for the Oregon spotted frog--listed as endangered by Washington in 1997 and threatened federally in 2014--that relies on the wetlands and environs. The US Fish & Wildlife Service has identified critical habitat for the frog that extends from far upstream on the Samish River and includes the mine property adjacent to the river. The 2017 GBA Addendum acknowledges that these wetlands meet the definition of critical habitat for the spotted frog due to their size, saturated soils, and shallow ponds. The GBA Addendum includes a photograph showing these ideal conditions, as well as a hand-drawn line intended to reflect the edge of the saturated area.

However, neither the SEPA Checklist nor the Application's documents by Graham-Bunting evaluate the impact on the Oregon spotted frog or other wetland species of converting one-third of the riparian buffer into a gravel mine. Consistent with the proposal to mine up to 200 feet from the wetland, the GBA Addendum suggests that a 200-foot buffer is sufficient to protect aquatic life, but does not offer any justification for that assertion other than the absurd claim that clear-cutting a forest and converting it to a sand and gravel mine is a "medium" intensity use. Nor does the GBA Addendum indicate why a 200-foot buffer would protect the Oregon spotted frog when Skagit County's critical areas ordinance requires a 300-foot buffer to protect the Category II wetland from the impacts of high intensity land uses like mining operations. In fact, the GBA Addendum expressly disclaims that it is not intended to be used for the purpose of evaluating the spotted frog under the Endangered Species Act.

2. Lack of response to Ecology concerns.

In addition to overlooking the impacts of developing 1/3 of the buffer intended to protect species such as the Oregon spotted frog, CNW declined to address state agency concerns expressed by Doug Gresham, the Washington Department of Ecology wetland specialist responsible for Skagit County. In his initial April 7, 2016 email, Mr. Gresham stated that wetland impacts should be avoided by refraining from excavating within the buffer area associated with the Samish River and its associated riparian wetlands and that any wetlands identified on the property that would be impacted should be delineated and permits should be submitted to Ecology. In a June 1, 2016 comment letter, Gresham declared that additional wetland requirements include: (1) flagging of the ordinary high water mark along the Samish River banks by a qualified biologist, and survey of the boundaries; (2) a jurisdictional determination from the U.S. Army Corps of Engineers stating whether the delineated wetlands on the property are under federal jurisdiction; (3) ratings of all wetlands based on Ecology standards; (4) a critical area report describing wetland conditions on the property, wetland data sheets, wetland rating forms, and photographs; and (5) a mitigation plan for unavoidable wetland and buffer impacts per Ecology standards. In addition, Mr. Gresham noted in his June 1, 2016 correspondence that the Application omitted maps showing associated wetlands or the ordinary high water mark of the Samish River.

Six months later, Mr. Gresham supplemented his earlier comments by expressing a concern with CNW's use of a 200-foot buffer rather than the required 300-foot buffer. Gresham stated that CNW needed to address the gravel mine's encroachment into the 300-foot buffer. Gresham also stated that he had "a concern with the access road that will need to be improved to accommodate 46 truckloads a day, which could impact wetlands and streams. This access road may need to be widened, the Swede Creek bridge may need to be upgraded, and storm

water drainage features may need to be reconfigured." Gresham noted that these issues had not been addressed.

Notwithstanding these clearly-stated agency concerns, CNW continues to propose to excavate up to 200-feet from what it assumes is the ordinary high water mark of the Samish River and associated wetlands without delineating the specific location of the river's edge, its floodplain, or the associated wetlands. CNW did not supplement the Application with a survey or flagging of the edge of Samish River, delineation of wetlands on the property (including any wetlands along the haul route), critical area reports for wetlands, a mitigation plan, or a discussion of impacts associated with the Swede Creek bridge or haul road development on the creek or wetlands. Instead, an engineering and surveying group drew a map with estimates for the location of Samish River "plotted from May 2011 aerial photo" and "wetland at toe of slope from LiDAR data and field observation," without a delineation survey. The map is captioned "alternate 300 foot buffer," but none of the application materials indicate that CNW has decided to apply anything other than a 200-foot buffer. The map shows what appear to be roads or mining areas extending into the estimated buffer.

3. Water quality and quantity impacts.

Drainage from the site currently flows to the Samish River both above and below ground. The Application indicates that the mining would occur in an area that is currently elevated about 90 feet above the river and its associated wetlands (50-75 feet above the valley floor in the eastern portion of the site), and that groundwater from the site flows in a northerly direction and discharges to the Samish River. According to the Application, CNW would construct a berm approximately 200 feet landward of the assumed wetland edge in order to direct drainage from the site to the gravel floor for infiltration into the groundwater. The Application does not evaluate whether that berm and mine infiltration would redirect surface water away from the wetlands and river complex and thus dewater these sensitive ecological features, or analyze the impacts of that dewatering.

Application materials offer conflicting information about whether the Mine would reach the water table. Although the GBA Assessment states that the mine would be excavated to a depth of 10 feet above the water table, the SEPA Checklist states that the Mine would be excavated to a depth of 154-163 feet above mean sea level while the hydrogeological assessment found the water table at 145-155 feet above mean sea level. The Application did not evaluate whether excavation to a depth of 154 feet would interfere with a water table at 155 feet.

From Host Address: 216.160.85.174

Date and time received: 4/30/2021 2:12:46 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 2:15:02 PM

Name : Kyle A Loring (on behalf of Central Samish Valley Neighbors)
Address : PO Box 3356
City : Friday Harbor
State : WA
Zip : 98250
email : kyle@loringadvising.com
PermitProposal : PL16-0097 & PL16-0098 MDNS part 2
Comments : C. SEPA Requires Withdrawal of the MDNS Because the Application Does Not Supply PDS With Sufficient Information to Fully Consider the Project's Environmental Impacts.

PDS must withdraw the MDNS because it has not fully considered the environmental and ecological effects of CNW's sand and gravel mining proposal. RCW 43.21C.030; see Boehm v. City of Vancouver, 111 Wn. App. 711, 717, 47 P.3d 137 (2002). For example, PDS issued the MDNS without analyzing the impact of clearcutting and mining a large portion of a wetland buffer intended to protect wetland species like the federally-threatened and state-endangered Oregon spotted frog. Nor has the Application evaluated impacts associated with the private haul road that will traverse Swede Creek and travel near uncategorized and unsurveyed wetlands. The Application also omits a full analysis of the risk to human health and safety from a haul route that involves public roads where the proposed truck and trailer would not be able to stay in its lane on two-lane roads with speed limits up to 50 mph, and risks associated with the sight distance at the intersection of Grip Road and the site access road. In the absence of this information, PDS has not satisfied its duty under SEPA to fully consider the project's adverse environmental impacts.

SEPA requires agencies to "consider total environmental and ecological factors to the fullest extent when taking 'major actions significantly affecting the quality of the environment.'" Lassila v. City of Wenatchee, 89 Wn.2d 804, 814, 576 P.2d 54 (1978) (quoting Sisley v. San Juan County, 89 Wn.2d 822, 830, 567 P.2d 1125 (1977)). To determine whether an environmental impact statement is required for a major action, the responsible governmental body must first determine whether the action will cause significant impacts and render a threshold determination accordingly. RCW 43.21C.030(2)(c); Boehm, 111 Wn. App. at 717.

Agencies must first ensure that the proposal is properly defined. WAC 197-11-060(3). Every part of a proposal that combines to form a single course of action must be evaluated in the same environmental document. WAC 197-11-060(3)(b). Thus, where different parts of the same proposal could not proceed unless they are implemented simultaneously, they must be evaluated together. WAC 197-11-060(3)(b)(i). Because the Mine could not function without the use of the private haul road to transport the product off-site, environmental impacts associated with the use of that road must be evaluated as part of the project's SEPA review.

A major action significantly affects the environment when it is reasonably probable that the action will have more than a moderate effect on the quality of the environment. WAC 197-11-794; Boehm, 111 Wn. App. at 717 (citing Norway Hill Pres. & Prot. Ass'n v. King County Council, 87 Wn.2d 267, 278, 552 P.2d 674 (1976)). Significance involves a proposal's context

and intensity; an impact may be significant if its chance of occurrence is low but the resulting impact would be severe. WAC 197-11-794.

To evaluate an action's effects, a responsible official like PDS must: (1) review the environmental checklist and independently evaluate the responses of the applicant; (2) determine if the proposal is likely to have a probable significant environmental impact; and (3) consider mitigation measures that the applicant will implement as part of the proposal. WAC 197-11-060(1); WAC 197-11-330; Indian Trail Prop. Ass'n v. Spokane, 76 Wn. App. 430, 442, 886 P.2d 209 (1994). In reviewing a project's impacts, an official must review both direct and indirect impacts and both short-term and long-term impacts. WAC 197-11-060(4). If the responsible official's review concludes that the proposal will not cause probable significant adverse environmental impacts, she issues a determination of nonsignificance ("DNS"). WAC 197-11-340. Conversely, a finding of probable significant adverse environmental impact leads to the issuance of a Determination of Significance ("DS"). WAC 197-11-360. A determination of significance triggers the need for an environmental impacts statement to review the project's identified impacts. WAC 197-11-360.

An agency that determines that a proposal will not result in a significant impact bears the burden of demonstrating "that environmental factors were considered in a manner sufficient to be prima facie compliance with the procedural dictates of SEPA." Bellevue v. Boundary Rev. Bd., 90 Wn.2d 856, 867, 586 P.2d 470 (1978) (quoting Lassila, 89 Wn.2d at 814). For example, the threshold determination must be based on information sufficient to evaluate the proposal's environmental impact. Boehm, 111 Wn. App. at 718. In addition, a court will not uphold a DNS unless the record demonstrates that the government gave actual consideration to the environmental impact of the proposed action or recommendation. Boehm, 111 Wn. App. at 718. An incorrect threshold determination will be vacated because it thwarts SEPA's policy to ensure the full disclosure of environmental information so that environmental matters can be given proper consideration during decision-making. Norway Hill Pres. & Prot. Ass'n v. King County Council, 87 Wn.2d 267, 273, 552 P.2d 674 (1976)).

The MDNS, SEPA Checklist, and associated application materials here demonstrate that PDS did not adequately consider the environmental factors, "in a manner sufficient to be a prima facie compliance with the procedural dictates of SEPA." Lassila v. City of Wenatchee, 89 Wn.2d 804, 814, 576 P.2d 54 (1978). The MDNS is not based on information sufficient to evaluate the proposal's environmental impact, as identified below and as exemplified by the lack of response to riparian and wetland requirements noted by Doug Gresham, Ecology's wetland specialist for Skagit County.

1. The MDNS is not based on information sufficient to evaluate the proposal's environmental impact.

The sections below summarize some of the information omitted from the Application that is necessary to fully understand and consider the Mine's environmental impacts. For more detailed descriptions and additional flaws, please see the CSVN November 2020 comment letter at Attachment A.

a. Lack of review of impacts within the Project's full footprint.

The application materials do not evaluate environmental impacts associated with the two-mile-long private haul road that transects the applicant's larger contiguous ownership and traverses

Swede Creek, even though industrial-scale use of this haul road is a crucial element of the Project. For more information about this omission, see Attachment A, CSVN Letter at 4.

b. Lack of review of climate impacts associated with hauling sand and gravel.

No application materials, including the SEPA Checklist, evaluate the climate change impact associated with carbon emissions from mining and hauling more than 4 million cubic yards tons of sand and gravel over a 25-year period. Indeed, the SEPA Checklist asserts that, "[t]here are no off-site sources of emissions that would impact the proposal." For more information about this omission, see Attachment A, CSVN Letter at 5 (identifying off-site and cumulative impacts omitted and ignored).

c. Lack of review of impacts from converting 1/3 of a forested buffer into a gravel mine, including impacts to listed species.

Although the MDNS contemplates the mining of more than 4 million cubic yards of sand and gravel, which would occur only if PDS applies a 200-foot buffer rather than the required 300-foot buffer, neither CNW nor PDS evaluated the impacts of reducing the buffer by 100 feet over a stretch of approximately ¼ mile. Nor does the Application review the impacts of this reduction on the listed Oregon spotted frog that relies on the wetlands and environs for its habitat.

d. Lack of sufficient information about wildlife impacts.

Notwithstanding that the Project would convert at least 51 acres of forested land to a gravel pit, the Application does not identify or analyze impacts to native fauna. CSVN have communicated to PDS that bears, cougars, and bobcats have been known to frequent the area and that local residents regularly observe the use of that area as a wildlife corridor between Butler Hill to the south and the Samish River valley and Anderson Mountain to the north. Yet the SEPA Checklist asserts that the property is not an animal migration route. In addition to providing critical habitat for the Oregon spotted frog, bull trout, and Puget Sound steelhead, the Samish River and its associated wetlands provide important habitat for a wide range of species that include river otters, beavers, bald eagles, belted kingfishers, great blue herons, spotted sandpipers, and numerous species of migratory songbirds. The Application should be supplemented to identify the animal species that inhabit or necessarily transit that area and analyze the impacts of turning that land into an open gravel pit and the impacts of converting what is presumably a lightly-used forest road to heavy industrial use.

e. Potential water pollution impacts.

The Application repeatedly states that stormwater will be infiltrated at the site, and notes that the groundwater flows to the nearby Samish River, but does not evaluate whether spills of fuels or other hazardous materials will impact the river's water quality after traveling through, ultimately, just 10 feet of ground before entering the groundwater. The Application also does not evaluate potential impacts from stormwater runoff of the private haul road, including sedimentation and petroleum products entering Swede Creek or wetlands east of that road. The Application must evaluate the potential for water pollution and the effects on Samish River and Swede Creek.

f. Lack of requisite Critical Areas review.

Skagit County has incorporated the goals, policies, and purposes of its Critical Areas Ordinance ("CAO") into its SEPA policies. Consequently, to satisfy its duties under SEPA, the County must require compliance with CAO directives like the standard review of impacts that includes the submission of a critical area checklist and/or a site plan that shows the location of the proposed activity and associated area of disturbance in relation to all known critical areas or critical areas indicators. The County must then review these project documents, complete a critical areas staff checklist, inspect the site, and complete the critical areas field indicator form. Where the County's review concludes that the proposed activity extends to within 200 feet of critical area indicators or a distance otherwise specified by the chapter, it must require a critical areas site assessment. Ultimately, this process should result in protected critical areas being delineated and their outer edges and buffers marked permanently.

With regard to wetlands, any proposed high impact land use within 300 feet of wetland indicators, and any other proposed land use within 225 feet of wetland indicators, requires a wetland site assessment. The site assessment must result in a wetland delineation, classification, site plan with wetland and buffer boundaries, and functions and values analysis.

CNW's application does not satisfy these standards and thus does not meet Skagit County's SEPA requirements. The Application does not identify wetlands adjacent to the haul road at all, much less conduct a wetlands assessment for the impacts associated with the proposed hauling. The Application does acknowledge the existence of wetlands associated with the Samish River, but does not include a delineation, site plan with delineated boundaries depicted in relation to the Mine activities, or a full functions and values assessment. Absent this information, the County does not have sufficient information to issue a threshold determination.

g. Lack of sufficient review of noise impacts.

The Application's noise studies rely on a flawed methodology and overlook the planned removal of the forest buffer between the Mine and neighboring properties. For more information about this omission, see Attachment A, CSVN Letter at 13-14.

h. Lack of sufficient review of recreation impacts.

The Application omitted any acknowledgement or analysis of impacts to cycling along regional and federal bicycle routes. For more information about this omission, see Attachment A, CSVN Letter at 14-15.

i. Lack of sufficient information about transportation impacts.

As identified above, the Application omits significant, necessary information about potential traffic impacts, including final maximum traffic generation numbers, site distance impacts for intersections like that at Grip Rd/site access road, modeling with speeds anticipated by Skagit County's Road standards, mitigation for site distance impacts, the impact of truck-trailers crossing the centerline between the site and Old Highway 99, travel east of the Mine, and the redistributed traffic to Cook Road. These must be addressed.

2. The MDNS issued absent consideration of applicable mitigation measures.
While the MDNS included several conditions, the vast majority of them merely require

compliance with existing standards (though the MDNS did not require observation of Skagit County's 300-foot buffer and instead embraced CNW's decision to apply only a 200-foot buffer). To the extent that the MDNS included conditions for transportation impacts, it merely directs CNW to avoid hauling with trailers or to design and construct unidentified road improvements on two turns on Prairie Road. Other mitigation measures that should have been considered include:

- Scaled-back size of mine;
- Scaled-back rates of extraction;
- Limiting hours of operation to daylight hours during the workweek. This would partially address areas where the site distance is impaired;
- Limiting the daily number of truck trips;
- Protections from sedimentation and stormwater drainage into Swede Creek;
- A drainage/runoff plan for the length of the private haul road to prevent surface water impacts from heavy traffic on the haul road;
- Requiring roadway upgrades to decrease the likelihood of collisions between Project trucks and other vehicles, bicycles, and pedestrians; and
- Identifying a prescribed haul route.

D. Conclusion.

Notwithstanding the five-year interval since CNW initially applied for the special use permits, it has not supplied PDS with environmental information about the proposal sufficient to warrant a threshold determination. PDS issued the MDNS without fully considering the Project's significant environmental impacts, from loss of habitat for an endangered frog to traffic impacts to impacts associated with the private haul road. CSVN therefore asks PDS to correct that mistake by withdrawing the MDNS and by coordinating with the Applicant to conduct an EIS for the significant impacts referenced above.

In addition, CSVN requests that PDS publish online the comments submitted to address the MDNS as soon as possible.

If you have any questions, please contact me at 360-622-8060 or kyle@loringadvising.com.

Sincerely,

Kyle A. Loring
Counsel for Central Samish Valley CSVN

Cc: Michael Cerbone
Martha Bray
John Day

Attachs:

A. CSVN Letter to Hal Hart re: Proposed Grip Road Gravel Mine #PL16-0097—Comments on SEPA Review
B. WDNR timber harvest map
C. Skagit Valley Bike Map
D. Grip Road Gravel Mine Peer Review Traffic Impact Analysis
E. WDFW map showing wetlands and drainages near haul road
F. US Fish and Wildlife Service Critical Habitat map for Oregon Spotted Frog

From Host Address: 216.160.85.174

Date and time received: 4/30/2021 2:14:35 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 2:25:02 PM

Name : Monty W Mcintyre
Address : 585 PLEASANT BAY
City : Bellingham
State : WA
Zip : 98229
email : mont137@msn.com
PermitProposal : PL16-0097
Comments : Greetings
I am writing in regards to the MDNS to the proposed gravel pit by Miles Extraction Co.
My personal experience is that this is an irresponsible company that will not hold itself accountable. Please let me get this off my chest to start with!
While driving on Highway 9 a couple years ago an oncoming Miles Cement truck blew out a massive tire, just as we were passing one another south of 84th street. I was going north in my red 97 F250 and the Miles truck was going south. An extremely loud explosion occurred adjacent to me, mustard colored muck and tire debris slapped my vehicle, coating and chipping my windshield / drivers side and startling me the hell out of me. I pulled over immediately on the shoulder to see what had happened. I saw that the Miles truck had also pulled over. After surveying the situation beside that busy highway, I went north to the roundabout, and returned directly to the Miles vehicle, parking in front of it on the southbound shoulder of highway 9. I saw the tire behind the driver door was destroyed. It had caused the explosion and the damage to my truck. I spoke with the driver who told me to write down my name and phone number and he would "turn it into the office that day when he got back " I wrote my name and phone number on a slip of paper and gave it to the driver. I never received a call back about the incident and have a chip, from that blown tire, in my windshield to this day. I can honestly say that Miles damaged my truck. Then the driver, or the office personnel blew me off!
Why would I believe anything they or their agents will submit?

Regarding the MDNS. I hope our county can understand that this proposal has very significant, and permanent, negative impacts. As someone who has worked outside all his life and knows something about natural systems, it is absolutely absurd to me that the county is promoting this. Hugely damaging activities are now considered nonsignificant to our environment, or can be easily "mitigated: What will be the legacy of Skagit County's permitting process?

Does DNS really mean:
Damning Native Species?

Are Chinook Salmon of value to the declining local Orca population? WDF once had grand plans to restore native salmon runs. What are the current state of affairs? Can Samish River produce Chinook to alleviate some of the food shortage for Orca and provide for the human hunger for Kings as well??
What potential for siltation during a major pineapple express event would this disturbed acreage above portend for any restoration of Swede creek / Samish River salmonids?

What role did Skagit county play in permitting the logging that caused the mudded spawning gravels that caused the near extinction of Phinney Creek Steelhead, a run that was once spectacular?
What Role did the County play in permitting the destruction of Baker Lake Sockeye? How many return now compared with the 85,000 that was once an average run?
Historically the county has a terrible record of Native salmon conservation. From culverts to dams to gravel pits and logging. The lack of concern is cumulatively glaring!
Maybe MDNS is code for Maliciously Destructive Not (for) Salmon.
If it wasn't for the regional salmon enhancement groups our salmon may already be gone. Now they are just mostly gone! What does the future hold for salmon that are under constant attack from activities such as are proposed?
Consider the recent findings that Coho are particularly affected by an ingredient in tires which causes high mortality. Coho can live for a couple years in freshwater before out-migrating. What is the historical distribution of Coho in swede creek and Samish rivers? How many tires will wear away over the term of this proposal in the pit activity? How many pounds of rubber particles will run off from the road trips along all routes planned by these trucks? I'm still thinking about that tire blowing up next to me on # 9, what was in the mustard colored crap sprayed all over my truck?

Many forms of native life exist on this parcel, including hundreds of songbirds , currently singing to the brood in their nest at daybreak. What will happen to those birds when their nesting trees are excavated away so Miles can dig and then mix new cement for land developers? What will the morning sound like when diesel engines start with puffs of black smoke and no birds? I would proffer another DNS = Does Not Sing. It's a Dang Nincompoop Scheme that Dooms Nice Songbirds which is also D Nasty (&) S. Will human residents have a better day when they wake up hearing front end loaders, dump trucks, excavators and conveyors rather than birdsong and frogs - then get their windshield broken on the way to school?

I'm no biologist but did find a cute salamander with a yellow stripe on it's back last week. The frogs have been croaking for some time and so I think of all the amphibians along Swede Creek. Don't have time to make a list - should be doing taxes and going outside to work on some other stuff. I feel the need to get involved but it's most likely an aggravating waste of my time. Big business always get their way, they just pay an attorney to get it done! Ordinary citizens scramble to try and put in some feed back on short notice , THANK YOU FOR THAT!

Disavowing Natural Systems is Detrimental Not Sensible.
Our society will not be secure when some amongst us keep keep fouling our communal nest for profit, that's for sure. As I get older I see fewer functioning Natural Systems. I hope we can agree on this. Man has been wrecking things for a long time. Precious natural resources that effectively support healthy life have been in decline for decades. This dangerous trend is now exponentiating with increasing pressure from proposals such as this. Please pay attention and limit this destruction.

This gravel mining is Most Definitely Not Suitable for our community

STAY HOME STAY SAFE
Monty McIntyre

From Host Address: 75.172.124.90

Date and time received: 4/30/2021 2:23:03 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:20:02 PM

Name : Shelley Allen
Address : 22018 Grip Road
City : Sedro Woolley
State : WA
Zip : 98284
email : shelley@muzylowski.com
PermitProposal : PL 16-0097 Concrete Nor'west (CNW) application mining special use permit
Comments : Three Main issues regarding the proposed Mine on Grip road are: Environmental impact, Road safety and Third Party Sales. A comprehensive study of the issues and impacts of the effects of a gravel mine in this area should absolutely be implemented.

The Samish river and basin, have been a concern for habitat loss and degradation. The State and local communities have allocated enormous funding to protect these rivers. The mine project proposed on Grip Road, needs to be subject to a full environmental review.

Concrete Nor'West/Miles have already have an impact on this critical river from their Belleville site, also adjacent to the Samish River. Thousands of heavy load-filled trucks, leaking fluids, producing dust and emissions would be added to a second site of this critical river.

A full Environmental review must be required. This mine operation needs stringent environmental protection rules that protects the wetlands and that are carefully enforced.

Grip Road is a narrow, winding and steep road. With the current conditions there is no way that the addition of thousands of gravel trucks traveling on it could be considered safe. Grip Road is a regular route for many bicycling clubs/groups, as well as antique car clubs, as it is a quiet road that has been favored for it's scenic qualities and minimal commercial traffic. Many of our neighbors walk the road for exercise and also walk to the riverside in the summer.

Our home is on a hard corner on Grip Road, just up the hill from the proposed mine access/entrance. We have had many vehicles skid on the corner and slide off the road damaging trees and signs. Last month a Skagit county road worker had to replace or repair the corner sign three times. This and many other significant corners on Grip Road would be unsafe for large vehicles passing one another, and again, for pedestrians and cyclists. We have not seen maps and details that would show how these concerns would be mitigated.

What is the maximum runs of trucks per day (including roundtrips). Please confirm there will be a noise study of the use of compression brakes.

The proposal states that gravel can be sold directly to the market from this site. What are the restrictions on these transactions and what haul roads will they be using? Third party sales would create an undetermined effect on the area and should not be allowed.

From Host Address: 172.92.201.237

Date and time received: 4/30/2021 3:17:33 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:25:02 PM

Name : Frederic Allen
Address : 22018 Grip Road
City : Sedro Woolley
State : WA
Zip : 98284
email : rik@rikallen.com
PermitProposal : PL 16-0097 Concrete Nor'west (CNW) application mining special use permit
Comments : Two Main issues we have regarding the proposed Mine on Grip road are: Environmental impact and Road safety.

As proposed we believe that there is far too little done to study the site and mine proposal to mitigate the effects of a gravel mine in this area. A comprehensive study of the issues and impacts of this project should absolutely be implemented. The Samish river and basin, as well as many of Washington State's rivers have been a concern for habitat loss and degradation. The State and local communities have allocated enormous funding to protect these rivers, I can not understand why a project, as large as the mine proposed on Grip road, would not be subject to a full environmental review. Concrete Nor'West/ Miles have already have an impact on this critical river from their Belleville site, also adjacent to the Samish River. Thousands of trucks rumbling, leaking fluids, producing dust and emissions would be added to a second site of this critical river. A full Environmental review must be required. We all would be at a loss if this mine is permitted without stringent environmental review that protects the wetlands and all buffers are carefully enforced.

Regarding the road safety issues, this is one issue that has brought together all of our neighbors, regardless of anyone's political, social or community background. Grip Road is unsafe. The stretch of Grip road from Prairie road is has multiple blind corners on a steep hill. My wife and I frequently walk and bike on Grip road year round. It only takes a few large pick up trucks on Grip to force anyone on the road into the gravel embankment. Anytime a commercial truck has come around the corner with people on the road, they are forced to either brake hard, or cross over to the opposite lane. Two gravel trucks, passing each other, with or without trailers, will occupy all the available pavement making it an extremely dangerous situation for anyone (including animals). There is no way I can see this winding steep road being considered safe. Grip road is a regular route for many bicycling clubs/groups, as well as antique car clubs, as it is a quiet road that has been favored for it's scenic qualities and minimal commercial traffic.
Our home is on a hard corner on Grip road, just up the hill from the proposed mine access/entrance. We have had, almost monthly, vehicles leave the road and slide into the corner. Last month a Skagit county road worker had to replace or repair the corner sign three times. Grip road has many significant blind corners that would be unsafe for large vehicles passing one another, and again, for pedestrians and cyclists.
We have not seen maps and details that would show how these concerns would be mitigated. Truck traffic, as currently proposed, would have a major impact on our quality of life and safety.

Thank you.

From Host Address: 172.92.201.237

Date and time received: 4/30/2021 3:22:31 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:30:02 PM

Name : Ingo Lemme
Address : 5856 Park Ct
City : Sedro Woolley
State : WA
Zip : 98284
email : ilemme@cnw.com
PermitProposal : PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)
Comments : I would like to comment on the SEPA determination issued by Skagit County Planning and Development Services in response to the gravel mine development application submitted by Mile Sand & Gravel.

The route proposed for hauling the gravel over Grip Rd. and Prairie Rd. is inadequate for the type and volume of truck travel proposed. The MDNS does not adequately address the problems on this route including curves on the Grip Rd. hill that are not wide enough to accommodate the truck traffic without crossing the center line. There are many portions of this route that are dangerously narrow for such traffic. I am a bicyclist and long stretches of this route have virtually no shoulder, so that the road is not wide enough for a gravel truck, a vehicle travelling in the opposite direction and a bicycle. This is an extreme safety hazard. With the volume of truck traffic proposed by this project, the frequency of this hazard increases very significantly. These hazards are not adequately addressed in the MDNS and a full EIS is needed. Related hazards are the intersection of the haul road and Grip Rd. and the intersection of Grip Rd. and Prairie Rd., and these hazards are not adequately addressed in the MDNS. Another issue inadequately addressed in the MDNS is the impact of the proposed truck traffic on the physical infrastructure of the roads themselves; these roads are inadequate for this volume and type of truck traffic, which will cause accelerated wear and need for expensive repairs.

The proposed project will have significant impacts on wetlands, fish/wildlife and drainage, which are inadequately described in the MDNS. The MDNS also inadequately deals with the noise and vibration impacts and the increased diesel exhaust impact on air quality. These issues need to be considered with a full EIS.

Because of the inadequate delineation in the MDNS of both the impacts of this proposal on road safety and road degradation as well as the impacts on the environment, including wetlands, fish and wildlife, noise and air quality, I strongly disagree that a MDNS is adequate and request that a full EIS be required.

Thank you for your consideration of these issues.

From Host Address: 50.34.213.251

Date and time received: 4/30/2021 3:26:12 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:30:02 PM

Name : Jennifer Aven
Address : 6478 Lillian Lane
City : Sedro Woolley
State : WA
Zip : 98284
email : Jenjen2912@yahoo.com
PermitProposal : Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097
Comments : My husband and I are extremely concerned at the re-issuance of the permit for the gravel mine. There seems to be absolutely no concern for the safety of my family or my neighbors as we drive on the narrow and winding roads of Grip and Prairie. We demand that thorough and comprehensive studies be done to address the risks that this severe increase in large heavy trucks on our small backwoods roads be performed and then that any and all concerns be adequately addressed. My parents, my children, my husband and myself are on these roads two to four times a day each and the idea that county would ignore putting their lives at risk, especially for profit, is appalling. I find the idea of facing a large truck barreling down the "S" curved hill on Grip while in possible drifts across that center line terrifying. The option to avoid it would be down an embankment. What will happened when the school buses are passing through as well? What does it look like at those 90 degree corners on Prairie just before Old 99? Are we all just going to have to swerve and break hard to miss these trucks? I've had a close call with a large vehicle there before and the adrenaline rush doesn't dissipate until you reach Burlington. This is unacceptable. We shouldn't be forced to endure that every day.

Lets not also ignore the dramatic increase or the wear and tear of roads not built for that kind of traffic. We must study what the effects of those 30 round trips an hour means. And all the environmental effects...I'll leave it to my neighbors to cover those concerns in great detail, but we are worried about all of them as well.

We chose this beautiful area over 15 years ago because of the quietness and the serenity. We chose the intimacy and safety of tiny Samish Elementary and its back roads bus routes for our children. We expect to share the roads with an occasional tractor or horseback rider, not an industrial flow of heavy trucks. I know that things progress and change, but I implore you to please take the time to do the right thing. Study in depth all the consequences this mine will have on our community and hop in your own vehicle, go for a Sunday drive down the length of Prairie and Grip and picture what this mine and it's traffic will do to every single person who lives here and drive these roads.
Thank you for your time.

Sincerely,
Jennifer Aven

From Host Address: 50.34.125.113

Date and time received: 4/30/2021 3:26:26 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:30:02 PM

Name : Miles Sand & Gravel Company Inc.
Address : PO Box 280
City : Mount Vernon
State : US: Washington
Zip : 98273
email : dan.cox@miles.rocks
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : On behalf of Miles Sand & Gravel Company Inc. (Concrete Nor'West), I am writing to express our support of the 4-15-2021 MDNS for the above noted project. Miles has worked diligently to provide all of the requested information to allow the County to review and condition this application to address public concerns and ensure compliance with County requirements. We would encourage the County to move forward with preparation of the staff report and scheduling of the public hearing so that a decision on the application can be made.

From Host Address: 50.34.67.130

Date and time received: 4/30/2021 3:29:08 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:40:02 PM

Name : Jesse
Address : 20631 Prairie Rd
City : Sedro Woolley
State : WA
Zip : 98284
email : jfaxonmills@gmail.com
PermitProposal : Concreted Nor'west/Miles Sand & Gravel; PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)
Comments : April 30, 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concreted Nor'west/Miles Sand & Gravel; PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

Thank you for this opportunity to voice my concerns about Skagit County's recently re-issued MDNS regarding the mine development application of Miles Sand and Gravel.

Until recently, I wasn't fully aware of the extent to which this would impact the area where I live, and especially how it could upend the lives of my neighbors to the near south. I live about 1 mile north of the proposed gravel mine area have recently become aware of gravely concerning details of this proposed mine. I'm extremely worried about what seems to be a lack of thorough research by the county into what this project would mean for those living on Grip road and in the surrounding community. The lack of up-to-date studies by the County on the environmental impact is deeply concerning as well.

For over 30 years, my parents have lived ten minutes away from the forested land off of Grip Road. They know many of the people who live in that area and have been allowed by kind neighbors to explore those forest lands with their family. More recently, they've been sharing the beauty of those woods with their first grandchild. They've seen tracks of cougars and bears, in addition to a wide assortment of birds and other small creatures. This would all be profoundly impacted in a very sad way if we allow these territories to be stripped for gravel, fill the air with exhaust from transport trucks, and fundamentally disrupt their habitat.

And, the Samish River, which runs behind my house and which I fished in as a kid, would also be irreversibly impacted. The river and surrounding wetlands provide habitat for the Oregon Spotted Frog, designated endangered by the state and threatened federally, and the Bull Trout, another species listed as threatened on federal lists also has critical habitat on this river. As I understand it, when issuing the MDNS, the Fish and Wildlife Assessment used was

incomplete and over five years old. There's no mention of endangered status species in the MDNS. State and federal agencies addressing endangered species must be consulted.

I also can't help but think of how this project will affect the safety and infrastructure of the roads. Grip Rd is narrow, with twists and turns. It intersects with Prairie Rd (where I live) on a tight corner of Prairie, and I've already had cars pull out in front of me who didn't see me coming around that turn. I fear that the safety impact of dozens, perhaps hundreds of trucks daily on Grip road would be disastrous. I understand that the Traffic Impact Analysis located lane encroachment on this route, including on the twisting Grip Road hill spots, but neither the TIA nor the MDNS analyzes or mitigates this problem. Head on vehicle collision are horrific. Without properly addressing this truly life or death issue, there is no answer to the community's fearful question: how will trucks and school buses negotiate safely passing on these roads? For the County to refrain from insisting on additional information and assurances on this issue would be a costly and deadly mistake, in that severe accidents involving those civilians who travel these roads would be inevitable.

Although Miles Sand and Gravel suggests an average 46 truck trips per day (already high traffic), the company says it might run up to 60 trucks per hour, which likely would be the case in peak season. The impact of anything even close to such heavy traffic would pose both a safety hazard and a negative impact on road infrastructure. Impacts on infrastructure also need to be evaluated, and provision should be made for the applicant to pay a fair share of cost for maintenance and repairs if the project is approved.

From what I can see, this project has not been thoroughly examined. In order to allow the mine to exist, the County would make an exception to allow only a 200 foot buffer. How can this be considered acceptable when Critical Areas Ordinance (CAO) requires a 300 foot buffer adjacent to high intensity land use? This project will be nothing if not high intensity: a 60 acre mine site on 700 contiguous acres, going 90 feet deep, with over 11,000 heavy truck trips per day over 25 years. Clearly, the Critical Areas Ordinance defines its terms regarding high intensity projects for crucially important reasons. Those crucial points of this Ordinance must not be disregarded without closer examination of the high intensity nature of this entire proposal.

Grip Road/Prairie Road is our home. It is rural, and home to many farmers and families. It is the type of place that Skagit County is known for, which hasn't yet been overcrowded or stripped for profits. Pushing through this gravel mine without thoroughly examining its many impacts on the people, animals, and plant life would be an outright betrayal. An application to substantially change its character, its safety, and its multi-use function for all species should be assessed with all of the tools that the County has in place, including state and federal metrics.

Please reverse the Threshold Determination under SEPA, require a full Environmental Impact Statement to evaluate environmental fallout from this project, and fully examine the public safety and quality of life impacts of this proposal.

Sincerely,

Jesse Faxon-Mills
20631 Prairie Rd
Sedro Woolley, WA 98233

From Host Address: 172.92.208.120

Date and time received: 4/30/2021 3:36:01 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:40:02 PM

Name : Linda L Walsh
Address : 21710 Prairie Road
City : Sedro Woolley
State : WA
Zip : 98284
email : walshl2006@hotmail.com
PermitProposal : PL16-0097 & PL16-0098 Concrete Nor'West reissued MDNS
Comments : April 26, 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
MT Vernon WA 98273

RE: Concrete Nor'West/ Miles Sand & Gravel
PL 16-0097 & PL16-0098,
Notice of Withdrawn and re-issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

My husband and I own land adjacent to the proposed mine parcel so this project will have a significant impact on our lives and property. We have lived on Prairie Road for nearly 30 years. I have had many concerns regarding this project from the beginning in 2016 and want to comment on the many of the same concerns on the reissued MDNS.,

The revised MDNS has changed very little from the original 2016 document despite countless hours of documentation submitted to the County from our Community group that documents multiple traffic safety and environment issues. The video, photo, written and verbal communications provided over the past few years have recognized these serious concerns from the beginning.

It has taken nearly 5 years for County and experts to acknowledge what we have known from the beginning. The trucks cannot stay in their assigned lanes. However, the mitigation offered only addresses 2 intersections and 2 corners. Documentation is clear there are many other similar corners and intersections on the possible transportation routes. These routes and safety issues remain unevaluated and still falls far short of what Skagit County Code and SEPA requires. It does not fully evaluate the potential impacts of the proposed commercial mine project. This reflects the County's lack of understanding of the size and scope of this project. To ignore these documented problems will result in unacceptable risks for the environment and public safety. A full EIS must be required in order to adequately identify and address the number of safety and environment concerns.

The applicant’s TIA and the MDNS have already identified significant current traffic problems in the area without even using accurate data. The average 46 truck trips per day that

is calculated by spreading trips out over a 12 month period is a useless number for calculating traffic safety. The yearlong average of truck trips does not give an accurate number of trucks that will actually be present on the road system each day. During the high volume construction season they will exceed the average daily 46 truck trips for several months. The number is not only is inaccurate it is misleading to the public by implying there will be an actual 46 truck trips per day.
It does not take traffic experts to know the MDNS mitigation of the 2 corners which will not allow trucks and trailers, will cause a significant increase in the numbers of solo dump truck trips to haul the desired amount of material. These trips will far exceed the average 46 truck trips this proposal is based on and this increase of solo trucks must be evaluated. Likewise, sales to private or 3rd parties will also result in an increase of trucks. The additional number of trucks is not included in their TIA. These increases must be added to the 46 average truck trips. If the applicant decides to use alternate routes with truck and trailers, those routes need evaluated. A Level II TIA needs to be done.

Mitigation to comply with the weight limit on the Samish bridge will also cause unevaluated routes to be used. The Cook Road/Old Highway 99 intersection, which is included in the haul route but not evaluated in the TIA for safety or level of service (LOS), is well documented by the County to already be operating at LOS D, which is below the County's minimum requirement of LOS C. Adding hundreds of trucks to this intersection will degrade the LOS even farther. I have seen trucks and trailers force a vehicle stopped at the light to back up in order to avoid being hit by the truck trailer straying into their lane. The F & S Grade/Prairie Road intersection has in recent months had 4 traffic accidents and it remains unevaluated for safety of LOS, despite the fact it could become a regular alternate route for trucks and trailers. If it had been evaluated it would be apparent that trucks cannot stay in their assigned lanes, this is unacceptable.

The final SEPA determination must evaluate the traffic safety impacts of the project based on the actual maximum number or trips per hour and set a hard limit on it. The County must also set limits on the duration and frequency of occasions when it will allow higher than average trip numbers. We already see communication between the County and the Applicant deciding how they could be allowed to exceed a maximum of allowed trucks.
There should be no direct sales to private or 3rd parties without all routes being evaluated .

1. Require safety analysis and mitigation measures for ALL locations where trucks will encroach on the opposing lane of traffic. The MDNS states that trucks with trailers will encroach two to three feet into the opposing lanes of traffic at the two sharp corners on Prairie Road near the intersection with Old Highway 99. It also requires that the applicant reconstruct the road at this location and correct this acknowledged safety issue. The applicant's TIA identifies the same issue, but also states that there are several other locations on the haul route where trucks will cross over into the other lane. It does not identify these other locations, provide analysis of the specific safety issues there, or propose any mitigation. From my personal observations and those of other area residents, other locations where this is an issue include, but are not limited to, the steep S-curves on the Grip Road hill, the eastbound approach to the Samish River bridge on Grip Road, and practically every intersection on the identified haul routes.
2. Take increased non-mine traffic over time into account in analyzing the traffic safety and road capacity impacts of the project. The TIA uses intersection vehicle counts from 2020 as the base for evaluating the impact of mine traffic and does not factor in increasing traffic over time with growth. There is no explanation of why this was not done. If the applicant and the

County are not going to take this into account, they must provide clear evidence to show that substantial increases in background traffic are not likely to occur during the proposed 25-year lifetime of the mine.
3. Provide clear, graphic analysis of ALL locations on proposed haul routes where intersection and/or stopping sight distances do not meet required minimums for all types of vehicles. Require mitigation of all such locations. Graphic "Vision Clearance Triangle" analysis (Skagit County Road Standards, 2000, Appendix C-7) or other industry standard graphic analysis is needed for all such locations and adequate mitigation measures required for project approval.
4. Flashing speed warning beacon systems proposed for the Grip/Prairie and Grip/Mine Entrance intersections require analysis as to what they are intended to accomplish and how they will do it. The existing speed warning signs on Prairie Road at the Grip intersection clearly do not work and no analysis has been provided to show that a flashing warning light system will work better at either location. The County must require the applicant to conduct field studies to determine what the actual maximum safe speeds are for these intersections and require mitigation measures that will ensure these limits are met.
5. Fully evaluate accident records for all road segments and intersections on the haul route, including causes and contributing factors. Provide analysis of the impacts mine traffic will have on the number, type, and severity of accidents to be anticipated with both existing and future traffic volumes. Require effective mitigation measures. The existing TIA accident record analysis is limited to certain intersections on the haul route and does not look at causes and contributing factors. It excludes a number of additional intersections, including Cook Road and Old Highway 99, as well as accidents not occurring at intersections.
6. Evaluate the impacts of mine traffic on the existing roads and bridges and require the applicant pay its fair share of the costs for increased maintenance on our already sub-standard rural roads. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required significant repairs over the last few years. Roughly 12,000 truck and trailer trips per year over 25 years will necessitate a lot of additional maintenance by the county roads department. This must be paid for by the applicant, not the taxpayers.
7. School buses are not match for the large trucks and there are several times per day, 180 days per year that the will be transporting our children. These children wait in the dark on roads with little to no shoulder and no evaluations have been done to ensure the Buses can share the road safely with the massive dump trucks and trailers.
This is an industrial scale development located in sensitive rural environment where no commercial mining has ever occurred. It will cause irreparable and significant harm to the natural environment including habitats along the Samish River and Swede Creek, as well as upland wildlife habitat. The MDNS falls far short of identifying and mitigating impacts.

• The environmental review did not consider the full footprint of the project. Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.
We are disappointed the hours of transportation and operations have not been restricted more. Operating and transporting 10 hours per day and on weekends does address the negative impacts on my family and others trying to enjoy our homes and properties.
The County is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high

intensity land use and the MDNS needs to reflect proper mitigation to comply with CAO.
The Fish and Wildlife Assessment was done in 2015 and is out-of-date and incomplete. The limited Fish and Wildlife Assessment provided by the applicant is more than five years old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site. The MDNS does not mention these “ESA” species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.
Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the entire project footprint need to be identified so that operators and regulators know where they are.
Wildlife corridors are not identified and or protected. Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.
A drainage plan needs to be required to protect water quality from runoff on the private haul road. Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.
Impacts to groundwater are not adequately evaluated and protections measures are not required. They intend to excavate the mine to within 10 feet of groundwater. The hydrogeologic report is based on 2003 data supplied by Concrete Nor'West . They hydro company based the ground water levels on that data and it is nearly 18 years old. The High Seasonal Ground Water has not been re-evaluated since 2003 and yet they must keep the mine 10 feet above that unknown level. Leaving only 10 feet of natural material does allow for much error. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river.
The Noise and Vibration Study did not base information on specific size of equipment. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. Here again they try to use an average of dBA, not maximum noise levels. They did not measure noise received at neighboring property boundaries but instead chose areas to take data at least 1800 feet away from the property boundary. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a significant change for our property and should be taken into account in a full EIS.
Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves emissions from thousands of diesel trucks over a 25 year period. I know the County is aware of the significant adverse impacts vehicle emissions have on air quality because in their parking lot the have 'No Idle zone' signs. If there is a concern for ordinary automobile air pollution it seems thousands of diesel trucks and thousands of hours heavy equipment emitting pollutants would have been a priority to evaluate with an EIS.
Cumulative impacts were ignored. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a “temporary” activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat

and fish bearing streams. These are not reversible impacts. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period.
The MRO designation does not automatically give a business the 'green light' to operate, it does not even ensure extraction will be possible. It only identifies there are mineral resources present. This project would have received an automatic 'green light' to operate back in 2016 with little meaningful documentation if our Community had not spent countless hours and thousands of dollars submitting information supporting the safety issues and environmental issues, some are now recognized by the County to be present today. This industrial mine cannot be permitted based on incomplete and inaccurate data.
This project cannot be mitigated without causing undue hardship and adverse impacts on local residents and it is incompatible with current land uses.

In order to even try to fully mitigate road problems land-owners would be required to give up land on sections where the road needs to widen and there is no easement. The level of noise, dust and vibration that properties will receive cannot be mitigated. The County and the Applicant have had over a decade to invest into the infrastructure knowing they would be wanting to extract and transport the gravel, and yet their lack of investment and planning will cause an extreme burden on local residents if this project is allowed to move forward at this time.
Mitigation to lower the speed limit just because the applicant wants to introduce high volumes of trucks into our roads also adds the burden on the residents, increasing commute times which are already long.
There is no way to mitigate the decrease in property values due to the presence of undesirable truck traffic and adverse impacts of a nearby industrial gravel mine. Once again residents will bare the entire burden of this significant impact.
It is not just a "borrow pit" as one of the CNW representatives told the Hearing Examiner in a meeting. It is a high intensity, full scale industrial mine and transportation project that will remove and transport 4.2 million cubic yards of gravel and transport it via an inadequate, substandard public road system across wetlands and wildlife habitat. They will strip all topsoil, timber and vegetation and excavate 50 to 90 feet deep over 50 acres, this an open pit industrial mine with a 25 year duration. Approximately 6500 feet of Samish River front is the eastern border of the mine, this project clearly needs a comprehensive EIS to identify all its adverse and dangerous impacts.
Please take another look at all the impacts this industrial mine will have on this area and listen to the valid concerns we have regarding this project.

Sincerely,
Linda & Robert Walsh
21710 Prairie Road
Sedro Woolley WA 98284

From Host Address: 172.92.225.214

Date and time received: 4/30/2021 3:37:41 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 4:00:01 PM

Name : Larry William Hedgpeth
Address : 5809 Brookings Road
City : Sedro Woolley
State : wa
Zip : 98284
email : ljhedgpeth@gmail.com
PermitProposal : Special Use Permit Application #PL16-0097 Grip Road Gravel Mine
Comments : April 30, 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services 1800 Continental Place
Mount Vernon, WA 98273
RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads
Dear Mr. Cerbone,
Since I commented yesterday on this site about the proposed gravel mine on Grip road, my thoughts have kept going back to other concerns about roads and traffic safety. So I decided to submit another comment before the deadline today.
A major concern is the route the trucks will use getting to and leaving the mine. The only plan I have heard about is to take the gravel to a site south of Prairie Road on old 99 for processing and sale. Is there anything to limit Miles to that route or that destination? If so, that should be spelled out clearly in the paperwork for the permit and / or the MDNS. Failing that, shouldn't the county consider the condition of all likely haul routes and include reasonable requirements for them also in the MDNS? Many of these routes have some of the same problems as the route that has been identified – sharp turns, narrow roads, lack of shoulders wide enough for bicycles or people, limited visibility, etc.
Most of these roads up here were not built to any modern standard of width or materials. Running thousands of full gravel trucks a year over the same route could result in some pretty expensive repair bills. Will Miles be required to pay a share? Maybe using a variety of different routes would cause less of an overall impact and actually save money.
The warning lights at the mine entrance and at the Prairie/Grip intersection may work fine, or they may need some sort of an upgrade or to be replaced by a different traffic control system. How can anyone tell in advance what will be needed at those two spots to keep everyone safe? The county should examine all of this very carefully before giving Miles such a long permit.
Here's an idea I haven't heard considered yet: why not give the mine a provisional permit for 3 or 4 years of operation to see how many of these problems come up and how bad they are? Then the mitigations for the balance of the 25 year permit could be negotiated on the basis of evidence instead of conjecture.
Shouldn't the county represent the interests of all of us – Miles and the general public? Miles is a pretty large, successful company with people on staff who are well experienced working with government agencies on all the issues involved in the permitting process. Who in the county is representing the general public or the public interest?
Over this long process, many issues have been raised and questions asked by concerned citizens. And many, many comments submitted. But only vary rarely in the past 5 years have any of us been able to dialogue with county staff in a substantive way about any of these issues and concerns. The process has not worked very well for those of us on the outside. If

the county doesn’t listen to us, how can we be heard?
Larry Hedgpeth. 360-855-5326

From Host Address: 172.92.218.39

Date and time received: 4/30/2021 3:55:55 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 4:00:02 PM

Name : MATTHEW MAHAFFIE
Address : 22031 GRIP RD
City : Sedro Woolley
State : WA
Zip : 98284
email : mahaffim@hotmail.com
PermitProposal : PL16-0097
Comments : April 30, 2021

Matt Mahaffie
22031 Grip Road
Sedro Woolley, WA 98284

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

RE: PL16-0097

Dear Mr. Cerbone,

I am writing in comment to the special use permit application PL16-0097, a proposed operation of a gravel mine by Concrete Nor'West. I am supportive of the need of the company to have a reliable source of their base material going into the future, a need that also in many cases has a public benefit, but have serious concerns about the proposal as presented which will place undo burden upon the local community's quality of life, safety, and environment without any meaningful mitigating measures volunteered by Concrete Nor'West nor Skagit County, even after extensive public input for several years.

I am very familiar with this property, having spent over 20 years traversing all portions of the property when it was open for public access (previous owners) as well as reviewing it professionally as a wetland/critical areas specialist under other development proposals. I am also a nearby resident of the community who also spent many years as a CDL licensed driver of the types of trucks proposed to be utilized with this endeavor. Specific concerns are as follows:

Critical Areas Review

In the normal course of work I personally have the utmost respect for Graham-Bunting Associates and Skagit County Planning staff, and as previously commented, respectfully disagreed with a few key findings presented with the supplied report and/or the scope of work

that should have been specified by Skagit County. The fact that these distinct factual errors and very clear requirements of Skagit County Code were ignored after being pointed out by the Washington State Department of Ecology, two Skagit County approved Critical Area specialists, and countless community members is very disturbing.

• The singular wetland rating put forth appears accurate. However, the land use intensity (moderate) put forth in no way conforms to the land use intensity description put forth in Appendix 8C of WA DOE Publication No. 05-06-008 as required if using the alternative buffers in SCC 14.24.230(1)(b). This is not just my personal opinion; it is my opinion as a Natural Resource Planner and staff biologist for a local County government, trained by the Department of Ecology in the use of their rating system, as well as a consulting wetland professional recognized by Skagit County as such via inclusion as a recognized qualified professional included in Skagit County PDS list of approved consultant (having submitted hundreds of approved critical area assessments to Skagit County). It was also the consistent opinion every professional wetland scientist and agency reviewer that I inquired with, including the Department of Ecology (Doug Gresham, DOE, personal conversation 12/23/16) the authors of the said referenced publication who has also commented to Skagit County on this proposal with this fact. The land use intensity for a full-time gravel mining operation is unquestionably high. A high habitat score (as put forth by the supplied wetland rating) requires a 300ft wetland buffer per SCC 14.24.230, not 200ft as proposed (300 also being the standard buffer).

• The review/assessment also neglected SCC 14.24.230(2), where in general, buffers are to extend 25 feet past the top of sloping areas that are 25% or greater. The site plan as indicated shows areas where this provision is applicable. Regardless of the aforementioned land use intensity issue, the buffer likely should still extend past the line indicated in areas unless there is a rational reason put forth not to, which does not appear to have been done specific to this.

• A wetland assessment is required for this project as proposed (regardless of the land use intensity) per SCC 14.24.220. A wetland assessment has not been submitted for this project even though the Fish & Wildlife Assessment made it clear that a wetland was present. The wetland assessment should include a wetland delineation which was also requested to be completed by WA DOE during the initial SEPA comment period. It is unclear why this portion of Skagit County Code was ignored, as were all of the SEPA comments submitted by the singular state agency most relevant to the issue.

• Critical area review, and to a lesser extent SEPA, was limited to the proposed mine site only. However, Skagit County staff has consistently maintained that changing the use of forest roads to new uses was tantamount to a new impact, needing at a minimum assessment, and potentially mitigation. The haul road is most certainly a change of use by a drastic degree. Going from an access only used infrequently for forestry purposes to a road that could have hundreds of truck trips per day essentially in perpetuity will most certainly be an impact to the environment in numerous areas. This will be a distinct habitat break in what is presently one of the largest undeveloped tracts of left in lowland Skagit County, home to deer, bear, cougar, and elk as well as many avian and small mammal species. Heavily trafficked corridors are well known to affect the habits of such species. The haul road also drains to a salmon stream that has serious turbidity problems, and it seems inconceivable that the increased road traffic and maintenance/improvements without stormwater control will not affect this riparian area.

The road crosses one of the most productive tributaries in the Samish River basin as well as

being within the buffer of likely Category I wetlands. The road has already been improved, and it would be ridiculous to think that the significant improvements (grading, surfacing, and vegetation clearing) were solely for "forest management" after the special use permit is granted. It is unclear from the available documentation why Concrete Nor'West is not being held to the same standards as numerous clients of mine (professionally) building simple single-family homes have been; addressing the clear intensification of impacts when transferring the use of a logging road to another use.

• No meaningful protective measures have been assessed to the buffer of the critical area adjacent to the mine operations. While recording of a Protected Critical Area (PCA) site plan is standard and generally adequate for a single family home, a commercial operation with employees on heavy equipment, no oversight, and no vested interest in the observation of the buffer is a recipe for disregard of said buffer (not to mention a PCA is required by SCC). Glaringly as well, there is no reference on the ground for the buffer. If there is no survey or mapping, how will anyone know where the buffer is? The buffer should be required to be demarcated in the field, an absolute standard practice, and in reality, should be fenced as well (absolutely standard industry practice).

• All conversion activities (PL16-0098) were supposedly limited to the mine site. Most recent aerial photos of the site (Google Earth August 2020) clearly indicate conversion activities that have occurred onsite, including conclusively within the standard review area of a clearly apparent wetland, quite likely within the buffer. The proposal and subsequent review has in no way addressed these areas of converted forest land as defined by WAC/RCW, with the scope of the noticing of the conversion activities not held to, nor the apparent non-compliance of issued FPA conditions.

Noise

The applicants have stated that their project will have no noise concerns to the neighborhood. This is blatantly false. A raised voice can be heard on neighboring properties to the north (known from personal past observation) from the area proposed to be mined. How would heavy equipment not be heard? An excavator bucket hitting the side of a dump truck is as loud as a small caliber rifle shot, and such hits and bucket shaking will take place many times a day with such a mining operation. All of the neighboring properties will be subject to such noise. On the upslope side (where I live), any use of the onsite road system by even a diesel pickup truck can be clearly heard outside on a clear day, heavy equipment use can be heard inside. There is absolutely no way mining operations will be fully self contained in regards to noise. Operations during standard business hours would be one thing, but evening and weekend operations would result in a seriously degraded quality of life in this regard. While it can be noted that the area is in a mineral resource overlay (zoning), the overlay was added after many of us moved into the area.

Also lacking in analysis is the road noise going east from the site, and very questionable analysis going west. Although eastern traffic is not part of the proposal, without a condition regarding such, there will very likely be traffic going that way as well. We live on a small country road, and most of the homes are close to the road. When the infrequent gravel truck and trailer passes by, the entire house shakes, both from the noise of the truck/engine, and the constantly used exhaust brake. The noise has been so loud that objects have fallen off of walls, children wake from naps, and any sense of peace and quite country living is shattered. We knew the conditions when we bought property in the area, and were accepting, but a constant

and potentially hundredfold increase in daily gravel truck traffic would be unacceptable for any in the area, especially in light of the fact that Skagit County Planning staff required that my home be built abutting the road rather than the several hundred feet back that I desired to address such issues. These trucks will pass many homes and will cause significant duress for many residents.

Traffic Safety

While it is nice to see that the County added conditions regarding the two 90-degree corners closest to Old 99 on Prairie Road be fixed prior to truck/trailer combos being allowed to access the site in the updated MDNS, glaring omission was made to the status of Grip Road if such happens. As an experienced driver of the types of trucks in question (still hold Class A CDL and have for many years), yes, a dump truck and pup trailer may technically traverse Grip Road from the property to Prairie Road. Reality, however, is far different. Virtually no truck driver is going to consistently traverse this road section safely. Center lines will be crossed and shoulders will be driven upon, it is a given. This creates an issue for taxpayers who will have to repair the road, for the environment that will be degraded by the continual influx of sediment from damage to the shoulder/ditch, and the public safety. There will be no place to safely walk or ride a bike on this stretch of road with trucks and trailers cutting corners. Families walk in the area, ride bikes, and commute on this road (as well as Prairie Road). Also present are hundreds of bicyclists throughout the warmer months with numerous planned rides/races using this area as one of the "safer" routes. With the development of the Tope Ryan Conservation Area (Skagit Land Trust property at Swede Creek on Grip Road) trail system, the lower end of Grip Road has also become a park like setting with many families using the area, walking the road and bridge, and swimming in the river (which can only be accessed after walking from the parking spots down the road). How will this safety issue be mitigated. While I let our older children ride their bikes down to the river now, or their friends house, I cannot allow such with such an increase in industrial truck traffic. My children's safety and basic childhood experience will forever be altered by this proposal.

In over 30 years of living in the area, I have noted numerous very serious accidents at the intersection of Grip and Prairie Roads, one of the worst blind corners in the County. Recent work by Skagit County to extend the site distance has not significantly changed the response time for a driver, and while past lowering of the speed limit has helped some, but having trucks and trailers essentially blocking the intersection throughout the day will lead to disaster, regardless of a blinking warning light (that the drivers will assuredly become numb too).

While Grip Road can technically be argued to be traversable from the property in question to Prairie Road, it absolutely cannot the other way (east). The two 90-degree corners immediately west cannot physically be traversed by a truck and trailer within the bounds of their assigned lanes. Presently, when a truck meets another vehicle, one must stop as the truck must cross into another lane to traverse the corner. It is unclear why traffic analysis did not address this when application materials clearly left open the possibility and likelihood of routing this way (and why the County has only noticed the project with truck traffic going west) without any kind of mitigating measure put forth in the MDNS.

Future Plans

It is the stated purpose of the applicants and the County that Concrete Nor'West that this project is to haul gravel to haul to their other facilities for processing. However, onsite sales

are also mentioned in some documentation, as is residential development. Concrete Nor'West also states their need as the existing pits in their portfolio are being depleted. That begs the question of why would they continue to haul to other pits for processing? It would seem to be much more practical to bring their processing to this site. The issuing of this special use permit with the presently recommended conditions would simply lead to further intensification of the site and all that would entail (onsite processing, retail sales, batch plant construction?). Honesty and consistency on the part of the applicant with proper conditioning of the permit is a must, with an MDNS issued that applies concrete terms, not generalities; to be applied to any issued permits as well. Concrete Nor'West has not been a good neighbor here, or on other properties, and there is no reason to think that would change.

The County has consistently put forth an average number of truck trips per day. The applicants have clearly indicated not wishing to be bound by this number on a daily basis. Using it without any actual limitation or conditions is quite arbitrary and by not putting

Conclusions

Whether I am sure that it was not intentional, the permitting review of this project quite preferential to the applicants and has created a high level of distrust with Skagit County in the local community, and I find that quite unfortunate. It is understood that as a company that supplies materials derived from mining operations that a reliable supply going forward would be a business necessity. However, unlike the other gravel pits in the Concrete Nor'West portfolio, they are not acquiring an existing pit in a neighborhood, but creating a new one in an existing, long established neighborhood. There will be notable environmental, quality of life, and safety impacts with no notable or worthwhile mitigating conditions placed upon the applicants, and in many regards is a slap in the face to the citizens of Skagit County I work with on a daily basis that must comply with Skagit County Code to get their permits. Regardless of the complete lack of understanding of the SEPA process to put a mitigating condition as following County code, in the instance of following the CAO while blatantly ignoring factual errors as pointed out by professionals as well as representative of the Agency which wrote and manages the documentation the County is to follow is appalling.

A cursory exercise in the finances of the project shows that there will be in excess of $100,000,000 of material sold, this is of course before costs and using an average sale price (~$25/cy as typical for 5/8 minus), but reflects the sheer volume of money involved and the resources Concrete Nor'West should be willing and able to mitigate the impacts that they will create. We, the neighbors of this site, and the citizens of the County as a whole, should not have to bear the costs for a private companies profit whether it be lost property values, health and safety, or via sacrifice of local habitat and sensitive environments. While at this time I do not support the project as proposed, the appropriate conditions following review (that is required by Skagit County Code) would make it much more palatable and supportable. This should be via a holistic review of the proposal followed most likely by an EIS.

Thank you for your time and consideration on this matter.

Respectfully,

Matt Mahaffie

From Host Address: 172.92.224.146

Date and time received: 4/30/2021 3:56:38 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Friday, April 30, 2021 4:25:43 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Friday, April 30, 2021 4:20 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Dennis Whitcomb
Address : 19117 Prairie Rd
City : Burlington
State : Washington
Zip : 98233
email : dennis.whitcomb@gmail.com
PermitProposal : PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)
Comments : Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

As a community member and the owner of a working farm on the proposed route for trucks from this mine, I have serious concerns about the SEPA determination issued in response to the development application.

First, several environmental concerns are unaddressed in the MDNS and call for an Environmental Impact Statement under SEPA. The environmental review did not consider the full footprint of the project (in particular, it did not consider the two-mile-long private road along which gravel will be hauled). The Fish and Wildlife Assessment, now more than five years old and thus expired, is incomplete even as it stands (Bull Trout and the Oregon Spotted Frog have been located very near the proposed mine; both of these are classified federally as "Threatened" species; the Assessment must be updated to consider them). Perhaps most importantly from the standpoint of effected community members such as myself, cumulative emission impacts were ignored. Every day I drive my tractor and tend to my animals, right next to the road the gravel trucks will traverse. Cumulative impacts on air quality, for those of us who work and breathe here, should be addressed in an EIS under SEPA.

Second, several road, traffic, and public safety issues are unaddressed in the MDNS (and woefully under-addressed in the Traffic Impact Analysis proposed by Miles Sand and Gravel in October 2020). These too call for further review in an EIS. The MDNS takes a symbolic

step in the right direction by requiring warning beacon systems at the Grip/Prairie and Grip/Mine intersections. But, even given these systems, serious accidents would remain likely. My daughter rode the school bus where those systems would be in place; she did so from 2015-2019. She reported *several* cases in which school buses came dangerously close to gravel trucks. It was not because they were going too fast that these school buses nearly collided with gravel trucks (school buses studiously avoid speeding). It was, instead, because gravel trucks and school buses are both wide vehicles. When these vehicles pass one another, the narrow lanes, tight curves, and tiny shoulders near the Grip/Prairie intersection leave the tiniest of margins for error. Warning beacons will not solve this underlying problem. Even if they are in place, there will remain a significant chance of tragic accidents involving school buses and gravel trucks. The community deserves a full study of this possibility and a solution we can be sure is safe. The cursory analysis by Miles Sand and Gravel, and the symbolic help it has offered via warning beacons, do not give us those things.

These issues should be studied and addressed, at the very least with a complete EIS. I hope that you and your staff think carefully about these points and choose to require one.

Very respectfully,
Dennis Whitcomb

From Host Address: 172.92.233.233

Date and time received: 4/30/2021 4:16:27 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Friday, April 30, 2021 4:34:13 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Friday, April 30, 2021 4:30 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Maria Whitcomb
Address : 19117 PRAIRIE RD
City : Burlington
State : WA
Zip : 98233
email : riarae1@gmail.com
PermitProposal : Special Use Permit Application PL16-0097 and PL16-0098
Comments : Dear Mr. Cerbone,

I am a farmer who lives and works on Prairie Road near the intersection of Old Hwy 99 N. I am writing to request that you do not approve the above mentioned project. My primary objections include safety concerns, environmental concerns and the lack of information provided by the applicant. As a community member, I find it impossible to adequately comment on something that is incomplete, so am submitting a non-exhaustive list of my current objections and concerns.

I respectfully request that you withdraw the MDNS and address the following issues:

>Assess groundwater: How will the well water in our community be affected? How will runoff affect streams and protected animals?

>Property Values: How will this project affect the value of homes and property in our community?
>Air quality: I request that the potential for air quality impacts near the mining site, and also along the haul route be adequately assessed and that the county orders mitigation measures to ensure the community is protected.
>Crime: There have been significant issues with crime occurring at the quarry owned by CNW in Acme, WA. How will CNW ensure those same problems do not occur in our community? I request that Skagit County review the history of criminal activity at other nearby CNW quarries, and that the County puts measures in place to keep our community from suffering from the same issues.
>Road Safety: How will CNW and The County ensure the safety of myself, other road users, children waiting at bus stops and the community at large. Vulnerable road users are protected under SB 5723, a recently enacted WA State Law. Due to the design of the roads, it will be impractical or even impossible for a rock truck to pass a vulnerable road user lawfully, forcing them to either hold up traffic (which, according to RCW 46.61.42 is also against the law if they are holding up 5 or more vehicles).

How will CNW and The County address the increase in traffic congestion along the entire proposed haul route, but especially at the overpass on Cook Road over I-5? That area already regularly backs up onto the freeway and trucks with trailers will only exacerbate the problem.

The danger posed by rock trucks crossing traffic at each intersection along the proposed haul route must be addressed; especially those without designated turn lanes and those that cross oncoming traffic that does not stop, such as the intersection at Prairie Rd, Old Hwy 99 N and Bow Hill Rd. If this project is to proceed, we need adequate shoulders, room to pull safely off the road to let vehicles pass adequate turn lanes and significant upgrades to control the existing intersections.

>Environmental issues need proper assessment. As outlined in the letter sent to your office and posted on the project website (Nov 2020, Jim Wiggins), the July 2015 Graham Bunting Associates (GBA) Fish and Wildlife Habitat Site Assessment report is more than 5 years old which renders it no longer valid. Even before it expired, it did not address a number of critical environmental issues. Again, it is impossible for me to adequately comment on data that has not yet been provided.

As a farmer and resident in the area which would be most highly impacted by the proposed truck route, I have personally witnessed significant problems with the safety of the roads near me already. Adding rock trucks with trailers carrying over 100k pounds will lead to more injury and deaths; there is no other way to say it.

I have personally witnessed so many serious wrecks at the intersection of Old Hwy 99 N and Prairie Rd that I have lost count. The intersection is already woefully inadequate to handle the current traffic volume and prevent serious wrecks. I've had to assist so many people who have wrecked that I actually bought an orange safety vest to help ensure the safety of myself and others while we wait for emergency vehicles to arrive. In 2020 alone, three vehicles went through our fence as a result of wrecks at the corner of Old Hwy 99 and Prairie Rd, and at least that many went through our neighbors fence across the street. In one instance, our neighbors bull actually did get out of the fenced area, and nearly made it to the road.

When Old Hwy 99 N was closed to replace the bridge near Cook Rd, the trucks from Miles Sand and Gravel had to use Bow Hill Rd to haul loads. I ended up behind those trucks a number of times as they crawled up the hill at 15-20 mph in a 35 mph zone. On multiple occasions, impatient drivers passed me and the truck & trailer in front of me, going up Bow Hill Rd in a no passing zone with blind corners. Without a slow lane going up Bow Hill between Old Hwy 99 N and the Skagit Casino, there will be serious wrecks on that stretch of road.

It would be irresponsible for Skagit County to approve such a project until the roads are adequately improved to ensure the safety of both vulnerable road users and drivers. The potential for loss of property value, dust pollution of our air, contamination of our well water, and environmental damage also cannot be ignored. I ask that you withdraw the MDNS and order a proper and complete EIS for the project.

Thank you for your time.

Very best regards,
Maria Whitcomb

From Host Address: 172.92.233.233

Date and time received: 4/30/2021 4:26:17 PM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Monday, May 3, 2021 6:31:55 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Sunday, May 2, 2021 2:25 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Monique Brigham
Address : 22755 Prairie Rd
City : Sedro-Woolley
State : Wa
Zip : 98284
email : Monique@PlumeriaBreezesTravel.com
PermitProposal : Gravel Mine MDMA
Comments : I have many concerns, 1. How can they put this in so close to the river when I am a mile away from it and just to build our small home owner shop we had to have it engineered and sign affidavits stating we would dispose of chemicals properly? This is a lot grander scale of our small homeowner outbuilding. Not to mention the required routine septic system inspections for preservation and concern of the river and water-table....
2. Farmers have to jump through hoops and get hassled for farms that have been there for years but now its ok to put in a huge industrial operation?
3. Traffic? Have the people on the planning committee driven Prairie Rd on a regular basis? It is dangerous enough without adding hundreds more trucks on the road. The road is terrible with the traffic we already have, I live 2 miles from HWY 9 and tend to take Prairie more because there are so many truckers in a hurry on the highway, cutting corners and passing in no passing zones. Samish Island is closed to shellfish harvest due to environmental concerns quite often, I thought we were trying to clean up our rivers, lakes, and oceans.
4. Noise, we all live out here for peace and quiet not constant noise and a convoy of trucks.
I really hope they do not let this project pass.

From Host Address: 50.34.150.136

Date and time received: 5/2/2021 2:24:53 PM

From: Lori Anderson
To: Michael Cerbone
Subject: Comment Letters
Date: Friday, April 30, 2021 11:48:38 AM
Attachments: PDS Comments.msg
PDS Comments.msg

From dept email

From: Lori Anderson
To: Michael Cerbone
Subject: Comment Letters
Date: Friday, April 30, 2021 11:48:38 AM
Attachments: PDS Comments.msg
PDS Comments.msg

From dept email

From: kreim@earthlink.net
To: PDS comments
Cc: Rachel Renee Reim-Ledbetter; Michael Cerbone
Subject: File #s PL16-0097 and PL 16-0098
Date: Tuesday, May 4, 2021 3:47:13 PM
Importance: High

April 22, 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services 1800 Continental Place Mount Vernon, WA 98273
RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads Dear Mr. Cerbone, I am writing to comment on your April 15, 2021 revised SEPA threshold determination for the proposed Grip Road Gravel Mine. The revised MDNS has changed very little from the original 2016 document, and still falls far short of what Skagit County Code and SEPA requires. It does not fully evaluate the potential impacts of the proposed mine project and does not set out adequate requirements for mitigating those impacts. In its current form, the project would result in unavoidable and unacceptable risks for the environment and public safety. In order to address those risks, the County must require the applicant to prepare a full Environmental Impact Statement (EIS).
I am very concerned about the traffic safety and road impacts of this project. The following are some of the issues the applicant and the County have not addressed or have not addressed adequately under SEPA or the permit application process:
1. A Level II Traffic Impact Analysis (TIA) is required for this project per Skagit County Code and Skagit County Road Standards, 2000 (SCRS), but this has not been done. The applicant's TIA states that only a Level I analysis is required because the 50 trip per hour threshold in SCRS 4.02.B. is not met. SCRS 4.02.A., however, states "A level I TIA shall be expanded to a Level II TIA if any [emphasis mine] of the Level II warrants are met." SCRS 4.02.B. includes two warrants that apply, numbers 6 and 7. Number 6 reads, "If there exists (sic) any current traffic problems in the local area as identified by the County or a previous traffic study has identified high accident locations, poor roadway alignment or capacity deficiencies. The applicant's TIA and the MDNS have already identified significant current traffic problems in the area. Number 7 reads, "The current or projected level of service of the roadway system in the vicinity of the development will exceed County adopted level of service standards." The Cook Road/Old Highway 99 intersection, which is included in the haul route but not evaluated in the TIA for safety or level of service (LOS), is well documented by the County to be operating at LOS D, which is below the County's minimum requirement of LOS C.
2. Clearly define and limit the maximum number of truck trips: The MDNS states the mine will generate an average of approximately 46 truck and trailer trips per day (4.6 trips per hour). This figure is virtually meaningless, because the demand for sand and Page 1 of 3

John Day Comments Re: Grip Road Gravel Mine MDNS, File #PL16-0097 – Traffic Safety and Roads gravel is seasonal. The applicant's October 8, 2020 Traffic Impact Analysis (TIA) proposes a maximum of 29.4 (rounded up to 30) trips per hour. The final SEPA determination must evaluate the traffic safety impacts of the project based on the maximum number or trips per hour and set a hard limit on it. The County must also set limits on the duration and frequency of occasions when it will allow higher than average trip numbers.
3. A clear definition and map(s) of all haul routes, and the limitation of mine traffic strictly to the defined routes.
4. Disallow direct, third-party sales from the mine site.
5. Require safety analysis and mitigation measures for ALL locations where trucks will encroach on the opposing lane of traffic. The MDNS states that trucks with trailers will encroach two to three feet into the opposing lanes of traffic at the two sharp corners on Prairie Road near the intersection with Old Highway 99. It also requires that the applicant reconstruct the road at this location and correct this acknowledged safety issue. The applicant's TIA identifies the same issue, but also states that there are several other locations on the haul route where trucks will cross over into the other lane. It does not identify these other locations, provide analysis of the specific safety issues there, or propose any mitigation. From my personal observations and those of other area residents, other locations where this is an issue include, but are not limited to, the steep S-curves on the Grip Road hill, the eastbound

approach to the Samish River bridge on Grip Road, and practically every intersection on the identified haul routes.
6. Take increased non-mine traffic over time into account in analyzing the traffic safety and road capacity impacts of the project. The TIA uses intersection vehicle counts from 2020 as the base for evaluating the impact of mine traffic and does not factor in increasing traffic over time with growth. There is no explanation of why this was not done. If the applicant and the County are not going to take this into account, they must provide clear evidence to show that substantial increases in background traffic are not likely to occur during the proposed 25-year lifetime of the mine.
7. Provide clear, graphic analysis of ALL locations on proposed haul routes where intersection and/or stopping sight distances do not meet required minimums for all types of vehicles. Require mitigation of all such locations. Graphic "Vision Clearance Triangle" analysis (Skagit County Road Standards, 2000, Appendix C-7) or other industry standard graphic analysis is needed for all such locations and adequate mitigation measures required for project approval.
8. Flashing speed warning beacon systems proposed for the Grip/Prairie and Grip/Mine Entrance intersections require analysis as to what they are intended to accomplish and how they will do it. The existing speed warning signs on Prairie Road at the Grip intersection clearly do not work and no analysis has been provided to show that a flashing warning light system will work better at either location. The County must Page 2 of 3

John Day Comments Re: Grip Road Gravel Mine MDNS, File #PL16-0097 – Traffic Safety and Roads require the applicant to conduct field studies to determine what the actual maximum safe speeds are for these intersections and require mitigation measures that will ensure these limits are met.
9. Fully evaluate accident records for all road segments and intersections on the haul route, including causes and contributing factors. Provide analysis of the impacts mine traffic will have on the number, type, and severity of accidents to be anticipated with both existing and future traffic volumes. Require effective mitigation measures. The existing TIA accident record analysis is limited to certain intersections on the haul route and does not look at causes and contributing factors. It excludes a number of additional intersections, including Cook Road and Old Highway 99, as well as accidents not occurring at intersections.
10. Evaluate the impacts of mine traffic on the existing roads and bridges and require the applicant pay its fair share of the costs for increased maintenance on our already sub- standard rural roads. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required significant repairs over the last few years. Roughly 12,000 truck and trailer trips per year over 25 years will necessitate a lot of additional maintenance by the county roads department. This must be paid for by the applicant not the taxpayers!!!
Thank you for your consideration.
Sincerely The Reim - Ledbetter's
Rachel Reim-Ledbetter
Tammy Reim-Ledbetter
Kathy Reim
Robert Reim
23262 Meadow View Lane
Sedro Woolley WA 98284
253-230-1692
Rachelreimledbetter@gmail.com

Sent from my iPhone

From: Planning & Development Services
Sent: Monday, April 26, 2021 12:08 PM
To: Michael Cerbone <mcerbone@co.skagit.wa.us>
Subject: FW: PDS Comments

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 26, 2021 10:30 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Wallace Walter Groda
Address : 6386 Lillian Lane
City : Sedro Woolley
State : WA
Zip : 98284
email : wallacegroda@msn.com
PermitProposal : Special Use Permit Application #PL16-0097
Comments : April 26, 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads

Dear Mr. Cerbone,

I am writing to express my concerns on your April 15, 2021 revised SEPA threshold determination for Concrete Nor'West proposed Grip Road Gravel Mine. The revised MDNS falls woefully short of what is needed to identify serious traffic problems and the mitigation required to protect public safety. Your leadership for further progress will be key for the appropriate outcome.

Additional action needed:

1. Further analysis, i.e. a comprehensive TIA, should be required to identify all hazards on the haul route and appropriate mitigation. The limited evaluations of Prairie Road have already identified two curves where the truck and trailer will cross over the center line by two to three feet into the oncoming traffic and your newly re-issued MDNS require road modifications . Grip Road and associated intersections have equally problematic turns and curves that need identical attention. Not addressing that public safety risk is a clear case of willful negligence for both Mile's Sand and Gravel as well as the County.

2. Both Prairie Road and Grip Road are exceptionally narrow and do not meet code which poses

concerns for the gravel rig staying in their lanes to avoid potential collisions. This issue needs evaluation to avoid public safety risks. Again, another issue supporting a comprehensive TIA.

3. Clear haul route definition is needed to restrict gravel truck and trailer travel to qualified roads. No trailers should be allowed until all safety issues are resolved on the entire route. No third party sales should be allowed at the mine site so that route compliance is assured.

4. Turn and merge lanes should be required for both the mine entrance/exit and the Grip Road/Prairie Road intersections. As these narrow road intersections are currently constructed, a truck and trailer combination cannot turn at these intersections without crossing over the center line and risk collision.

5. The maximum number of round trips needs to be clearly defined for both a daily and weekly basis.

6. The Grip Road and Prairie Road intersection sight distance needs additional work. Recent regrading has helped but is still not adequate for the proposed level of traffic, particularly the intended truck and trailer combinations.

7. The proposed haul route has not been constructed for the heavy loads and damage that will result from the mine operation. The associated traffic analysis, road modifications, and increased maintenance costs should be paid by the applicant, not the taxpayers.

Thank you for your consideration of these comments.

Sincerely,

Wallace Groda

6386 Lillian Lane
Sedro Woolley, WA 98284
(360)420-5375
wallacegroda@msn.com

From Host Address: 50.34.116.4

Date and time received: 4/26/2021 10:25:14 AM

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Tuesday, April 20, 2021 2:20 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Abbe Rolnick
Address : 21993 Grip Road
City : Sedro Woolley
State : WA
Zip : 98284
email : abbe@abberolnick.com
PermitProposal : File # PL160098
Comments : Please clarify if there will be a max of 46 individual trips daily or 46 round trips –

You state an average amount of trips over a year. But usually gravel peak runs are during a five-month period during the construction season. How does this affect the daily runs? I don't think the term average fits the situation. Please spell out the maximum runs per day (roundtrips), that can't be exceeded.

The Grip Road should have a turnout or merge lane to get to the Access Road to the mine. There isn't enough room on that spot for trucks to turn, and for other cars to go around them.

The proposal states that gravel can be sold directly to the market from this site. What are the restrictions on these haulers—truck and trailer, or just trucks. What haul roads will they be using? Without clarification—third party sales would create an undetermined effect on the area. This should be disallowed.

Using flashing beacons at the Prairie Road and Grip Road intersection is only a warning to the public that there is a safety issue. It doesn't take care of the issue and now places responsibility on the individual who can't completely see around the corner. Note: the removal of part of the hillside helps but doesn't resolve the sight issue. I travel this spot daily, and within seconds a car is behind me after I've made the turn from Grip Road onto Prairie Road heading West.

The curves on Grip Road, one at our driveway entrance 21993 Grip Road, and one approximately one-half mile west, and two on the steep slope west of the mine entrance. These are severe and should be redesigned and improved as the trucks and trailers can't remain in their own lanes, crossing over into the other cars.

There has been no mention in the noise study of the use of compression brakes. This must be included.

From Host Address: 50.35.55.32

Date and time received: 4/20/2021 2:19:00 PM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Monday, April 19, 2021 12:09:44 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Friday, April 16, 2021 9:50 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Barbara Lemme
Address : 5856 Park Court
City : Sedro Woolley,
State : WA
Zip : 98284
email : bobbil@cnw.com
PermitProposal : Grip Road Mine proposal
Comments : I have a tremendous concern for the safety of bike riders on Prairie Road. There is minimal shoulder space for a bike rider to safely get off the road in case a large truck comes by. With an increased number of trucks on the road, it will be extremely difficult to safely get off the road, especially if two trucks are passing each other, going different directions.

This is an accident waiting to happen. I would imagine a family would rightfully sue the county if a death or injury resulted from too many trucks on the road. Prairie road has too many curves. Grip Road is steep and narrow. And where the two roads meet, there is a blind spot for turning trucks, even with blinking lights.

It seems like the county is caving in to business interests instead of listening to the residents who live in the area. Who does the county represent??

I don't think that this proposal is a good one.

From Host Address: 50.34.189.197

Date and time received: 4/16/2021 9:46:11 AM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Monday, April 19, 2021 12:50:58 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, April 17, 2021 3:35 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Kathryn Longfellow
Address : 5318 Cedar Ridge Pl
City : Sedro Woolley
State : WA
Zip : 98284
email : klongfellow@frontier.com
PermitProposal : Grip Road Mining
Comments : Please consider postponing this request until appropriate infrastructure is in place which is beyond what is proposed in the resubmission.

I am driving a school bus on Grip Road having turned off Prairie Road and headed south toward Mosier. I have just entered one of the sharp turns and there in front of me is a full gravel truck with its bumper over the center line. I've a full load of children. Now the driver may not know he's over the center line as the paint line is invisible because its been crossed so much it is rubbed out. There are no fog lines to assist in lane visibility and there are no shoulders to give a little room to either vehicle. Not a good outcome.

The roads need to be brought to a standard that is applicable for the weight and width of the vehicles that are intended to drive on them. The trucks cause a serious deterioration of roadways due to weight and Grip Road nor Prairie have been brought up to that level of repair. Actually, noted in the reissue, that if there is a problem with the bridge on Highway 99 the trucks will need to re-route to I-5. Which begs the question of load limits and trucks on the bridge over the Samish River on Grip and Friday Creek on Prairie.

Please reconsider the issuance of this permit until road and bridge structures are sufficiently remediated to handle the proposed truck traffic.

From Host Address: 50.34.103.133

Date and time received: 4/17/2021 3:31:36 PM

From:	Planning & Development Services
To:	Michael Cerbone; Betsy D. Stevenson
Subject:	FW: PDS Comments
Date:	Tuesday, April 20, 2021 9:25:26 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 19, 2021 2:55 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Josh Nipges
Address : 20610 Prairie rd
City : Sedro Woolley
State : WA
Zip : 98284
email : nipges@juno.com
PermitProposal : PL16-0097
Comments : While it is nice to see that Concert Northwest is addressing the double corner east of the old 99 and Prairie Rd intersection and the intersection with grip. They still have not addressed the over all road itself. Prairie is road is narrow. It has become even more so since the guard rail was added along the high tension power lines. Widening the road needs to be addressed. With the number of truck trips and narrow road way it is only a matter of time before there is a head on collision. There have been many times that I have encountered semi trucks hugging or over the divider line in this section.

From Host Address: 165.225.217.34

Date and time received: 4/19/2021 2:52:41 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 22, 2021 8:50:02 AM

Name : Ellen Martin
Address : 4929 Ida Drive
City : Sedro-Woolley
State : WA
Zip : 98284
email : ellenkmartin39@gmail.com
PermitProposal : Reference: File #'s PL16-0097 & PL16-0098
Comments : Grip Road Gravel Mine Environmental Concerns Not Addressed in the MDNS

The Noise and Vibration Study did not use realistic scenarios to model noise impacts. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from "typical" and "average" mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.

The environmental review did not consider the full footprint of the project. The applicant owns more than 700 contiguous acres, however only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. This private road has previously been used only for forestry. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

The County is not following its own Critical Areas Ordinance(CAO).Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.

The Fish and Wildlife Assessment is out-of-date and incomplete. The limited Fish and Wildlife Assessment provided by the applicant is more than five-years-old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site; this animal is listed as "Endangered" in Washington State and "Threatened" federally. In addition critical habitat for Bull Trout is located just downstream, Bull Trout is a "Candidate" species for listing in WA State, and is listed as "Threatened" federally. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.

Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.

Wildlife corridors are not identified and protected. Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.

A drainage plan was not required to protect water quality from runoff on the private haul road. Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.

Impacts to groundwater are not adequately evaluated and protections measures are not required. They intend to excavate the mine to within 10 feet of groundwater. They claim that all runoff from the disturbed site will drain into the mine, and infiltration will protect the groundwater. But it is unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table. No mention of seasonal fluctuation of the groundwater is discussed. Further more, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river.

Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.

Cumulative impacts were ignored. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a “temporary” activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period. A full EIS needs to evaluate all cumulative impacts.

Grip Road Mine Traffic, Road and Public Safety Issues Not addressed in the MDNS: County government and the concerned public cannot evaluate the traffic safety impacts of the project and the adequacy of the MDNS without the following information:

The maximum number of truck trips per hour, how often the number of trips may exceed the average trips per hour, and how long the number of trips may exceed that average. The average of 46 trips per day or 4.6 trips per hour given in the MDNS is meaningless due to the seasonal nature of product demand. The applicant’s October 8, 2020 Traffic Impact Analysis (TIA) proposes a maximum of 60 trips per hour (30 trucks in each direction). The SEPA determination must evaluate the traffic safety impacts of the project based on this maximum and set hard limits on this number, frequency, and duration

A clear definition and map(s) of all haul routes, and the limitation of mine traffic strictly to the defined routes.

Safety analysis of all haul route intersections and road segments to determine whether or not trucks traveling to and from the mine will stay within their lane of traffic, and the mitigation

measures to be required for every location where they will not. The TIA provides analysis showing that truck and trailer combinations cannot traverse the two sharp curves on Prairie Road east of Old Highway 99 without encroaching on the opposing lane of traffic. The MDNS requires the applicant to take specific actions to mitigate this issue at this location. The TIA acknowledges that the same issue of lane encroachment exists at several other locations on the haul route, but neither it nor the MDNS lists those locations, provides any analysis of the problems there, or sets out the mitigation measures required to correct them. These locations include, among others, the S-curves on the Grip Road hill and practically all of the intersections on the haul route. This is unacceptable

Projections for the increase in non-mine traffic on the haul routes over time and evaluation of the safety and road capacity impacts of mine traffic with increased non-mine traffic. The TIA uses 2020 traffic levels to evaluate mine traffic impacts and does not factor in growth.

Field studies to determine the speeds at which vehicles are currently traveling on the haul route and evaluation of how mine traffic will impact existing traffic given those speeds.

More thorough evaluation of the accident records for all road segments and intersections on the haul route, including the contributing causes for the accidents. What are the implications for mine traffic safety?

Determinations as to the actual safe speeds for any given road segment or intersection on the haul route, along with recommendations for changes to legal speed limits where they are needed for safety.

More detailed evaluation of sight distances at all intersections, including “Vision Clearance Triangle” drawings as shown in Skagit County Road Standards, 2000, Appendix C –7.

A full evaluation of what the warning beacon systems proposed for the Grip Road/Prairie Road and Grip Road/Mine Entrance intersections are intended to accomplish and how they will do so. Drivers are clearly ignoring the existing speed warning signs at Grip and Prairie. How can they be expected to slow down adequately for the warning beacons?

“Third party” sales at the mine would mean trucks traveling to and from the site via every route possible. Disallow third party sales from the mine.

Adding heavy mine traffic to our existing, substandard roads will cause increased damage to public infrastructure and higher maintenance costs. These impacts must be evaluated and the applicant required to pay their proportional share of the costs. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required frequent repairs over the last few years just with existing traffic levels.

Pedestrian and bicycle safety must be evaluated along the entire haul route. This is a particular concern in areas where there are no shoulders on Grip and Prairie, and where guardrails were recently installed on Prairie Road. Necessary safety improvements must be required.

From Host Address: 172.92.201.41

Date and time received: 4/22/2021 8:49:19 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 22, 2021 10:40:02 AM

Name : Todd Ouellette
Address : PO Box 2255
City : Mt Vernon
State : WA
Zip : 98273
email : todd@nwlink.com
PermitProposal : Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098
Comments : Several concerns:
1: as a landowner near the proposed mine on a private well that shares the water table, I am concerned by the casual statement that they will limit mine depth to ten feet above the water table. Spills and contaminants in the mine may still infiltrate into water used by residential and agricultural citizens.

2: the wetlands assessment seems superficial. The Samish River drainage is home to several threatened or endangered species. I do not see this addressed in the documents I've seen, nor have I seen a full EIS on the projected mine. I see no actual wetlands assessment, something even a small land owner like myself had to file with the county when building.

3: Prairie Road is designed for rural traffic. If the mine runs only six trips / hour (three each way), a truck that will likely not achieve a thirty MPH average speed over the four miles from Gripp Rd to Hwy 99 will take eight minutes. The chance of trucks meeting seems inevitable, and at at least four places in that stretch, one will have to stop entirely while the other maneuvers through the turns using both lanes. This could happen multiple times / hour.

These are only a few of my concerns, none of which seem to be assessed in the documents on file at the county. I would ask for a more complete evaluation, as this projected mine will cause permanent changes, many of which seem potentially harmful, without adequate forethought.

Respectfully,
Todd Ouellette

From Host Address: 174.204.78.255

Date and time received: 4/22/2021 10:36:28 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 22, 2021 8:50:01 PM

Name : Leslie Mitchell
Address : 4929 Ida Drive
City : Sedro Woolley
State : Washington
Zip : 98284
email : ldmitch2015@gmail.com
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : 23 April 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

Please consider the following points concerning the need for greater and more specific study into three major areas related to the impacts that would result from the establishment of the Nor'west/Miles Sand & Gravel Mine:

1. Grip Road Gravel Mine Environmental Concerns Not Addressed in the MDNS
- The environmental review did not consider the full footprint of the project. The applicant owns
more than 700 contiguous acres, however only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road
that transects their larger ownership. The proposal will require more than 11,000 truck trips per
year on this haul road. This private road has previously been used only for forestry. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated
and no mitigation was proposed.
- The County is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot
buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet
adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.
? The Fish and Wildlife Assessment is out-of-date and incomplete. The limited Fish and

Wildlife
Assessment provided by the applicant is more than five-years-old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the
Samish River adjacent to the mine site; this animal is listed as “Endangered” in Washington State
and “Threatened” federally. In addition critical habitat for Bull Trout is located just downstream,
Bull Trout is a “Candidate” species for listing in WA State, and is listed as “Threatened” federally. The
MDNS does not mention these “ESA” species nor any protective measures necessary. Furthermore,
state and federal agencies responsible for protecting endangered species need to be consulted.
- Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the
entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.
- Wildlife corridors are not identified and protected. Cougar, bear and bobcat are known to use the
site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish
River and Anderson Mountain to the north. These animals require large territories and are sensitive
to disturbance.
- A drainage plan was not required to protect water quality from runoff on the private haul road.
Without a drainage plan that identifies treatment measures for runoff from the haul road, the high
volume of truck traffic is likely to cause excess sedimentation and potentially contamination from
petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.
? Impacts to groundwater are not adequately evaluated and protections measures are not required.
They intend to excavate the mine to within 10 feet of groundwater. They claim that all runoff from
the disturbed site will drain into the mine, and infiltration will protect the groundwater. But it is
unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table.
No mention of seasonal fluctuation of the groundwater is discussed. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants
such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish
River and flowing directly into it, with potential to contaminate the river.
2. The Noise and Vibration Study did not use realistic scenarios to model noise impacts. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from “typical” and “average” mine production, not maximum noise levels. The study did not address the significant noise fully

loaded
trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge
on the private haul road. Regardless of legal noise limits, all of this will be a major change to the
soundscape for residents of the area that should be taken into account in a full EIS.
3. Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining
equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.
4. Cumulative impacts were ignored. This is a major industrial scale proposal that would create many
cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years
of mine operation is not a "temporary" activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams.
To haul the amount of material proposed to the closest site for processing, requires driving diesel
trucks more than 5,500,000 cumulative miles over the 25 year period. A full EIS needs to evaluate
all cumulative impacts.

5.. Grip Road Mine Traffic, Road and Public Safety Issues Not addressed in the MDNS:
County government and the concerned public cannot evaluate the traffic safety impacts of the project
and the adequacy of the MDNS without the following information:
- The maximum number of truck trips per hour, how often the number of trips may exceed the average trips per hour, and how long the number of trips may exceed that average. The average
of 46 trips per day or 4.6 trips per hour given in the MDNS is meaningless due to the seasonal nature
of product demand. The applicant's October 8, 2020 Traffic Impact Analysis (TIA) proposes a maximum of 60 trips per hour (30 trucks in each direction). The SEPA determination must evaluate
the traffic safety impacts of the project based on this maximum and set hard limits on this number,
frequency, and duration
- A clear definition and map(s) of all haul routes, and the limitation of mine traffic strictly to the
defined routes.
- Safety analysis of all haul route intersections and road segments to determine whether or not trucks traveling to and from the mine will stay within their lane of traffic, and the mitigation measures to be required for every location where they will not. The TIA provides analysis showing
that truck and trailer combinations cannot traverse the two sharp curves on Prairie Road east of Old
Highway 99 without encroaching on the opposing lane of traffic. The MDNS requires the applicant
to take specific actions to mitigate this issue at this location. The TIA acknowledges that the

same
issue of lane encroachment exists at several other locations on the haul route, but neither it nor the
MDNS lists those locations, provides any analysis of the problems there, or sets out the mitigation
measures required to correct them. These locations include, among others, the S-curves on the Grip
Road hill and practically all of the intersections on the haul route. This is unacceptable.
- Projections for the increase in non-mine traffic on the haul routes over time and evaluation of the
safety and road capacity impacts of mine traffic with increased non-mine traffic. The TIA uses
2020 traffic levels to evaluate mine traffic impacts and does not factor in growth.
- Field studies to determine the speeds at which vehicles are currently traveling on the haul route
and evaluation of how mine traffic will impact existing traffic given those speeds.
- More thorough evaluation of the accident records for all road segments and intersections on the
haul route, including the contributing causes for the accidents. What are the implications for
mine traffic safety?
- Determinations as to the actual safe speeds for any given road segment or intersection on the
haul route, along with recommendations for changes to legal speed limits where they are needed
for safety.
- More detailed evaluation of sight distances at all intersections, including "Vision Clearance
Triangle" drawings as shown in Skagit County Road Standards, 2000, Appendix C – 7.
- A full evaluation of what the warning beacon systems proposed for the Grip Road/Prairie Road
and Grip Road/Mine Entrance intersections are intended to accomplish and how they will do so.
Drivers are clearly ignoring the existing speed warning signs at Grip and Prairie. How can they be
expected to slow down adequately for the warning beacons?
- "Third party" sales at the mine would mean trucks traveling to and from the site via every route
possible. Disallow third party sales from the mine.
- Adding heavy mine traffic to our existing, substandard roads will cause increased damage to
public infrastructure and higher maintenance costs. These impacts must be evaluated and the
applicant required to pay their proportional share of the costs. An important example is the
slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have
required frequent repairs over the last few years just with existing traffic levels.
- Pedestrian and bicycle safety must be evaluated along the entire haul route. This is a particular
concern in areas where there are no shoulders on Grip and Prairie, and where guardrails were
recently installed on Prairie Road. Necessary safety improvements must be required.

The Sedro-Woolley community is a rural respite from the traffic and noise of urban settings. This is a huge attribute for longtime residents and is an enormous attractant to those looking for a quite and calm place to live. Please take the time to do a methodical and adequate review of these permit proposals. This mine and associated increased traffic, noise and environmental impacts are not worth destroying the rural community calm of Sedro Woolley.

Respectfully,

Leslie Mitchell
4929 Ida Drive
Sedro-Woolley, WA 98284

From Host Address: 172.92.201.41

Date and time received: 4/22/2021 8:47:40 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 22, 2021 11:25:02 AM

Name : Terri Wilde
Address : po box 5
City : Rockport
State : WA
Zip : 98283
email : wildefoods@yahoo.com
PermitProposal : Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098
Comments : I don't believe this project is in the interest of Skagit County. I am disappointed that crucial aspects have not been studied sufficiently to know the potential damage that can be caused. For example, this project seems bound to have severe detrimental effects on the Samish River watershed. A complete wetland delineation has not been done on the whole site but apparently the proposed road for hauling is adjacent to a wetland and crosses Swede Creek, a fish bearing stream. The mining itself intends to excavate "to within 10 feet of groundwater" and expects to collect all runoff from the disturbed site in the mine. The groundwater at the site is near the level of the Samish River and flows directly into it. Add on to all these contaminations waiting to happen, we know there will definitely be runoff from the roads into the watershed from the extreme increase of large trucks on the county roads over sensitive habitat (more than 11,000 per year and up to 60 trips/ hour !?!). We have put so many efforts into trying to revitalize the delicate Samish River. It is critical habitat for the Bull Trout, designated habitat for the Endangered Oregon Spotted Frog and an important River for our dwindling salmon populations. This is not time to assault it with a project of this scope and destruction!

We are at a crucial time of understanding that we are at a tipping point and our actions today will have extreme effects on the livability of many species, including our own. The value of clean water, salmon and orcas is irreplaceable. Please don't go to your deathbeds not knowing you did the right thing for the future.

This proposal for the mine lacks identification and mitigation of wildlife corridors, mention of effected endangered species and the necessary agencies that need to be consulted for this, a drainage plan to protect water quality from runoff on the haul road, protections for groundwater and the expense of all the mitigations that would be needed to county road infrastructure to keep these roads from becoming a death trap for local travelers trying to navigate amongst the frankly inconceivable amount of heavy equipment on the county back roads.

Please do not approve it.
Thank you.

From Host Address: 50.34.194.251

Date and time received: 4/22/2021 11:21:55 AM

From:	Planning & Development Services
To:	Betsy D. Stevenson; Michael Cerbone
Subject:	FW: PDS Comments
Date:	Friday, April 23, 2021 12:11:38 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 21, 2021 8:15 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Jim Wiggins
Address : 21993 Grip Road
City : Sedro Woolley
State : WA
Zip : 98284
email : jimwiggins@fidalgo.net
PermitProposal : Concrete Nor'west (CNW) application mining special use permit, PL 16-0097.
Comments : Re: Concrete Nor'west (CNW) application mining special use permit, PL 16-0097.

Fish and Wildlife, and Water Quality (regulated Critical Areas [CA]) review, comments and questions. Wiggins, April 2021.

The information provided to date by CNW for the above referenced project regarding biological issues is insufficient to determine impacts the proposed project will have on regulated critical areas. At a minimum, we need to have maps, surveys, and descriptions of all regulated critical areas (species and habitats) including those in and near the proposed mine site, and, all roads, specifically the proposed haul road. In addition, we need to know all permit conditions that will be proposed to mitigate for impacts identified in this larger footprint. Only then can we assess impacts and adequately comment on how the proposed mine and other related project details will have on the biological environment.

SCC 14.24.060 Authorizations Required, of the county Critical Areas Ordinance, states: With the exception of activities identified as Allowed without Standard Review under SCC 14.24.107, any land use activity that can impair the functions and values of critical areas or their buffers including suspect or known geologically hazardous areas, through a development activity or by disturbance of the soil or water, and/or by removal of, or damage to existing vegetation shall require critical areas review and written authorization pursuant to this Chapter.

The July 2015 Graham Bunting Associates (GBA) Fish and Wildlife Habitat Site Assessment report does not include descriptions nor data of the 63-acre mine site, wetland/stream buffers, wooded slope, nor the access road. It focuses only on the Samish River and adjacent wetlands with no data sheets to corroborate their findings. Because CNW has not submitted an updated critical area report for the entire impact area (proposed mine site, private road, and adjacent public roads) it is not known what type of impacts to County Critical Areas, species and habitats, and their buffers will occur. Furthermore, Critical Areas Reports require to be

updated every 5 years. Said GBA report is over 5 years old.

The critical areas report completed by GBA for the wetlands associated with the Samish River recommends a 200' buffer. SCC 14.24.230 Wetland Protection Standards, requires a 300' buffer for High Intensity Land use, which the proposed mine is per the definitions section of the SCC CAO as follows: Land Use Intensity, High; Land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium-and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and commercial and industrial land uses. Therefore, the Samish River and its associated wetlands require a 300-foot buffer. It is inherent in the proposed use of the site as a commercial gravel mine, there will be a significant increase in noise, dust, and general overall on-site movement of heavy equipment. The assumed 300 foot existing buffer between the proposed mine and the Samish River and its associated wetlands is a wooded slope, protecting, in this case, all flora and fauna, such as migratory salmonids, trout, avian species, and large and medium fauna such a deer, elk, bear, cougar, coyote, and fox. Additionally, we are now aware Oregon Spotted Frog (Rana pretiosa) habitat occurs along the Samish River adjacent to the proposed mine site. Bull trout (Salvelinus confluentus) are also known to use the Samish River sometime during their lifecycle. A biological assessment is needed to address these species.

The Scope of a SCC critical areas study requires a full description of the proposed project and all biological features whether said features are regulated by the local, state, or federal government or not and is a combined quantitative (on the ground data collection) and qualitative (literature and map review) report. A description of all features such as flora and fauna, soils, topography (a survey of the top of slope), land use, a general description of the surrounding area needs to be included to provide us with an understanding of what the study area looks like and what features are present. Current and historical photographs help with this understanding of the study area. A broad-based literature review with the on-the-ground data collection of all potential areas that will be impacted needs to be studied and included in the contents of the report.

In the GBA assessment, the singular wetland rating they completed appears accurate. However, the land use intensity (moderate) they concluded does not conform to the land use intensity description put forth in Appendix 8C of WA DOE Publication No. 05-06-008 as required if using the alternative buffers in SCC 14.24.230(1)(b), Department of Ecology (Doug Gresham, DOE), the authors (DOE) of the said referenced publication. The land use intensity for a full-time gravel mining operation is high. A high habitat score (supplied by GBA wetland rating) requires a 300-foot wetland buffer per SCC 14.24.230, not 200 foot as proposed.

The review/assessment also neglected SCC 14.24.230(2), where in general, buffers are to extend 25 feet past the top of sloping areas that are 25% or greater. The site plan as indicated shows areas where this provision is applicable. Regardless of the aforementioned land use intensity issue, the buffer likely should still extend past the line indicated in areas unless there is a rational reason put forth not to, which does not appear to have been done specific to this project.

Going from an access only road that is used infrequently for forestry purposes to a gravel mine haul road that could have dozens of truck trips per day for many years will be an impact to the environment in numerous areas. This will be a distinct habitat break in what is presently one

of the largest undeveloped tracts of land remaining in lowland Skagit County, home to deer, bear, cougar, and elk *as well as many avian and small mammal species, and amphibians (* while CNW's application does not mention these species, local knowledge confirms their presence). Heavily trafficked corridors are well known to affect the habits of such species. The haul road also drains to a salmon stream that has turbidity problems, i.e. Swede Creek, and it is not practical that the increased road traffic and maintenance/improvements without stormwater control will further affect the onsite wetlands, streams and riparian areas.

No meaningful protective measures have been assessed to the buffers of the critical areas adjacent to the mine operations. While recording of a Protected Critical Area (PCA) site plan is standard and generally adequate for a single family home, a commercial operation with employees on heavy equipment, no oversight, and no vested interest in the observation of the buffers will not protect said buffers. If there is no survey or mapping, how will anyone know where the critical areas and their regulated buffers are? The buffers need to be demarcated in the field, a standard practice, and should be fenced as well.

Because a Critical Areas Review and Fish and Wildlife Assessment has not been completed on the entire project area, it is likely additional biological critical areas occur on and near the project area, such as wetlands and Swede Creek and they need to be identified and surveyed. Not to mention recently (summer 2019) much of the land owned by Miles has been logged and the haul road has been widened and resurfaced, thus because of these new modifications to the site, further necessitates an updated report.

Additional questions:
• What mitigation is proposed for CA impacts?
• How will mine excavation be monitored to ensure the "bottom" of the mine will remain greater than 10 feet above the seasonal high water table?
• Will the project occur beyond the mine site and proposed access road? If so, will there be road maintenance, widening, ditch maintenance, Grip/Prairie Road intersection maintenance/reconstruction? If so, said areas need to be assessed for regulated critical areas and mitigated for buffer impacts, habitat impacts, and stormwater quality.
• Because the mine site will be converted from forestry to a gravel mine, all habitat for the cursory list of species listed in this letter will be obliterated. For species such as amphibians that require upland habitat for a portion of their lifecycle further necessitates, at a minimum, the need for a 300-foot buffer off the wetlands adjacent to the Samish River. Also, other wetlands near the proposed mine and haul road mapped in the FPA further necessitates the need to complete an updated wetland/habitat reconnaissance and delineation report for all land within 300 feet of the mine and haul road.
• What mitigating measures have been included in the report for the introduction of invasive plant species such as Butterfly bush (Buddleja sp.) and spotted knapweed (Centaurea sp.) both of which occur on their Bellville pit site.
• What species and species habitats, such as Oregon Spotted Frog, Bulltrout, or other listed species occur in the Samish River watershed? Their presence needs to be assessed by qualified biologists and mitigation strategies addressed.

From Host Address: 50.35.55.32

Date and time received: 4/21/2021 8:10:15 AM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Sunday, April 25, 2021 10:17:30 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, April 24, 2021 4:05 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Norm Conrad
Address : 1120 S 25th St, #87
City : Mount Vernon
State : Washington
Zip : 98274
email : nsconrad@gmail.com
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : The Skagit County's "Mitigated Determination of NonSignificance" (MDNS) under the State Environmental Policy Act (SEPA) is ridiculous in that it is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.

The environmental review did not consider the full footprint of the project. The applicant owns more than 700 contiguous acres, however only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. This private road has previously been used only for forestry. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

The Fish and Wildlife Assessment is out-of-date and incomplete. The limited Fish and Wildlife Assessment provided by the applicant is more than five-years-old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site; this animal is listed as "Endangered" in Washington State and "Threatened" federally. In addition critical habitat for Bull Trout is located just downstream, Bull Trout is a "Candidate" species for listing in WA State, and is listed as "Threatened" federally. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.

Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.

Wildlife corridors are not identified and protected. Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the

Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.

A drainage plan was not required to protect water quality from runoff on the private haul road. Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.

Impacts to groundwater are not adequately evaluated and protections measures are not required. They intend to excavate the mine to within 10 feet of groundwater. They claim that all runoff from the disturbed site will drain into the mine, and infiltration will protect the groundwater. But it is unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table. No mention of seasonal fluctuation of the groundwater is discussed. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river.

The Noise and Vibration Study did not use realistic scenarios to model noise impacts. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from “typical” and “average” mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.

Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.

Cumulative impacts were ignored. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a “temporary” activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period. A full EIS needs to evaluate all cumulative impacts.

Do you need more reasons to reject this report? And this project?

Thank you.

From Host Address: 73.254.112.76

Date and time received: 4/24/2021 3:59:59 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Sunday, April 25, 2021 10:17:58 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, April 24, 2021 1:00 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Jerry Eisner MD
Address : 1618 E Broadway
City : Mount Vernon
State : WA
Zip : 98274
email : stardoc2@gmail.com
PermitProposal : PL16-0097 and PL16-0098
Comments : Dear Mr. Cerbone,
My wife Marilyn and I have lived in the Skagit Valley since 1980.

We would like to comment on the SEPA determination issued by Skagit County Planning and Development Services in response to the mine development application submitted by Mile Sand & Gravel's. Applications of this type have many unforseen effects on traffic, lifestyle, and environment.

While the conditions suggested in this MDNS are more substantial than in the previous one issued nearly five years ago, these conditions still reflect a limited understanding of the scale and scope of the project and offer only piecemeal and symbolic mitigation, rather than specific and prudent measures to protect our community's well-being.

There is no limitation on the volume of truck traffic. While the applicant suggests an average of 46 truck trips per day, it's clear that the average is a meaningless number when it comes to determining traffic safety impacts.
Speed limits, for example, are set based on the maximum safe speed of travel, and principle for a maximum limit on mine traffic volume should be similar. The applicant's own analysis suggests that up to 30 truck & trailer combos or up to 70 single dump truck trips per hour might occur. It is reasonable to expect the SEPA determination to evaluate the traffic safety impacts of the project based on this maximum, and mitigation conditions should set hard limits on this number, frequency, and duration.

We need a safety analysis of all haul route intersections and road segments to determine whether or not trucks traveling to and from the mine will stay within their lane of traffic, and the mitigation measures to be required for every location where they will not. We are glad to see that the new MDNS recognizes and requires mitigation for the fact that truck & trailer combos are unable to navigate the two sharp curves on Prairie Road east of Old Highway 99 without encroaching on the opposing lane of traffic. However, this is not the only spot along the proposed haul route, or the other likely alternative routes, which are similarly difficult to traverse for truck & trailer combos. The S-curves on Grip Road are particularly challenging

and on a steep incline. These other locations must be evaluated, and mitigation measures required. What happens when a school bus meets a gravel truck on these shoulderless curves? Slow-moving trucks can cause irritation and provoke unsafe passing behaviors in some drivers.

Adding heavy mine traffic to our existing, substandard roads will cause increased damage and higher maintenance costs. These impacts must be evaluated and the applicant should be required to pay their proportional share of the costs. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required frequent repairs over the last few years just with existing traffic levels. It's no secret that as the gross vehicle weight increases, the damage to road infrastructure increases exponentially.

As regards environmental concerns, the environmental review did not consider the full footprint of the project. Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

These are just a few of the concerns we share regarding this potential project. Each small piece of our local environment that gets mistreated adds up to a larger and more extensive impact on the whole.
Respectfully,
Jerry and Marilyn Eisner

From Host Address: 73.221.165.250

Date and time received: 4/24/2021 12:56:47 PM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Sunday, April 25, 2021 10:18:57 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, April 24, 2021 10:35 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : WILLIAM D PFEIFER
Address : 7472 Pressentin Ranch Dr
City : Concrete
State : WA
Zip : 98237
email : billpfeifer@yahoo.com
PermitProposal : PL16-0097 & PL16-0098
Comments : Why is the County not following its own rules when considering this proposed gravel mine? One of many examples is the approval of a 200-foot buffer when Critical Areas Ordinance rules call for a 300-foot buffer. Also, the environmental review did not consider the full footprint of the project (60 acres, rather than the whole 700-acre property) and the huge number of dump trucks that would drive on the 2-mile access road. Is the County being pressured by big-money lobbying sources? This is totally unacceptable. Follow established rules and the law.

From Host Address: 66.235.39.246

Date and time received: 4/24/2021 10:31:47 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Sunday, April 25, 2021 12:20:02 PM

Name : Anne Middleton
Address : 12694 Josh Wilson Rd
City : Mount Vernon
State : WA
Zip : 98273
email : anne.jackm@gmail.com
PermitProposal : PL16-0097 and PL16-0098
Comments : I am requesting the County require a complete EIS for the proposed MILES Quarry expansion.

Moral imperative tells us to take the very best care as possible of the lands and inhabitants of our County. In this case, the requirement of a complete EIS, carefully looking at potential impacts of quarry expansion on the Samish River, a salmon river, on the endangered Oregon Spotted Frog marsh habitat, on air quality, and traffic impacts on a small rural road is called for.

The choice to do what is right, requirement of a complete EIS, as well as the requirement of the maximum 300 foot buffer for this high intensity land use, is the right path forward.

Thank you for your careful work on this land use proposal.

Cordially, Anne Middleton

From Host Address: 172.92.210.127

Date and time received: 4/25/2021 12:20:00 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Sunday, April 25, 2021 11:20:02 AM

Name : Paula Shafransky
Address : 22461 Prairie Rd
City : Sedro-Woolley
State : WA
Zip : 98284-8586
email : pshafransky@gmail.com
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : Dear Mr. Cerbone,
As a 28 year resident on Prairie Road I am writing to say I have grave concerns about the Mitigated Determination of Non Significance for the proposed Grip Road mine project. Because this mine is in my neighborhood, I have been following these developments for the past 5 years.
I have always had significant concerns about the assessment and application documents that supposedly addressed the environmental protections for wild life and fish as well as water and air quality. Concrete Nor'west's application for this mine was denied in 2018 due to incomplete application materials and factual inaccuracies. In reviewing the current documents I don't see that much has changed since then. The same environmental concerns I had in 2018 still don't appear to being addressed or taken seriously.
In addition, the road safety issues are paramount. I have traveled Prairie Road for 28 years and have seen traffic increase significantly as well as numerous close calls and accidents, particularly at the Grip Road and Prairie Road intersection. It is inconceivable that truck and trailer rigs would be able to navigate that corner in a safe fashion. The TIA provided an analysis showing these truck/trailer combinations cannot make the two sharp curves on Prairie Road east of Old Highway 99 without encroaching on the opposing lane of traffic. As far as I know this problem has not been addressed.
My husband and I moved to this area to enjoy a rural setting with quiet living, clean air, and wild life viewing in our back yard. This mine will drastically change all that. I don't believe the planning commission is doing its due diligence in the oversight of this project. One example of this is the commission is not following its own critical area ordinance which requires a 300 foot buffer zone in areas of high density land use. This whole project seems to be about ignoring public comments and legitimate concerns in order to facilitate Concrete Nor'West's business interests at the expense of the environment and public safety issues. This MDNS decision needs to be reversed, and a full EIS should be required before moving forward.
Thank you for your consideration in this matter.

From Host Address: 172.92.213.103

Date and time received: 4/25/2021 11:16:21 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Sunday, April 25, 2021 2:45:02 PM

Name : Martha Hall
Address : 2617 16th Street
City : Anacortes
State : WA
Zip : 98221
email : pondfrog.mh@gmail.com
PermitProposal : File # PL 16-0097 and PL16-0098 (Grip Road Gravel Mine)
Comments : I am writing comments because of concerns about possible environmental impacts that should be carefully analyzed and presented to the public and decision-makers before a permit is considered.
A full Environmental Impact Statements is needed so
all impacts to important critical areas are fully understood, considered and mitigated. This has not been done.

At the top of my list are concerns about impacts
to fish and wildlife species that depend on the Samish River. Our County "Critical Area Ordinance" protects important wetlands and rivers like the area where this gravel mine is proposed by requiring large buffers when uses are "high intensity" as this mine certainly will be. Skagit County, WA State, our federal government and private citizens and landowners have spend large sums of money and countless hours of work to improve the Samish River and its adjacent wetlands and riparian areas. This has all been done because of concerns about species that are very important to the people of Skagit County, WA State and our country, several species of salmon and resident orcas. Numerous other species are tied into the food webs that support these species. These food webs extend into the Salish Sea and neighboring high quality wetlands and mudflats at the mouth of the Samish River.
All of these are connected - as this gravel mine may also be connected in its impacts.

This project should not proceed until its full impacts are fully understood or it could mean a step backwards in everyone's efforts to improve the Samish River riparian areas and the Salish Sea.

A full Environmental Impact State (EIS) is needed so we know impacts that could occur from the road leading to the mine as well as the mine itself.
These have not been adequately considered.
Swift Creek is also a fish-bearing stream that could be impacted by this road. These impacts and mitigation need to be part of an adequate evaluation of this permit.

I don't see that there has been a formal "consultation" with the federal agencies that protect some of the protected species that might be impacted including bull trout and the spotted frog. This is required and needs to be part of the EIS.

I also do not see that wetland delineations have been completed which should be part of any permit that might impact wetlands and rivers which are "critical areas" . This should be in an EIS.

To protect wetlands and rivers, our CAO should require drainage plans which seem to be missing from this permit. Run-off poses one of the greatest threats to our rivers, wetlands and the Salish Sea. This is needed in an EIS.

Groundwater is another concern whenever we think about drainage, water tables and protecting rivers such as the Samish River in the case of this mine. The Samish flows directly into the Salish Sea. Again, groundwater is a source of pollutants for all of these important habitats. The depth of this mining operation is a huge concern because of its close proximity to the river and wetlands . These impacts to the groundwater have not been analyzed and disclosed.

Wildlife corridors have been identified by ecologists and biologists as one of the most important features of wildlife habitats. Wild animals need connectivity between their habitats so they can move from one area to another to find food, breed, and meet the challenges of their daily lives. The amount of truck traffic generated by this mine along adjacent roads as well as the impacts at the site of the mine may well mean loss of connectivity for many wildlife species. This may impact the smaller and less mobile species such as frogs and salamanders and larger ones such as deer and black bear.

Finally, as is always true, and most important, are the cumulative impacts. Most often it is not one project but instead it is the cumulative impact of many projects that result in degraded habitats. This could be true of the Samish River which is already compromised by many other uses. This mine could result in various and significant additional negative impacts because impacts will occur not only at the site of the proposed mining, but also from the many loads that will be carried many miles beyond this mine in diesel trucks. An EIS is needed to study these impacts on on fish-bearing streams and wildlife corridors and other habitats.

It seems like little is really known about the negative impacts of this proposed mining operation because studies have been few and limited. Why is this when the county has a CAO that should be protecting a huge operation like the one that is proposed? Why hasn't an EIS already been required?

As a resident and tax payer in Skagit County, I also believe an EIS is needed so the public understands the added costs to tax payers of this project. We all notice and know and pay the costs of additional traffic. Additional heavy truck traffic will mean the need for far more road maintenance, repair, construc5tion and signage. How will public safety be protected from the additional traffic and pollution from this truck traffic? These concerns have not been adequately addressed so that the public can evaluate and understand what this project will cost us.

Finally, do we care about the quality of life and safety issues raised by people who live where this mine is located and near where the truck traffic will be greatest? I live in Anacortes and I know I
personally experienced the problems generated by mining of large rock that went from the Skagit River to Anacortes. I can't imagine what living along the truck route to this mine and/or near this mine might mean for the people who live nearby.
I care about these people. I hope the county does too.

I hope Skagit County will decide to require a full
Environmental Impact Statement for this mining permit. I am amazed by how inadequate the

MDNS was in analyzing and disclosing impacts of a project that is so near a river that is as important as the Samish River and a river that is so near the important mudflats of the Salish Sea. These are natural resources that are highly valued by the people of Skagit County and WA State. For the County to decide after such a limited and superficial assessment that impacts are not significant enough to require an EIS does not make sense.

Thank you for considering my comments,
Martha Hall
A concerned resident of Skagit County

From Host Address: 73.225.22.226

Date and time received: 4/25/2021 2:40:54 PM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Monday, April 26, 2021 7:09:44 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 26, 2021 7:05 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Donna Schoonover
Address : PO Box 207
City : Bow
State : WA
Zip : 98232
email : donnawh@earthlink.net
PermitProposal : PL16-0097 & PL16-0098
Comments : I live on Prairie Road, west of Grip.
I am very concerned about the traffic safety and road impacts of this project. I am concerned about the intersection of Grip and Prairie. Even with the proposed changes I do not feel that this is adequate to prevent a fatal accident at that site. I am concerned about the gravel trucks navigating the tight corners without shoulders to the west of us before Highway 99 and the crashes that will happen there. I am concerned about the increased truck traffic pulling onto Highway 99, already the scene of multiple wrecks. I am concerned about our safety, pulling out of our driveway onto Prairie Road in a section that is known for excessive speeding and reckless passing which will be markedly increased by the proposed average of 46 truck trips a day. And I am concerned about the effects of these heavy trucks on Prairie Road which is already in poor condition from the traffic it is already experiencing.
I am also very concerned about the impacts of this increased traffic on our desired rural lifestyle. We bought and are maintaining this farm on Prairie Road in order to have a quieter, more peaceful existence. In doing so we are helping support multiple farm related, local businesses. But with this increase in noise and congestion, it may not be feasible for us to continue to live here, and one more small farm in Skagit County may bite the dust.
I hope you consider these impacts in your decision making regarding this proposal and can mitigate some of the damages.
Sincerely,
Donna Schoonover

From Host Address: 172.92.229.37

Date and time received: 4/26/2021 7:02:17 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Monday, April 26, 2021 9:51:38 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 26, 2021 9:40 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Anne Winkes
Address : PO Box 586
City : Conway
State : Washington
Zip : 98238-0586
email : annewinkes@gmail.com
PermitProposal : PL16-0097 and PL16-0098
Comments : I am writing re PL 16-0097 and PL16-0098.

I urge the County to require a full Environmental Impact Statement (EIS) of the immediate, long term and cumulative adverse impacts posed by Miles Sand and Gravel's proposed gravel mine along the Samish River. The 60-acre open-pit mine that will eventually reach a depth of ninety feet is a major industrial scale proposal that will negatively impact the natural environment both on-site and off.

On April 15, 2021 the County issued a "Mitigated Determination of Non Significance" (MDNS) that did not consider all the possible adverse impacts of the proposed project on the environment. The issuance of a MDNS must be re-examined. The immediate, long-term, and cumulative adverse impacts to air and water quality and fish and wildlife habitat must be carefully studied and considered in a thorough and complete EIS.

A full EIS must consider not just the environmental impacts in the immediate vicinity of the 60 acre mine site. A full EIS must study the impacts, of which there are many, that will extend beyond that 60 acres.

A full EIS must analyze the immediate, long term and cumulative adverse impacts on the environment surrounding the two-mile haul road on which more than 11,000 trucks will pass each year as gravel is hauled from the pit mine toward its final destination. The EIS must examine all adverse impacts to the natural environment, including Swede Creek, a fish bearing stream over which the trucks will cross, and the adjacent Samish River by which the trucks will travel. Impacts on water quality and air quality must be studied. Impacts on wildlife and fish and their habitats must be analyzed. Mitigations must be proposed when the studies reveal adverse impacts.

The MDNS was based on a Fish and Wildlife Assessment done more than five years ago. A full EIS must study current conditions and habitat, including the potential impact on the Oregon Spotted Frog and the Bull Trout, both listed by the federal government as "threatened" species, with the Oregon Spotted Frog also listed as endangered in Washington State, and the

Bull Trout as a “candidate” for listing as an endangered species in Washington State.

The EIS must examine what impacts these same trucks will have on the wetlands that lie adjacent to the road. Wetlands protect and improve water quality. Wetlands are habitats for fish and wildlife. Wetlands’ plants and soil store carbon, thereby moderating global climate changes. A full EIS must study, survey and mark the wetlands. Wetlands are sensitive areas important to the health of the watershed. The adverse impacts of the project on the wetlands should not be ignored.

Prior to the issuance of the MDNS the impacts of the project on the fish, wildlife and habitat of neither the wetlands, Swede Creek, or the Samish River were evaluated. Because the impacts were not studied, no mitigation was, or could be, proposed. A full EIS must correct this omission and conduct in-depth studies of the impacts on the wetlands, on Swede Creek, and on the Samish River. Mitigations must be proposed and their impacts analyzed.

An EIS must look carefully at the buffer size recommended in the Fish and Wildlife Assessment submitted by Miles Sand and Gravel and determine if it is appropriate. A 60-acre gravel pit mine producing enough gravel to fill more than 11,000 truck loads per year is industrial scale mining. Industrial scale mining is a high intensity land use, yet Miles Sand and Gravel plan for only a 200 foot buffer, even though the Skagit County Critical Area Ordinance requires a 300 foot buffer adjacent to high intensity land use.

The 70 acres owned by Miles Sand and Gravel is the last large area of undeveloped land lying between Butler Hill, the Samish River and Anderson Mountain. Cougar, bear and bobcat inhabit and travel through these acres. The routes of these animals must be identified as these animals are dependent on intact wildlife corridors and protection from disturbance within their large territories if they are to survive. The MDNS did not identify nor protect these wildlife corridors. No mitigations were proposed. A full EIS must correct this omission.

An EIS must study the immediate, long term and cumulative impacts of the project on water pollution, air pollution and noise pollution. If adverse effects are revealed, mitigations must be proposed and their effectiveness evaluated.

In summary, The State Environmental Policy Act (SEPA) review done by the County prior to issuing the MDNS failed to take into account all the environmental impacts of the project. A full EIS must review in depth what the SEPA review did not. The County must require a full EIS that will study and analyze the immediate, long term and cumulative effects of the project on the environment both onsite and offsite. The County must require the full EIS contain mitigation proposals for all adverse impacts.

Thank you for considering my comments.

Anne Winkes
18562 Main St.
PO Box 586
Conway, WA
98238

From Host Address: 172.92.226.32

Date and time received: 4/26/2021 9:37:23 AM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Monday, April 26, 2021 2:35:51 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 26, 2021 2:25 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Lucy W Eggerth
Address : 1304 39TH ST
City : BELLINGHAM
State : WA
Zip : 98229
email : lweggerth@gmail.com
PermitProposal : PL16-097 and PL16098
Comments : I am writing to express my opposition to the proposed Grip Road Gravel Mine. This development will cause significant harm to the natural environment and wildlife habitats along the Samish River and Swede Creek as well as upland wildlife habitat. Before this proposal moves forward the County needs to reverse its Threshold Determination under SEPA and require a full Environmental Impact Statement that evaluates the impacts of the proposed project and identifies alternatives.

Respectfully submitted,

Lucy Eggerth

From Host Address: 71.197.249.80

Date and time received: 4/26/2021 2:21:19 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Wednesday, April 28, 2021 7:42:58 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 28, 2021 5:45 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Rick Eleazer
Address : PO Box 657
City : Sedro Woolley
State : WA
Zip : 98284
email : rickeleazer@aol.com
PermitProposal : CNW Gravel Pit. Grip Rd. Permit Application PL16-0097
Comments : 2019 10-16 ADDENDUM
Logging other parcels.

Noise study.
Response
Have they studied dump trucks or other equipment noise impact throughout the neighborhood. “”No”” Just the inner site of the gravel pit itself. If a dump truck goes by your house do you here it “”YES”” one truck is one thing but all day long, through out the year. This would be quite annoying. This would be a public nuisance and a safety issue.
There could not be anyone walking, riding a bike, or walking their dog(s) on the roads. They are not wide enough now as they are. The load noise of the trucks can cause safety issues as well for people and animals along the roadway by getting them scared and jumping into the ditch or the travel lane(s).
On--0ff site spill prevention & control measures for water quality.
You can not stop all pollution, you can control it, and contain it until its cleaned up. But eventually there will be a times where its not caught or cleaned up properly and ending up in environmental impacting the land and vegetation. Then potentially winding up into the aquatic system such as Swede creek and Samish river water shed below the CNW Grip Rd Gravel pit.
Please review 2018 WSDOT Spec. 1-07.4-----1.07.7 (2) 1—07.230

2019 10-1 Exhibit
Water pollution control & sources.
Response
All equipment breaks down sooner or later. Hyd. Hoses blow and break, along with the following. Radiators, Transmission and other petroleum transport lines or hoses. Sometimes you don’t find out until it’s too late, or the tank is empty. Sometimes you catch it. But no mater how big or small it is.
Its absorbed by the native ground. Sometimes it cleaned up, other times not. Then in the rainy days. It gets tracked around the site and out by equipment, and trucks going into, and out of the site, with smaller amounts on their tires that creates pollution everywhere. It’s called track out. Whether it be oil, gas, diesel, dirt, dust or mud. It’s all considered pollution by the

WSDOT standards. Environmental impact.
Then what about the dust. What about the mud. What about oil track leaking out the dump trucks as they drive up and down the road next to the ditches that lead into the near-by streams and rivers.
All these ditches around the site, or along the roadway go right into Swede creek or the Samish river.
To add to this. I'm sure the public doesn't understand how a gravel pit works. You take out loads of gravel all day long, then in return you bring back other waste or spoil materials from other sites to fill that hole back in.
Who knows from where or what was on this site years ago. That material brought back can be contaminated with various chemicals, oils and bio hazard materials. This would increase the potential hazard of possibility of the water and site pollution. Contamination to the wildlife and aquatic water shed around and below the said project..

2019 10-16 RESPONSE
Updated Traffic report.
Response
Why was this study done by just one sub-contractor picked by Miles Sand & Gravel out of Preston, Wa. They know nothing about our neighborhood or Skagit County. There is nothing mentioned about the surrounding area traffic impact on the Grip Rd. , Prairie Rd., Bow Hill, Hwy 99, or any intersections, blind corners, or roads that are not wide enough for two trucks and trailers to travel on at the same time, at or around the said project.
The Grip Rd can't be expanded as it is now. The road now is to the R/W limits. As you can see.
The power poles are in the ditches. This is the R/W line. Miles would have buy a portions of the landowners property to expand and widen the roadway on grip road and Prairie Rd. to the new construction standards. It doesn't say or mention the rail road bridge that has a low clearance on Prairie Rd. by Hwy 9.
The Grip Rd. is not designed for heavy traffic. It shows every year at the S corners at the bottom of the hill of Grip Rd. just below the said project. It breaks and cracks apart at the surface.

(Reading EX.3 DOC 7)
Gary Norris of DN Traffic Consultants states. ""States"" There is not enough dump trucks in Skagit county to fulfill the quantities they want to remove each day.

Response

This is not a true statement. Mills Sand & Gravel own trucks in WHATCOM, SKAGIT, SNOHOMISH, KING, PEIRCE Co. If they need more trucks, they just call and rent like all other Sub-Contractors do. I see Whatcom and Skagit Co. dump trucks all the time in King or Snohomish Co. working every day of the week. I'm sure they would rather work up north where they live.
Plus, I know for a fact Miles/ CNWs takes trucks from other locations to fill the gap if needed. Supply & demand.

EX. 1 -4.5.18
While the access road is currently being used for forest practice activities.
Response
No this statement is not true. Logging roads are not built with drainage ditches, culverts, cleared wide enough for two trucks to pass at the same time. Then gravel place down and graded like a standard gravel roadway is built. This supposedly logging road was built for heavy traffic, long term use.
Additionally, existing traffic reports from DN Traffic Consultants have not alleviated public concern. As a result, Skagit County Public Works is in the process of retaining a third party traffic consultant to further evaluate potential traffic impacts of the proposed project, including safety concerns relating to pedestrians, bicycle riders, and school bus stops. Pursuant to sec 14.16.440(8)(i), the consultant will also determine whether the "roads or bridges are capable of sustaining the necessary traffic for the proposed mineral extraction operation, and that the proposed operation meets level-of-service, safety, and other standards as outlined in the Skagit County Transportation Systems Plan, the Skagit County Comprehensive Plan, and applicable State and local regulations." Finally, the consultant will evaluate the sufficiency of the proposed mitigation and may propose additional mitigation if necessary to reduce or eliminate potential traffic impacts.
Response
The Grip Rd. is differently not wide enough for two dump trucks to pass at the same time, and I don't think Prairie Rd. in certain areas are not either. The road is an oil mat road. Its not designed for heavy hauling traffic day in and day out through the year. You can see signs of fatigue from the last few years of Miles Sand and Gravel working at the Samish pit from heavy truck traffic from hauling logs out clearing their gravel pit area. Bringing in other materials to build the roadway. Equipment pick up and Delv. There was never any problems before until then.
Then the intersection at Prairie Rd. and Grip Rd. is a blind corner. As a Past Volunteer fire fighter EMT for Skagit Co. Dist 8. Of 15 years. Prairie / Hickson halls. I have been on many accidents at this intersection. It's a blind corner. Someone pulling out onto prairie road from grip in a car is frightening enough some times when a car comes 50 Mph around the corner. Can you image a truck and trailer pulling out and onto Prairie road. Major Accidents.
They grip road can't be expanded as it is now. The road now is to the R/W limits. Miles would have buy a portion of the landowners property to expand the roadway on grip road and Prairie Rd.
Have they even done any core samples to see what the depth of the roadway section , or what's underneath it for stabilization.

Then. Just recently. The Skagit Co. Public works has removed a portion of that blind corner at Grip & Prairie. How did this become after all these years until the Gravel Pit is up for renewal now !!!!
It's still a public and traffic safety concern as it is now.
Also. They left the embankment vertically. That's illegal. Needs to be sloped back or fenced for public safety.

EX. 2 -3.14.17
"Shall not create undue noise, odor, heat, vibration, air or water pollution"

Response

In mining, you are going to do all the above.
You'll have equipment noise, mechanical various break downs, air pollution, dust falling into the aquatic and surrounding neighborhood. Then if you add a screen/ crusher plant you increase all the above while making sand, and smaller crushed rock materials for use.

For the 2000 gal fuel tank.

Response
This would need a 100% containment around it, with a oil /water separator installed to catch the diesel that gets spilled. Yes. it spills and drips every time you fuel something, or receive fuel form a supply truck. Environmental Impact

EX. 3 1 of 7 5.15.17
Response
46 trucks. This would be one every 10.43 minutes. Would you want this in front of your house our your neighborhood that is not designed for this type of use on the oil mat roads not wide enough for two truck to pass at the same time, or a dump truck and passenger car. Especially the winding corners of the Grip Road are subject to collapsing and moving due to all that surge pressure in which has been receiving and has shown in the last years of miles sand and gravel already prepping the gravel pit behind the tree line here so the public can't see. The county has been out here fixing it every year lately because the roadway has been moving. Again. These roads are not designed for heavy traffic. It's a residential. Not commercial. There are no shoulders. Only deep ditches on both sides of the road. No escape routes for public safety if needed.

EX. 3 doc 3 of 7
Bridge load limits. Grip Rd.
Response
U80 load limits. Grip Rd. Samish river bridge. The Maximum load design for this bridge is 37,000 Lbs. A loaded truck and trailer is 33,000---35,000 lbs loaded. Not far from the max load limit design. This bridge is not intended to get massive heavy traffic day in and day out. If this bridge was to fail or collapse. This would put a High Impact on this neighborhood such as emergency vehicles responding to aid, or fire calls, school buses, public access and transportation.

I'm very concerned about our neighborhood being turned into a Noisy, Dusty, Un-Safe for Public and Traffic, Damaged Aquatic system of the surrounding waters. Our roads getting damaged, to and from our homes being impacted daily throughout the year(s).
This would also, I believe drive our taxes up for road repairs for others, as well as a decline in property values.

Rick Eleazer

From Host Address: 172.92.225.18

Date and time received: 4/28/2021 5:43:20 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Tuesday, April 27, 2021 4:45:18 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Tuesday, April 27, 2021 2:15 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Dale Romain Abbott
Address : P.O. Box 804
City : Burlington
State : WA
Zip : 98233
email : d_abbott@hotmail.com
PermitProposal : PL16-0097 & PL16-0098
Comments : April 27, 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Proposed Concrete Nor'west Gravel Operation Near Grip Road
Special Use Permit Application PL16-0097
And Mitigated Determination of Non-Significance for proposed Grip Road Gravel Mine
File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA species

Dear Mr. Cerbone,

I wish to register my concerns about the proposed gravel mine along Grip Road which I believe will have significant deleterious effects on the surrounding environment and community. Many of these concerns do not appear to have been adequately addressed in the proposal.

First, there does not seem to be any mention about the safety of pedestrian and bicycle traffic on Grip and Prairie Roads. The shoulders are non-existent on long stretches, and yet I see many of my neighbors out walking or biking these roads on a regular basis. I also regularly ride my bike on Prairie Road for exercise. Having to share this road with huge dump trucks is a frightening thought.

I am worried about the environmental impact to the natural environment of the Samish River. This valley is home to a variety of wildlife which both reside here permanently or transit through. I've had a bobcat on my land, and my neighbor had a cougar cross his property. In addition, there are deer, coyotes, opossums, raccoons, muskrats, beaver, and all manner of amphibians, reptiles, salmon, and birds living here.

There does not appear to be any mention of wetlands protection in the proposal despite the

haul road crossing Swede Creek and the forest buffer being established as only 200 feet from the Samish River. The county's own regulations require a 300 foot buffer when adjacent to "high intensity" land use. As pointed out by the Central Valley Samish Neighbors group, a gravel mine would most certainly qualify as "high intensity" land use.

Another environmental concern I have that does not appear to have been addressed is the problem of light pollution. I can't tell from the reams of papers which have been filed just exactly what the working hours of the mine will be, and I see no mention of what kind of lighting will be utilized. Light pollution can have a significant deleterious effect on wildlife---particularly birds and insects---and there is growing evidence that it is harmful for human health as well.

I am worried about the effect that this mine will have on groundwater. By definition, they will be mining gravel which is much more porous than other forms of earth. How can they be sure that sediment, petroleum products, and other toxic debris will not migrate through the ground into the Samish River? Also, how will they handle runoff from the haul road and where will it go when it is raining? These concerns do not appear to have been adequately addressed in the proposal.

The noise studies mention the additional noise that the mine will contribute to the general background, but it is hard for me to believe that such low numbers can come from intermittently dumping a bucket load of gravel into the metal bed of a dump truck. I've stood next to that kind of activity, and it hurt my ears. The examiner must have been referring to the routine operation of the motors and trucks, not the dumping of gravel. Also, will the trucks be using their compression brakes as they descend the haul road? I grew up in Darrington, and you could hear the logging trucks coming into town from a mile away.

Before the mine proposal moves forward, I believe that the county needs to require a full Environmental Impact Statement to address these concerns and how they might be mitigated.

Thank you for your time and consideration.

Sincerely,

Dale R. Abbott
22290 Prairie Road
Sedro-Woolley, WA 98284

d_abbott@hotmail.com

From Host Address: 172.92.195.144

Date and time received: 4/27/2021 2:13:02 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Wednesday, April 28, 2021 3:48:15 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 28, 2021 10:45 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Donald J Allgire
Address : 1607 Birch Court
City : MOUNT VERNON
State : Washington
Zip : 98274
email : dkallgire@hotmail.com
PermitProposal : PL16-0097 PL16-0098
Comments : I was a Union Carpenter for 30 years and I am not anti growth. My wife and I built our dream home in 1994 at 17939 Valley Ridge Lane, fronting East Hickox Road 1/2 mile from Merridian Aggregates Rock Quary. We experienced first hand the effects of Gravel Truck Traffic on a road with little or no shoulder. During times of flooding Truck Traffic was greatly increased to reinforce Dikes in Skagit and Snohomish Counties. Often times schedule overshadowed safety. As East Hickox had an abundance of litter my wife volunteered to "Adopt East Hickox". The County and State denied her request since there was little or no shoulder and "it is not safe". It was also not safe to walk or ride a bicycle. In 2005 we moved into town where it was safe to walk.
As a member of the Skagit Bicycle Club I have ridden the roads all around the proposed Concrete Nor'west Rock Quary. I know 1st hand the safety issues created by the Quary as proposed. Unlike Seattle we do not have miles of converted Rails to Trails and must ride the Rural roads.
The County has a responsbility to fairly represent the citizens of Skagit County and follow the permit requirements as they were written and not " Rubber Stamp " this in the interest of Business or Tax Revenue. Respectfully Donald Allgire

From Host Address: 107.77.205.114

Date and time received: 4/28/2021 10:40:54 AM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Wednesday, April 28, 2021 4:42:15 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 28, 2021 10:50 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Erin Heckman
Address : 19254 Prairie rd
City : Sedro Woolley
State : washington
Zip : 98284
email : e.heckman@hotmail.com
PermitProposal : grip road gravel pit
Comments : I live on Prairie rd at the S curves. I have several concerns.

The first being the safety of my children getting on and off the bus at the S curve in front of our house, gravel trucks with delayed stopping time ability greatly concern me. this and also the potential increase for accidents in front of our home.

Second the noise due to the increase in traffic and size/type of vehicles.

Third; Decreased property values due to traffic, noise and/or encroachment on property for widening of roads.

fourth- water quality from our well, will mining release heavy metals into our water supply posing potential hazards to our health?

This road has many persons/children riding bikes. and walking, this gravel mine will adversely effect our quality of life. I hope that the mine approval will be reconsidered as our neighborhood would be ruined with the addition of this gravel pit.

From Host Address: 66.165.40.10

Date and time received: 4/28/2021 10:48:41 AM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Wednesday, April 28, 2021 4:42:35 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 28, 2021 10:55 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Mary Ruth Holder
Address : 201 S. 7th St.
City : Mt Vernon
State : WA
Zip : 98274
email : mruthholder@gmail.com
PermitProposal : Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Comments : Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098

Dear Mr. Cerbone:

We are writing to express our opposition to the Mitigated Determination of NonSignificance (MDNS) issued for the above-referenced Puyallup based Miles Sand and Gravel proposal for the 90-foot deep open pit Grip Road Gravel Mine, an industrial-scale mining operation adjacent to the Samish River. Among other things, this project would cause significant adverse impacts and irreparable harm to the natural environment, including to water and air quality and fish and wildlife habitat. The issuance of the MDNS is inappropriate: a full Environmental Impact Statement (EIS) should be required for the project. The applicant failed to identify all of the areas impacted by the project and to provide updated and complete studies of all fish and wildlife adversely impacted. Additionally, the MDNS allows applicant to violate the County's Critical Area Ordinance.

The flawed MDNS only took into account just 60 acres of the project's impact, and ignored applicant's more than 700 contiguous acres and the two-mile long private road over which 11,000 truck trips will travel annually. Significantly, this private road is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed. Sensitive areas and buffers within the entire project area (not just the 60-acre mine site) must be identified so that operators and regulators know where they are. Significant adverse impacts to these sensitive areas would be made worse by the County's allowing applicant to provide only a 200-foot buffer on the river instead of complying with the County's Critical Area Ordinance requiring a 300-foot buffer based on applicant's proposed high intensity land use (industrial scale mining. An appropriate environmental review (EIS)

must consider the full footprint of this project and all of its impacts.

The MDNS determination is based on applicant's out-of-date and incomplete Fish and Wildlife Assessment. This Assessment is more than five years old despite the fact that the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site; this animal is listed as "Endangered" in Washington State and "Threatened" federally. In addition, critical habitat for Bull Trout is located just downstream. Bull Trout is a "Candidate" species for listing in WA State, and is already listed as "Threatened" federally. The MDNS ignores these "ESA species" and does not require any protective measures for them. Furthermore, the County failed to consult with the appropriate state and federal agencies responsible for protecting these species pursuant to SEPA.

The MDNS was issued in the absence of a full wetlands delineation. Thus, there is no requirement for surveying and permanently marking wetlands. Sensitive areas and buffers within the entire project area (not just the mine site itself) must be identified so that operators and regulators know where they are.

Wildlife corridors were neither identified nor protected. This site is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. It is used by cougar, bear and bobcat - all animals that require large territories and are sensitive to disturbance.

Significant adverse water quality impacts could result from runoff from the private haul road, yet there is no drainage plan to identify treatment measures for this runoff. The high volume of truck traffic is likely to cause excess sedimentation and potential contamination from petroleum products that could pollute surface water flowing into Swede Creek, a fish bearing stream. An effective drainage plan must be developed.

Impacts to groundwater from the (eventually 90-feet deep)mining pit have not been adequately evaluated, and needed groundwater protection measures are not required in the MDNS. Applicant proposes to excavate the mine to within 10 feet of groundwater. Although applicant claims that runoff from the disturbed site will drain into the mine, and that infiltration will protect the groundwater, it is unclear how that ten-foot limit was determined, how the operation will avoid penetrating the water table and how seasonal groundwater fluctuation may influence drainage. The MDNS fails to consider the permeable nature of sand and gravel, thus it is unclear whether ten feet would be sufficient to filter out contaminants such as petroleum product spills. Applicant failed to address whether the groundwater at the site, essentially at the level of the Samish River and flowing directly into it, would contaminate the river.

Applicant failed to evaluate the impacts of emissions and dust on air quality resulting from mining equipment and hauling material minimum of 240,000 cumulative miles per year driven by diesel gravel trucks. No mitigation plan was prepared for this significant adverse impact on air quality.

Finally, the MDNS ignores the cumulative adverse impacts that the mine would create over its its 25 years of operation. Neither on-site nor off-site cumulative impacts were evaluated. The twenty-five year period of this large mining operation will radically change and irreparably harm the landscape and important wildlife habitat and fish bearing streams. It will also

degrade the quality of life of residents in surrounding areas and threaten their public health and safety (cumulative adverse impacts from noise, vibrations, air pollution and heavy diesel truck traffic driven more than 5,500,000 cumulative miles over the 25 year period).

For all of the above reasons, we request that you withdraw the MDNS and require a full EIS. Alternatives considered must include 1.) no permit and 2.) issuance of a permit for a much smaller operation for which impacts would be fully mitigated by applicant. Any permit must provide that any project expansion or other change to the operation will require a new application and full environmental review. If the applicant still fails to provide all the necessary updated and accurate information for purposes of an EIS, the permit must be denied. Thank you for your attention to our comments.

Sincerely,
Mary Ruth and Phillip Holder

From Host Address: 50.34.142.207

Date and time received: 4/28/2021 10:51:43 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Thursday, April 29, 2021 7:32:18 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 4:50 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Rick Eleazer
Address : PO Box 657
City : Sedro Woolley
State : WA
Zip : 98284
email : rrickeleazer@aol.com
PermitProposal : Samish River Gravel Pit. Miles/ CNW Grip Rd. Gravel Pit
Comments : Question:
Logging other parcels.
Noise study.

Response
Have they studied dump trucks or other equipment noise impact throughout the neighborhood. “”No”” Just the inner site of the gravel pit itself. If a dump truck goes by your house do you here it “”YES”” one truck is one thing but all day long, through out the year. This would be quite annoying. This would be a public nuisance and a safety issue.
There could not be anyone walking, riding a bike, or walking their dog(s) on the roads. They are not wide enough now as they are. The load noise of the trucks can cause safety issues as well for people and animals along the roadway by getting them scared and jumping into the ditch or the travel lane(s).

Question:
On--0ff site spill prevention & control measures for water quality.

You can not stop all pollution, you can control it, and contain it until its cleaned up. But eventually there will be a times where its not caught or cleaned up properly and ending up in environmental impacting the land and vegetation. Then potentially winding up into the aquatic system such as Swede creek and Samish river water shed below the CNW Grip Rd Gravel pit. Please review 2018 WSDOT Spec. 1-07.4-----1.07.7 (2) 1—07.230

Question:
2019 10-1 Exhibit
Water pollution control & sources.

Response
All equipment breaks down sooner or later. Hyd. Hoses blow and break, along with the following. Radiators, Transmission and other petroleum transport lines or hoses. Sometimes you don’t find out until it’s too late, or the tank is empty. Sometimes you catch it. But no

mater how big or small it is.
Its absorbed by the native ground. Sometimes it cleaned up, other times not. Then in the rainy days. It gets tracked around the site and out by equipment, and trucks going into, and out of the site, with smaller amounts on their tires that creates pollution everywhere. It's called track out. Whether it be oil, gas, diesel, dirt, dust or mud. It's all considered pollution by the WSDOT standards. Environmental impact.
Then what about the dust. What about the mud. What about oil track leaking out the dump trucks as they drive up and down the road next to the ditches that lead into the near-by streams and rivers.
All these ditches around the site, or along the roadway go right into Swede creek or the Samish river.
To add to this. I'm sure the public doesn't understand how a gravel pit works. You take out loads of gravel all day long, then in return you bring back other waste or spoil materials from other sites to fill that hole back in.
Who knows from where or what was on this site years ago. That material brought back can be contaminated with various chemicals, oils and bio hazard materials. This would increase the potential hazard of possibility of the water and site pollution. Contamination to the wildlife and aquatic water shed around and below the said project, and the community ground water wells

Question:
Updated Traffic report.

Response
Why was this study done by just one sub-contractor picked by Miles Sand & Gravel out of Preston, Wa. They know nothing about our neighborhood or Skagit County. There is nothing mentioned Response about the surrounding area traffic impact on the Grip Rd. , Prairie Rd., Bow Hill, Hwy 99, or any intersections, blind corners, or roads that are not wide enough for two trucks and trailers to travel on at the same time, at or around the said project.
The Grip Rd can't be expanded as it is now. The road now is to the R/W limits. As you can see.
The power poles are in the ditches. This is the R/W line. Miles would have buy a portions of the landowners property to expand and widen the roadway on grip road and Prairie Rd. to the new construction standards. It doesn't say or mention anything about the low rail road bridge that has a low clearance on Prairie Rd. by Hwy 9. I believe this is a bias traffic report just for Miles/CNW
The Grip Rd. is not designed for heavy traffic. It shows every year at the S corners at the bottom of the hill of Grip Rd. just below the said project. It breaks and cracks apart at the surface.

Question:
Reading EX.3 DOC 7)
Gary Norris of DN Traffic Consultants states. ""States"" There is not enough dump trucks in Skagit county to fulfill the quantities they want to remove each day.

Response
This is not a true statement. Mills Sand & Gravel own trucks in WHATCOM, SKAGIT, SNOHOMISH, KING, PEIRCE Co. If they need more trucks, they just call and rent like all other Sub-Contractors do. I see Whatcom and Skagit Co. dump trucks all the time in King or Snohomish Co. working every day of the week. I'm sure they would rather work up north

where they live.
Plus, I know for a fact Miles/ CNWs takes trucks their own trucks from other locations to fill the gap if needed. Supply & demand.

Question:
While the access road is currently being used for forest practice activities.

Response
No this statement is not true. Logging roads are not built with drainage ditches, culverts, cleared wide enough for two trucks to pass at the same time. Then gravel place down and graded like a standard gravel roadway is built. This supposedly logging road was built for heavy traffic, long term use.

Question:
Additionally, existing traffic reports from DN Traffic Consultants have not alleviated public concern. As a result, Skagit County Public Works is in the process of retaining a third party traffic consultant to further evaluate potential traffic impacts of the proposed project, including safety concerns relating to pedestrians, bicycle riders, and school bus stops. Pursuant to sec 14.16.440(8)(i), the consultant will also determine whether the "roads or bridges are capable of sustaining the necessary traffic for the proposed mineral extraction operation, and that the proposed operation meets level-of-service, safety, and other standards as outlined in the Skagit County Transportation Systems Plan, the Skagit County Comprehensive Plan, and applicable State and local regulations." Finally, the consultant will evaluate the sufficiency of the proposed mitigation and may propose additional mitigation if necessary to reduce or eliminate potential traffic impacts.

Response
The Grip Rd. is differently not wide enough for two dump trucks to pass at the same time, and I don't think Prairie Rd. in certain areas are not either. The road is an oil mat road. Its not designed for heavy hauling traffic day in and day out through the year. You can see signs of fatigue from the last few years of Miles Sand and Gravel working at the Samish pit from heavy truck traffic from hauling logs out clearing their gravel pit area. Bringing in other materials to build the roadway. Equipment pick up and Delv. There was never any problems before until then.
Then the intersection at Prairie Rd. and Grip Rd. is a blind corner. As a Past Volunteer fire fighter EMT for Skagit Co. Dist 8. Of 15 years. Prairie / Hickson halls. I have been on many accidents at this intersection. It's a blind corner. Someone pulling out onto prairie road from grip in a car is frightening enough some times when a car comes 50 Mph around the corner. Can you image a truck and trailer pulling out and onto Prairie road. Major Accidents.
They grip road can't be expanded as it is now. The road now is to the R/W limits. Miles would have buy a portion of the landowners property to expand the roadway on grip road and Prairie Rd.
Have they even done any core samples to see what the depth of the roadway section , or what's underneath it for stabilization.
Then. Just recently. The Skagit Co. Public works has removed a portion of that blind corner at Grip & Prairie. How did this become after all these years until the Gravel Pit is up for renewal now !!!! and new traffic study. Its still a blind corner for traffic doing 50 MPH and a truck or cars pulling off Grip Rd. onto Prairie Rd.
It's still a public and traffic safety concern as it is now.
Also. They left the 20' embankment vertically. That's illegal. Needs to be sloped back at a 2:1

or fenced for public safety.

Question:
Shall not create undue noise, odor, heat, vibration, air or water pollution”

Response
In mining, you are going to do all the above.
You’ll have equipment noise, various mechanical break downs, air pollution, dust falling into the aquatic water supply, ground water wells and surrounding neighborhood would hear and see signs of all the above..
Then if you add a screen/ crusher plant you increase it to double or more to all the above while making sand, and smaller crushed rock materials for use.

Question:
On-site 2000 gal fuel tank.

Response
This would need a 100% containment around it. A concrete barrier that would contain any leak or breakage of the said tank. Needs a oil /water separator installed to catch the diesel that gets spilled.
Yes. Spills and drips happen every time you fuel something up, or receive fuel form a supply truck. Its a on going Environmental Impact.
There is nothing mention about fuel spills clean up, or various spill kit stations if needed. What actions are taken to prevent this or to do in case of.

Question:
EX. 3 1 of 7 5.15.17

46 trucks. This would be one every 10.43 minutes. Would you want this in front of your house our your neighborhood that is not designed for this type of use on the oil mat roads not wide enough for two truck to pass at the same time, or a dump truck and passenger car. Especially the winding corners of the Grip Road are subject to collapsing and moving due to all that surge pressure in which has been receiving and has shown in the last years of miles sand and gravel already prepping the gravel pit behind the tree line here so the public can’t see. The county has been out here fixing it every year lately because the roadway has been moving. Again. These roads are not designed for heavy traffic. It’s a residential. Not commercial. There are no shoulders. Only deep ditches on both sides of the road. No escape routes for public safety if needed.

Question:
Bridge load limits. Grip Rd.

Response
U80 load limits. Grip Rd. Samish river bridge. The Maximum load design for this bridge is 37,000 Lbs. A loaded truck and trailer is 33,000---35,000 lbs loaded. Not far from the max load limit design. This bridge is not intended to get massive heavy traffic day in and day out. If this bridge was to fail or collapse. This would put a High Impact on this neighborhood such as emergency vehicles responding to aid, or fire calls, school buses, public access and transportation.

I’m very concerned about our neighborhood being turned into a Noisy, Dusty, Un-Safe for Public and Traffic safety, Damaged Aquatic system of the surrounding waters. Our roads getting damaged, then the impact to and from our homes being impacted daily throughout the year(s) due to these heavy trucks and added traffic
This would also, I believe drive our taxes up for road repairs for others to use and damage, as well as a decline in property values, due to pollution and noise .

RE

From Host Address: 172.92.225.18

Date and time received: 4/29/2021 4:45:45 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Thursday, April 29, 2021 2:56:55 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 2:45 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Rick Brumfield
Address : 5318 Cedar Ridge Pl.
City : Sedro Woolley
State : WA
Zip : 98284
email : rbb123@frontier.com
PermitProposal : PL16-0097and PL18-0200
Comments : Re PL16-0097 and PL18-0200 … the gravel pit project off Grip Road:
1. I know it is anecdotal, but I have already been personally run off Grip Road by these truck trailer combos … twice. My fear is Skagit County is going to allow this activity to happen without sufficient safeguards to prevent severe injury or even death. Avoiding these truck trailer combos, especially in the tight turns where they violate their lanes, is a literal impossibility. There are either no shoulders or inadequate shoulders to provide "bail out" space. The county and Miles/Concrete Nor'West, could quite likely find themselves in costly lawsuits having to defend against serious injury or wrongful death by allowing the project to proceed with pre-knowledge of such hazardous conditions.
2. One option, to at least partially mitigate such hazardous conditions, would be to require the too wide truck trailer combos or lane violating truck trailer combos to use flaggers, or pilot/escort vehicles. Does Washington State Law already require such mitigations for "too¬ wide" or lane violating vehicles?
3. Re the lane violation issue, item #12. (2) … the NOTICE OF WITHDRAWN and RE-ISSUED MDNS speaks to the required mitigations if trailers are going to be used. The county and the applicant need to realize at these lane violation locations, the normal two lane roads really become one lane roads. The required mitigations need to be adequate to prevent related collisions … recommend automated red-light/green light one lane control systems.
4. 25 years is significant … to say it is non significant is a terrible judgment call.
5. The proposed volume of truck traffic is significant … to say it is non significant is a terrible judgment call.
6. I do not think this project should be allowed to proceed at all.
7. At a minimum, the project should be required to submit a full EIS … again, the project is significant.
8. If the project is allowed to proceed, one thing that might help would be to add fog lines to Grip Road. While there are no shoulders to provide "bail out" space, adding fog lines might at least encourage all vehicles to stay in their respective lanes and their drivers to know where the edge of the road is.
9. Or/and add guard rails along grip where there are no or inadequate shoulders … that is what that county did recently on Prairie between Old 99 and the Prairie/Grip Road intersection … and that was along a straight stretch of road. Guard rails along dangerous curves should be a

higher priority.
10. Truck trailer combos waiting to turn left, from Grip Road onto the access road, are going to block traffic wanting to proceed further west on Grip. Miles/Concrete Nor'West should be required to provide a center turn lane of adequate length to prevent such blockages.

From Host Address: 68.116.101.110

Date and time received: 4/29/2021 2:43:44 PM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Thursday, April 29, 2021 12:03:55 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 11:25 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Julia Hurd
Address : 19396 Ashe Lane
City : Burlington
State : WA
Zip : 98233-8578
email : hurdjulia@gmail.com
PermitProposal : Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Comments : I live in Alger, not far from the proposed Grip Road Gravel Mine. I am concerned about the effects on traffic, nature, and the radical change in the neighborhood from such a massive industrial project. I understood the now closed gravel mine on Highway 99 at the bottom of Bow Hill Road, and now the replacement mine farther down on 99 next to I-5 in terms of need and location, but this mine is significantly different.

The Grip Road Gravel Mine is located in a rural, sensitive, undeveloped 700-acre parcel of land next to a creek as well as the Samish River. Both are fish bearing and the home to listed threatened species. This mine will have negative impacts on and change life dramatically for local residents, wildlife and the environment.

The roads in and out of the mine are back county roads, not suitable for up to 30 noisy, heavy gravel trucks with trailers per hour; this is a problem for traffic, cyclists, pedestrians. The shoulders are too narrow in places and the roads were not designed for industrial usage or this type of traffic. Who will pay for road and safety improvements?

Such enormous industrial usage in this rural area poses threats to drainage, noise, emissions, groundwater, fish, wildlife wetlands, property values and everyday living. The impacts, especially over the 25 year life of the project, are all areas of concern that need to be fully addressed in an Environmental Impact Statement. The scope and location of the mine demand this.

Thank you for considering my concerns.

Julia Hurd

From Host Address: 172.92.219.225

Date and time received: 4/29/2021 11:21:17 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Thursday, April 29, 2021 5:26:17 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 3:55 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Suzanne Butler
Address : 109 S. 9th St
City : Mount Vernon
State : WA
Zip : 98274
email : suzanne.butler@outlook.com
PermitProposal : Proposed Gravel Mine off Grip Road
Comments : Dear Commissioners Browning, Wesen, and Janicki,
I would ask you to give serious thought to allowing a huge, open pit, gravel mine near Grip Rd in rural Skagit County. There is nothing environmentally insignificant about the proposal. It is close to the Samish River with a smaller buffer than usually demanded. Every river is a delicately balanced ecological system that cannot support such an intrusion. Assessments of water and air quality and their affect on all wildlife (flora and fauna) must be updated before a decision is made. The environmental impact will be monumental and must be examined carefully before giving this Puyallup company permission to break ground in Skagit County.
Respectfully, Suzanne Butler

From Host Address: 50.34.112.174

Date and time received: 4/29/2021 3:53:02 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Thursday, April 29, 2021 5:35:32 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 5:35 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Martha Bray and John Day
Address : 6368 Erwin Ln; Sedro Woolley, WA
City : Sedro Woolley
State : WA
Zip : 98284
email : mbray1107@gmail.com
PermitProposal : Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Comments : Dear Mr. Cerbone,

Central Samish Valley Neighbor's attorney, Kyle Loring, is submitting comments on behalf of our group regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. That letter provides a more comprehensive review of our concerns regarding this SEPA review process, and we fully support its findings. However, we are also submitting a few additional comments directly to express our concern with the state of this application and permit review process.

Even though this project has supposedly been under review by PDS for more than five years, it appears that very little has changed about the original proposal, especially in terms of protection of the natural environment. In fact, none of the assessments and application documents related to protection of fish, wildlife, and air and water quality have been updated (except the 2017 "Addendum to the Fish and Wildlife Assessment further evaluating ESA listed species", wherein there is a clear disclaimer stating that the addendum is not intended to address requirements of the ESA). The SEPA documents were incomplete and inaccurate in 2016-2017 and they still are. Further, it appears that the County has ignored almost all of the concerns expressed by the community on these matters over the past years. We acknowledge the County's efforts to provide better information regarding traffic and public safety impacts, however the additional traffic analysis has obvious, glaring omissions and the proposed mitigation falls far short.

And, now, there seems to be a rush to push through a new Threshold Determination without truly taking into consideration new public comment (as indicated by publishing the deadline for a SEPA appeal prior to even receiving public comment on the MDNS). This does not feel like a sincere effort at public process.

The volume of information referenced in the MDNS serves mostly to confuse and obfuscate. We have spent countless hours poring through these documents trying to understand what the applicant really proposes to do. And yet, we still don't know how many daily truck trips to

expect (presumably somewhere between “46 per day” and “30 per hour”). We are still confused about whether the applicant will adhere to “normal” or “extended hours” scenarios; or, whether they plan to haul during peak traffic hours or not. In addition, if they are allowed to haul during peak hours and/or at volumes up to 30 per hour, why doesn’t the MDNS specifically state this and require appropriate mitigation measures? With the modest requirement to fix some of the most glaring safety hazards on Prairie Road prior to using trucks with trailers, we are now confused as to whether they will run more single trucks until this work is completed, or if they might use ‘alternative haul routes’ instead – potentially generating even larger number of truck trips and/or new haul routes that haven’t been evaluated at all for safety concerns. In fact, we still don’t know what the haul route will be, with the MDNS simply stating that material will be “transported to nearby facilities for processing or sold directly to market”. We still find no mention in the traffic analyses of dozens of trucks per day added to the narrow steep “S” curves on the Grip Road hill. Community members have repeatedly expressed the danger of school buses, farm equipment and commuters encountering tandem gravel trucks here, yet it is not even mentioned, let alone evaluated. We find it bewildering that the County has still not required the applicant to clarify these issues.

We don’t even know if the County will require a 300-foot buffer on the Samish River, even though this is clearly required by the County’s CAO. And, we still don’t understand why the applicant wasn’t required to conduct an environmental review of the entire footprint of the project, including the two-mile long private haul road that is clearly integral to the project, with approximately 12,000 truck trips annually traveling on it.

This is an industrial scale development located in a vibrant rural community and a sensitive watershed, where no commercial mining anywhere near this scale has occurred. The applicant and the County still don’t seem to grasp the magnitude of impact and permanent change this proposal would cause to the place we call home. Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and require a full Environmental Impact Statement that fully evaluates the impacts, appropriate mitigation, and identifies scaled back alternatives.

Thank you for your time and consideration.

From Host Address: 50.34.124.61

Date and time received: 4/29/2021 5:30:42 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 9:10:02 PM

Name : Carolyn Gastellum
Address : 14451 Ashley Place
City : Anacortes
State : WA
Zip : 98221
email : Cgastellum67@gmail.com
PermitProposal : PL16-0097
Comments : Regarding Grip Road Gravel Mine Proposal

I previously wrote a comment requesting that a full EIS be required for the gravel Mine proposal because the MDNS that was issued on April 15, 2021 is not adequate. The electronic form would not "send" so I am writing the following summary in hopes that my comments are received before the April 30 deadline.

I agree with all comments that were submitted by Martha Bray and Jed Holmes. The MDNS is inadequate because it does not fully assess the potential negative impacts of the Gravel mine project. I request that Skagit County PDS require a complete EIS that will study the cumulative impacts on the environment and traffic safety due to approximately 11,000 diesel truck trips per year. Please study the impacts on Threatened and Endangered species like the Brown Trout. Study the need for wildlife corridors so that big mammals like cougar, bear, and bobcats are not cut off from the territory they need. These animals are essential to a well balanced ecosystem. Study the impacts on climate and air quality from heavy diesel truck traffic emissions over the life of the project. Please require thorough analysis of the potential negative impacts to wetlands which are critical ecosystems in themselves. Please carefully and thoroughly study traffic safety concerns from the rural route on Grip road to more populated areas of the county that would be impacted by such a large increase in heavy dump truck traffic.

Thank you for your careful attention the the concerns of the community. Please require a full EIS for this project.

From Host Address: 63.142.207.34

Date and time received: 4/29/2021 9:09:01 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 9:20:02 PM

Name : Rick Eggerth
Address : 1304 39th Street
City : Bellingham
State : WA
Zip : 98229
email : rickeggerth@gmail.com
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : April 29, 2021

Hal Hart, Director
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of Non-Significance for Proposed Grip Rd. Gravel Mine File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA Species

Dear Mr. Cerbone:

As the chair of the Mt. Mount Baker Group of the Washington State Chapter of the Sierra Club (MBG), encompassing San Juan/Skagit/Whatcom counties, I speak on behalf of thousands of Sierra Club members and supporters in Skagit county. While we greatly appreciate and commend the work of the Skagit Planning and Devt. Services (SPDS) staff in what is a difficult task, we nonetheless have serious concerns about the recently re-issued MDNS for the proposed Grip Road Gravel Mine. And while the Sierra Club's status as the nation's largest and oldest environmental protection organization means we must direct our attention in this letter to environmental concerns, we also note that there are other significant concerns that deserve attention, such as the traffic and public safety issues raised in comments by the Central Samish Valley Neighbors organization. These concerns are also shared and supported by MBG.

Little has changed from the original mining 2016 proposal, especially in protecting the natural environment, as there have been minimal updates to the assessments and application documents related to protecting fish, wildlife, water and air quality. They were incomplete and inaccurate then, despite a 2017 update to the Fish and Wildlife Assessment, they still are now.

In addition, these documents fail to address community concerns raised during the past few years, and are also now completely outdated. We sincerely hope that failing to address previous public comments does not signify a rush to a new Threshold Determination without seriously considering and evaluating new public comment.

The fact of the matter is that this is an industrial scale development in a sensitive rural environment where commercial mining has never occurred. It will irreparably and significantly harm the natural environment along the Samish River and Swede Creek, as well

as upland wildlife habitat. In light of these undeniable facts, the MDNS must identify and mitigate the harmful environmental impacts of this proposal, including:

• Considering the project's full footprint. Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on a two-mile long private road, requiring more than 11,000 heavy truck trips per year, that is adjacent to wetlands and crosses fish-bearing Swede Creek. These sensitive areas must be evaluated and mitigation proposed.

• The County's Critical Areas Ordinance (CAO) has not been followed. Only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, without justification and even though the CAO demands 300-feet adjacent to high intensity land use such as industrial scale mining. A full EIS is necessary to be sure that all relevant aspects of the CAO are followed.

• The Fish and Wildlife Assessment, though revised in 2017, is still out-of-date and incomplete. River and associated wetlands have changed and have not been adequately accounted for. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site. The MDNS does not mention this Endangered Species Act (ESA) species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.

• Wetlands must be delineated, surveyed and permanently marked. Sensitive areas and buffers within the entire project area (not just the mine site) must be identified so that operators and regulators know where they are.

• Wildlife must be identified and protected. As already mentioned, it must be determined whether the Oregon Spotted Frog, an endangered species and so protected under the ESA, is on or near the site. Reference to the OSF is by no means a shot in the dark. It was on the headwaters of the Samish River in Whatcom County in 2011-12 that OSF were found after having been thought to have been exterminated in the region. Which makes it all the more important that Samish County work with its northern neighbor to assure protection of this species. In addition, cougar, bear, and bobcat use the site. These animals require large territories and are sensitive to disturbance by human activity, so as the last large tract of undeveloped land between Butler Hill to the south and the Samish River and Anderson Mountain to the north, the site should accommodate the needs of these animals.

• A drainage plan is necessary to protect water quality against runoff on the private haul road. Treatment measures for runoff from the haul road must be identified, as the high volume of truck traffic is likely to cause pollution from petroleum products to pollute surface water flow into Swede Creek, a fish-bearing stream that also empties into the Samish River, which empties into Puget Sound. Pollution into any of these bodies of water must be stopped, or at least contained.

• Impacts to groundwater must be evaluated and protection measures required. The announced intent to excavate the mine to within 10 feet of groundwater leaves precious little room for error, especially because it is unclear how a 10-foot limit can be maintained for everywhere the aquifer touches the site. What measures will be undertaken to prevent pollutants from seeping down 10 feet to the water table? What measures will be taken to cleanse the aquifer if pollution does occur? These and related questions absolutely must be answered because, with the pervious nature of sand and gravel, 10 feet may not be enough to filter out pollution from

petroleum product spills. Furthermore, the groundwater at the site is essentially at the level of the Samish River and flows directly into it, so groundwater pollution would become river, and then Sound, pollution.

• The Noise and Vibration Study used unrealistic scenarios to model noise impacts. Assumptions as to number and size of equipment operating on-site are vague and misleading. Noise levels must be modeled at maximum mine production levels, not merely "typical" and "average" levels. The significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road must also be included. But regardless of legal noise limits, the question of how this major change in soundscape for residents of the area must be addressed in a full EIS.

• Emissions must be evaluated and mitigation plans required. There will be air pollution from mining equipment and haul trucks, and this must be quantified and prevented, especially considering that at least 240,000 cumulative miles per year will be driven by diesel gravel trucks.

• Cumulative impacts must be considered. This major industrial scale proposal will create many cumulative impacts, both on and off-site. 25 years of mining is not a "temporary" activity, yet no off-site impacts were evaluated. This will permanently change the character of the landscape and surrounding neighborhoods, degrading wildlife habitat and fish-bearing streams. Hauling the amount of material proposed to the closest site for processing means more than 5,500,000 cumulative diesel truck miles over 25 years. That's a lot of potential air and water pollution, not to mention road wear and tear and safety concerns. These and any other cumulative impacts, on and off-site, deserve evaluation and protective measures.

MBG respectfully requests that the County reverse its Threshold Determination under SEPA, and require instead a full Environmental Impact Statement that evaluates all impacts to the natural environment and identifies alternatives, including the possible alternatives of reducing the size of the mine, or denying the mine altogether.

Your cooperation in this matter is very much appreciated.

Sincerely,

Rick Eggerth
Chair, Mt. Baker Group, Washington State Sierra Club

Cc: Mt. Baker Group Executive Committee and Leadership Team
Central Samish Valley Neighbors

From Host Address: 71.197.249.80

Date and time received: 4/29/2021 9:17:04 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 9:30:02 PM

Name : Larry William Hedgpeth
Address : 5809 Brookings Road
City : Sedro Woolley
State : Wa
Zip : 98284
email : ljhedgpeth@gmail.com
PermitProposal : Special Use Permit Application #PL16-0097 Grip Road Gravel Mine
Comments : April 29, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services 1800 Continental Place
Mount Vernon, WA 98273
RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads

Dear Mr. Cerbone,

I am writing to comment on your April 15, 2021 revised SEPA threshold determination for the proposed Grip Road Gravel Mine. I have followed the county's oversight of this project almost since its start five years ago, but my personal interest is now much greater than it was back then. My 12-year-old grandson now lives with us and will be riding the school bus to Cascade Middle School in Sedro Woolley next school year. I am very concerned for the safety of everyone on the roads in our area, especially school busses, if the county doesn't do more to keep the roads here safe after the mine is in operation.

Now, I know your office took a look at some of these concerns because you're requiring Miles to either use trucks only (no trailers) OR fix the two sharp turns on Prairie just east of old 99 and detour around the Samish bridge on old 99 if the load is too heavy. --mitigation measures 12 and 15 in the new MDNS--

But what about the rest of the haul route? There are two areas especially where it is so dangerous even now that I can't understand why the county hasn't required effective mitigation measures in this new MDNA.

First, the downhill curvy stretch on Grip just west of where the mine access road comes in. As anyone will tell you, it's a white-knuckle experience meeting a dump truck anywhere on that short stretch of road. It's too narrow, the turns are pretty sharp, there's not much of a shoulder, the truck always comes over into your lane, and there is not much visibility around the curves – he's almost on top of you before you see him.

That's with a car or pickup meeting a dump truck. A school bus meeting a truck/pup combination on the road the way it is now could be such a tragedy. Isn't it your job to protect the public interest? How can the county turn a blind eye to such a dangerous situation?

The second part of road I want to talk about is the Grip / Prairie intersection just west of the downhill section on Grip. Two parts in this area—the bridge and the intersection.

The bridge -- Why is there no mention of any protection for the Samish bridge on Grip comparable to that for the bridge on old 99? Is the Grip bridge in better so much better shape?

The intersection – Visibility a big issue here. Traffic west bound on Prairie often goes past that intersection at a pretty good clip and has to slow down for rigs turning west onto Prairie from

Grip. When making that turn onto Prairie you just can't see far enough east on Prairie to avoid having traffic back up behind you. The recent work cutting the hill back has helped, but it is still a problem. With a gravel truck it's much more pronounced. With a constant string of truck/pup combinations, it could get pretty uncomfortable for everyone involved. Maybe you could require a merge lane from the intersection west long enough for the truck to get up to speed. That doesn't seem unreasonable, does it?
Both of these areas get some gravel truck use now, of course. But there will be a lot more truck traffic when the mine is up and running. How much more? Despite some numbers, (46/day, up to 30 /hr -- are there others I missed?) there isn't any real hard and fast limit. And even though Miles now says they plan to work set hours and not on Sundays, I couldn't find anything in the permit that actually limits trucks per hour or hours per day. Why do they need a blank check in this area? Why won't the county set limits to extra traffic on the roads and hours of operation? That would act to limit all potential dangers on the roads and seems very reasonable to me.
Thank you for your time considering my comments. This is very important to my wife and I – it will diresctly effect the risk our grandson will be exposed to while he is attending public school here – 6 more years!
Larry Hedgpeth. 360-855-8326

From Host Address: 172.92.218.39

Date and time received: 4/29/2021 9:28:50 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 9:45:03 PM

Name : Brian Bowser
Address : 21110 Parson Creek Road
City : Sedro Woolley WA
State : WA
Zip : 98284
email : CMSInc@myfrontiermail.com
PermitProposal : Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097
Comments : Dear Mr. Cerbone,
I am writing to express my concerns on your April 15, 2021 revised SEPA threshold determination for Concrete Nor'West proposed Grip Road Gravel Mine. The revised MDNS falls woefully short of what is needed to identify serious traffic problems and the mitigation required to protect public safety.
Additional items of concern:
• Grip Road intersection still has a service sight-distance issue. The proposed solution, "traffic activated flashing beacon system," does not solve the sight-distance problem. To solve the problem, part of the hillside needs to be completely excavated. The County recently made some improvements to the intersection by excavating a portion of the hillside, and by doing so, has proved fixing the sight-distance problem can be straight-forward and relatively inexpensive. Furthermore, the current Puget Sound Energy power pole upgrade project on Parson Creek Road has also proven that acquiring the right of way needed to fix the sight-distance problem is not cost prohibitive.
• Grip Road S-curves are not passible by a dump truck/pup trailer combination when met with simultaneous oncoming vehicular traffic; there simply is not enough room. Skagit County Public Works is aware of this problem, as I first-hand witnessed the test run with a Skagit County dump truck and pup trailer. I am left wondering why this problem is not being addressed. Likewise, on East-bound Grip Road, the curve at the Samish River bridge has the same issues as the Grip Road S-curves. I am once again wondering why this same problem is not being addressed.
• Yet another sight-distance problem exists for West-bound traffic at the F&S Grade Road and Prairie Road intersection; sight-distance at this intersection for West-bound traffic is approximately 50'. West-bound dump trucks hauling materials from the Grip Road pit should not attempt to turn South on F&S Grade Road. In addition to the sight-distance issue, the intersection is not wide enough to allow a vehicle and the dump truck access to the intersection at the same time.
• Haul routes should be limited to only those routes that have been evaluated with traffic safety studies. As it currently stands, CNW would be allowed to haul on any route they choose. A more thorough Transportation Impact Analysis needs to be completed that evaluates the road system as a whole. Then we can evaluate whether other haul routes can safely be used by CNW.
• Prairie and Grip Road systems were not designed to support any industrial mining activity. I am unaware of any real industrial mining activity in the area since the early 1970's; up until now, there have been only small, occasionally-used pits in the area.
• Further, we have serious concerns about the piece-meal SEPA. If Concrete Nor'West were asking to process materials on site, boundary setback requirements would be larger and would,

therefore, reduce the amount of gravel they can remove. We suspect that as CNW removes material and the mine boundaries are established, they will then apply for onsite processing, and all materials will be direct-to-market from that point forward, thus by-passing the proper permitting process.
• Moreover, there is currently no system in place to verify truck counts or to monitor noise levels generated, thus giving the appearance that CNW will operate on an honor system. If allowed to operate as is, the onus will then unfairly be on the community to monitor and prove that CNW is operating outside of their permit allowances.
• The current application provides average daily truck trips by CNW. The maximum number of round trips needs to be clearly defined for both a daily and weekly basis. The road systems need to be evaluated at this maximum number and not on an annual average rate
• Finally, Skagit County documentation/maps show Prairie Road and F&S Grade Road as part of U.S. Bicycle Route 87. This Federal designation should be removed unless mitigation is made to allow for bicycles to safely use the route.

Sincerely,

Brian Bowser
21110 Parson Creek Road
Sedro Woolley, WA 98284
(360) 202-3084
CMSinc@myfrontiermail.com

From Host Address: 50.34.127.171

Date and time received: 4/29/2021 9:42:31 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 10:50:02 PM

Name : Donald Butterfield
Address : 4380 Blank Rd
City : Sedro Woolley
State : WA
Zip : 98284
email : acupuncturedoeswork@gmail.com
PermitProposal : Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads
Comments : APRIL 29 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads
Dear Mr. Cerbone,
I live at the East end of Prairie Road and drive past Grip Road 4-5 times a week. I am very concerned about the traffic problems the Miles gravel pit will cause on Prairie Road. This is a sharp curve that has very poor sight lines. To have as many trucks the company is talking about will effectively shut down the use of Prairie Road in the summer time. This will cause an increase of traffic unto Parson Creek Road to access HWY 99. The other problem will be the cross traffic at Prairie Road and Hwy 99. The amount of trucks that will be entering Prairie Road will back up that intersection to be all but unusable. There will be an increase of accidents as HWY 99 is a 50 mile an hour road and people will have a hard time stopping at that intersection. We can all pretend that everything will just work out fine but this is not the reality of traffic flow. As the population growth continues and Prairie Road becomes more of a connector road we can expect more and more traffic flow problems. The traffic study the County has used for this project is so poorly related to the facts I found it hard to believe that is all you are asking. I would hope that a level II impact study is the only proper way to look at all these issues.
I also ask that a full CAO review be done. You have not asked for a full environmental review of the whole site. A WDFW review with an emphasis on whether there are any Oregon Spotted Frogs. Impacts to wetlands and ground water are also not adequately addressed in the present permit. I know this is zoned for mining but that does not mean they can extract the gravel without meeting current review standards. Having followed this from the start I have been disappointed in the way the Planning commissioner has done everything to try and pass this permit without acknowledging the citizens of Prairie Road. You act like our concerns are not valid. I drive by this every day and am very concerned about the potential impacts to my self and other drivers in this area. I don't want to see an increase in accidents and deaths because Miles wants to run a mine without addressing our concerns.
Donald Butterfield 4380 Blank Rd Sedro Woolley, WA 98284
360-856-4497

From Host Address: 50.34.98.158

Date and time received: 4/29/2021 10:49:50 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 6:25:02 AM

Name : Linda L Walsh
Address : 21710 Prairie Road
City : Sedro Woolley
State : WA
Zip : 98284
email : walshl2006@hotmail.com
PermitProposal : PL16-0097 & PL-0098 reissued MDNS
Comments : June 2020

This letter was used as a guideline to talk during the video meeting with Skagit County officials on 6-10-2020, I would like it entered into the record as a comment for the reissued MDNS on permit file #'s PL16-0097 & PL16-0098. Concrete Nor'West gravel mine.

My husband and I own land adjacent to this project. We have lived on Prairie Road since 1991. We chose this area for the peace and quiet of rural life to raise our family, as did many of the people that live in this area. I have driven on Prairie Road past Grip Road for the past 29 years several days a week. I have witnessed the number of vehicles steadily increasing on these roads. I have talked with hundreds of residents in our rural Community regarding the proposed Gravel Mine on Grip Road since December 2016 and not one of those people said they would feel safe on the roads out here with daily truck and trailer traffic. It seems to me if the majority of residents using these roads every day are telling you it is unsafe it may be worthwhile to look beyond the expert opinions. It is possible the experts may be relying on inaccurate data given to them and have not done a thorough onsite investigation. Should we be the ones burdened for the next 25 years with unsafe roads for vehicles, pedestrians and bicycles, expensive road improvements and repairs, longer commute times, noise and a disruption in our quiet country lifestyles in order for one business operate as they wish.
The permit process should be a transparent process and the County codes dictate it will include public participation. We have been excluded from this process many times over the past few years. Right from the beginning the process had already failed. Our Community brought up serious issues and they were heard by the County but they have been unable to get complete and accurate documentation from the Applicant to address these issues.
It is obvious in the comment letter presented earlier children recognize the dangers and are concerned. I wonder how each of us would feel if our child expressed a safety concern based on an actual experience and no one listened or even tried to make any changes. Many times these issues prove to be fatal oversights and there is no second chance for those impacted. There are several school buses traveling morning and night during many months when it is dark and rainy. I have no doubt if you were to ask these Bus drivers each of them would have similar stories. There are little to no shoulders on these roads so there is nowhere to get out of the way. I think it is very important to let the County and the Hearing Examiner, who will be making decisions, know this. We are the residents who will be impacted every day by their decisions. This 25 year proposal is not 'temporary', as the applicant describes, it spans the remaining life of many of us and the decisions made now will also impact our children and grandchildren for years to come
This project is asking for the ability to operate 24 hours per day 7 days per week with an actual unknown trucks per hour, it should be evaluated on that criteria. We all know the

impacts to people and their environment will greatly increase with longer hours of operation and more loads of material hauled. An industrial scale operation, even operating 6 to 8 hours per day 5 days per week with 46 trucks per day will have an adverse impact. Mining is known to have adverse impacts and we depend on the SUP permitting process to determine if a project is even mitigatable for a specific location. In Skagit County Code 14.16.440 it clearly states: The burden of proof shall be on the Applicant. I will be honest it feels like that burden has been placed on us. An industrial 68 acre mine excavating 4.2 million cubic yards of gravel is not a small borrow pit and it has irreversible impacts. The project must be burden with proof that it can operate and be safe as well as not cause harm to our Community and environment. We depend on people using common sense and knowledge when reviewing the project. The MRO only designates there are resources present it does not mean it is an landowner's right to operate an industrial mine. Especially in an area where the road infrastructure is already inadequate, sensitive environment is present and it is very well known the project is in conflict with the surrounding area landowners. Like many of our neighbors we chose our properties in this agricultural area decades before the MRO was placed on this area.

County Policy 4-D - 5.3 Roads and Bridges:

New public roads and bridges accessing designated MRO areas shall be designed to sustain the necessary traffic for mineral extraction operations. Existing roads and bridges shall be improved as needed as each new extraction operation is developed. Cost sharing for the improvement of roads and bridges shall be negotiated between the permitting authorities and the applicant.

The above Policy is listed in the Staff report issued for this permit. I believe it is possible this policy has been overlooked because otherwise it seems the County and Applicant would have had a plan and a budget in order to meet this policy goal years before now. However, it seems no improvements or budgeting has been done to address the new extraction operation impacts on the existing roads and bridges.

All residents on Prairie Road traveling west past Parsons Creek must travel past the Grip/Prairie Road intersection or turn onto Grip or F &S Grade Road to reach any connecting roads to any Cities. Going west past Parson Creek we don't have access to other routes to get to the cities so we will be forced to use the same route as the massive truck and trailers. Contrary to what the applicant has stated this is not a remote area but it is a rural area with a thriving Community. Other residential developments which feed into Prairie include residents traveling from Blank Road, Upper Samish, Ida Drive, Lois Lane, Prairie Lane, Parsons Creek, Double Creek Lane, Wildlife Acres, Grip Road & Park Ridge Lane. Many of us already commute 30 minutes and when we are told in reports that up to 30 trucks per hour will not reduce our LOS and will not be unsafe it is very hard to understand how that would be possible. We must be able to safely navigate the narrow windy roads past Grip/Prairie, Prairie/ F & S Grade and Prairie/Old 99 intersections to even reach Interstate 5. We feel our lives will be negatively impacted by the unsafe traffic, noise, vibration, air pollution and daily stress of changes to our environment. We all drive these roads frequently and deserve to be protected from known safety hazards.

In the noise study it looks like they designated a spot up by Prairie Road which would be the farthest point from the mine site(IMAP approx. 1800 feet) to determine the noise levels on our property. The point measured is thousands of feet from where the mine operation will be. A receiving property border is defined in WAC 173-60-020: (11) "Property boundary" means the surveyed line at ground surface, which separates the real property owned, rented, or leased by one or more persons, from that owned, rented, or leased by one or more other persons, and its vertical extension, this study does not measure noise using the code definition.

We own acreage on both sides of the Samish River and throughout the year our family and friends come here to visit and to seek shelter from the hectic, noisy world. This fact should not

be swept aside as if it does Not matter, it is even more important now to have a place of safety and well-being as the chaotic world unfolds around everyone these days. It is a gathering spot we center our family and friends' celebrations around, it is a way of life. This industrial scale open pit mine will be hundreds of feet away from our activities. We all enjoy recreation much of the year outside in our backyard which shares a border with the proposed mine site. Unfortunately for us and our Community the busiest time outside is also when most of the excavating and hauling will occur, causing the greatest impacts. I want to invite each of you to take a drive out to see first-hand what we are talking about. Thank you for your time and listening, I appreciate it.

Linda Walsh - Properties adjacent to mine
21710 Prairie Road
Sedro Woolley WA 98284

From Host Address: 172.92.225.214

Date and time received: 4/30/2021 6:23:26 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 7:45:02 AM

Name : Mark Hitchcock
Address : 9620 Samish Island Road
City : Bow
State : WA
Zip : 98232
email : 4s3@wavecable.com
PermitProposal : Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Comments : April 30, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098

Dear Mr. Cerbone,

Thank you for the opportunity to comment on the Mitigated Determination of NonSignificance (MDNS) for the proposed gravel mine on the Samish River near Grip Road. Since 1995 Skagit Land Trust has owned and cared for Tope Ryan Conservation Area, an important natural site along Grip Road approximately 2 miles downstream of the proposed mine. This preserve has long included 900 feet along the Samish River. The Trust also protects two other Samish River properties upstream of the project site and is continually seeking to protect more land along this important watercourse. All of Skagit Land Trust's properties along the Samish have been donated by landowners who wanted to protect the natural habitat of the river and its shoreline. We have partnered with federal, Tribal, state, and local agencies on numerous projects to protect and restore habitat in the Samish watershed. These partnerships include excellent work conducted by Skagit County Public Works Clean Samish Initiative, Skagit Fisheries Enhancement Group, and others.

Last year, Skagit Land Trust received a donation of land significantly expanding Tope Ryan Conservation Area on the other side of Grip Road protecting an additional 900 feet of shoreline along the Samish River and Swede Creek including their confluence. The river and creek in the vicinity of the conservation area are of particular importance for juvenile salmon due to the habitat complexity of the site. The river's wide gravel bars are critical spawning grounds for Coho and Chum Salmon as well as Steelhead and Cutthroat Trout. Last year, the latest restoration planting project at Tope Ryan added over 5,000 trees and shrubs. The costs of this effort were covered by the National Estuary Program, administered by the Washington State Department of Ecology with assistance from the U.S. Environmental Protection Agency. The Skagit Conservation District prepared the planting plan and helped secure a federal partnership grant to maintain the plantings. I mention these details to make the point that this is a preserve made possible and continually improved by the generosity of private landowners

supplemented by public funds and the dedication of many staff and volunteer hours over a long span of years. The potential for adverse impacts from a nearby mine and associated heavy truck traffic greatly concerns us and could directly affect our ability to meet our responsibility to protect this significant area of habitat.

Each year the Trust organizes community volunteers to conduct amphibian monitoring at the Tope Ryan site, gathering significant data about the wetlands which we convey to Washington Department of Fish and Wildlife. We hope to someday discover that the endangered Oregon Spotted Frog has returned to this site, given its appropriate habitat for this now rare species present elsewhere in the Samish Watershed. Tope Ryan is a rich area laced with beaver ponds, important not only for native amphibians but also for a rich assemblage of riparian dependent songbirds and waterfowl. It also supports commercially important fish stocks. In addition, restoring and protecting this large riparian area helps protect water quality in the river that is so important for commercial shellfish grown in Samish Bay. Potential river degradation due to the proposed mine and haul road puts a long list of values at risk.

One of the lessons we have learned from years of restoration work is that protecting habitat is far more cost effective than restoring it after the fact. In addition, there are factors contributing to habitat degradation that are more subtle than direct impacts, but perhaps even more concerning. For instance, Swede Creek routinely spills over its banks into the ditch along Grip Road by the Tope Ryan property. This has created a cascade of effects including accelerated erosion of the roadbed, routine flooding of the road and increased sediment loading in the creek and river. Skagit Land Trust staff and volunteers have on several occasions discussed with staff at Public Works various ideas for “fixing” the creek; but have yet to arrive at a cost effective and feasible plan to solve this problem. The volume and type of truck traffic that would be using the haul road crossing Swede Creek could well add to the present problem.

The Trust is concerned that the impacts of the proposed mine have not been adequately evaluated, nor we will look back and wish we had considered taking stronger measures to prevent the ongoing unraveling of important habitats in the Samish Watershed. Further review of the impacts to the riparian habitat and associated wetlands along the river should be conducted with special attention to Oregon Spotted Frog and Bull Trout habitat, both listed species.

Under Skagit County’s Critical Areas Ordinance it would be appropriate to require a 300’ buffer, rather than 200’, between the Samish River and the mine, clearly an industrial activity calling for this larger buffer. A larger buffer would provide greater assurance that the mining will not in fact degrade the river through sedimentation, erosion, and leaching of spilled fuel oil (noting the statement in the application materials that fueling of equipment will take place on site). We are also concerned that the plan to maintain the floor of the mine at least 10’ above the water table, while well-intended, lacks certainty. There should be a more thorough analysis of the site hydrology through the seasons and of how it will be affected by the mining plan.

In addition, as mentioned, there are issues with Swede Creek just downstream on Trust property, and yet it appears that the impacts to the creek from heavy truck traffic on the private haul road have not been evaluated. The haul road crosses Swede Creek approximately 0.6 stream miles above Land Trust property. Sedimentation from this unpaved road would likely degrade the salmonid habitat downstream which we have been working for years to protect. We are also aware that there are beaver ponds and wetlands near the haul road and that the

environmental review did not take these sensitive habitat areas into account.

The projected numbers of heavy trucks on this haul road are significant and will permanently change the nature of the forested upland habitat on the site. Local residents report that the uplands on the property are used by bear, cougar, and bobcat. Signs of these animals have also been observed on the Trust's nearby property. These animals require large territories, and the applicant's property is the last large undeveloped tract of land so close to the Samish River in this part of the watershed. The impacts from this disturbance to these important upland wildlife species should be evaluated.

We also have concerns related to the safety of staff, volunteers, and visitors to Tope Ryan Conservation Area in light of the heavy and frequent truck traffic which would be associated with the mine. Trucks entering Grip Road would pass the conservation area as they approach the turn onto Prairie Road. Vehicles using the preserve's small parking area will be at very significantly increased risk of collision as they pull into or out of the limited space. The conservation area lies on both sides of Grip Road. Pedestrians crossing from one part to the other will also be in the path of trucks approaching or leaving the mine.

Skagit Land Trust is not opposed to resource extraction; however, these uses must be balanced with effective measures to protect public resources, such as the Samish River, private ones such as Tope Ryan Conservation Area, and public safety. In addition, the Trust staff would be happy to discuss conservation options with the landowner to address some of these concerns.

Before recommending approval of the Grip Road Gravel Mine application, please conduct further evaluation to ensure measures are taken to adequately protect the natural habitats of the Samish watershed that all of us are working so hard to restore. We ask that you do this by withdrawing the MDNS and requiring a full Environmental Impact Statement with thorough consideration of project alternatives and a more complete scope of mitigations than in the MDNS. It is essential that this analysis include not only the mine site itself but also the area traversed by the haul road, the downstream reaches of the Samish River and Swede Creek, and areas adjacent to the public roadways the trucks would use.

Again, thank you for the opportunity to comment, and for your time and consideration.

Sincerely,

Mark Hitchcock
President
Skagit Land Trust

From Host Address: 172.92.212.48

Date and time received: 4/30/2021 7:42:19 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 8:00:02 AM

Name : Katelynn Piazza
Address : 3190 160th Ave SE
City : Bellevue
State : WA
Zip : 98008
email : kpia461@ecy.wa.gov
PermitProposal : Concrete Nor'West; File No. PL16-0097, PL16-0098
Comments : Thank you for the opportunity to provide comments on the State Environmental Policy Act (SEPA) mitigated determination of nonsignificance (DNS) process for the Concrete Nor'West proposal. Based on review of the checklist associated with this project, the Department of Ecology (Ecology) has the following comments:

The operation will require coverage under the NPDES Sand & Gravel General Permit to authorize the discharge of stormwater and/or process water to surface waters and/or groundwaters from sand and gravel operations. Applicants must submit the Notice of Intent (NOI) application online through Ecology's Water Quality Permitting Portal (WQWebPortal).

Thank you for considering these comments from Ecology. If you have any questions pertaining to the NPDES Permit or would like to respond to these comments, please contact Stephanie Barney at (360) 255-4390 or stephanie.barney@ecy.wa.gov. For assistance navigating the WQWebPortal, please contact Tonya Wolfe (800) 633-6193, option 3 or WQWebPortal@ecy.wa.gov.

From Host Address: 165.151.213.203

Date and time received: 4/30/2021 7:58:07 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Friday, April 30, 2021 11:50:53 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Friday, April 30, 2021 11:50 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : David Goehring
Address : 20002 Double Creek Lane
City : Sedro Woolley
State : Wa
Zip : 98284
email : davidgoehring@gmail.com
PermitProposal : Grip Road Gravel Mine
Comments : I have reviewed the traffic study done for Miles Gravel, and find it woefully insufficient in a number of areas. First off, why were no other routes besides the route east on Prairie included in the study? Who is going to make sure that every driver of every load takes this route. If the trucks turn left and go up Grip, that would be insanely dangerous with all those tight turns. It's bad enough just in my SUV. If they take Grip to then turn left onto F&S, they will be cutting off cars either at or coming up to the stop sign. Again, it is bad enough already because of the steep slant on F&S. I see that the study did acknowledge that the gravel trailers would be cutting off cars coming around the two 90' turns on Prairie just east of 99. This alone should be enough to deny this permit unless the turns can be widened. I think that one homeowner there on the first curve will be pretty upset to lose a big chunk of his lawn, which would be the case. I see the report also acknowledges that the Samish River bridge on 99 is not currently rated for this much heavy traffic. So that means that since the majority of the traffic is going to the Belleville pit that the trucks will have to proceed up the narrow windy Bow Hill Road, which has basically been trying to slide off the edge of the hill for years. Even worse, the trucks will then have to cross over the Cook Road I-5 overpass which is already a big mess as you surely know. The fact that this was not addressed in the study should tell you a little bit about it's veracity. That overpass already needs major upgrades, as all of us trying to get out onto the overpass from either the northbound or southbound exit ramps from I-5 can surely tell you. Both of those off ramps often back up onto the shoulders of the freeway, which makes for a very hazardous situation. Allowing all this additional truck and trailer traffic to use that route in it's current state would be completely irresponsible at best, criminally liable at worst. That whole interchange needs to be completely overhauled already, including more lanes. Another issue is this truly ridiculous band-aid proposal to put flashing yellow warning lights on Grip and Prairie. Is their another such arrangement anywhere else in the county? I've never seen one if there is. Prairie Road has become very heavily trafficked, especially during commuter hours. This isn't some backcountry lane. Why the hell should all of us who use that road be subjected to the delays resulting from this? Drivers from both directions who have to wait while one of the trucks enters onto Prairie will be frantically trying to pass it after it is out on the road, which is very dangerous on that narrow road. It is hairy enough just trying to pass a car. Prairie will have to be widened all the way to 99 to even think about using it as a haul route. Lastly, I see that Miles thinks that the

county should pay for any road upgrades. This just makes my blood boil. The roads are okay with the current levels of traffic, so any upgrades would be specifically to benefit Miles Sand & Gravel. They need to fully pay for any and all road work needed to make it safe to haul out their gravel. That property was originally zoned for timber as I understand it, and was converted to gravel with the State's blessing. The timber traffic would have been about 1% of what this gravel traffic will be. They decided to change it, so they can damn well foot the bill! If ANY of my taxes go to improving these roads for them, I will be the leading torchbearer when we descend upon the county offices. I would like to remind the Planning Commissioners and the County Commisioners that their number one priority as our elected and appointed representatives is public safety. I've said it before and I will say it again, approving this permit in its current state will get people injured, killed or both. The only even remotely safe way to get gravel out of that mine would be one single truckload at a time. NO TRAILERS! If Miles can't make a profit that way, then they can go find another site. It's not like there's a shortage of gravel pits around anyway.

From Host Address: 174.204.65.127

Date and time received: 4/30/2021 11:48:27 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 2:15:02 PM

Name : Kyle A Loring (on behalf of Central Samish Valley Neighbors)
Address : PO Box 3356
City : Friday Harbor
State : WA
Zip : 98250
email : kyle@loringadvising.com
PermitProposal : PL16-0097 & PL16-0098 MDNS part 1
Comments : By Electronic Portal and Email

April 30, 2021

Hal Hart
Director of Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: File No. PL16-0097 & PL16-0098; Concrete Nor'West Grip Road Gravel Mine
Skagit County Planning and Development Services Mitigated Determination of Nonsignificance

Dear Mr. Hart,

I'm writing on behalf of Central Samish Valley Neighbors ("CSVN") to request that Skagit County Planning and Development Services ("PDS") reconsider and withdraw the Mitigated Determination of NonSignificance ("MDNS") that it issued for the clearing and development of a 68-acre sand and gravel mine ("Mine") along the Samish River. The MDNS conflicts with Washington's State Environmental Policy Act ("SEPA") because it issued without an evaluation of multiple potential environmental impacts from the Project. For example, although prominent issues like the Mine's hours of operation and its encroachment into the 300-foot wetland buffer have been raised consistently since Concrete Nor'West ("CNW") applied for a special use permit for the Mine in 2016, the MDNS does not limit the hours of operation or reject CNW's proposed 200-foot buffer. Its silence on those issues can be presumed to allow CNW to operate the Mine without time limitations, as CNW has asserted that it may, and to mine up to just 200 feet from wetlands that host Endangered Species Act-listed species like the Oregon spotted frog. Yet the neither PDS nor the applicant has evaluated the impacts of those project operations. Absent this information, as well as significant information gaps like the refusal to evaluate private haul road impacts on Swede Creek, a fish-bearing tributary of the Samish River, PDS has not satisfied the SEPA requirement that it fully consider the environmental impacts of the Mine. The MDNS must be withdrawn.

Moreover, PDS must issue a Determination of Significance ("DS") because the information disclosed in the application materials for permits PL16-097 and PL16-0098 indicates that the Mine would cause significant impacts. For example, CNW's traffic impacts analysis confirms that dump trucks and trailers pose a threat to other users on the narrow, high-speed-limit roads that they will traverse.

CNW has had five years to address the potential impacts of its Mine, and while they have slowly piecemealed a few additional documents, they have not demonstrated that the Mine will address the impacts. As the representative of the local community entrusted with ensuring that applicants for large industrial development analyze and address environmental impacts, PDS must respond accordingly and issue a DS and start the Environmental Impact Statement ("EIS") process to address the Mine's impacts.

This letter explains below that: (1) the Project outlined by the application materials; (2) will have a variety of impacts, some unevaluated and others already identified as significant; on (3) its sensitive ecological surroundings and the local transportation network. The MDNS does not adequately condition the Mine to address those impacts.

In drafting this letter, we reviewed application materials that included the following: (1) the March 7, 2016 fact sheet, special use narrative, and project description; (2) subsequent special use narratives and revised project description; (2) SEPA Checklist; (3) fish and wildlife documents by Graham-Bunting Associates; (4) the Hydrogeologic Site Assessment from Associated Earth Sciences; and (5) traffic documents by DN Traffic Consultants. We also reviewed comment letters by state agency officials, consulted with fish and wildlife officials and a traffic engineer, and reviewed publicly-available information about the site and environs like aerial photographs and the regional bicycle map. We have attached the CSVN November 24, 2020 comments on the Project's SEPA process, none of which have been addressed since the submission of that letter, and incorporate it by reference.

A. Project Details.

Concrete Nor'West has applied for a Mining Special Use Permit to excavate approximately 4,280,000 cubic yards of sand and gravel in a 68-acre mine in the Central Samish Valley. CNW projects that the mining would occur over 25 years, though the proposal would not be limited to a specified period of time and the rate of excavation would depend on demand for sand and gravel. The mining would require the clear cutting of timber, followed by excavation that would dig down 90 feet toward the water table. The withdrawn MDNS stated in 2016 that logging would remove approximately 50,000 board feet of timber from the land but there are no updates on the progress of the logging. While the proposed mining would occur on three parcels totaling 77 acres, these parcels form just a portion of an overall block of parcels totaling more than 726 acres. Although the SEPA Checklist suggests that there are no plans for future additions, expansion, or further activity related to or connected with the proposal, a large portion of the other 650+ acres of land have also been designated as Mineral Resource Overlay, with some of it approved for active harvest by the Washington Department of Natural Resources. A noise and vibration study submitted by CNW did not evaluate the noise and vibration impacts that would occur after logging of the larger property.

1. Hours and staffing.

According to CNW, mine hours would be unlimited consistent with its underlying zoning, though normal working hours would typically extend for 10 hours, from 7am to 5pm, six days a week. According to the MDNS, hauling would occur during the workweek, Monday through Friday, and site operations would occur Monday through Saturday. CNW estimates that one to two full-time employees would work on-site and an unspecified number of truck drivers would haul gravel off-site throughout the day. On-site operations would involve heavy equipment like a front-end loader, excavator, dozer, and dump trucks.

2. Hazardous materials.

The Application offers conflicting information about whether hazardous materials will be stored at the site. It responds "Yes" to a question about whether chemicals, waste oils, solvents, and fuels would be stored at the site, and describes the possibility of installing a 2,000-gallon diesel fuel tank. But it also states that "[w]aste oils, solvents, etc. will not be stored on site."

3. Gravel and sand hauling routes and volume.

Application materials offer varying estimates of the amount of truck traffic that the mine would generate. A September 10, 2020 Traffic Impact Analysis ("TIA") by DN Traffic Consultants estimates that under "extended hours conditions," the Mine would generate 29.4 truck-and-trailer trips per hour. The TIA does not define extended hours or explain why the site would be limited to that number of trips if demand were high enough to require greater production. DN Traffic Consultants' earlier memo, aptly-titled "Maximum Daily Truck Traffic," estimated that a realistic maximum number of trips for truck-and-trailer was 60 trips per hour. That study assumed that increased demand for material would lead to increased production at the site, limited only by the (likely artificial) logistical consideration of the number of truck and pups available in Skagit County. DN Traffic explains in its TIA that the ~30 trips per hour that it estimates for a higher end number is based on the anticipation that the Mine could generate up to 5000 tons per day. It does not explain how this production amount was derived and does not explain the inconsistency between the ~30 trips figure and the 60 truck-and-trailer trips per hour that it deemed a realistic maximum in its Maximum Daily Truck Traffic memo.

The gravel and sand would be hauled by trucks and trailers forced to navigate narrow rural roads with medium to high speed limits. The original road special use narrative stated that hauling would occur along Old Highway 99, Prairie Road, and Grip Road. Subsequent documents identified Bow Hill Road and F&S Grade Road as potential route extensions. Road widths along these routes are just 20-22 feet and they allow speeds up to 50 mph. Although the TIA suggests that shoulders exist along each of these roads but Grip Road, the Skagit County Bike Map identifies Grip Road, Prairie Road, and F&S Grade Road as roads without shoulders. A simple review of these roads through google maps' street view function confirms that paved shoulders are largely non-existent on those roads, though some stretches contain large gravel that promptly slopes down to a ditch. In addition, the TIA asserts that there are no known bike routes in the subject area, yet the readily-available Skagit County Bike Map identifies Prairie and F&S Grade Roads as part of a federal bike route, US Route 87. Local residents have communicated that guard rails have been installed along a significant stretch of Prairie Road, shrinking the width available for cyclists and pedestrians outside the actual roadway to nothing.

The transportation documents associated with the application do not prescribe a haul route, but instead contemplate multiple options. The TIA states "[i]t is estimated that 95 percent of the trips will be assigned to and from the west on Prairie Road; with 80 percent south to the existing Belleville Pit Operation using either Old Highway 99N or I-5 south; ten (10) percent of the trips to end users via I-5 south, five (5) percent to end users west of I-5 on Bow Hill Road; and five (5) percent to end users east of the Mine access via Grip Road." One of the options in the TIA assumes that truck/trailer combinations using Old Highway 99 would be short-loaded to comply with current weight restrictions on the Old Highway 99 Samish River

bridge or that those restrictions would be removed. The Application does not evaluate the number of truck trips that would be required if vehicles were short-loaded to meet current bridge weight limits. The Application's revised project description identifies the route through Grip Road, Prairie Road, and Old Highway 99 North.

In addition, although the Application does not describe the on-site haul route on CNW property, a review of aerial photographs indicates that it would stretch for more than two (2) miles between the Mine and Grip Road.

4. Independent review of transportation documents.

Although CNW has provided several documents about the Mine's traffic impacts, a review by Jeffrey Hee, P.E., Senior Transportation Engineer at Transportation Solutions Incorporated ("TSI") reveals that some impacts have yet to be addressed and others have not been fully evaluated. Mr. Hee analyzed project documents, including the traffic reviews by DN Traffic Consultants, and discovered the following unresolved issues:

• the maximum trip generation numbers and frequency of maximum trip hours and days for the Mine have not been finalized. The Application offers conflicting information about the maximum traffic to be generated, and County conditions could require trucks without trailers, which would decrease capacity for each shipment and therefore increase the number of trips to ship the same overall volume of material. Also, the Application does not identify whether the trip generation numbers account for on-site workers and non-haul mining operations (page 3);
• site distance impacts were not evaluated based on common industry practice that contemplates the use of 85th-percentile design speeds from the County's Road Standards. Instead, even though those 85th-percentile speeds were readily available on the Skagit County of Governments website, DN Transportation relied on lower posted speeds for its modeling. This may underrepresent sight distance risks (page 4);
• site distance impacts were not evaluated for the intersection where the site access road meets Grip Road, based on the mistaken assumption that it wasn't required for a lower volume road (page 4);
• no mitigation was proposed to address site distance impacts at the Grip Road/access road intersection for egress to the east, and no analysis occurred to determine whether a gravel truck or truck/trailer combination can safely navigate the road network east of the mine (page 4);
• intersection sight distances were not evaluated for truck/trailer combinations at the intersection of F&S Grade Road and Prairie Road. Consequently, Mr. Hee recommended preventing the hauling on F&S Grade Road (page 5);
• the significant truck-trailer impacts that the TIA identifies between the site and Old Highway 99 have not been fully addressed (pages 1, 5);
• there has been no analysis of safety impacts associated with truck-and-trailer combinations traveling east of the Mine access. Mr. Hee recommended preventing hauling east of the Mine site (page 5-6);
• the Application does not evaluate traffic impacts associated with the redistribution of truck traffic onto Cook Road due to Samish River bridge weight limits. This is important given the traffic issues that WSDOT and Skagit County have identified for the Cook Road interchange at Old Highway 99 (page 6);
• the Application does not provide detailed specifications for the type(s) of vehicle(s) it modeled for transportation impacts, preventing confirmation of its results (page 5).
Specifically, with regard to site distance and haul route concerns, Mr. Hee notes at pages 5 and

6 that the following comments and questions should be answered:
• is the County's vision clearance triangle satisfied in the study area?
• what speed is needed to achieve site distance at the study locations?
• are sight distance exhibits available for public review?
• Why are total crashes different in some of the Tables in the TIA?
• Will the applicant complete the improvements recommended by the TIA for the intersection of Prairie Road and Old Highway 99?
• Why doesn't the TIA provide conclusions about whether the project traffic will increase the frequency and severity of collisions on the haul route given the route's geometric and sight distance constraints?

B. Valuable Ecological Setting.

The 68-acre mine site and associated properties provide important terrestrial and aquatic habitats. The Samish River, a salmon-bearing river, winds for more than one-quarter mile along the eastern portion of the mine property. Associated wetlands extend toward the Mine from the river's active channel and flood plain, though it is unknown just how close the edges of the wetland reach to the proposed mining area because they have not been delineated. Swede Creek, a documented fish-bearing stream, would be traversed by every truck hauling gravel and sand to and from the Mine on the private haul road. The Application does not acknowledge the private haul road as part of the project and therefore does not evaluate impacts to wetlands along that route or to Swede Creek from the haul road that crosses it. A fish-bearing tributary to the Samish River crosses the southeastern corner of the Mine site.

1. Lack of analysis of undersized Mine buffer.

According to the project description set forth in the MDNS, the Mine would observe a 200-foot wetland buffer rather than the 300-foot buffer required for the wetlands associated with the Samish River. The MDNS refers to the mining of approximately 4,280,000 cubic yards of sand and gravel. According to its Special Use Narrative, CNW will be able to extract 4,280,000 cubic yards of material if it mines up to 200 feet from the estimated edge of the wetlands, and approximately 3,942,000 cubic yards if it observes the required 300-foot buffer. By embracing the larger volume, the MDNS indicates PDS' approval of a 200-foot buffer for the Mine.

A buffer of at least 300 feet applies to the Mine as a high intensity land use adjacent to a Category II wetland. According to the Skagit County Code, "high intensity land uses" include "land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium- and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and commercial and industrial land uses." The Mine qualifies as a commercial and industrial use of the land, and the clear-cutting of existing forest and conversion to a sand and gravel mine qualifies as a high level of human disturbance and substantial habitat impacts. In addition, the Application does not evaluate the angle of the slope in the buffer to determine whether it is greater than 25%, and thus warrants an extension of the buffer 25 feet past the top of the slope.

In addition, by clearing the forest into the buffer, the Mine would eliminate functions that the forest furnishes the productive riparian zone, including: (1) maintaining water quality; (2) controlling fine sediment; (3) contributing large woody debris; (4) providing shade and moderating the microclimate; (5) contributing litter fall and organic matter; (6) moderating site

hydrology and stabilizing slopes; and (7) providing fish and wildlife habitat.

This riparian zone where the aquatic environment transitions to a terrestrial environment is essential for the Oregon spotted frog--listed as endangered by Washington in 1997 and threatened federally in 2014--that relies on the wetlands and environs. The US Fish & Wildlife Service has identified critical habitat for the frog that extends from far upstream on the Samish River and includes the mine property adjacent to the river. The 2017 GBA Addendum acknowledges that these wetlands meet the definition of critical habitat for the spotted frog due to their size, saturated soils, and shallow ponds. The GBA Addendum includes a photograph showing these ideal conditions, as well as a hand-drawn line intended to reflect the edge of the saturated area.

However, neither the SEPA Checklist nor the Application's documents by Graham-Bunting evaluate the impact on the Oregon spotted frog or other wetland species of converting one-third of the riparian buffer into a gravel mine. Consistent with the proposal to mine up to 200 feet from the wetland, the GBA Addendum suggests that a 200-foot buffer is sufficient to protect aquatic life, but does not offer any justification for that assertion other than the absurd claim that clear-cutting a forest and converting it to a sand and gravel mine is a "medium" intensity use. Nor does the GBA Addendum indicate why a 200-foot buffer would protect the Oregon spotted frog when Skagit County's critical areas ordinance requires a 300-foot buffer to protect the Category II wetland from the impacts of high intensity land uses like mining operations. In fact, the GBA Addendum expressly disclaims that it is not intended to be used for the purpose of evaluating the spotted frog under the Endangered Species Act.

2. Lack of response to Ecology concerns.

In addition to overlooking the impacts of developing 1/3 of the buffer intended to protect species such as the Oregon spotted frog, CNW declined to address state agency concerns expressed by Doug Gresham, the Washington Department of Ecology wetland specialist responsible for Skagit County. In his initial April 7, 2016 email, Mr. Gresham stated that wetland impacts should be avoided by refraining from excavating within the buffer area associated with the Samish River and its associated riparian wetlands and that any wetlands identified on the property that would be impacted should be delineated and permits should be submitted to Ecology. In a June 1, 2016 comment letter, Gresham declared that additional wetland requirements include: (1) flagging of the ordinary high water mark along the Samish River banks by a qualified biologist, and survey of the boundaries; (2) a jurisdictional determination from the U.S. Army Corps of Engineers stating whether the delineated wetlands on the property are under federal jurisdiction; (3) ratings of all wetlands based on Ecology standards; (4) a critical area report describing wetland conditions on the property, wetland data sheets, wetland rating forms, and photographs; and (5) a mitigation plan for unavoidable wetland and buffer impacts per Ecology standards. In addition, Mr. Gresham noted in his June 1, 2016 correspondence that the Application omitted maps showing associated wetlands or the ordinary high water mark of the Samish River.

Six months later, Mr. Gresham supplemented his earlier comments by expressing a concern with CNW's use of a 200-foot buffer rather than the required 300-foot buffer. Gresham stated that CNW needed to address the gravel mine's encroachment into the 300-foot buffer. Gresham also stated that he had "a concern with the access road that will need to be improved to accommodate 46 truckloads a day, which could impact wetlands and streams. This access road may need to be widened, the Swede Creek bridge may need to be upgraded, and storm

water drainage features may need to be reconfigured." Gresham noted that these issues had not been addressed.

Notwithstanding these clearly-stated agency concerns, CNW continues to propose to excavate up to 200-feet from what it assumes is the ordinary high water mark of the Samish River and associated wetlands without delineating the specific location of the river's edge, its floodplain, or the associated wetlands. CNW did not supplement the Application with a survey or flagging of the edge of Samish River, delineation of wetlands on the property (including any wetlands along the haul route), critical area reports for wetlands, a mitigation plan, or a discussion of impacts associated with the Swede Creek bridge or haul road development on the creek or wetlands. Instead, an engineering and surveying group drew a map with estimates for the location of Samish River "plotted from May 2011 aerial photo" and "wetland at toe of slope from LiDAR data and field observation," without a delineation survey. The map is captioned "alternate 300 foot buffer," but none of the application materials indicate that CNW has decided to apply anything other than a 200-foot buffer. The map shows what appear to be roads or mining areas extending into the estimated buffer.

3. Water quality and quantity impacts.

Drainage from the site currently flows to the Samish River both above and below ground. The Application indicates that the mining would occur in an area that is currently elevated about 90 feet above the river and its associated wetlands (50-75 feet above the valley floor in the eastern portion of the site), and that groundwater from the site flows in a northerly direction and discharges to the Samish River. According to the Application, CNW would construct a berm approximately 200 feet landward of the assumed wetland edge in order to direct drainage from the site to the gravel floor for infiltration into the groundwater. The Application does not evaluate whether that berm and mine infiltration would redirect surface water away from the wetlands and river complex and thus dewater these sensitive ecological features, or analyze the impacts of that dewatering.

Application materials offer conflicting information about whether the Mine would reach the water table. Although the GBA Assessment states that the mine would be excavated to a depth of 10 feet above the water table, the SEPA Checklist states that the Mine would be excavated to a depth of 154-163 feet above mean sea level while the hydrogeological assessment found the water table at 145-155 feet above mean sea level. The Application did not evaluate whether excavation to a depth of 154 feet would interfere with a water table at 155 feet.

From Host Address: 216.160.85.174

Date and time received: 4/30/2021 2:12:46 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 2:15:02 PM

Name : Kyle A Loring (on behalf of Central Samish Valley Neighbors)
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PermitProposal : PL16-0097 & PL16-0098 MDNS part 2
Comments : C. SEPA Requires Withdrawal of the MDNS Because the Application Does Not Supply PDS With Sufficient Information to Fully Consider the Project's Environmental Impacts.

PDS must withdraw the MDNS because it has not fully considered the environmental and ecological effects of CNW's sand and gravel mining proposal. RCW 43.21C.030; see Boehm v. City of Vancouver, 111 Wn. App. 711, 717, 47 P.3d 137 (2002). For example, PDS issued the MDNS without analyzing the impact of clearcutting and mining a large portion of a wetland buffer intended to protect wetland species like the federally-threatened and state-endangered Oregon spotted frog. Nor has the Application evaluated impacts associated with the private haul road that will traverse Swede Creek and travel near uncategorized and unsurveyed wetlands. The Application also omits a full analysis of the risk to human health and safety from a haul route that involves public roads where the proposed truck and trailer would not be able to stay in its lane on two-lane roads with speed limits up to 50 mph, and risks associated with the sight distance at the intersection of Grip Road and the site access road. In the absence of this information, PDS has not satisfied its duty under SEPA to fully consider the project's adverse environmental impacts.

SEPA requires agencies to "consider total environmental and ecological factors to the fullest extent when taking 'major actions significantly affecting the quality of the environment.'" Lassila v. City of Wenatchee, 89 Wn.2d 804, 814, 576 P.2d 54 (1978) (quoting Sisley v. San Juan County, 89 Wn.2d 822, 830, 567 P.2d 1125 (1977)). To determine whether an environmental impact statement is required for a major action, the responsible governmental body must first determine whether the action will cause significant impacts and render a threshold determination accordingly. RCW 43.21C.030(2)(c); Boehm, 111 Wn. App. at 717.

Agencies must first ensure that the proposal is properly defined. WAC 197-11-060(3). Every part of a proposal that combines to form a single course of action must be evaluated in the same environmental document. WAC 197-11-060(3)(b). Thus, where different parts of the same proposal could not proceed unless they are implemented simultaneously, they must be evaluated together. WAC 197-11-060(3)(b)(i). Because the Mine could not function without the use of the private haul road to transport the product off-site, environmental impacts associated with the use of that road must be evaluated as part of the project's SEPA review.

A major action significantly affects the environment when it is reasonably probable that the action will have more than a moderate effect on the quality of the environment. WAC 197-11-794; Boehm, 111 Wn. App. at 717 (citing Norway Hill Pres. & Prot. Ass'n v. King County Council, 87 Wn.2d 267, 278, 552 P.2d 674 (1976)). Significance involves a proposal's context

and intensity; an impact may be significant if its chance of occurrence is low but the resulting impact would be severe. WAC 197-11-794.

To evaluate an action's effects, a responsible official like PDS must: (1) review the environmental checklist and independently evaluate the responses of the applicant; (2) determine if the proposal is likely to have a probable significant environmental impact; and (3) consider mitigation measures that the applicant will implement as part of the proposal. WAC 197-11-060(1); WAC 197-11-330; Indian Trail Prop. Ass'n v. Spokane, 76 Wn. App. 430, 442, 886 P.2d 209 (1994). In reviewing a project's impacts, an official must review both direct and indirect impacts and both short-term and long-term impacts. WAC 197-11-060(4). If the responsible official's review concludes that the proposal will not cause probable significant adverse environmental impacts, she issues a determination of nonsignificance ("DNS"). WAC 197-11-340. Conversely, a finding of probable significant adverse environmental impact leads to the issuance of a Determination of Significance ("DS"). WAC 197-11-360. A determination of significance triggers the need for an environmental impacts statement to review the project's identified impacts. WAC 197-11-360.

An agency that determines that a proposal will not result in a significant impact bears the burden of demonstrating "that environmental factors were considered in a manner sufficient to be prima facie compliance with the procedural dictates of SEPA." Bellevue v. Boundary Rev. Bd., 90 Wn.2d 856, 867, 586 P.2d 470 (1978) (quoting Lassila, 89 Wn.2d at 814). For example, the threshold determination must be based on information sufficient to evaluate the proposal's environmental impact. Boehm, 111 Wn. App. at 718. In addition, a court will not uphold a DNS unless the record demonstrates that the government gave actual consideration to the environmental impact of the proposed action or recommendation. Boehm, 111 Wn. App. at 718. An incorrect threshold determination will be vacated because it thwarts SEPA's policy to ensure the full disclosure of environmental information so that environmental matters can be given proper consideration during decision-making. Norway Hill Pres. & Prot. Ass'n v. King County Council, 87 Wn.2d 267, 273, 552 P.2d 674 (1976)).

The MDNS, SEPA Checklist, and associated application materials here demonstrate that PDS did not adequately consider the environmental factors, "in a manner sufficient to be a prima facie compliance with the procedural dictates of SEPA." Lassila v. City of Wenatchee, 89 Wn.2d 804, 814, 576 P.2d 54 (1978). The MDNS is not based on information sufficient to evaluate the proposal's environmental impact, as identified below and as exemplified by the lack of response to riparian and wetland requirements noted by Doug Gresham, Ecology's wetland specialist for Skagit County.

1. The MDNS is not based on information sufficient to evaluate the proposal's environmental impact.

The sections below summarize some of the information omitted from the Application that is necessary to fully understand and consider the Mine's environmental impacts. For more detailed descriptions and additional flaws, please see the CSVN November 2020 comment letter at Attachment A.

a. Lack of review of impacts within the Project's full footprint.

The application materials do not evaluate environmental impacts associated with the two-mile-long private haul road that transects the applicant's larger contiguous ownership and traverses

Swede Creek, even though industrial-scale use of this haul road is a crucial element of the Project. For more information about this omission, see Attachment A, CSVN Letter at 4.

b. Lack of review of climate impacts associated with hauling sand and gravel.

No application materials, including the SEPA Checklist, evaluate the climate change impact associated with carbon emissions from mining and hauling more than 4 million cubic yards tons of sand and gravel over a 25-year period. Indeed, the SEPA Checklist asserts that, "[t]here are no off-site sources of emissions that would impact the proposal." For more information about this omission, see Attachment A, CSVN Letter at 5 (identifying off-site and cumulative impacts omitted and ignored).

c. Lack of review of impacts from converting 1/3 of a forested buffer into a gravel mine, including impacts to listed species.

Although the MDNS contemplates the mining of more than 4 million cubic yards of sand and gravel, which would occur only if PDS applies a 200-foot buffer rather than the required 300-foot buffer, neither CNW nor PDS evaluated the impacts of reducing the buffer by 100 feet over a stretch of approximately ¼ mile. Nor does the Application review the impacts of this reduction on the listed Oregon spotted frog that relies on the wetlands and environs for its habitat.

d. Lack of sufficient information about wildlife impacts.

Notwithstanding that the Project would convert at least 51 acres of forested land to a gravel pit, the Application does not identify or analyze impacts to native fauna. CSVN have communicated to PDS that bears, cougars, and bobcats have been known to frequent the area and that local residents regularly observe the use of that area as a wildlife corridor between Butler Hill to the south and the Samish River valley and Anderson Mountain to the north. Yet the SEPA Checklist asserts that the property is not an animal migration route. In addition to providing critical habitat for the Oregon spotted frog, bull trout, and Puget Sound steelhead, the Samish River and its associated wetlands provide important habitat for a wide range of species that include river otters, beavers, bald eagles, belted kingfishers, great blue herons, spotted sandpipers, and numerous species of migratory songbirds. The Application should be supplemented to identify the animal species that inhabit or necessarily transit that area and analyze the impacts of turning that land into an open gravel pit and the impacts of converting what is presumably a lightly-used forest road to heavy industrial use.

e. Potential water pollution impacts.

The Application repeatedly states that stormwater will be infiltrated at the site, and notes that the groundwater flows to the nearby Samish River, but does not evaluate whether spills of fuels or other hazardous materials will impact the river's water quality after traveling through, ultimately, just 10 feet of ground before entering the groundwater. The Application also does not evaluate potential impacts from stormwater runoff of the private haul road, including sedimentation and petroleum products entering Swede Creek or wetlands east of that road. The Application must evaluate the potential for water pollution and the effects on Samish River and Swede Creek.

f. Lack of requisite Critical Areas review.

Skagit County has incorporated the goals, policies, and purposes of its Critical Areas Ordinance ("CAO") into its SEPA policies. Consequently, to satisfy its duties under SEPA, the County must require compliance with CAO directives like the standard review of impacts that includes the submission of a critical area checklist and/or a site plan that shows the location of the proposed activity and associated area of disturbance in relation to all known critical areas or critical areas indicators. The County must then review these project documents, complete a critical areas staff checklist, inspect the site, and complete the critical areas field indicator form. Where the County's review concludes that the proposed activity extends to within 200 feet of critical area indicators or a distance otherwise specified by the chapter, it must require a critical areas site assessment. Ultimately, this process should result in protected critical areas being delineated and their outer edges and buffers marked permanently.

With regard to wetlands, any proposed high impact land use within 300 feet of wetland indicators, and any other proposed land use within 225 feet of wetland indicators, requires a wetland site assessment. The site assessment must result in a wetland delineation, classification, site plan with wetland and buffer boundaries, and functions and values analysis.

CNW's application does not satisfy these standards and thus does not meet Skagit County's SEPA requirements. The Application does not identify wetlands adjacent to the haul road at all, much less conduct a wetlands assessment for the impacts associated with the proposed hauling. The Application does acknowledge the existence of wetlands associated with the Samish River, but does not include a delineation, site plan with delineated boundaries depicted in relation to the Mine activities, or a full functions and values assessment. Absent this information, the County does not have sufficient information to issue a threshold determination.

g. Lack of sufficient review of noise impacts.

The Application's noise studies rely on a flawed methodology and overlook the planned removal of the forest buffer between the Mine and neighboring properties. For more information about this omission, see Attachment A, CSVN Letter at 13-14.

h. Lack of sufficient review of recreation impacts.

The Application omitted any acknowledgement or analysis of impacts to cycling along regional and federal bicycle routes. For more information about this omission, see Attachment A, CSVN Letter at 14-15.

i. Lack of sufficient information about transportation impacts.

As identified above, the Application omits significant, necessary information about potential traffic impacts, including final maximum traffic generation numbers, site distance impacts for intersections like that at Grip Rd/site access road, modeling with speeds anticipated by Skagit County's Road standards, mitigation for site distance impacts, the impact of truck-trailers crossing the centerline between the site and Old Highway 99, travel east of the Mine, and the redistributed traffic to Cook Road. These must be addressed.

2. The MDNS issued absent consideration of applicable mitigation measures.
While the MDNS included several conditions, the vast majority of them merely require

compliance with existing standards (though the MDNS did not require observation of Skagit County's 300-foot buffer and instead embraced CNW's decision to apply only a 200-foot buffer). To the extent that the MDNS included conditions for transportation impacts, it merely directs CNW to avoid hauling with trailers or to design and construct unidentified road improvements on two turns on Prairie Road. Other mitigation measures that should have been considered include:

- Scaled-back size of mine;
- Scaled-back rates of extraction;
- Limiting hours of operation to daylight hours during the workweek. This would partially address areas where the site distance is impaired;
- Limiting the daily number of truck trips;
- Protections from sedimentation and stormwater drainage into Swede Creek;
- A drainage/runoff plan for the length of the private haul road to prevent surface water impacts from heavy traffic on the haul road;
- Requiring roadway upgrades to decrease the likelihood of collisions between Project trucks and other vehicles, bicycles, and pedestrians; and
- Identifying a prescribed haul route.

D. Conclusion.

Notwithstanding the five-year interval since CNW initially applied for the special use permits, it has not supplied PDS with environmental information about the proposal sufficient to warrant a threshold determination. PDS issued the MDNS without fully considering the Project's significant environmental impacts, from loss of habitat for an endangered frog to traffic impacts to impacts associated with the private haul road. CSVN therefore asks PDS to correct that mistake by withdrawing the MDNS and by coordinating with the Applicant to conduct an EIS for the significant impacts referenced above.

In addition, CSVN requests that PDS publish online the comments submitted to address the MDNS as soon as possible.

If you have any questions, please contact me at 360-622-8060 or kyle@loringadvising.com.

Sincerely,

Kyle A. Loring
Counsel for Central Samish Valley CSVN

Cc: Michael Cerbone
Martha Bray
John Day

Attachs:

A. CSVN Letter to Hal Hart re: Proposed Grip Road Gravel Mine #PL16-0097—Comments on SEPA Review
B. WDNR timber harvest map
C. Skagit Valley Bike Map
D. Grip Road Gravel Mine Peer Review Traffic Impact Analysis
E. WDFW map showing wetlands and drainages near haul road
F. US Fish and Wildlife Service Critical Habitat map for Oregon Spotted Frog

From Host Address: 216.160.85.174

Date and time received: 4/30/2021 2:14:35 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 2:25:02 PM

Name : Monty W Mcintyre
Address : 585 PLEASANT BAY
City : Bellingham
State : WA
Zip : 98229
email : mont137@msn.com
PermitProposal : PL16-0097
Comments : Greetings
I am writing in regards to the MDNS to the proposed gravel pit by Miles Extraction Co.
My personal experience is that this is an irresponsible company that will not hold itself accountable. Please let me get this off my chest to start with!
While driving on Highway 9 a couple years ago an oncoming Miles Cement truck blew out a massive tire, just as we were passing one another south of 84th street. I was going north in my red 97 F250 and the Miles truck was going south. An extremely loud explosion occurred adjacent to me, mustard colored muck and tire debris slapped my vehicle, coating and chipping my windshield / drivers side and startling me the hell out of me. I pulled over immediately on the shoulder to see what had happened. I saw that the Miles truck had also pulled over. After surveying the situation beside that busy highway, I went north to the roundabout, and returned directly to the Miles vehicle, parking in front of it on the southbound shoulder of highway 9. I saw the tire behind the driver door was destroyed. It had caused the explosion and the damage to my truck. I spoke with the driver who told me to write down my name and phone number and he would "turn it into the office that day when he got back " I wrote my name and phone number on a slip of paper and gave it to the driver. I never received a call back about the incident and have a chip, from that blown tire, in my windshield to this day. I can honestly say that Miles damaged my truck. Then the driver, or the office personnel blew me off!
Why would I believe anything they or their agents will submit?

Regarding the MDNS. I hope our county can understand that this proposal has very significant, and permanent, negative impacts. As someone who has worked outside all his life and knows something about natural systems, it is absolutely absurd to me that the county is promoting this. Hugely damaging activities are now considered nonsignificant to our environment, or can be easily "mitigated: What will be the legacy of Skagit County's permitting process?

Does DNS really mean:
Damning Native Species?

Are Chinook Salmon of value to the declining local Orca population? WDF once had grand plans to restore native salmon runs. What are the current state of affairs? Can Samish River produce Chinook to alleviate some of the food shortage for Orca and provide for the human hunger for Kings as well??
What potential for siltation during a major pineapple express event would this disturbed acreage above portend for any restoration of Swede creek / Samish River salmonids?

What role did Skagit county play in permitting the logging that caused the mudded spawning gravels that caused the near extinction of Phinney Creek Steelhead, a run that was once spectacular?
What Role did the County play in permitting the destruction of Baker Lake Sockeye? How many return now compared with the 85,000 that was once an average run?
Historically the county has a terrible record of Native salmon conservation. From culverts to dams to gravel pits and logging. The lack of concern is cumulatively glaring!
Maybe MDNS is code for Maliciously Destructive Not (for) Salmon.
If it wasn't for the regional salmon enhancement groups our salmon may already be gone. Now they are just mostly gone! What does the future hold for salmon that are under constant attack from activities such as are proposed?
Consider the recent findings that Coho are particularly affected by an ingredient in tires which causes high mortality. Coho can live for a couple years in freshwater before out-migrating. What is the historical distribution of Coho in swede creek and Samish rivers? How many tires will wear away over the term of this proposal in the pit activity? How many pounds of rubber particles will run off from the road trips along all routes planned by these trucks? I'm still thinking about that tire blowing up next to me on # 9, what was in the mustard colored crap sprayed all over my truck?

Many forms of native life exist on this parcel, including hundreds of songbirds , currently singing to the brood in their nest at daybreak. What will happen to those birds when their nesting trees are excavated away so Miles can dig and then mix new cement for land developers? What will the morning sound like when diesel engines start with puffs of black smoke and no birds? I would proffer another DNS = Does Not Sing. It's a Dang Nincompoop Scheme that Dooms Nice Songbirds which is also D Nasty (&) S. Will human residents have a better day when they wake up hearing front end loaders, dump trucks, excavators and conveyors rather than birdsong and frogs - then get their windshield broken on the way to school?

I'm no biologist but did find a cute salamander with a yellow stripe on it's back last week. The frogs have been croaking for some time and so I think of all the amphibians along Swede Creek. Don't have time to make a list - should be doing taxes and going outside to work on some other stuff. I feel the need to get involved but it's most likely an aggravating waste of my time. Big business always get their way, they just pay an attorney to get it done! Ordinary citizens scramble to try and put in some feed back on short notice , THANK YOU FOR THAT!

Disavowing Natural Systems is Detrimental Not Sensible.
Our society will not be secure when some amongst us keep keep fouling our communal nest for profit, that's for sure. As I get older I see fewer functioning Natural Systems. I hope we can agree on this. Man has been wrecking things for a long time. Precious natural resources that effectively support healthy life have been in decline for decades. This dangerous trend is now exponentiating with increasing pressure from proposals such as this. Please pay attention and limit this destruction.

This gravel mining is Most Definitely Not Suitable for our community

STAY HOME STAY SAFE
Monty McIntyre

From Host Address: 75.172.124.90

Date and time received: 4/30/2021 2:23:03 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:20:02 PM

Name : Shelley Allen
Address : 22018 Grip Road
City : Sedro Woolley
State : WA
Zip : 98284
email : shelley@muzylowski.com
PermitProposal : PL 16-0097 Concrete Nor'west (CNW) application mining special use permit
Comments : Three Main issues regarding the proposed Mine on Grip road are: Environmental impact, Road safety and Third Party Sales. A comprehensive study of the issues and impacts of the effects of a gravel mine in this area should absolutely be implemented.

The Samish river and basin, have been a concern for habitat loss and degradation. The State and local communities have allocated enormous funding to protect these rivers. The mine project proposed on Grip Road, needs to be subject to a full environmental review.

Concrete Nor'West/Miles have already have an impact on this critical river from their Belleville site, also adjacent to the Samish River. Thousands of heavy load-filled trucks, leaking fluids, producing dust and emissions would be added to a second site of this critical river.

A full Environmental review must be required. This mine operation needs stringent environmental protection rules that protects the wetlands and that are carefully enforced.

Grip Road is a narrow, winding and steep road. With the current conditions there is no way that the addition of thousands of gravel trucks traveling on it could be considered safe. Grip Road is a regular route for many bicycling clubs/groups, as well as antique car clubs, as it is a quiet road that has been favored for it's scenic qualities and minimal commercial traffic. Many of our neighbors walk the road for exercise and also walk to the riverside in the summer.

Our home is on a hard corner on Grip Road, just up the hill from the proposed mine access/entrance. We have had many vehicles skid on the corner and slide off the road damaging trees and signs. Last month a Skagit county road worker had to replace or repair the corner sign three times. This and many other significant corners on Grip Road would be unsafe for large vehicles passing one another, and again, for pedestrians and cyclists. We have not seen maps and details that would show how these concerns would be mitigated.

What is the maximum runs of trucks per day (including roundtrips). Please confirm there will be a noise study of the use of compression brakes.

The proposal states that gravel can be sold directly to the market from this site. What are the restrictions on these transactions and what haul roads will they be using? Third party sales would create an undetermined effect on the area and should not be allowed.

From Host Address: 172.92.201.237

Date and time received: 4/30/2021 3:17:33 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:25:02 PM

Name : Frederic Allen
Address : 22018 Grip Road
City : Sedro Woolley
State : WA
Zip : 98284
email : rik@rikallen.com
PermitProposal : PL 16-0097 Concrete Nor'west (CNW) application mining special use permit
Comments : Two Main issues we have regarding the proposed Mine on Grip road are: Environmental impact and Road safety.

As proposed we believe that there is far too little done to study the site and mine proposal to mitigate the effects of a gravel mine in this area. A comprehensive study of the issues and impacts of this project should absolutely be implemented. The Samish river and basin, as well as many of Washington State's rivers have been a concern for habitat loss and degradation. The State and local communities have allocated enormous funding to protect these rivers, I can not understand why a project, as large as the mine proposed on Grip road, would not be subject to a full environmental review. Concrete Nor'West/ Miles have already have an impact on this critical river from their Belleville site, also adjacent to the Samish River. Thousands of trucks rumbling, leaking fluids, producing dust and emissions would be added to a second site of this critical river. A full Environmental review must be required. We all would be at a loss if this mine is permitted without stringent environmental review that protects the wetlands and all buffers are carefully enforced.

Regarding the road safety issues, this is one issue that has brought together all of our neighbors, regardless of anyone's political, social or community background. Grip Road is unsafe. The stretch of Grip road from Prairie road is has multiple blind corners on a steep hill. My wife and I frequently walk and bike on Grip road year round. It only takes a few large pick up trucks on Grip to force anyone on the road into the gravel embankment. Anytime a commercial truck has come around the corner with people on the road, they are forced to either brake hard, or cross over to the opposite lane. Two gravel trucks, passing each other, with or without trailers, will occupy all the available pavement making it an extremely dangerous situation for anyone (including animals). There is no way I can see this winding steep road being considered safe. Grip road is a regular route for many bicycling clubs/groups, as well as antique car clubs, as it is a quiet road that has been favored for it's scenic qualities and minimal commercial traffic.
Our home is on a hard corner on Grip road, just up the hill from the proposed mine access/entrance. We have had, almost monthly, vehicles leave the road and slide into the corner. Last month a Skagit county road worker had to replace or repair the corner sign three times. Grip road has many significant blind corners that would be unsafe for large vehicles passing one another, and again, for pedestrians and cyclists.
We have not seen maps and details that would show how these concerns would be mitigated. Truck traffic, as currently proposed, would have a major impact on our quality of life and safety.

Thank you.

From Host Address: 172.92.201.237

Date and time received: 4/30/2021 3:22:31 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:30:02 PM

Name : Ingo Lemme
Address : 5856 Park Ct
City : Sedro Woolley
State : WA
Zip : 98284
email : ilemme@cnw.com
PermitProposal : PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)
Comments : I would like to comment on the SEPA determination issued by Skagit County Planning and Development Services in response to the gravel mine development application submitted by Mile Sand & Gravel.

The route proposed for hauling the gravel over Grip Rd. and Prairie Rd. is inadequate for the type and volume of truck travel proposed. The MDNS does not adequately address the problems on this route including curves on the Grip Rd. hill that are not wide enough to accommodate the truck traffic without crossing the center line. There are many portions of this route that are dangerously narrow for such traffic. I am a bicyclist and long stretches of this route have virtually no shoulder, so that the road is not wide enough for a gravel truck, a vehicle travelling in the opposite direction and a bicycle. This is an extreme safety hazard. With the volume of truck traffic proposed by this project, the frequency of this hazard increases very significantly. These hazards are not adequately addressed in the MDNS and a full EIS is needed. Related hazards are the intersection of the haul road and Grip Rd. and the intersection of Grip Rd. and Prairie Rd., and these hazards are not adequately addressed in the MDNS. Another issue inadequately addressed in the MDNS is the impact of the proposed truck traffic on the physical infrastructure of the roads themselves; these roads are inadequate for this volume and type of truck traffic, which will cause accelerated wear and need for expensive repairs.

The proposed project will have significant impacts on wetlands, fish/wildlife and drainage, which are inadequately described in the MDNS. The MDNS also inadequately deals with the noise and vibration impacts and the increased diesel exhaust impact on air quality. These issues need to be considered with a full EIS.

Because of the inadequate delineation in the MDNS of both the impacts of this proposal on road safety and road degradation as well as the impacts on the environment, including wetlands, fish and wildlife, noise and air quality, I strongly disagree that a MDNS is adequate and request that a full EIS be required.

Thank you for your consideration of these issues.

From Host Address: 50.34.213.251

Date and time received: 4/30/2021 3:26:12 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:30:02 PM

Name : Jennifer Aven
Address : 6478 Lillian Lane
City : Sedro Woolley
State : WA
Zip : 98284
email : Jenjen2912@yahoo.com
PermitProposal : Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097
Comments : My husband and I are extremely concerned at the re-issuance of the permit for the gravel mine. There seems to be absolutely no concern for the safety of my family or my neighbors as we drive on the narrow and winding roads of Grip and Prairie. We demand that thorough and comprehensive studies be done to address the risks that this severe increase in large heavy trucks on our small backwoods roads be performed and then that any and all concerns be adequately addressed. My parents, my children, my husband and myself are on these roads two to four times a day each and the idea that county would ignore putting their lives at risk, especially for profit, is appalling. I find the idea of facing a large truck barreling down the "S" curved hill on Grip while in possible drifts across that center line terrifying. The option to avoid it would be down an embankment. What will happened when the school buses are passing through as well? What does it look like at those 90 degree corners on Prairie just before Old 99? Are we all just going to have to swerve and break hard to miss these trucks? I've had a close call with a large vehicle there before and the adrenaline rush doesn't dissipate until you reach Burlington. This is unacceptable. We shouldn't be forced to endure that every day.

Lets not also ignore the dramatic increase or the wear and tear of roads not built for that kind of traffic. We must study what the effects of those 30 round trips an hour means. And all the environmental effects...I'll leave it to my neighbors to cover those concerns in great detail, but we are worried about all of them as well.

We chose this beautiful area over 15 years ago because of the quietness and the serenity. We chose the intimacy and safety of tiny Samish Elementary and its back roads bus routes for our children. We expect to share the roads with an occasional tractor or horseback rider, not an industrial flow of heavy trucks. I know that things progress and change, but I implore you to please take the time to do the right thing. Study in depth all the consequences this mine will have on our community and hop in your own vehicle, go for a Sunday drive down the length of Prairie and Grip and picture what this mine and it's traffic will do to every single person who lives here and drive these roads.
Thank you for your time.

Sincerely,
Jennifer Aven

From Host Address: 50.34.125.113

Date and time received: 4/30/2021 3:26:26 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:30:02 PM

Name : Miles Sand & Gravel Company Inc.
Address : PO Box 280
City : Mount Vernon
State : US: Washington
Zip : 98273
email : dan.cox@miles.rocks
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : On behalf of Miles Sand & Gravel Company Inc. (Concrete Nor'West), I am writing to express our support of the 4-15-2021 MDNS for the above noted project. Miles has worked diligently to provide all of the requested information to allow the County to review and condition this application to address public concerns and ensure compliance with County requirements. We would encourage the County to move forward with preparation of the staff report and scheduling of the public hearing so that a decision on the application can be made.

From Host Address: 50.34.67.130

Date and time received: 4/30/2021 3:29:08 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:40:02 PM

Name : Jesse
Address : 20631 Prairie Rd
City : Sedro Woolley
State : WA
Zip : 98284
email : jfaxonmills@gmail.com
PermitProposal : Concreted Nor'west/Miles Sand & Gravel; PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)
Comments : April 30, 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concreted Nor'west/Miles Sand & Gravel; PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

Thank you for this opportunity to voice my concerns about Skagit County's recently re-issued MDNS regarding the mine development application of Miles Sand and Gravel.

Until recently, I wasn't fully aware of the extent to which this would impact the area where I live, and especially how it could upend the lives of my neighbors to the near south. I live about 1 mile north of the proposed gravel mine area have recently become aware of gravely concerning details of this proposed mine. I'm extremely worried about what seems to be a lack of thorough research by the county into what this project would mean for those living on Grip road and in the surrounding community. The lack of up-to-date studies by the County on the environmental impact is deeply concerning as well.

For over 30 years, my parents have lived ten minutes away from the forested land off of Grip Road. They know many of the people who live in that area and have been allowed by kind neighbors to explore those forest lands with their family. More recently, they've been sharing the beauty of those woods with their first grandchild. They've seen tracks of cougars and bears, in addition to a wide assortment of birds and other small creatures. This would all be profoundly impacted in a very sad way if we allow these territories to be stripped for gravel, fill the air with exhaust from transport trucks, and fundamentally disrupt their habitat.

And, the Samish River, which runs behind my house and which I fished in as a kid, would also be irreversibly impacted. The river and surrounding wetlands provide habitat for the Oregon Spotted Frog, designated endangered by the state and threatened federally, and the Bull Trout, another species listed as threatened on federal lists also has critical habitat on this river. As I understand it, when issuing the MDNS, the Fish and Wildlife Assessment used was

incomplete and over five years old. There's no mention of endangered status species in the MDNS. State and federal agencies addressing endangered species must be consulted.

I also can't help but think of how this project will affect the safety and infrastructure of the roads. Grip Rd is narrow, with twists and turns. It intersects with Prairie Rd (where I live) on a tight corner of Prairie, and I've already had cars pull out in front of me who didn't see me coming around that turn. I fear that the safety impact of dozens, perhaps hundreds of trucks daily on Grip road would be disastrous. I understand that the Traffic Impact Analysis located lane encroachment on this route, including on the twisting Grip Road hill spots, but neither the TIA nor the MDNS analyzes or mitigates this problem. Head on vehicle collision are horrific. Without properly addressing this truly life or death issue, there is no answer to the community's fearful question: how will trucks and school buses negotiate safely passing on these roads? For the County to refrain from insisting on additional information and assurances on this issue would be a costly and deadly mistake, in that severe accidents involving those civilians who travel these roads would be inevitable.

Although Miles Sand and Gravel suggests an average 46 truck trips per day (already high traffic), the company says it might run up to 60 trucks per hour, which likely would be the case in peak season. The impact of anything even close to such heavy traffic would pose both a safety hazard and a negative impact on road infrastructure. Impacts on infrastructure also need to be evaluated, and provision should be made for the applicant to pay a fair share of cost for maintenance and repairs if the project is approved.

From what I can see, this project has not been thoroughly examined. In order to allow the mine to exist, the County would make an exception to allow only a 200 foot buffer. How can this be considered acceptable when Critical Areas Ordinance (CAO) requires a 300 foot buffer adjacent to high intensity land use? This project will be nothing if not high intensity: a 60 acre mine site on 700 contiguous acres, going 90 feet deep, with over 11,000 heavy truck trips per day over 25 years. Clearly, the Critical Areas Ordinance defines its terms regarding high intensity projects for crucially important reasons. Those crucial points of this Ordinance must not be disregarded without closer examination of the high intensity nature of this entire proposal.

Grip Road/Prairie Road is our home. It is rural, and home to many farmers and families. It is the type of place that Skagit County is known for, which hasn't yet been overcrowded or stripped for profits. Pushing through this gravel mine without thoroughly examining its many impacts on the people, animals, and plant life would be an outright betrayal. An application to substantially change its character, its safety, and its multi-use function for all species should be assessed with all of the tools that the County has in place, including state and federal metrics.

Please reverse the Threshold Determination under SEPA, require a full Environmental Impact Statement to evaluate environmental fallout from this project, and fully examine the public safety and quality of life impacts of this proposal.

Sincerely,

Jesse Faxon-Mills
20631 Prairie Rd
Sedro Woolley, WA 98233

From Host Address: 172.92.208.120

Date and time received: 4/30/2021 3:36:01 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:40:02 PM

Name : Linda L Walsh
Address : 21710 Prairie Road
City : Sedro Woolley
State : WA
Zip : 98284
email : walshl2006@hotmail.com
PermitProposal : PL16-0097 & PL16-0098 Concrete Nor'West reissued MDNS
Comments : April 26, 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
MT Vernon WA 98273

RE: Concrete Nor'West/ Miles Sand & Gravel
PL 16-0097 & PL16-0098,
Notice of Withdrawn and re-issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

My husband and I own land adjacent to the proposed mine parcel so this project will have a significant impact on our lives and property. We have lived on Prairie Road for nearly 30 years. I have had many concerns regarding this project from the beginning in 2016 and want to comment on the many of the same concerns on the reissued MDNS.,

The revised MDNS has changed very little from the original 2016 document despite countless hours of documentation submitted to the County from our Community group that documents multiple traffic safety and environment issues. The video, photo, written and verbal communications provided over the past few years have recognized these serious concerns from the beginning.

It has taken nearly 5 years for County and experts to acknowledge what we have known from the beginning. The trucks cannot stay in their assigned lanes. However, the mitigation offered only addresses 2 intersections and 2 corners. Documentation is clear there are many other similar corners and intersections on the possible transportation routes. These routes and safety issues remain unevaluated and still falls far short of what Skagit County Code and SEPA requires. It does not fully evaluate the potential impacts of the proposed commercial mine project. This reflects the County's lack of understanding of the size and scope of this project. To ignore these documented problems will result in unacceptable risks for the environment and public safety. A full EIS must be required in order to adequately identify and address the number of safety and environment concerns.

The applicant’s TIA and the MDNS have already identified significant current traffic problems in the area without even using accurate data. The average 46 truck trips per day that

is calculated by spreading trips out over a 12 month period is a useless number for calculating traffic safety. The yearlong average of truck trips does not give an accurate number of trucks that will actually be present on the road system each day. During the high volume construction season they will exceed the average daily 46 truck trips for several months. The number is not only is inaccurate it is misleading to the public by implying there will be an actual 46 truck trips per day.
It does not take traffic experts to know the MDNS mitigation of the 2 corners which will not allow trucks and trailers, will cause a significant increase in the numbers of solo dump truck trips to haul the desired amount of material. These trips will far exceed the average 46 truck trips this proposal is based on and this increase of solo trucks must be evaluated. Likewise, sales to private or 3rd parties will also result in an increase of trucks. The additional number of trucks is not included in their TIA. These increases must be added to the 46 average truck trips. If the applicant decides to use alternate routes with truck and trailers, those routes need evaluated. A Level II TIA needs to be done.

Mitigation to comply with the weight limit on the Samish bridge will also cause unevaluated routes to be used. The Cook Road/Old Highway 99 intersection, which is included in the haul route but not evaluated in the TIA for safety or level of service (LOS), is well documented by the County to already be operating at LOS D, which is below the County's minimum requirement of LOS C. Adding hundreds of trucks to this intersection will degrade the LOS even farther. I have seen trucks and trailers force a vehicle stopped at the light to back up in order to avoid being hit by the truck trailer straying into their lane. The F & S Grade/Prairie Road intersection has in recent months had 4 traffic accidents and it remains unevaluated for safety of LOS, despite the fact it could become a regular alternate route for trucks and trailers. If it had been evaluated it would be apparent that trucks cannot stay in their assigned lanes, this is unacceptable.

The final SEPA determination must evaluate the traffic safety impacts of the project based on the actual maximum number or trips per hour and set a hard limit on it. The County must also set limits on the duration and frequency of occasions when it will allow higher than average trip numbers. We already see communication between the County and the Applicant deciding how they could be allowed to exceed a maximum of allowed trucks.
There should be no direct sales to private or 3rd parties without all routes being evaluated .

1. Require safety analysis and mitigation measures for ALL locations where trucks will encroach on the opposing lane of traffic. The MDNS states that trucks with trailers will encroach two to three feet into the opposing lanes of traffic at the two sharp corners on Prairie Road near the intersection with Old Highway 99. It also requires that the applicant reconstruct the road at this location and correct this acknowledged safety issue. The applicant's TIA identifies the same issue, but also states that there are several other locations on the haul route where trucks will cross over into the other lane. It does not identify these other locations, provide analysis of the specific safety issues there, or propose any mitigation. From my personal observations and those of other area residents, other locations where this is an issue include, but are not limited to, the steep S-curves on the Grip Road hill, the eastbound approach to the Samish River bridge on Grip Road, and practically every intersection on the identified haul routes.
2. Take increased non-mine traffic over time into account in analyzing the traffic safety and road capacity impacts of the project. The TIA uses intersection vehicle counts from 2020 as the base for evaluating the impact of mine traffic and does not factor in increasing traffic over time with growth. There is no explanation of why this was not done. If the applicant and the

County are not going to take this into account, they must provide clear evidence to show that substantial increases in background traffic are not likely to occur during the proposed 25-year lifetime of the mine.
3. Provide clear, graphic analysis of ALL locations on proposed haul routes where intersection and/or stopping sight distances do not meet required minimums for all types of vehicles. Require mitigation of all such locations. Graphic "Vision Clearance Triangle" analysis (Skagit County Road Standards, 2000, Appendix C-7) or other industry standard graphic analysis is needed for all such locations and adequate mitigation measures required for project approval.
4. Flashing speed warning beacon systems proposed for the Grip/Prairie and Grip/Mine Entrance intersections require analysis as to what they are intended to accomplish and how they will do it. The existing speed warning signs on Prairie Road at the Grip intersection clearly do not work and no analysis has been provided to show that a flashing warning light system will work better at either location. The County must require the applicant to conduct field studies to determine what the actual maximum safe speeds are for these intersections and require mitigation measures that will ensure these limits are met.
5. Fully evaluate accident records for all road segments and intersections on the haul route, including causes and contributing factors. Provide analysis of the impacts mine traffic will have on the number, type, and severity of accidents to be anticipated with both existing and future traffic volumes. Require effective mitigation measures. The existing TIA accident record analysis is limited to certain intersections on the haul route and does not look at causes and contributing factors. It excludes a number of additional intersections, including Cook Road and Old Highway 99, as well as accidents not occurring at intersections.
6. Evaluate the impacts of mine traffic on the existing roads and bridges and require the applicant pay its fair share of the costs for increased maintenance on our already sub-standard rural roads. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required significant repairs over the last few years. Roughly 12,000 truck and trailer trips per year over 25 years will necessitate a lot of additional maintenance by the county roads department. This must be paid for by the applicant, not the taxpayers.
7. School buses are not match for the large trucks and there are several times per day, 180 days per year that the will be transporting our children. These children wait in the dark on roads with little to no shoulder and no evaluations have been done to ensure the Buses can share the road safely with the massive dump trucks and trailers.
This is an industrial scale development located in sensitive rural environment where no commercial mining has ever occurred. It will cause irreparable and significant harm to the natural environment including habitats along the Samish River and Swede Creek, as well as upland wildlife habitat. The MDNS falls far short of identifying and mitigating impacts.

• The environmental review did not consider the full footprint of the project. Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.
We are disappointed the hours of transportation and operations have not been restricted more. Operating and transporting 10 hours per day and on weekends does address the negative impacts on my family and others trying to enjoy our homes and properties.
The County is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high

intensity land use and the MDNS needs to reflect proper mitigation to comply with CAO.
The Fish and Wildlife Assessment was done in 2015 and is out-of-date and incomplete. The limited Fish and Wildlife Assessment provided by the applicant is more than five years old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site. The MDNS does not mention these “ESA” species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.
Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the entire project footprint need to be identified so that operators and regulators know where they are.
Wildlife corridors are not identified and or protected. Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.
A drainage plan needs to be required to protect water quality from runoff on the private haul road. Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.
Impacts to groundwater are not adequately evaluated and protections measures are not required. They intend to excavate the mine to within 10 feet of groundwater. The hydrogeologic report is based on 2003 data supplied by Concrete Nor'West . They hydro company based the ground water levels on that data and it is nearly 18 years old. The High Seasonal Ground Water has not been re-evaluated since 2003 and yet they must keep the mine 10 feet above that unknown level. Leaving only 10 feet of natural material does allow for much error. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river.
The Noise and Vibration Study did not base information on specific size of equipment. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. Here again they try to use an average of dBA, not maximum noise levels. They did not measure noise received at neighboring property boundaries but instead chose areas to take data at least 1800 feet away from the property boundary. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a significant change for our property and should be taken into account in a full EIS.
Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves emissions from thousands of diesel trucks over a 25 year period. I know the County is aware of the significant adverse impacts vehicle emissions have on air quality because in their parking lot the have 'No Idle zone' signs. If there is a concern for ordinary automobile air pollution it seems thousands of diesel trucks and thousands of hours heavy equipment emitting pollutants would have been a priority to evaluate with an EIS.
Cumulative impacts were ignored. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated.
Twenty-five years of mine operation is not a “temporary” activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat

and fish bearing streams. These are not reversible impacts. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period.
The MRO designation does not automatically give a business the 'green light' to operate, it does not even ensure extraction will be possible. It only identifies there are mineral resources present. This project would have received an automatic 'green light' to operate back in 2016 with little meaningful documentation if our Community had not spent countless hours and thousands of dollars submitting information supporting the safety issues and environmental issues, some are now recognized by the County to be present today. This industrial mine cannot be permitted based on incomplete and inaccurate data.
This project cannot be mitigated without causing undue hardship and adverse impacts on local residents and it is incompatible with current land uses.

In order to even try to fully mitigate road problems land-owners would be required to give up land on sections where the road needs to widen and there is no easement. The level of noise, dust and vibration that properties will receive cannot be mitigated. The County and the Applicant have had over a decade to invest into the infrastructure knowing they would be wanting to extract and transport the gravel, and yet their lack of investment and planning will cause an extreme burden on local residents if this project is allowed to move forward at this time.
Mitigation to lower the speed limit just because the applicant wants to introduce high volumes of trucks into our roads also adds the burden on the residents, increasing commute times which are already long.
There is no way to mitigate the decrease in property values due to the presence of undesirable truck traffic and adverse impacts of a nearby industrial gravel mine. Once again residents will bare the entire burden of this significant impact.
It is not just a "borrow pit" as one of the CNW representatives told the Hearing Examiner in a meeting. It is a high intensity, full scale industrial mine and transportation project that will remove and transport 4.2 million cubic yards of gravel and transport it via an inadequate, substandard public road system across wetlands and wildlife habitat. They will strip all topsoil, timber and vegetation and excavate 50 to 90 feet deep over 50 acres, this an open pit industrial mine with a 25 year duration. Approximately 6500 feet of Samish River front is the eastern border of the mine, this project clearly needs a comprehensive EIS to identify all its adverse and dangerous impacts.
Please take another look at all the impacts this industrial mine will have on this area and listen to the valid concerns we have regarding this project.

Sincerely,
Linda & Robert Walsh
21710 Prairie Road
Sedro Woolley WA 98284

From Host Address: 172.92.225.214

Date and time received: 4/30/2021 3:37:41 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 4:00:01 PM

Name : Larry William Hedgpeth
Address : 5809 Brookings Road
City : Sedro Woolley
State : wa
Zip : 98284
email : ljhedgpeth@gmail.com
PermitProposal : Special Use Permit Application #PL16-0097 Grip Road Gravel Mine
Comments : April 30, 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services 1800 Continental Place
Mount Vernon, WA 98273
RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads
Dear Mr. Cerbone,
Since I commented yesterday on this site about the proposed gravel mine on Grip road, my thoughts have kept going back to other concerns about roads and traffic safety. So I decided to submit another comment before the deadline today.
A major concern is the route the trucks will use getting to and leaving the mine. The only plan I have heard about is to take the gravel to a site south of Prairie Road on old 99 for processing and sale. Is there anything to limit Miles to that route or that destination? If so, that should be spelled out clearly in the paperwork for the permit and / or the MDNS. Failing that, shouldn't the county consider the condition of all likely haul routes and include reasonable requirements for them also in the MDNS? Many of these routes have some of the same problems as the route that has been identified – sharp turns, narrow roads, lack of shoulders wide enough for bicycles or people, limited visibility, etc.
Most of these roads up here were not built to any modern standard of width or materials. Running thousands of full gravel trucks a year over the same route could result in some pretty expensive repair bills. Will Miles be required to pay a share? Maybe using a variety of different routes would cause less of an overall impact and actually save money.
The warning lights at the mine entrance and at the Prairie/Grip intersection may work fine, or they may need some sort of an upgrade or to be replaced by a different traffic control system. How can anyone tell in advance what will be needed at those two spots to keep everyone safe? The county should examine all of this very carefully before giving Miles such a long permit.
Here's an idea I haven't heard considered yet: why not give the mine a provisional permit for 3 or 4 years of operation to see how many of these problems come up and how bad they are? Then the mitigations for the balance of the 25 year permit could be negotiated on the basis of evidence instead of conjecture.
Shouldn't the county represent the interests of all of us – Miles and the general public? Miles is a pretty large, successful company with people on staff who are well experienced working with government agencies on all the issues involved in the permitting process. Who in the county is representing the general public or the public interest?
Over this long process, many issues have been raised and questions asked by concerned citizens. And many, many comments submitted. But only vary rarely in the past 5 years have any of us been able to dialogue with county staff in a substantive way about any of these issues and concerns. The process has not worked very well for those of us on the outside. If

the county doesn’t listen to us, how can we be heard?
Larry Hedgpeth. 360-855-5326

From Host Address: 172.92.218.39

Date and time received: 4/30/2021 3:55:55 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 4:00:02 PM

Name : MATTHEW MAHAFFIE
Address : 22031 GRIP RD
City : Sedro Woolley
State : WA
Zip : 98284
email : mahaffim@hotmail.com
PermitProposal : PL16-0097
Comments : April 30, 2021

Matt Mahaffie
22031 Grip Road
Sedro Woolley, WA 98284

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

RE: PL16-0097

Dear Mr. Cerbone,

I am writing in comment to the special use permit application PL16-0097, a proposed operation of a gravel mine by Concrete Nor'West. I am supportive of the need of the company to have a reliable source of their base material going into the future, a need that also in many cases has a public benefit, but have serious concerns about the proposal as presented which will place undo burden upon the local community's quality of life, safety, and environment without any meaningful mitigating measures volunteered by Concrete Nor'West nor Skagit County, even after extensive public input for several years.

I am very familiar with this property, having spent over 20 years traversing all portions of the property when it was open for public access (previous owners) as well as reviewing it professionally as a wetland/critical areas specialist under other development proposals. I am also a nearby resident of the community who also spent many years as a CDL licensed driver of the types of trucks proposed to be utilized with this endeavor. Specific concerns are as follows:

Critical Areas Review

In the normal course of work I personally have the utmost respect for Graham-Bunting Associates and Skagit County Planning staff, and as previously commented, respectfully disagreed with a few key findings presented with the supplied report and/or the scope of work

that should have been specified by Skagit County. The fact that these distinct factual errors and very clear requirements of Skagit County Code were ignored after being pointed out by the Washington State Department of Ecology, two Skagit County approved Critical Area specialists, and countless community members is very disturbing.

• The singular wetland rating put forth appears accurate. However, the land use intensity (moderate) put forth in no way conforms to the land use intensity description put forth in Appendix 8C of WA DOE Publication No. 05-06-008 as required if using the alternative buffers in SCC 14.24.230(1)(b). This is not just my personal opinion; it is my opinion as a Natural Resource Planner and staff biologist for a local County government, trained by the Department of Ecology in the use of their rating system, as well as a consulting wetland professional recognized by Skagit County as such via inclusion as a recognized qualified professional included in Skagit County PDS list of approved consultant (having submitted hundreds of approved critical area assessments to Skagit County). It was also the consistent opinion every professional wetland scientist and agency reviewer that I inquired with, including the Department of Ecology (Doug Gresham, DOE, personal conversation 12/23/16) the authors of the said referenced publication who has also commented to Skagit County on this proposal with this fact. The land use intensity for a full-time gravel mining operation is unquestionably high. A high habitat score (as put forth by the supplied wetland rating) requires a 300ft wetland buffer per SCC 14.24.230, not 200ft as proposed (300 also being the standard buffer).

• The review/assessment also neglected SCC 14.24.230(2), where in general, buffers are to extend 25 feet past the top of sloping areas that are 25% or greater. The site plan as indicated shows areas where this provision is applicable. Regardless of the aforementioned land use intensity issue, the buffer likely should still extend past the line indicated in areas unless there is a rational reason put forth not to, which does not appear to have been done specific to this.

• A wetland assessment is required for this project as proposed (regardless of the land use intensity) per SCC 14.24.220. A wetland assessment has not been submitted for this project even though the Fish & Wildlife Assessment made it clear that a wetland was present. The wetland assessment should include a wetland delineation which was also requested to be completed by WA DOE during the initial SEPA comment period. It is unclear why this portion of Skagit County Code was ignored, as were all of the SEPA comments submitted by the singular state agency most relevant to the issue.

• Critical area review, and to a lesser extent SEPA, was limited to the proposed mine site only. However, Skagit County staff has consistently maintained that changing the use of forest roads to new uses was tantamount to a new impact, needing at a minimum assessment, and potentially mitigation. The haul road is most certainly a change of use by a drastic degree. Going from an access only used infrequently for forestry purposes to a road that could have hundreds of truck trips per day essentially in perpetuity will most certainly be an impact to the environment in numerous areas. This will be a distinct habitat break in what is presently one of the largest undeveloped tracts of left in lowland Skagit County, home to deer, bear, cougar, and elk as well as many avian and small mammal species. Heavily trafficked corridors are well known to affect the habits of such species. The haul road also drains to a salmon stream that has serious turbidity problems, and it seems inconceivable that the increased road traffic and maintenance/improvements without stormwater control will not affect this riparian area.

The road crosses one of the most productive tributaries in the Samish River basin as well as

being within the buffer of likely Category I wetlands. The road has already been improved, and it would be ridiculous to think that the significant improvements (grading, surfacing, and vegetation clearing) were solely for "forest management" after the special use permit is granted. It is unclear from the available documentation why Concrete Nor'West is not being held to the same standards as numerous clients of mine (professionally) building simple single-family homes have been; addressing the clear intensification of impacts when transferring the use of a logging road to another use.

• No meaningful protective measures have been assessed to the buffer of the critical area adjacent to the mine operations. While recording of a Protected Critical Area (PCA) site plan is standard and generally adequate for a single family home, a commercial operation with employees on heavy equipment, no oversight, and no vested interest in the observation of the buffer is a recipe for disregard of said buffer (not to mention a PCA is required by SCC). Glaringly as well, there is no reference on the ground for the buffer. If there is no survey or mapping, how will anyone know where the buffer is? The buffer should be required to be demarcated in the field, an absolute standard practice, and in reality, should be fenced as well (absolutely standard industry practice).

• All conversion activities (PL16-0098) were supposedly limited to the mine site. Most recent aerial photos of the site (Google Earth August 2020) clearly indicate conversion activities that have occurred onsite, including conclusively within the standard review area of a clearly apparent wetland, quite likely within the buffer. The proposal and subsequent review has in no way addressed these areas of converted forest land as defined by WAC/RCW, with the scope of the noticing of the conversion activities not held to, nor the apparent non-compliance of issued FPA conditions.

Noise

The applicants have stated that their project will have no noise concerns to the neighborhood. This is blatantly false. A raised voice can be heard on neighboring properties to the north (known from personal past observation) from the area proposed to be mined. How would heavy equipment not be heard? An excavator bucket hitting the side of a dump truck is as loud as a small caliber rifle shot, and such hits and bucket shaking will take place many times a day with such a mining operation. All of the neighboring properties will be subject to such noise. On the upslope side (where I live), any use of the onsite road system by even a diesel pickup truck can be clearly heard outside on a clear day, heavy equipment use can be heard inside. There is absolutely no way mining operations will be fully self contained in regards to noise. Operations during standard business hours would be one thing, but evening and weekend operations would result in a seriously degraded quality of life in this regard. While it can be noted that the area is in a mineral resource overlay (zoning), the overlay was added after many of us moved into the area.

Also lacking in analysis is the road noise going east from the site, and very questionable analysis going west. Although eastern traffic is not part of the proposal, without a condition regarding such, there will very likely be traffic going that way as well. We live on a small country road, and most of the homes are close to the road. When the infrequent gravel truck and trailer passes by, the entire house shakes, both from the noise of the truck/engine, and the constantly used exhaust brake. The noise has been so loud that objects have fallen off of walls, children wake from naps, and any sense of peace and quite country living is shattered. We knew the conditions when we bought property in the area, and were accepting, but a constant

and potentially hundredfold increase in daily gravel truck traffic would be unacceptable for any in the area, especially in light of the fact that Skagit County Planning staff required that my home be built abutting the road rather than the several hundred feet back that I desired to address such issues. These trucks will pass many homes and will cause significant duress for many residents.

Traffic Safety

While it is nice to see that the County added conditions regarding the two 90-degree corners closest to Old 99 on Prairie Road be fixed prior to truck/trailer combos being allowed to access the site in the updated MDNS, glaring omission was made to the status of Grip Road if such happens. As an experienced driver of the types of trucks in question (still hold Class A CDL and have for many years), yes, a dump truck and pup trailer may technically traverse Grip Road from the property to Prairie Road. Reality, however, is far different. Virtually no truck driver is going to consistently traverse this road section safely. Center lines will be crossed and shoulders will be driven upon, it is a given. This creates an issue for taxpayers who will have to repair the road, for the environment that will be degraded by the continual influx of sediment from damage to the shoulder/ditch, and the public safety. There will be no place to safely walk or ride a bike on this stretch of road with trucks and trailers cutting corners. Families walk in the area, ride bikes, and commute on this road (as well as Prairie Road). Also present are hundreds of bicyclists throughout the warmer months with numerous planned rides/races using this area as one of the "safer" routes. With the development of the Tope Ryan Conservation Area (Skagit Land Trust property at Swede Creek on Grip Road) trail system, the lower end of Grip Road has also become a park like setting with many families using the area, walking the road and bridge, and swimming in the river (which can only be accessed after walking from the parking spots down the road). How will this safety issue be mitigated. While I let our older children ride their bikes down to the river now, or their friends house, I cannot allow such with such an increase in industrial truck traffic. My children's safety and basic childhood experience will forever be altered by this proposal.

In over 30 years of living in the area, I have noted numerous very serious accidents at the intersection of Grip and Prairie Roads, one of the worst blind corners in the County. Recent work by Skagit County to extend the site distance has not significantly changed the response time for a driver, and while past lowering of the speed limit has helped some, but having trucks and trailers essentially blocking the intersection throughout the day will lead to disaster, regardless of a blinking warning light (that the drivers will assuredly become numb too).

While Grip Road can technically be argued to be traversable from the property in question to Prairie Road, it absolutely cannot the other way (east). The two 90-degree corners immediately west cannot physically be traversed by a truck and trailer within the bounds of their assigned lanes. Presently, when a truck meets another vehicle, one must stop as the truck must cross into another lane to traverse the corner. It is unclear why traffic analysis did not address this when application materials clearly left open the possibility and likelihood of routing this way (and why the County has only noticed the project with truck traffic going west) without any kind of mitigating measure put forth in the MDNS.

Future Plans

It is the stated purpose of the applicants and the County that Concrete Nor'West that this project is to haul gravel to haul to their other facilities for processing. However, onsite sales

are also mentioned in some documentation, as is residential development. Concrete Nor'West also states their need as the existing pits in their portfolio are being depleted. That begs the question of why would they continue to haul to other pits for processing? It would seem to be much more practical to bring their processing to this site. The issuing of this special use permit with the presently recommended conditions would simply lead to further intensification of the site and all that would entail (onsite processing, retail sales, batch plant construction?). Honesty and consistency on the part of the applicant with proper conditioning of the permit is a must, with an MDNS issued that applies concrete terms, not generalities; to be applied to any issued permits as well. Concrete Nor'West has not been a good neighbor here, or on other properties, and there is no reason to think that would change.

The County has consistently put forth an average number of truck trips per day. The applicants have clearly indicated not wishing to be bound by this number on a daily basis. Using it without any actual limitation or conditions is quite arbitrary and by not putting

Conclusions

Whether I am sure that it was not intentional, the permitting review of this project quite preferential to the applicants and has created a high level of distrust with Skagit County in the local community, and I find that quite unfortunate. It is understood that as a company that supplies materials derived from mining operations that a reliable supply going forward would be a business necessity. However, unlike the other gravel pits in the Concrete Nor'West portfolio, they are not acquiring an existing pit in a neighborhood, but creating a new one in an existing, long established neighborhood. There will be notable environmental, quality of life, and safety impacts with no notable or worthwhile mitigating conditions placed upon the applicants, and in many regards is a slap in the face to the citizens of Skagit County I work with on a daily basis that must comply with Skagit County Code to get their permits. Regardless of the complete lack of understanding of the SEPA process to put a mitigating condition as following County code, in the instance of following the CAO while blatantly ignoring factual errors as pointed out by professionals as well as representative of the Agency which wrote and manages the documentation the County is to follow is appalling.

A cursory exercise in the finances of the project shows that there will be in excess of $100,000,000 of material sold, this is of course before costs and using an average sale price (~$25/cy as typical for 5/8 minus), but reflects the sheer volume of money involved and the resources Concrete Nor'West should be willing and able to mitigate the impacts that they will create. We, the neighbors of this site, and the citizens of the County as a whole, should not have to bear the costs for a private companies profit whether it be lost property values, health and safety, or via sacrifice of local habitat and sensitive environments. While at this time I do not support the project as proposed, the appropriate conditions following review (that is required by Skagit County Code) would make it much more palatable and supportable. This should be via a holistic review of the proposal followed most likely by an EIS.

Thank you for your time and consideration on this matter.

Respectfully,

Matt Mahaffie

From Host Address: 172.92.224.146

Date and time received: 4/30/2021 3:56:38 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Friday, April 30, 2021 4:25:43 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Friday, April 30, 2021 4:20 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Dennis Whitcomb
Address : 19117 Prairie Rd
City : Burlington
State : Washington
Zip : 98233
email : dennis.whitcomb@gmail.com
PermitProposal : PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)
Comments : Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

As a community member and the owner of a working farm on the proposed route for trucks from this mine, I have serious concerns about the SEPA determination issued in response to the development application.

First, several environmental concerns are unaddressed in the MDNS and call for an Environmental Impact Statement under SEPA. The environmental review did not consider the full footprint of the project (in particular, it did not consider the two-mile-long private road along which gravel will be hauled). The Fish and Wildlife Assessment, now more than five years old and thus expired, is incomplete even as it stands (Bull Trout and the Oregon Spotted Frog have been located very near the proposed mine; both of these are classified federally as "Threatened" species; the Assessment must be updated to consider them). Perhaps most importantly from the standpoint of effected community members such as myself, cumulative emission impacts were ignored. Every day I drive my tractor and tend to my animals, right next to the road the gravel trucks will traverse. Cumulative impacts on air quality, for those of us who work and breathe here, should be addressed in an EIS under SEPA.

Second, several road, traffic, and public safety issues are unaddressed in the MDNS (and woefully under-addressed in the Traffic Impact Analysis proposed by Miles Sand and Gravel in October 2020). These too call for further review in an EIS. The MDNS takes a symbolic

step in the right direction by requiring warning beacon systems at the Grip/Prairie and Grip/Mine intersections. But, even given these systems, serious accidents would remain likely. My daughter rode the school bus where those systems would be in place; she did so from 2015-2019. She reported *several* cases in which school buses came dangerously close to gravel trucks. It was not because they were going too fast that these school buses nearly collided with gravel trucks (school buses studiously avoid speeding). It was, instead, because gravel trucks and school buses are both wide vehicles. When these vehicles pass one another, the narrow lanes, tight curves, and tiny shoulders near the Grip/Prairie intersection leave the tiniest of margins for error. Warning beacons will not solve this underlying problem. Even if they are in place, there will remain a significant chance of tragic accidents involving school buses and gravel trucks. The community deserves a full study of this possibility and a solution we can be sure is safe. The cursory analysis by Miles Sand and Gravel, and the symbolic help it has offered via warning beacons, do not give us those things.

These issues should be studied and addressed, at the very least with a complete EIS. I hope that you and your staff think carefully about these points and choose to require one.

Very respectfully,
Dennis Whitcomb

From Host Address: 172.92.233.233

Date and time received: 4/30/2021 4:16:27 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Friday, April 30, 2021 4:34:13 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Friday, April 30, 2021 4:30 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Maria Whitcomb
Address : 19117 PRAIRIE RD
City : Burlington
State : WA
Zip : 98233
email : riarae1@gmail.com
PermitProposal : Special Use Permit Application PL16-0097 and PL16-0098
Comments : Dear Mr. Cerbone,

I am a farmer who lives and works on Prairie Road near the intersection of Old Hwy 99 N. I am writing to request that you do not approve the above mentioned project. My primary objections include safety concerns, environmental concerns and the lack of information provided by the applicant. As a community member, I find it impossible to adequately comment on something that is incomplete, so am submitting a non-exhaustive list of my current objections and concerns.

I respectfully request that you withdraw the MDNS and address the following issues:

>Assess groundwater: How will the well water in our community be affected? How will runoff affect streams and protected animals?

>Property Values: How will this project affect the value of homes and property in our community?
>Air quality: I request that the potential for air quality impacts near the mining site, and also along the haul route be adequately assessed and that the county orders mitigation measures to ensure the community is protected.
>Crime: There have been significant issues with crime occurring at the quarry owned by CNW in Acme, WA. How will CNW ensure those same problems do not occur in our community? I request that Skagit County review the history of criminal activity at other nearby CNW quarries, and that the County puts measures in place to keep our community from suffering from the same issues.
>Road Safety: How will CNW and The County ensure the safety of myself, other road users, children waiting at bus stops and the community at large. Vulnerable road users are protected under SB 5723, a recently enacted WA State Law. Due to the design of the roads, it will be impractical or even impossible for a rock truck to pass a vulnerable road user lawfully, forcing them to either hold up traffic (which, according to RCW 46.61.42 is also against the law if they are holding up 5 or more vehicles).

How will CNW and The County address the increase in traffic congestion along the entire proposed haul route, but especially at the overpass on Cook Road over I-5? That area already regularly backs up onto the freeway and trucks with trailers will only exacerbate the problem.

The danger posed by rock trucks crossing traffic at each intersection along the proposed haul route must be addressed; especially those without designated turn lanes and those that cross oncoming traffic that does not stop, such as the intersection at Prairie Rd, Old Hwy 99 N and Bow Hill Rd. If this project is to proceed, we need adequate shoulders, room to pull safely off the road to let vehicles pass adequate turn lanes and significant upgrades to control the existing intersections.

>Environmental issues need proper assessment. As outlined in the letter sent to your office and posted on the project website (Nov 2020, Jim Wiggins), the July 2015 Graham Bunting Associates (GBA) Fish and Wildlife Habitat Site Assessment report is more than 5 years old which renders it no longer valid. Even before it expired, it did not address a number of critical environmental issues. Again, it is impossible for me to adequately comment on data that has not yet been provided.

As a farmer and resident in the area which would be most highly impacted by the proposed truck route, I have personally witnessed significant problems with the safety of the roads near me already. Adding rock trucks with trailers carrying over 100k pounds will lead to more injury and deaths; there is no other way to say it.

I have personally witnessed so many serious wrecks at the intersection of Old Hwy 99 N and Prairie Rd that I have lost count. The intersection is already woefully inadequate to handle the current traffic volume and prevent serious wrecks. I've had to assist so many people who have wrecked that I actually bought an orange safety vest to help ensure the safety of myself and others while we wait for emergency vehicles to arrive. In 2020 alone, three vehicles went through our fence as a result of wrecks at the corner of Old Hwy 99 and Prairie Rd, and at least that many went through our neighbors fence across the street. In one instance, our neighbors bull actually did get out of the fenced area, and nearly made it to the road.

When Old Hwy 99 N was closed to replace the bridge near Cook Rd, the trucks from Miles Sand and Gravel had to use Bow Hill Rd to haul loads. I ended up behind those trucks a number of times as they crawled up the hill at 15-20 mph in a 35 mph zone. On multiple occasions, impatient drivers passed me and the truck & trailer in front of me, going up Bow Hill Rd in a no passing zone with blind corners. Without a slow lane going up Bow Hill between Old Hwy 99 N and the Skagit Casino, there will be serious wrecks on that stretch of road.

It would be irresponsible for Skagit County to approve such a project until the roads are adequately improved to ensure the safety of both vulnerable road users and drivers. The potential for loss of property value, dust pollution of our air, contamination of our well water, and environmental damage also cannot be ignored. I ask that you withdraw the MDNS and order a proper and complete EIS for the project.

Thank you for your time.

Very best regards,
Maria Whitcomb

From Host Address: 172.92.233.233

Date and time received: 4/30/2021 4:26:17 PM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Monday, May 3, 2021 6:31:55 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Sunday, May 2, 2021 2:25 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Monique Brigham
Address : 22755 Prairie Rd
City : Sedro-Woolley
State : Wa
Zip : 98284
email : Monique@PlumeriaBreezesTravel.com
PermitProposal : Gravel Mine MDMA
Comments : I have many concerns, 1. How can they put this in so close to the river when I am a mile away from it and just to build our small home owner shop we had to have it engineered and sign affidavits stating we would dispose of chemicals properly? This is a lot grander scale of our small homeowner outbuilding. Not to mention the required routine septic system inspections for preservation and concern of the river and water-table....
2. Farmers have to jump through hoops and get hassled for farms that have been there for years but now its ok to put in a huge industrial operation?
3. Traffic? Have the people on the planning committee driven Prairie Rd on a regular basis? It is dangerous enough without adding hundreds more trucks on the road. The road is terrible with the traffic we already have, I live 2 miles from HWY 9 and tend to take Prairie more because there are so many truckers in a hurry on the highway, cutting corners and passing in no passing zones. Samish Island is closed to shellfish harvest due to environmental concerns quite often, I thought we were trying to clean up our rivers, lakes, and oceans.
4. Noise, we all live out here for peace and quiet not constant noise and a convoy of trucks.
I really hope they do not let this project pass.

From Host Address: 50.34.150.136

Date and time received: 5/2/2021 2:24:53 PM

From: Lori Anderson
To: Michael Cerbone
Subject: Comment Letters
Date: Friday, April 30, 2021 11:48:38 AM
Attachments: PDS Comments.msg
PDS Comments.msg

From dept email

From: Lori Anderson
To: Michael Cerbone
Subject: Comment Letters
Date: Friday, April 30, 2021 11:48:38 AM
Attachments: PDS Comments.msg
PDS Comments.msg

From dept email

April 29, 2021

Hal Hart, Director
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097

Dear Mr. Hart and Mr. Cerbone:

I am writing to request that Skagit County Planning and Development Services (PDS) accept comments on the revised, April 15, 2021 Grip Road Gravel Mine MDNS that are submitted via email by the deadline of 4:30 pm on Friday, April 30. Although the MDNS itself states that comments will not be accepted via email, other information included in the MDNS itself and on PDS' website regarding how to submit comments is inconsistent or conflicting, and could lead members of the public desiring to submit comments on the MDNS to believe that emailed comments are acceptable or even required.

The MDNS states " *Email correspondence will not be accepted however comments may be submitted via the PDS website under "recent legal notices" tab. (www.skagitcounty.net/pdscomments").*

1. The use of the phrase "*recent legal notices" tab* is confusing and misleading. There is no "recent legal notices" tab on the PDS website. In fact, when accessed via web browser, nothing resembling a "tab" even appears on the PDS main page at https://www.skagitcounty.net/Departments/PlanningAndPermit/main.htm. Yes, there is a link to recent legal notices under "Popular Topics" on the right-hand side of the page, but this in itself is confusing, especially for those not used to looking for things on the internet.

2. As I noted in an email to Mr. Cerbone on April 20, as of that date, the Grip Road Gravel Mine MDNS notice did not appear on the recent legal notices page. I believe this was corrected later that same day, but there is the possibility that due to this omission, some people may have been discouraged from submitting their comments at all if they tried to do so in the first five days of the comment period.

3. The link provided in the MDNS, *www.skagitcounty.net/pdscomments*, is to a different location than the "recent legal notices page" referenced in the preceding sentence. This is confusing.

4. When you go to the PDS comments page, it can be difficult to determine which section applies with regard to comments on the MDNS. The page distinguishes between "Legislation" and "Permit Applications and Appeals", but I question whether most people not already familiar with the County's public participation process understand that

distinction. What does the term "Legislation" even mean in the context of PDS' mission? Presumably it refers to changes being proposed by PDS to county code or administrative rules, but no definition is provided. When you continue down the page, the next thing you come to is "How to Make a Public Remark or Comment on Legislation", where it states "…all electronic comments **must be sent via email** [emphasis mine] to pdscomments@co.skagit.wa.us." I believe that many people wishing to submit comments on the MDNS would find this at the very least confusing, and unless they are able to make the distinction between the two categories and continue scrolling down to the permit applications and appeals section, may be led to think that that they **must** submit their comments via email.

5. When you access PDS main page using a mobile device and scroll down the page to "Comment Letters", the link provided is to the email address pdscomments@co.skagit.wa.us. This clearly directs anyone wishing to submit comments to do so via email, which conflicts directly with the instructions included in the MDNS. Again, this is at the least confusing and could have led people to submit their comments via email instead of via the electronic comments form on the web page or other "acceptable" means.

In light of the above, I hereby request that PDS accept **all** comments submitted on the revised Grip Road Gravel Mine MDNS via email or otherwise. Furthermore, I request that a notice to this effect be placed immediately on the PDS main page, recent legal notices web page, comments page, and Grip Road Gravel Mine page.

The lapses detailed above demonstrate the weakness of PDS' public participation process, not just in regard to this particular SEPA notice, but overall. It is high time you conduct a thorough review, with public notice and participation, and revise your policies and procedures accordingly.

Sincerely,



John Day
6368 Erwin Lane
Sedro-Woolley, WA 98284
(360) 856-0644
Jday0730@gmail.com

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

April 30, 2021

Michael Cerbone, Senior Planner
Planning & Development Services
Skagit County
1800 Continental Pl
Mount Vernon, WA 98273

Re: Concrete Nor'West
File# PL16-0097/PL16-0098, Ecology SEPA# 202101916

Dear Michael Cerbone:

Thank you for the opportunity to provide comments on the State Environmental Policy Act (SEPA) mitigated determination of nonsignificance (DNS) process for the Concrete Nor'West proposal. Based on review of the checklist associated with this project, the Department of Ecology (Ecology) has the following comments:

The operation will require coverage under the NPDES Sand & Gravel General Permit to authorize the discharge of stormwater and/or process water to surface waters and/or groundwaters from sand and gravel operations. Applicants must submit the Notice of Intent (NOI) application online through Ecology's Water Quality Permitting Portal (WQWebPortal).

Thank you for considering these comments from Ecology. If you have any questions pertaining to the NPDES Permit or would like to respond to these comments, please contact Stephanie Barney at (360) 255-4390 or stephanie.barney@ecy.wa.gov. For assistance navigating the WQWebPortal, please contact Tonya Wolfe (800) 633-6193, option 3 or WQWebPortal@ecy.wa.gov.

Sincerely,

Katelynn Piazza
SEPA Coordinator

Submitted via Skagit County Comment Portal

ecc: Stephanie Barney, Ecology

April 29, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine
File #'s PL16-0097 & PL16-0098

Dear Mr. Cerbone,

Central Samish Valley Neighbor's attorney, Kyle Loring, is submitting comments on behalf of our group regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. That letter provides a more comprehensive review of our concerns regarding this SEPA review process, and we fully support its findings. However, we are also submitting a few additional comments directly to express our concern with the state of this application and permit review process.

Even though this project has supposedly been under review by PDS for more than five years, it appears that very little has changed about the original proposal, especially in terms of protection of the natural environment. In fact, none of the assessments and application documents related to protection of fish, wildlife, and air and water quality have been updated (except the 2017 "Addendum to the Fish and Wildlife Assessment further evaluating ESA listed species", wherein there is a clear disclaimer stating that the addendum is not intended to address requirements of the ESA). The SEPA documents were incomplete and inaccurate in 2016-2017 and they still are. Further, it appears that the County has ignored almost all of the concerns expressed by the community on these matters over the past years. We acknowledge the County's efforts to provide better information regarding traffic and public safety impacts, however the additional traffic analysis has obvious, glaring omissions and the proposed mitigation falls far short.

And, now, there seems to be a rush to push through a new Threshold Determination without truly taking into consideration new public comment (as indicated by publishing the deadline for a SEPA appeal prior to even receiving public comment on the MDNS). This does not feel like a sincere effort at public process.

The volume of information referenced in the MDNS serves mostly to confuse and obfuscate. We have spent countless hours poring through these documents trying to understand what the applicant really proposes to do. And yet, we still don't know how many daily truck trips to expect (presumably somewhere between "46 per day" and "30 per hour"). We are still confused about whether the applicant will adhere to "normal" or "extended hours" scenarios; or, whether they plan to haul during peak traffic hours or not. In addition, if they are allowed to haul during peak hours and/or at volumes up to 30 per hour, why doesn't the MDNS specifically state this and require appropriate mitigation measures? With the modest requirement to fix some of the most glaring safety hazards on Prairie Road prior to using trucks with trailers, we are now confused as to whether they will run more single trucks until this work is completed, or if they might use 'alternative haul routes' instead – potentially generating even larger number of truck trips and/or new haul routes that haven't been evaluated at all for safety concerns. In fact, we still don't know what the haul route will be, with the MDNS simply stating that material will be "transported to nearby facilities for processing or sold directly to market".

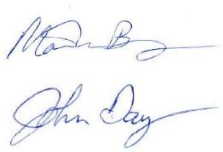
We still find no mention in the traffic analyses of dozens of trucks per day added to the narrow steep "S" curves on the Grip Road hill. Community members have repeatedly expressed the danger of school buses, farm equipment and commuters encountering tandem gravel trucks here, yet it is not even mentioned, let alone evaluated. We find it bewildering that the County has still not required the applicant to clarify these issues.

We don't even know if the County will require a 300-foot buffer on the Samish River, even though this is clearly required by the County's CAO. And, we still don't understand why the applicant wasn't required to conduct an environmental review of the entire footprint of the project, including the two-mile long private haul road that is clearly integral to the project, with approximately 12,000 truck trips annually traveling on it.

This is an industrial scale development located in a vibrant rural community and a sensitive watershed, where no commercial mining anywhere near this scale has occurred. The applicant and the County still don't seem to grasp the magnitude of impact and permanent change this proposal would cause to the place we call home. Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and require a full Environmental Impact Statement that fully evaluates the impacts, appropriate mitigation, and identifies scaled back alternatives.

Thank you for your time and consideration.

Sincerely,



Martha Bray & John Day
6368 Erwin Lane
Sedro-Woolley, WA 98284

Skagit River System Cooperative
11426 Moorage Way • P.O. Box 368 LaConner, WA 98257-0368
Phone: 360-466-7228 • Fax: 360-466-4047 • www.skagitcoop.org

April 30, 2021

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

Reference: Concrete Nor'West gravel pit
(submitted electronically via: County Comment Portal)

Dear Michael,

The Skagit River System Cooperative (SRSC) has reviewed the resubmittal of the proposal by Concrete Nor'West for a gravel pit near the Samish River (PL16-0097 and PL16-0098). The steelhead and coho salmon that spawn and rear in the Samish River and its tributaries are important tribal resources, so we are submitting comments on behalf of the Swinomish Indian Tribal Community and Sauk-Suiattle Indian Tribe.

Depth of Quarry Excavation

We would like to reiterate our previously stated concerns about the bottom depth of excavation for the pit. It is important to prevent ant interaction of surface water and ground water in order to prevent pollution and protect water quality. We understand from the project documents that the extent of gravel mining will not go deeper than 10-feet higher than the groundwater levels surrounding the Samish River in order to prevent this interaction between groundwater and surface water. Limiting the depth of excavation should prevent the gravel pit from becoming a pond, and from river water being affected by groundwater interaction. However, it is important to consider the practicality of conveying this provision to the on-the-ground employees operating the pit decades from now, when that maximum depth of excavation will be approached.

For clarity and certainty, we would like the specific elevation of final excavation to be established as part of the permitting process, and that elevation should be based on Samish River water surface elevations at normal winter flow, not during summer low flow. On-the-ground monumentation should be available onsite with clear signage, located where it won't be disturbed by decades of mining, but close enough to be useful when the pit begins to exhaust its capacity.

Additionally, we would like to see periodic site evaluations every five years with reporting to the Department of Ecology. The evaluations should include a rod-and-level survey to determine the current depth of excavation using onsite monumentation, and an evaluation of the depth of excavation

remaining. This evaluation will serve to continue to convey the provisions and on-the-ground expectations to the employees operating this mine.

We expect there to be no surface runoff from the gravel mine, as pits create a topographically closed depression. Finally, we expect there to be no on-site processing of gravel, as stated in the plans.

Haul Route

The project proponent must expand their environmental assessment to include the haul route from the gate at Grip Road to the mine site itself. The existing onsite haul route is about 2 miles long and was developed for forestry activities. The quantity, seasonality, and duration of traffic; types and weights of vehicles; agency with jurisdiction; and maintenance responsibility will all change with this proposal, and as such, impacts must be considered. The route crosses numerous wetlands, a couple of typed streams, and the gorge and large stream Swede Creek, a known salmon-bearing stream. We have concerns on how the proposal will affect these sensitive areas.
The haul route was apparently widened recently. The as-built drawings recently provided by Semrau Engineering indicate the road is approximately 22 feet wide as-built. Archived airphotos and Google Earth indicate that this road was previously much narrower, approximately 15 feet as measured from airphotos.

I am unclear what permits were acquired to do the road widening, or if the work was under DNR jurisdiction (under FPA # 2816283 or FPA # 2814718) or Skagit County as improvements to a private road at the time. The two FPA's referenced do not indicate any road work or culvert replacements at typed streams would occur, but the roadwork did in fact replace culverts at approximate STA 12+27, STA 64+00, and STA 64+95 which with a cursory assessment and details in the FPA indicate would be Type N or Type F streams.

When this work occurred happens to be easy to ascertain. A 7/15/2018 Google Earth airphoto shows the work underway, with the northern portion of the haul route widened to more than 20 feet, and the southern part of the haul route remains narrow at about 10-12 feet and as in an apparent 2-track condition. An excavator is working at 48.563041, -122.280407. A roller is parked at 48.569462, -122.276716. The widening of the road adds up to more than 2 acres of new compacted gravel (2 miles x 10 feet). We would like to hear details of the design and regulatory approvals for this substantial road widening and project to replace all culverts.

Moving forward, we expect an environmental assessment to survey the road for stream crossings, wetlands, and seeps (of which there are many) to support a design that meets the Skagit County Drainage Ordinance and allows free flow of all surface waters across the road through appropriately sized culverts and ditches for streams and cross drains. We expect all culverts to be appropriately spaced and located, in particular those at approximate road stations STA 12+27, STA 64+00, and STA 64+95 where we believe typed streams to be present. All culverts must be appropriately sized to meet Skagit County Code or Washington State Forest Practices, whichever is more restrictive.

We feel that over the long term that the gravel operations use of this road presents an impact to surface waters and aquatic habitat due to sedimentation and runoff, and presents a greatly increased risk of slope failures that threaten to directly impact Swede Creek. We presume that the BMPs in the ditchline along the road were implemented concurrently with the above-described road work and the 2018 FPA. While remnants of the BMPs were evident in the ditchline (decayed straw wattles) recently, these BMPs

are clearly short-term treatments for forest practices, which typically represent a short duration of heavy use along a forestry road, as in during the harvesting and subsequent replanting activities. However, the proposed mine will have a very long duration (25 years) of a very heavy use (documents indicate 4.6 up to 30 trucks per hour). Typical forest practices short-term BMPs and management of stormwater are likely insufficient, unless scrupulously maintained, to effectively prevent runoff into surface waters.

The type of vehicle that will be utilizing this haul route is also notably different than a typical log truck, which can typically weigh around 88,000 pounds. The application materials indicate that the typical loaded gravel truck and pup will weigh 105,500 pounds, or 20% heavier. This, combined with the vastly greater number of vehicles and duration of the action, must be considered in an adequate drainage and stormwater management plan.

The road and all crossing structures must be assessed to ensure that they are capable of handling the types of traffic expected on the mine service road. We would like to see information specific to the age of the bridge and an onsite assessment by a bridge engineer that the bridge is capable of handling long-term usage by 105,500 pound vehicles; the provided memo is based on a typical engineering drawing dated 1999 and "from the original bridge installation and "photos and descriptions" sent to the engineer by the project proponent. This seems like an insufficient assessment of a bridge that serves as the key haul route for this mining project and is central to our concerns about the risk to aquatic habitat.

From our perspective, the risk of failure at this bridge would bring substantial harm to downstream aquatic habitat and we would like to be assured that this timber bridge is capable of handling the mine traffic. Traffic along the haul route must be adequately planned for, maintained, and mitigated. We request an onsite bridge inspection be completed prior to permitting, and repeated periodically at no less than every 5 years for the duration of the mine. We request this bridge inspection schedule and submittal of inspection reports to Skagit County Public Works be a provision of the permitting of this mine.

We would like to see the applicant submit a maintenance plan for all stormwater and drainage conveyance systems, including the assignment of responsibility for such maintenance. The road maintenance provisions and the stormwater and drainage maintenance plan must be recorded with the permitting of the mine, and enforced and carried out as a provision to the permit, to prevent impacts to surface waters and wetlands in the vicinity of the haul route throughout the duration of this mine.
We also feel that the 2-mile haul route, which has been essentially doubled in width ahead of this mining activity, should be fully assessed by a qualified consultant who can identify sensitive areas, priority habitat areas, wetlands, and streams; quantify the impact; and suggest appropriate and mitigation measures to reduce impacts resulting from this project.

When identifying mitigation measures, we would like to draw attention to an undersized and impassable culvert on a Type F stream located along a spur road on the subject property that we have recorded in a inventory of barrier culverts (48.563983, -122.275181). We suggest as a potential mitigation measure to compensate for road expansion and impacts to remove this culvert and naturalize the stream, or replace this culvert with an appropriately sized culvert based on an assessment of channel dimensions and fish use.

Swede Creek gorge

We have specific concerns about the haul route through the steep valley at Swede Creek. The route crosses a bridge at Swede Creek, which the proponent has designated will be a one-lane bridge with signage. The engineer, Semrau, has provided an as-built drawing set, dated 2018, for the haul route, which supported this review.
Firstly, we would like to see no additional road widening within the Swede Creek gorge. Should any widening be absolutely necessary, the road should be cut into the hillslope and not be built further onto the fillslope.

The slopes in this gorge are very steep, well over 70% at some locations, with delivery possible since Swede Creek is at the toe of steep slopes.

The are a couple of existing road failure issues within the gorge that must be corrected as soon as possible to prevent any further road failures or degradation to water bodies. These existing road failures serve as an example of the types of road issues we are very concerned about. There is presently a 60-80 foot long sidecast crack and slump (12-18" deep) on the fillslope near the top of the hill north of Swede Creek. Any further failure risks sediment delivery directly into Swede Creek. The sidecast failure occurred recently, at a time with relatively little road traffic. With the constant impact of loaded 105,500-pound gravel trucks passing by at a rate of 4.6 to 30 trucks per hour, the compaction, vibration, and degradation of appropriate ditches and drainage features will be constant, greatly increasing the risks that use of this road presents to Swede Creek.

In addition to the sidecast cracking, there are two cutslope failures that have slumped and filled the ditchline. All three of these failures must be immediately addressed to ensure that no further damage to the drainage infrastructure or Swede Creek occur.

In an environment like the Swede Creek gorge, water management is of the utmost importance. This fact cannot be understated. Cross drains and backup cross drains must efficiently transport surface runoff across the road surface and not be allowed to run haphazardly down the ditchline. The outlet of cross drains must be carefully selected by an experienced road designer to ensure that erosion or failure of the fill slope will not be aggravated.

Slope failures and debris slides are disastrous for fish habitat. Debris slides can decimate instream biota and adjacent riparian areas, bury redds and appropriate spawning substrates, and contribute to downstream water quality problems. Road management and reducing the risk of debris torrents originating at forest roads is something that our organization has invested a great deal of time, effort, and money to address and correct, and remains a significant concern of ours at this location.
We understand that the road is proposed for paving at STA 21+00 to 26+00, located within the Swede Creek gorge and within the riparian buffer of Swede Creek. While there are some negative impacts and risks associated with paving due to increased impervious area and increased runoff quantity and speed, we recognize that paving can greatly reduce sediment delivery to streams. We recognize that sediment delivery is one of the greater threats to the aquatic habitat adjacent to this proposal. For that reason, we would like to see consideration of paving both the north and south approaches to the Swede Creek bridge, from hillcrest down to the bridge.

Washington State Forest Practices Board Manual suggests paving within 200 feet of a stream as a BMP for sediment control. "In situations where sediment control devices need to be used long-term consider surfacing that requires little to no maintenance such as chip sealing or paving portions of roads." We feel that would be a prudent BMP in this situation, where permanent management of sediment must be

required. However, as will all surface water management in a steep gorge, paving must be designed with care by an experienced road engineer with experience working with these building materials in steep terrain, to ensure that runoff is carefully managed to avoid erosion or slope failure, and disconnect from streams and wetlands.

We would like to see some improvements to drainage management within the gorge, with additional cross drains installed to ensure capacity and redundancy in the case of slumping into the ditchline, as is presently occurring. This ensures that water can get off the road if a culvert is clogged, rather than run down the road and trigger further slope failures and damage to the aquatic environment. In risky terrain for forest roads, redundancy and maintenance are key. The outlet of any cross drains in the gorge should be disconnected from directly contributing to Swede Creek; this may be in the form of swales, settling basins, sediment curtains, or straw wattles that can prevent pollution from reaching a surface water body. Permanent treatment BMPs should be considered and utilized. Substantial rock aprons should be built at the outlet of all culverts, with particular attention and size emphasized at culverts within the Swede Creek gorge. We feel strongly that to reduce sediment runoff in the gorge, paving, permanent BMPs, and ample cross drainage opportunities can help to reduce impacts.

Road Maintenance

We understand the access road from Grip Road to the quarry (nearly 2 miles) will be designated a Private Road by Skagit County, and the landowner(s) of the road will be responsible for its maintenance. We are concerned about impacts of this road should it go unmaintained over the 25-year duration of this project. Ditches and culvert inlets that become clogged with debris and sediment, potholes, washboards, winter snowplowing that forms windrows along road edges, damaged culverts and aprons, or damage to the Swede Creek bridge all present situations where there are increased and avoidable impacts to surface water bodies.

We would like to see an adequate drainage and stormwater management plan assessing and prescribing improvements to the private haul route. We would like to see applicant submit a maintenance plan for all stormwater and drainage conveyance systems, including the assignment of responsibility for such maintenance. We would like to see a schedule of periodic on-site bridge inspection to assess the Swede Creek bridge and the anticipated traffic level and loads. The road maintenance provisions and the stormwater and drainage maintenance plan must be recorded with the permitting of the mine, and enforced and carried out, to prevent impacts to surface waters and wetlands in the vicinity of the haul route.

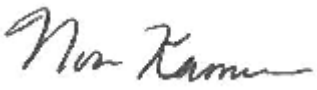
Reclamation

We would like to see the proponent submit a reclamation plan for their proposal, and this plan should be provided for ours and public review. The mine reclamation plan for this site should specify access controls that are adequate to assure that no dumping will occur, either by Concrete Nor'West or any authorized or unauthorized parties. Obsolete gravel pits have a tendency to become dumping grounds for all kinds of waste and trash. If some of that trash were to leach toxic materials into the permeable gravel at the pit, the result could be devastating for Samish River fish. A robust plan to prevent dumping at the pit would be a prudent step at this stage of permitting the mine.

As always, SRSC appreciates the opportunity to comment on this proposal, and we look forward to continuing our collaboration with the County on these matters. If you have any questions about our

comments, or if there is anything that we can provide, please don't hesitate to call me at (360) 391-8472 or email at nkammer@skagitcoop.org.

Sincerely,



Nora Kammer
Environmental Protection Ecologist
Skagit River System Cooperative

LORING ADVISING

By Electronic Portal and Email

April 30, 2021

Hal Hart
Director of Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: File No. PL16-0097 & PL16-0098; Concrete Nor'West Grip Road Gravel Mine
Skagit County Planning and Development Services Mitigated Determination of Nonsignificance

Dear Mr. Hart,

I'm writing on behalf of Central Samish Valley Neighbors ("CSVN") to request that Skagit County Planning and Development Services ("PDS") reconsider and withdraw the Mitigated Determination of NonSignificance ("MDNS") that it issued for the clearing and development of a 68-acre sand and gravel mine ("Mine") along the Samish River. The MDNS conflicts with Washington's State Environmental Policy Act ("SEPA") because it issued without an evaluation of multiple potential environmental impacts from the Project. For example, although prominent issues like the Mine's hours of operation and its encroachment into the 300-foot wetland buffer have been raised consistently since Concrete Nor'West ("CNW") applied for a special use permit for the Mine in 2016, the MDNS does not limit the hours of operation or reject CNW's proposed 200-foot buffer. Its silence on those issues can be presumed to allow CNW to operate the Mine without time limitations, as CNW has asserted that it may, and to mine up to just 200 feet from wetlands that host Endangered Species Act-listed species like the Oregon spotted frog. Yet the neither PDS nor the applicant has evaluated the impacts of those project operations. Absent this information, as well as significant information gaps like the refusal to evaluate private haul road impacts on Swede Creek, a fish-bearing tributary of the Samish River, PDS has not satisfied the SEPA requirement that it fully consider the environmental impacts of the Mine. The MDNS must be withdrawn.

Moreover, PDS must issue a Determination of Significance ("DS") because the information disclosed in the application materials for permits PL16-097 and PL16-0098 indicates that the Mine would cause significant impacts. For example, CNW's traffic impacts analysis confirms that dump trucks and trailers pose a threat to other users on the narrow, high-speed-limit roads that they will traverse.

CNW has had five years to address the potential impacts of its Mine, and while they have slowly piecemealed a few additional documents, they have not demonstrated that the Mine will address the impacts. As the representative of the local community entrusted with ensuring that applicants for large industrial development analyze and address environmental impacts, PDS must respond accordingly and issue a DS and start the Environmental Impact Statement ("EIS") process to address the Mine's impacts.

This letter explains below that: (1) the Project outlined by the application materials; (2) will have a variety of impacts, some unevaluated and others already identified as significant; on (3) its sensitive ecological surroundings and the local transportation network. The MDNS does not adequately condition the Mine to address those impacts.

In drafting this letter, we reviewed application materials that included the following: (1) the March 7, 2016 fact sheet, special use narrative, and project description; (2) subsequent special use narratives and revised project description; (2) SEPA Checklist; (3) fish and wildlife documents by Graham-Bunting Associates; (4) the Hydrogeologic Site Assessment from Associated Earth Sciences; and (5) traffic documents by DN Traffic Consultants. We also reviewed comment letters by state agency officials, consulted with fish and wildlife officials and a traffic engineer, and reviewed publicly-available information about the site and environs like aerial photographs and the regional bicycle map. We have attached the CSVN November 24, 2020 comments on the Project's SEPA process, none of which have been addressed since the submission of that letter, and incorporate it by reference.[1]

A. Project Details.

Concrete Nor'West has applied for a Mining Special Use Permit to excavate approximately 4,280,000 cubic yards of sand and gravel in a 68-acre mine in the Central Samish Valley.[2] CNW projects that the mining would occur over 25 years, though the proposal would not be limited to a specified period of time and the rate of excavation would depend on demand for sand and gravel. The mining would require the clear cutting of timber, followed by excavation that would dig down 90 feet toward the water table. The withdrawn MDNS stated in 2016 that logging would remove approximately 50,000 board feet of timber from the land but there are no updates on the progress of the logging.[3] While the proposed mining would occur on three parcels totaling 77 acres, these parcels form just a portion of an overall block of

[1] Attachment A.
[2] CNW, Revised Project Description (Section A), 8 of 17 (received Feb. 23, 2018).
[3] Skagit County, Notice of Withdrawn and Re-Issued MDNS, 1 (April 15, 2021) ("MDNS").

parcels totaling more than 726 acres.[4] Although the SEPA Checklist suggests that there are no plans for future additions, expansion, or further activity related to or connected with the proposal, a large portion of the other 650+ acres of land have also been designated as Mineral Resource Overlay, with some of it approved for active harvest by the Washington Department of Natural Resources.[5] A noise and vibration study submitted by CNW did not evaluate the noise and vibration impacts that would occur after logging of the larger property.

1. Hours and staffing.

According to CNW, mine hours would be unlimited consistent with its underlying zoning, though normal working hours would typically extend for 10 hours, from 7am to 5pm, six days a week.[6] According to the MDNS, hauling would occur during the workweek, Monday through Friday, and site operations would occur Monday through Saturday.[7] CNW estimates that one to two full-time employees would work on-site and an unspecified number of truck drivers would haul gravel off-site throughout the day.[8] On-site operations would involve heavy equipment like a front-end loader, excavator, dozer, and dump trucks.[9]

2. Hazardous materials.

The Application offers conflicting information about whether hazardous materials will be stored at the site. It responds "Yes" to a question about whether chemicals, waste oils, solvents, and fuels would be stored at the site, and describes the possibility of installing a 2,000-gallon diesel fuel tank.[10] But it also states that "[w]aste oils, solvents, etc. will not be stored on site."[11]

3. Gravel and sand hauling routes and volume.

Application materials offer varying estimates of the amount of truck traffic that the mine would generate. A September 10, 2020 Traffic Impact Analysis ("TIA") by DN Traffic Consultants estimates that under "extended hours conditions," the Mine would generate 29.4

[4] CNW Special Use Narrative, at 2.
[5] SEPA Checklist, 2 of 18 (March 2, 2016); Attachment B shows a DNR timber harvest map for the area, with approved Class II timber harvests marked in blue overlay.
[6] CNW, Revised Project Description (Section A), 8 of 17 (received Feb. 23, 2018).
[7] Skagit County, Notice of Withdrawn and Re-Issued MDNS, 1 (April 15, 2021).
[8] CNW, Revised Project Description (Section A), 8 of 17 (received Feb. 23, 2018).
[9] CNW, Revised Project Description (Section A), 10 of 17 (received Feb. 23, 2018).
[10] CNW, Revised Project Description (Section A), 10 of 17 (received Feb. 23, 2018).
[11] CNW, Revised Project Description (Section A), 10 of 17 (received Feb. 23, 2018).

truck-and-trailer trips per hour.[12] The TIA does not define extended hours or explain why the site would be limited to that number of trips if demand were high enough to require greater production. DN Traffic Consultants' earlier memo, aptly-titled "Maximum Daily Truck Traffic," estimated that a realistic maximum number of trips for truck-and-trailer was 60 trips per hour.[13] That study assumed that increased demand for material would lead to increased production at the site, limited only by the (likely artificial) logistical consideration of the number of truck and pups available in Skagit County.[14] DN Traffic explains in its TIA that the ~30 trips per hour that it estimates for a higher end number is based on the anticipation that the Mine could generate up to 5000 tons per day. It does not explain how this production amount was derived and does not explain the inconsistency between the ~30 trips figure and the 60 truck-and-trailer trips per hour that it deemed a realistic maximum in its Maximum Daily Truck Traffic memo.

The gravel and sand would be hauled by trucks and trailers forced to navigate narrow rural roads with medium to high speed limits. The original road special use narrative stated that hauling would occur along Old Highway 99, Prairie Road, and Grip Road.[15] Subsequent documents identified Bow Hill Road and F&S Grade Road as potential route extensions. Road widths along these routes are just 20-22 feet and they allow speeds up to 50 mph. Although the TIA suggests that shoulders exist along each of these roads but Grip Road, the Skagit County Bike Map identifies Grip Road, Prairie Road, and F&S Grade Road as roads without shoulders.[16] A simple review of these roads through google maps' street view function confirms that paved shoulders are largely non-existent on those roads, though some stretches contain large gravel that promptly slopes down to a ditch. In addition, the TIA asserts that there are no known bike routes in the subject area, yet the readily-available Skagit County Bike Map identifies Prairie and F&S Grade Roads as part of a federal bike route, US Route 87. Local residents have communicated that guard rails have been installed along a significant stretch of Prairie Road, shrinking the width available for cyclists and pedestrians outside the actual roadway to nothing.

The transportation documents associated with the application do not prescribe a haul route, but instead contemplate multiple options. The TIA states "[i]t is estimated that 95 percent of the trips will be assigned to and from the west on Prairie Road; with 80 percent south to the existing Belleville Pit Operation using either Old Highway 99N or I-5 south; ten (10) percent of the trips to end users via I-5 south, five (5) percent to end users west of I-5 on Bow

[12] DN Traffic Consultants, Traffic Impact Analysis for Grip Road Mine (Sept. 10, 2020).
[13] DN Traffic Consultants, Memo re: Grip Road Gravel Pit, Maximum Daily Truck, 2 Traffic (Nov. 30, 2016).
[14] DN Traffic Consultants, Memo re: Grip Road Gravel Pit, Maximum Daily Truck, 2 Traffic (Nov. 30, 2016).
[15] CNW, Grip Road Special Use Narrative, page 9 of 17 (March 7, 2016).
[16] See Skagit Valley Bike Map, attached hereto as Attachment C.

Hill Road; and five (5) percent to end users east of the Mine access via Grip Road."[17] One of the options in the TIA assumes that truck/trailer combinations using Old Highway 99 would be short-loaded to comply with current weight restrictions on the Old Highway 99 Samish River bridge or that those restrictions would be removed. The Application does not evaluate the number of truck trips that would be required if vehicles were short-loaded to meet current bridge weight limits. The Application's revised project description identifies the route through Grip Road, Prairie Road, and Old Highway 99 North.[18]

In addition, although the Application does not describe the on-site haul route on CNW property, a review of aerial photographs indicates that it would stretch for more than two (2) miles between the Mine and Grip Road.

4. Independent review of transportation documents.

Although CNW has provided several documents about the Mine's traffic impacts, a review by Jeffrey Hee, P.E., Senior Transportation Engineer at Transportation Solutions Incorporated ("TSI") reveals that some impacts have yet to be addressed and others have not been fully evaluated.[19] Mr. Hee analyzed project documents, including the traffic reviews by DN Traffic Consultants, and discovered the following unresolved issues:

- the maximum trip generation numbers and frequency of maximum trip hours and days for the Mine have not been finalized. The Application offers conflicting information about the maximum traffic to be generated, and County conditions could require trucks without trailers, which would decrease capacity for each shipment and therefore increase the number of trips to ship the same overall volume of material. Also, the Application does not identify whether the trip generation numbers account for on-site workers and non-haul mining operations (page 3);

- site distance impacts were not evaluated based on common industry practice that contemplates the use of 85th-percentile design speeds from the County's Road Standards. Instead, even though those 85th-percentile speeds were readily available on the Skagit County of Governments website, DN Transportation relied on lower posted speeds for its modeling. This may underrepresent sight distance risks (page 4);

- site distance impacts were not evaluated for the intersection where the site access road meets Grip Road, based on the mistaken assumption that it wasn't required for a lower

[17] DN Traffic Consultants, Traffic Impact Analysis for Grip Road Mine, 13 (Sept. 10, 2020).
[18] CNW, Revised Project Description (Section A), 9 of 17 (received Feb. 23, 2018).
[19] Memorandum from Jeff Hee to John Day and Martha Bray re: Grip Road Gravel Mine Traffic Analyses Peer Review Comments (April 30, 2021) (attached hereto as Attachment D).

volume road (page 4);

- no mitigation was proposed to address site distance impacts at the Grip Road/access road intersection for egress to the east, and no analysis occurred to determine whether a gravel truck or truck/trailer combination can safely navigate the road network east of the mine (page 4);

- intersection sight distances were not evaluated for truck/trailer combinations at the intersection of F&S Grade Road and Prairie Road. Consequently, Mr. Hee recommended preventing the hauling on F&S Grade Road (page 5);

- the significant truck-trailer impacts that the TIA identifies between the site and Old Highway 99 have not been fully addressed (pages 1, 5);

- there has been no analysis of safety impacts associated with truck-and-trailer combinations traveling east of the Mine access. Mr. Hee recommended preventing hauling east of the Mine site (page 5-6);

- the Application does not evaluate traffic impacts associated with the redistribution of truck traffic onto Cook Road due to Samish River bridge weight limits. This is important given the traffic issues that WSDOT and Skagit County have identified for the Cook Road interchange at Old Highway 99 (page 6);

- the Application does not provide detailed specifications for the type(s) of vehicle(s) it modeled for transportation impacts, preventing confirmation of its results (page 5).

Specifically, with regard to site distance and haul route concerns, Mr. Hee notes at pages 5 and 6 that the following comments and questions should be answered:

- is the County's vision clearance triangle satisfied in the study area?

- what speed is needed to achieve site distance at the study locations?

- are sight distance exhibits available for public review?

- Why are total crashes different in some of the Tables in the TIA?

- Will the applicant complete the improvements recommended by the TIA for the intersection of Prairie Road and Old Highway 99?

- Why doesn't the TIA provide conclusions about whether the project traffic will increase the frequency and severity of collisions on the haul route given the route's geometric and sight distance constraints?

B. Valuable Ecological Setting.

The 68-acre mine site and associated properties provide important terrestrial and aquatic habitats. The Samish River, a salmon-bearing river, winds for more than one-quarter mile along the eastern portion of the mine property. Associated wetlands extend toward the Mine from the river's active channel and flood plain, though it is unknown just how close the edges of the wetland reach to the proposed mining area because they have not been delineated.[20] Swede Creek, a documented fish-bearing stream, would be traversed by every truck hauling gravel and sand to and from the Mine on the private haul road. The Application does not acknowledge the private haul road as part of the project and therefore does not evaluate impacts to wetlands along that route[21] or to Swede Creek from the haul road that crosses it.[22] A fish-bearing tributary to the Samish River crosses the southeastern corner of the Mine site.

1. Lack of analysis of undersized Mine buffer.

According to the project description set forth in the MDNS, the Mine would observe a 200-foot wetland buffer rather than the 300-foot buffer required for the wetlands associated with the Samish River. The MDNS refers to the mining of approximately 4,280,000 cubic yards of sand and gravel.[23] According to its Special Use Narrative, CNW will be able to extract 4,280,000 cubic yards of material if it mines up to 200 feet from the estimated edge of the wetlands, and approximately 3,942,000 cubic yards if it observes the required 300-foot buffer.[24] By embracing the larger volume, the MDNS indicates PDS' approval of a 200-foot buffer for the Mine.

A buffer of at least 300 feet applies to the Mine as a high intensity land use adjacent to a Category II wetland.[25] According to the Skagit County Code, "high intensity land uses" include "land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium- and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and commercial and

[20] As explained below, the applicant estimated average widths for the river, its floodplain, and associated wetlands, but did not survey or delineate the boundaries of those areas and thus has not specifically measured them.
[21] See Attachment E, map created with Washington Department of Fish and Wildlife mapping tool for identifying site-potential tree height, showing wetlands and drainages near haul road.
[22] Graham-Bunting Associates, Fish and Wildlife Site Assessment: Parcels 50155, 125644, 125645, 1 (Aug. 20, 2015) (circle showing limits of area reviewed around 68-acre mine site) (hereafter "GBA Assessment").
[23] *Compare* MDNS, at 1 *with* CNW Special Use Narrative, at 1.
[24] CNW Special Use Narrative, at 1.
[25] Skagit County Code 14.24.230.

industrial land uses."[26] The Mine qualifies as a commercial and industrial use of the land, and the clear-cutting of existing forest and conversion to a sand and gravel mine qualifies as a high level of human disturbance and substantial habitat impacts. In addition, the Application does not evaluate the angle of the slope in the buffer to determine whether it is greater than 25%, and thus warrants an extension of the buffer 25 feet past the top of the slope.[27]

In addition, by clearing the forest into the buffer, the Mine would eliminate functions that the forest furnishes the productive riparian zone, including: (1) maintaining water quality; (2) controlling fine sediment; (3) contributing large woody debris; (4) providing shade and moderating the microclimate; (5) contributing litter fall and organic matter; (6) moderating site hydrology and stabilizing slopes; and (7) providing fish and wildlife habitat.[28]

This riparian zone where the aquatic environment transitions to a terrestrial environment is essential for the Oregon spotted frog--listed as endangered by Washington in 1997 and threatened federally in 2014--that relies on the wetlands and environs.[29] The US Fish & Wildlife Service has identified critical habitat for the frog that extends from far upstream on the Samish River and includes the mine property adjacent to the river.[30] The 2017 GBA Addendum acknowledges that these wetlands meet the definition of critical habitat for the spotted frog due to their size, saturated soils, and shallow ponds.[31] The GBA Addendum includes a photograph showing these ideal conditions, as well as a hand-drawn line intended to reflect the edge of the saturated area.[32]

However, neither the SEPA Checklist nor the Application's documents by Graham-Bunting evaluate the impact on the Oregon spotted frog or other wetland species of converting one-third of the riparian buffer into a gravel mine. Consistent with the proposal to mine up to

[26] SCC 14.040.020 (emphasis added).
[27] SCC 14.24.230(2).
[28] *See* Washington Department of Fish & Wildlife, *Riparian Ecosystems, Volume 1: Science Synthesis and Management Implications* (July 2020), *available at:* https://wdfw.wa.gov/sites/default/files/publications/01987/wdfw01987.pdf (last visited April 29, 2021); May, *Stream-Riparian Ecosystems in the Puget Sound Lowland EcoRegion: A Review of the Best Available Science*, 25-26 (2003) *available at:* https://salishsearestoration.org/images/d/d1/May_2003_riparian_best_available_science_puget_lowland.pdf (last visited April 29, 2021).
[29] Graham-Bunting Associates, Addendum to Fish and Wildlife Site Assessment: Parcels 50155, 125644, 125645, 1 (April 18, 2017) (hereafter "GBA Addendum").
[30] *See* US Fish and Wildlife Service Critical Habitat for Oregon Spotted Frog map attached to that addendum that shows critical habitat on the Mine property, attached hereto as Attachment F.
[31] GBA Addendum, at 1.
[32] GBA Addendum, at 2.

200 feet from the wetland, the GBA Addendum suggests that a 200-foot buffer is sufficient to protect aquatic life, but does not offer any justification for that assertion other than the absurd claim that clear-cutting a forest and converting it to a sand and gravel mine is a "medium" intensity use.[33] Nor does the GBA Addendum indicate why a 200-foot buffer would protect the Oregon spotted frog when Skagit County's critical areas ordinance requires a 300-foot buffer to protect the Category II wetland from the impacts of high intensity land uses like mining operations.[34] In fact, the GBA Addendum expressly disclaims that it is not intended to be used for the purpose of evaluating the spotted frog under the Endangered Species Act.[35]

2. Lack of response to Ecology concerns.

In addition to overlooking the impacts of developing 1/3 of the buffer intended to protect species such as the Oregon spotted frog, CNW declined to address state agency concerns expressed by Doug Gresham, the Washington Department of Ecology wetland specialist responsible for Skagit County. In his initial April 7, 2016 email, Mr. Gresham stated that wetland impacts should be avoided by refraining from excavating within the buffer area associated with the Samish River and its associated riparian wetlands and that any wetlands identified on the property that would be impacted should be delineated and permits should be submitted to Ecology.[36] In a June 1, 2016 comment letter, Gresham declared that additional wetland requirements include: (1) flagging of the ordinary high water mark along the Samish River banks by a qualified biologist, and survey of the boundaries; (2) a jurisdictional determination from the U.S. Army Corps of Engineers stating whether the delineated wetlands on the property are under federal jurisdiction; (3) ratings of all wetlands based on Ecology standards; (4) a critical area report describing wetland conditions on the property, wetland data sheets, wetland rating forms, and photographs; and (5) a mitigation plan for unavoidable wetland and buffer impacts per Ecology standards.[37] In addition, Mr. Gresham noted in his June 1, 2016 correspondence that the Application omitted maps showing associated wetlands or the ordinary high water mark of the Samish River.[38]

Six months later, Mr. Gresham supplemented his earlier comments by expressing a

[33] GBA Addendum, at 2.
[34] Skagit County Code 14.24.230.
[35] GBA Addendum, at 2.
[36] Email from Doug Gresham to Planning & Development Services re: PDS Comments (April 7, 2016);
[37] Gresham letter to J. Cooper re: Ecology Comments on the Grip Road Gravel Mine, Project File # PL16-0097 and PL16-0098, 2 (June 1, 2016) (hereafter "Gresham June 2016 Comments").
[38] Gresham June 2016 Comments.

concern with CNW's use of a 200-foot buffer rather than the required 300-foot buffer.[39] Gresham stated that CNW needed to address the gravel mine's encroachment into the 300-foot buffer.[40] Gresham also stated that he had "a concern with the access road that will need to be improved to accommodate 46 truckloads a day, which could impact wetlands and streams. This access road may need to be widened, the Swede Creek bridge may need to be upgraded, and storm water drainage features may need to be reconfigured."[41] Gresham noted that these issues had not been addressed.[42]

Notwithstanding these clearly-stated agency concerns, CNW continues to propose to excavate up to 200-feet from what it assumes is the ordinary high water mark of the Samish River and associated wetlands without delineating the specific location of the river's edge, its floodplain, or the associated wetlands. CNW did not supplement the Application with a survey or flagging of the edge of Samish River, delineation of wetlands on the property (including any wetlands along the haul route), critical area reports for wetlands, a mitigation plan, or a discussion of impacts associated with the Swede Creek bridge or haul road development on the creek or wetlands. Instead, an engineering and surveying group drew a map with estimates for the location of Samish River "plotted from May 2011 aerial photo" and "wetland at toe of slope from LiDAR data and field observation," without a delineation survey.[43] The map is captioned "alternate 300 foot buffer," but none of the application materials indicate that CNW has decided to apply anything other than a 200-foot buffer. The map shows what appear to be roads or mining areas extending into the estimated buffer.

3. Water quality and quantity impacts.

Drainage from the site currently flows to the Samish River both above and below ground. The Application indicates that the mining would occur in an area that is currently elevated about 90 feet above the river and its associated wetlands (50-75 feet above the valley floor in the eastern portion of the site), and that groundwater from the site flows in a northerly direction and discharges to the Samish River.[44] According to the Application, CNW would construct a berm approximately 200 feet landward of the assumed wetland edge in order to

[39] Gresham email to Planning & Development Services re: Ecology Comments on the Grip Road Gravel Mine, Project File # PL16-0097 (Dec. 23, 2016).
[40] *Id.*
[41] *Id.*
[42] *Id.*
[43] Semrau Engineering and Surveying, Pre-Mining Topographic Survey Map, Grip Road Gravel Mine (7-31-2018).
[44] GBA Assessment, at 3; Associated Earth Science Incorporated letter to Concrete Nor'West re: Hydrogeologic Site Assessment, Concrete Nor'West – Grip Road Mine, 3 (Aug. 21, 2015) (hereafter "Hydrogeo Assessment").

direct drainage from the site to the gravel floor for infiltration into the groundwater.[45] The Application does not evaluate whether that berm and mine infiltration would redirect surface water away from the wetlands and river complex and thus dewater these sensitive ecological features, or analyze the impacts of that dewatering.

Application materials offer conflicting information about whether the Mine would reach the water table. Although the GBA Assessment states that the mine would be excavated to a depth of 10 feet above the water table, the SEPA Checklist states that the Mine would be excavated to a depth of 154-163 feet above mean sea level while the hydrogeological assessment found the water table at 145-155 feet above mean sea level.[46] The Application did not evaluate whether excavation to a depth of 154 feet would interfere with a water table at 155 feet.

C. SEPA Requires Withdrawal of the MDNS Because the Application Does Not Supply PDS With Sufficient Information to Fully Consider the Project's Environmental Impacts.

PDS must withdraw the MDNS because it has not fully considered the environmental and ecological effects of CNW's sand and gravel mining proposal. RCW 43.21C.030; *see Boehm v. City of Vancouver*, 111 Wn. App. 711, 717, 47 P.3d 137 (2002). For example, PDS issued the MDNS without analyzing the impact of clearcutting and mining a large portion of a wetland buffer intended to protect wetland species like the federally-threatened and state-endangered Oregon spotted frog. Nor has the Application evaluated impacts associated with the private haul road that will traverse Swede Creek and travel near uncategorized and unsurveyed wetlands. The Application also omits a full analysis of the risk to human health and safety from a haul route that involves public roads where the proposed truck and trailer would not be able to stay in its lane on two-lane roads with speed limits up to 50 mph, and risks associated with the sight distance at the intersection of Grip Road and the site access road. In the absence of this information, PDS has not satisfied its duty under SEPA to fully consider the project's adverse environmental impacts.

SEPA requires agencies to "consider total environmental and ecological factors to the fullest extent when taking 'major actions significantly affecting the quality of the environment.'" *Lassila v. City of Wenatchee*, 89 Wn.2d 804, 814, 576 P.2d 54 (1978) (quoting *Sisley v. San Juan County*, 89 Wn.2d 822, 830, 567 P.2d 1125 (1977)). To determine whether an environmental impact statement is required for a major action, the responsible governmental

[45] GBA Assessment, at 3.
[46] GBA Assessment, at 3. *Compare* SEPA Checklist, at 3 *with* Hydrogeo Assessment, at 3.

body must first determine whether the action will cause significant impacts and render a threshold determination accordingly. RCW 43.21C.030(2)(c); *Boehm*, 111 Wn. App. at 717.

Agencies must first ensure that the proposal is properly defined. WAC 197-11-060(3). Every part of a proposal that combines to form a single course of action must be evaluated in the same environmental document. WAC 197-11-060(3)(b). Thus, where different parts of the same proposal could not proceed unless they are implemented simultaneously, they must be evaluated together. WAC 197-11-060(3)(b)(i). Because the Mine could not function without the use of the private haul road to transport the product off-site, environmental impacts associated with the use of that road must be evaluated as part of the project's SEPA review.

A major action significantly affects the environment when it is reasonably probable that the action will have more than a moderate effect on the quality of the environment. WAC 197-11-794; *Boehm*, 111 Wn. App. at 717 (citing *Norway Hill Pres. & Prot. Ass'n v. King County Council*, 87 Wn.2d 267, 278, 552 P.2d 674 (1976)). Significance involves a proposal's context and intensity; an impact may be significant if its chance of occurrence is low but the resulting impact would be severe. WAC 197-11-794.

To evaluate an action's effects, a responsible official like PDS must: (1) review the environmental checklist and independently evaluate the responses of the applicant; (2) determine if the proposal is likely to have a probable significant environmental impact; and (3) consider mitigation measures that the applicant will implement as part of the proposal. WAC 197-11-060(1); WAC 197-11-330; *Indian Trail Prop. Ass'n v. Spokane*, 76 Wn. App. 430, 442, 886 P.2d 209 (1994). In reviewing a project's impacts, an official must review both direct and indirect impacts and both short-term and long-term impacts. WAC 197-11-060(4). If the responsible official's review concludes that the proposal will not cause probable significant adverse environmental impacts, she issues a determination of nonsignificance ("DNS"). WAC 197-11-340. Conversely, a finding of probable significant adverse environmental impact leads to the issuance of a Determination of Significance ("DS"). WAC 197-11-360. A determination of significance triggers the need for an environmental impacts statement to review the project's identified impacts. WAC 197-11-360.

An agency that determines that a proposal will not result in a significant impact bears the burden of demonstrating "that environmental factors were considered in a manner sufficient to be prima facie compliance with the procedural dictates of SEPA." *Bellevue v. Boundary Rev. Bd.*, 90 Wn.2d 856, 867, 586 P.2d 470 (1978) (quoting *Lassila*, 89 Wn.2d at 814). For example, the threshold determination must be based on information sufficient to evaluate

the proposal's environmental impact. *Boehm*, 111 Wn. App. at 718. In addition, a court will not uphold a DNS unless the record demonstrates that the government gave actual consideration to the environmental impact of the proposed action or recommendation. *Boehm*, 111 Wn. App. at 718. An incorrect threshold determination will be vacated because it thwarts SEPA's policy to ensure the full disclosure of environmental information so that environmental matters can be given proper consideration during decision-making. *Norway Hill Pres. & Prot. Ass'n v. King County Council*, 87 Wn.2d 267, 273, 552 P.2d 674 (1976)).

The MDNS, SEPA Checklist, and associated application materials here demonstrate that PDS did not adequately consider the environmental factors, "in a manner sufficient to be a prima facie compliance with the procedural dictates of SEPA." *Lassila v. City of Wenatchee*, 89 Wn.2d 804, 814, 576 P.2d 54 (1978). The MDNS is not based on information sufficient to evaluate the proposal's environmental impact, as identified below and as exemplified by the lack of response to riparian and wetland requirements noted by Doug Gresham, Ecology's wetland specialist for Skagit County.

1. The MDNS is not based on information sufficient to evaluate the proposal's environmental impact.

The sections below summarize some of the information omitted from the Application that is necessary to fully understand and consider the Mine's environmental impacts. For more detailed descriptions and additional flaws, please see the CSVN November 2020 comment letter at Attachment A.

a. Lack of review of impacts within the Project's full footprint.

The application materials do not evaluate environmental impacts associated with the two-mile-long private haul road that transects the applicant's larger contiguous ownership and traverses Swede Creek, even though industrial-scale use of this haul road is a crucial element of the Project. For more information about this omission, see Attachment A, CSVN Letter at 4.

b. Lack of review of climate impacts associated with hauling sand and gravel.

No application materials, including the SEPA Checklist, evaluate the climate change impact associated with carbon emissions from mining and hauling more than 4 million cubic yards tons of sand and gravel over a 25-year period. Indeed, the SEPA Checklist asserts that, "[t]here are no off-site sources of emissions that would impact the proposal."[47] For more

[47] SEPA Checklist, at 5.

information about this omission, see Attachment A, CSVN Letter at 5 (identifying off-site and cumulative impacts omitted and ignored).

c. Lack of review of impacts from converting 1/3 of a forested buffer into a gravel mine, including impacts to listed species.

Although the MDNS contemplates the mining of more than 4 million cubic yards of sand and gravel, which would occur only if PDS applies a 200-foot buffer rather than the required 300-foot buffer, neither CNW nor PDS evaluated the impacts of reducing the buffer by 100 feet over a stretch of approximately ¼ mile. Nor does the Application review the impacts of this reduction on the listed Oregon spotted frog that relies on the wetlands and environs for its habitat.

d. Lack of sufficient information about wildlife impacts.

Notwithstanding that the Project would convert at least 51 acres of forested land to a gravel pit, the Application does not identify or analyze impacts to native fauna. CSVN have communicated to PDS that bears, cougars, and bobcats have been known to frequent the area and that local residents regularly observe the use of that area as a wildlife corridor between Butler Hill to the south and the Samish River valley and Anderson Mountain to the north. Yet the SEPA Checklist asserts that the property is not an animal migration route. In addition to providing critical habitat for the Oregon spotted frog, bull trout, and Puget Sound steelhead, the Samish River and its associated wetlands provide important habitat for a wide range of species that include river otters, beavers, bald eagles, belted kingfishers, great blue herons, spotted sandpipers, and numerous species of migratory songbirds. The Application should be supplemented to identify the animal species that inhabit or necessarily transit that area and analyze the impacts of turning that land into an open gravel pit and the impacts of converting what is presumably a lightly-used forest road to heavy industrial use.

e. Potential water pollution impacts.

The Application repeatedly states that stormwater will be infiltrated at the site, and notes that the groundwater flows to the nearby Samish River, but does not evaluate whether spills of fuels or other hazardous materials will impact the river's water quality after traveling through, ultimately, just 10 feet of ground before entering the groundwater. The Application also does not evaluate potential impacts from stormwater runoff of the private haul road, including sedimentation and petroleum products entering Swede Creek or wetlands east of that road. The Application must evaluate the potential for water pollution and the effects on Samish River and Swede Creek.

f. Lack of requisite Critical Areas review.

Skagit County has incorporated the goals, policies, and purposes of its Critical Areas Ordinance ("CAO") into its SEPA policies.[48] Consequently, to satisfy its duties under SEPA, the County must require compliance with CAO directives like the standard review of impacts that includes the submission of a critical area checklist and/or a site plan that shows the location of the proposed activity and associated area of disturbance in relation to all known critical areas or critical areas indicators.[49] The County must then review these project documents, complete a critical areas staff checklist, inspect the site, and complete the critical areas field indicator form.[50] Where the County's review concludes that the proposed activity extends to within 200 feet of critical area indicators or a distance otherwise specified by the chapter, it must require a critical areas site assessment. Ultimately, this process should result in protected critical areas being delineated and their outer edges and buffers marked permanently.[51]

With regard to wetlands, any proposed high impact land use within 300 feet of wetland indicators, and any other proposed land use within 225 feet of wetland indicators, requires a wetland site assessment.[52] The site assessment must result in a wetland delineation, classification, site plan with wetland and buffer boundaries, and functions and values analysis.[53]

CNW's application does not satisfy these standards and thus does not meet Skagit County's SEPA requirements. The Application does not identify wetlands adjacent to the haul road at all, much less conduct a wetlands assessment for the impacts associated with the proposed hauling. The Application does acknowledge the existence of wetlands associated with the Samish River, but does not include a delineation, site plan with delineated boundaries depicted in relation to the Mine activities, or a full functions and values assessment. Absent this information, the County does not have sufficient information to issue a threshold determination.

g. Lack of sufficient review of noise impacts.

The Application's noise studies rely on a flawed methodology and overlook the planned

[48] SCC 14.24.060(3).
[49] SCC 14.24.080(1).
[50] SCC 14.24.080(2) (note that these reviews must occur to determine whether activities that are within 200 feet of critical areas or their buffers, or a distance otherwise specified by the CAO).
[51] SCC 14.24.090.
[52] SCC 14.24.210.
[53] SCC 14.24.220.

removal of the forest buffer between the Mine and neighboring properties. For more information about this omission, see Attachment A, CSVN Letter at 13-14.

h. Lack of sufficient review of recreation impacts.

The Application omitted any acknowledgement or analysis of impacts to cycling along regional and federal bicycle routes. For more information about this omission, see Attachment A, CSVN Letter at 14-15.

i. Lack of sufficient information about transportation impacts.

As identified above, the Application omits significant, necessary information about potential traffic impacts, including final maximum traffic generation numbers, site distance impacts for intersections like that at Grip Rd/site access road, modeling with speeds anticipated by Skagit County's Road standards, mitigation for site distance impacts, the impact of truck-trailers crossing the centerline between the site and Old Highway 99, travel east of the Mine, and the redistributed traffic to Cook Road. These must be addressed.

2. The MDNS issued absent consideration of applicable mitigation measures.

While the MDNS included several conditions, the vast majority of them merely require compliance with existing standards (though the MDNS did not require observation of Skagit County's 300-foot buffer and instead embraced CNW's decision to apply only a 200-foot buffer). To the extent that the MDNS included conditions for transportation impacts, it merely directs CNW to avoid hauling with trailers or to design and construct unidentified road improvements on two turns on Prairie Road. Other mitigation measures that should have been considered include:

- Scaled-back size of mine;
- Scaled-back rates of extraction;
- Limiting hours of operation to daylight hours during the workweek. This would partially address areas where the site distance is impaired;[54]
- Limiting the daily number of truck trips;
- Protections from sedimentation and stormwater drainage into Swede Creek;
- A drainage/runoff plan for the length of the private haul road to prevent surface water impacts from heavy traffic on the haul road;

[54] Per recommendation of Transportation Solutions, at 4.

- Requiring roadway upgrades to decrease the likelihood of collisions between Project trucks and other vehicles, bicycles, and pedestrians; and
- Identifying a prescribed haul route.

D. Conclusion.

Notwithstanding the five-year interval since CNW initially applied for the special use permits, it has not supplied PDS with environmental information about the proposal sufficient to warrant a threshold determination. PDS issued the MDNS without fully considering the Project's significant environmental impacts, from loss of habitat for an endangered frog to traffic impacts to impacts associated with the private haul road. CSVN therefore asks PDS to correct that mistake by withdrawing the MDNS and by coordinating with the Applicant to conduct an EIS for the significant impacts referenced above.

In addition, CSVN requests that PDS publish online the comments submitted to address the MDNS as soon as possible.

If you have any questions, please contact me at 360-622-8060 or kyle@loringadvising.com.

Sincerely,

Kyle A. Loring
Counsel for Central Samish Valley CSVN

Cc: Michael Cerbone
Martha Bray
John Day

Attachs:

A. CSVN Letter to Hal Hart re: Proposed Grip Road Gravel Mine #PL16-0097—Comments on SEPA Review

B. WDNR timber harvest map

C. Skagit Valley Bike Map

D. Grip Road Gravel Mine Peer Review Traffic Impact Analysis

E. WDFW map showing wetlands and drainages near haul road

F. US Fish and Wildlife Service Critical Habitat map for Oregon Spotted Frog

ATTACHMENT A

By Email

November 24, 2020

Hal Hart, Director and Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Proposed Grip Road Gravel Mine #PL16-0097—Comments on SEPA Review

Dear Mr. Hart and Mr. Cerbone:

We are writing on behalf of the local community group Central Samish Valley Neighbors (CSVN) to comment on the large new gravel mine along the Samish River proposed by Miles Sand and Gravel/Concrete Nor'West (CNW) in their application for a mining Special Use Permit (SUP) #PL16-0097. Our comments identify information that the County still needs to obtain in order to conduct an adequate review of the impacts that the proposed mine would cause. This information involves the need for both project details and the evaluation of environmental impacts. We are submitting this letter in advance of the renewed public process that Skagit County has committed to conducting[1] with the goal of informing your decision as you restart that process.

As you know, we have been expecting a decision from Skagit County Planning and Development Services (PDS) regarding next steps with this application for many months. Given the uncertainty about the timing of the new public process, we are taking this opportunity to provide you with our concerns. This also allows some of our members who were excluded from the initial State Environmental Policy Act (SEPA) process due to notification flaws to address the project impacts before more time passes. We anticipate following up with additional comments when the PDS issues the revised SEPA determination promised on its website.[2] As the County reopens SEPA and public review for the application, we respectfully request that you respond to community concerns, withdraw the 2016 MDNS, and require a full environmental impact statement (EIS) for the project that takes into consideration all of the environmental impacts.

[1] We are referring to the Skagit County Prosecuting Attorney's representation in a brief last year that *"[o]nce the County receives a complete application, the County will conduct further analysis of potential project impacts, re-issue public notice, publish a new staff report with recommendations on the Special Use Permit conditions, issue a revised SEPA determination, and another public comment period and public hearing will follow."* Skagit County's Response to Renewed Motion to Intervene, PL 18-0200, at 2-3 ((Oct. 4, 2019).

[2] Statement regarding PDS's intent to issue a revised SEPA determination located on the County's website: https://www.skagitcounty.net/Departments/PlanningAndPermit/gravelmine.htm.

Over the last four years, the County has gone to considerable effort to clarify this proposal by requesting additional information from the applicant. Nonetheless, the application remains incomplete and inconsistent, and the applicant has still not provided all of the information necessary to evaluate the environmental impacts of the project. The submitted application materials are substantively inaccurate and inconsistent, and the scale of the project is consistently under-represented. Rather than clarifying the proposal, the additional submittals from the applicant have added more layers of confusing and contradictory information. And, the applicant has still not proposed or evaluated appropriate mitigation or project alternatives. For these reasons, the County's MDNS both was premature and failed to meet the environmental review requirements of SEPA and Skagit County Code. Based on our own review and consultation with our attorney, the project impacts identified in the application are significant and warrant additional analysis through an EIS that fully evaluates them and identifies appropriate alternatives and mitigation measures.

Summary of necessary information and environmental review omitted from the application materials. Based on our review of the March 7, 2016 SEPA Checklist, the August 2, 2019 Supplemental SEPA Checklist Information, the documents referenced in those materials, and the other documents posted to the County's project website, the application continues to suffer from the SEPA inadequacies listed below.

1) Project scale is under-represented: The application minimizes and under-represents the scale of the mining activity by avoiding many details and using vague descriptors such as "extracting relatively low volumes of aggregate".

2) Full footprint of project is not included in the environmental review: The application does not evaluate environmental impacts within the full footprint of the project. Instead, the project description is limited to just the 68 acre area where the actual mine would be. None of the project documents evaluate the use or impact of a two-mile long private haul road that transects the applicant's larger contiguous ownership, even though industrial scale use of this private haul road is a crucial element of the project.

3) Off-site and cumulative impacts are omitted and ignored: The application omits and/or minimizes descriptions of off-site and cumulative impacts of the project, especially off-site impacts related to truck traffic.

4) Future plans not disclosed: The application omits plans for future on-site processing despite the suggestion in the application materials that the applicant may seek to operate on-site processing in the future. This omission prevents a complete evaluation of the impacts and identification of appropriate mitigation.

5) Impacts on Environmental Elements inadequately reviewed: Defects in application materials result in a failure to fully disclose impacts for all of the "Environmental Elements" required by SEPA.

6) Mitigation measures and project alternatives not considered: Consequently, the application does not identify or evaluate appropriate mitigation measures or alternatives.

We discuss all of these issues further below, in the order listed.

1) **Project scale is under-represented.** The SEPA Checklist, Supplement and Special Use Narrative minimized and under-represented the scale of the proposed mining development by avoiding detail and using vague descriptors such as "extracting relatively low volumes of aggregate". The mining activity was described using generalities, and omitting many details. This approach obscured important information and it is unclear whether key details were used by the County in its SEPA review. Other examples of misleading application materials include the characterization of the site as "very remote" and the proposed mining as a "temporary" activity. The SEPA Checklist states, "traffic generated by the project will be typical of mining operations," but does not state any actual numbers. To the extent the submitted documents actually provide this information, many of those details are buried in the referenced studies and drawings.

   The truth is that this is a proposal for a 50-acre open pit mine that will eventually be ninety feet deep. This is a hole in the ground about the area of 38 football fields and ten stories deep. The Checklist states that there will be "4.28 million cubic yards of excavation". If 4 million cubic yards are hauled off site (assuming 1 yard equals 3,000 pounds), this would be approximately 6 million tons of sand and gravel removed from the site over a twenty-five year-period, or 240,000 tons per year. We do not see this scale of land disturbance and trucking at this location as "low volume". Furthermore, although the application characterizes the mining operation as a "temporary activity," its proposed daily operations over 25 years will feel permanent to the community, as will the long-term alterations to the landscape. The "very remote" characterization likewise ignores the actual setting--the site is located in an area where no prior industrial scale mining has occurred, and it would operate amidst a rural residential neighborhood with more than 100 homes within a mile of the site and 750 homes within three miles. And, an investigation into the DN Traffic memo (June 2019) reveals that the "typical" gravel truck traffic referenced in the SEPA Checklist is actually an estimated 11,765 tandem gravel truck trips per year on narrow substandard County roads.[3]

[3] Contrary to the volume of gravel stated in the SEPA checklist, the DN traffic memo assumes that 200,000 tons of material per year will be removed from the site. Using DN's math, and assuming the larger volume stated in the SEPA checklist, the number of truck trips per year would be actually be closer to 14,118 (240,000 tons/34

By avoiding details in the main project documents, the application appears complete, but does not actually address the full impacts of the project, nor does it explore less damaging alternatives or identify mitigation measures.

2) **Full footprint of project is not included in the environmental review.** The SEPA Checklist's description of the project site (Section A. #11) as only a 68-acre parcel of land precludes review of the full scope of the project; it fails to clearly identify the two-mile-long haul road across the applicant's 726-acre property, which is required to get the gravel to Grip Road. The applicant's SEPA narrative, as well as the updated narrative for the Special Use Permit application, describes the mine occurring on a 68-acre parcel of land and mentions the access point with Grip Road. It does not clearly explain that the mine site is located two miles from the access point on Grip Road. Therefore, hauling the mined material off site involves use of a private haul road that transects the applicant's larger 726-acre ownership.

   Industrial scale use of this private haul road is integral to the project, and yet the land area that the road crosses is not included in the project description. The application materials do not even identify the parcels the road crosses as part of the project. This is misleading and misrepresents both the size of the project and the extent of the environmental impacts. The private haul road, all of which is on the applicant's larger ownership, is adjacent to wetlands and crosses Swede Creek, a fish-bearing stream. This private haul road has been significantly upgraded in the past two years, without County oversight, under the auspices of the former landowner's Forest Management Plan (Trillium, 2009), filed with the state Department of Natural Resources. There are potentially significant impacts to surface water quality and hydrology as well as to Critical Areas, not only from the recent road upgrading, but also from the planned industrial scale use of this road by heavy trucks. Yet, this two-mile stretch of land has not been afforded environmental review.

   In the course of the permit review, and in response to public comments, the County requested that the applicant describe how this private haul road meets the County's private road standards. In response, the applicant submitted a request for Alternatives to County Road Standards (June 2019), and an "as built" drawing of the road. It is unclear if there was any formal decision issued by the County regarding this request, but regardless this does not address potential impacts from the heavy industrial use of the private haul road to surface water quality and quantity and to fish and wildlife habitat. The footprint of the entire project, including the areas adjacent to the haul road, must be included in the

tons/truck*2), or an average of 54 truck trips per day (not 46 per day as stated in the DN memo). This is one of many examples of inconsistent and confusing information provided in the application materials.

environmental review of the project. It is not possible to evaluate the full project impacts or the necessary remediation measures without this information.

3) **Off-site and cumulative impacts omitted and ignored.** One of the most significant components of this proposal is the plan to haul approximately 4 million cubic yards of sand and gravel from the site to be processed at another facility. The material would be moved by truck along more than five miles of County roads over a period of 25 years. This trucking activity is a crucial part of the project that will cause significant environmental harm, yet the project description in the SEPA Checklist (Section A. #11), as well as the updated narrative for the Special Use Permit application, omit details of this aspect. The only mention of truck traffic is by reference – listing several "traffic memos" submitted by the applicant separately, together with piecemeal supplemental information and addenda. The County's pursuit of additional information on traffic impacts eventually led to a third-party desktop review by a consulting traffic engineer engaged by the County (HDR), and most recently (September 2020) a longer Traffic Impact Analysis (TIA) that was prepared by DN Traffic Consultants on behalf of CNW. However, all of the documents that look at the traffic impacts appear as a kind of postscript. This has the effect of concealing the severity of the truck traffic impacts and it considers only those impacts related to a narrow set of criteria regarding County road standards and "level of service". In reality, the off-site impacts from a heavy and sustained volume of truck traffic over a twenty-five year period are many-pronged and cumulative. These impacts include carbon emissions and air pollution, noise, vibration, public safety, and damage to public infrastructure. A full SEPA review needs to evaluate and identify mitigation measures for <u>all</u> of these impacts, not just those that fall under the narrowly defined criteria in County Code for triggering Traffic Impact Analyses. Furthermore, the applicant's TIA fails to meet some of the basic requirements for such documents included in Skagit County Road Standards, 2000, as incorporated by reference in the Skagit County Code.

   To illustrate the scale of this proposal (using the conservative figures in the DN traffic studies) approximately 294,000 truck trips over a 25-year period are required to haul the amount of material the applicant proposes to excavate from the mine. The shortest haul route to CNW's Belleville Pit site on County roads is approximately 11.5 miles round trip, plus an additional 4 miles round trip on the private haul road. Cumulatively, this is more than 4,600,000 miles over 25 years, or more than 184,000 miles per year. This is equivalent to almost 800 round trips between Seattle and New York City. [4] Furthermore, one fully

[4] Different application documents identify conflicting amounts of material to be excavated and hauled from the site, as well as different haul routes and mileage and load weights. Using the higher extraction figures in the SEPA checklist (assuming 4 million cubic yards of excavation), 356,666 truck trips would be required over a 25-year period cumulatively more than 5,528,300 miles (220,000 miles per year), equivalent to 970 round trips between New York City and Seattle.

loaded standard gravel truck with pup trailer weighs more than 80,000 pounds. Very few of the off-site impacts associated with this hauling have been addressed in the application materials. Finally, the number of truck trips and cumulative mileage may actually be considerably higher than stated above depending on several factors, including weight limits on the bridge over the Samish River on Highway Old 99 and the extent of third-party sales.

Other off-site impacts that were minimized or inadequately described in the application documents include potential impacts to surface water; impacts of noise from mining equipment and hauling; and potential impacts to fish and wildlife. We address these concerns elsewhere in this letter under the specific environmental elements, in the order they appear in the SEPA Checklist.

4) **Future plans not disclosed.** The SEPA checklist asks specifically if there are any plans for future additions, expansion, or further activity related to or connected with this proposal (Section A. #7). The applicant answered 'no' to this question on the SEPA Checklist but implies elsewhere that they may conduct onsite processing at a future date. The applicant was asked to clarify this point, and in a letter to the County on May 15, 2017, states only that no processing was proposed "in this application" – implying that future on-site processing is contemplated. And, the revised "Special Use Narrative," dated Aug. 2, 2018, states in the third paragraph that "No processing is proposed onsite at this time" (*emphasis ours*). SEPA guidelines require that all parts of a proposal be disclosed, even if the applicant plans to do them "over a period of time or on different parcels of land." We find the inconsistency on this topic troubling. Given the cost of hauling raw materials 184,000 miles/year, we find it unlikely that CNW will not apply for an additional permit in the future to allow on-site gravel processing. Furthermore, the disclosure of future plans is essential here because the project buffers would need to be larger to accommodate on-site gravel processing, and because the project would be subject to even more rigorous scrutiny. On-site processing would trigger a significantly larger buffer (200 feet—double the 100 feet currently proposed) on the northern and western borders to reduce noise and vibration impacts to the neighboring private properties (SCC 14.16.440(10)). This would reduce the amount of gravel available for extraction, but it is an important mitigation measure for reducing impact to adjacent landowners. It is also reasonable to assume that the applicant plans to expand the mine itself over time to cover more of the large property holding there. There have been many examples of Skagit County approving similar expansions and scope changes through the permitting process. Dividing the planned activities into separate development applications is a way to piecemeal SEPA review and thus under-evaluate project impacts. Under SEPA, the full scope of the proposed project must be considered in order to prevent inappropriate phased or piecemeal review (WAC 197-11-060(5)(d)(ii). Given that the applicant has expressly reserved the right to pursue processing at this site in the future, the project must be reviewed on the basis of what has been reserved as a

potential future activity—that such processing would occur on the site. Therefore, the conditions on the permit need to anticipate potential future expansion with larger buffers and additional measures to reduce likely future impacts. Alternately, restrictions need to be put in place to prevent such changes to on-site activities in the future.

5) **Impacts on Environmental Elements inadequately reviewed.** As addressed below, defects in the application materials result in the lack of adequate review of the project's impacts to earth, air, water, and environmental health are minimized or not completely disclosed in the SEPA Checklist and supporting documents.

Earth (SEPA Checklist, Section B. #1): Although question #1.e. of the SEPA Checklist requests a description of any project filling, excavation and grading, the applicant limits its response to the 51-acre open-pit mine footprint. The Checklist does not describe essential project elements such as storage and management of excavated and side-cast materials. In fact, there is no description of what, if any, site preparation will occur outside of the footprint of actual mine.

The "Site Management Plan, Sand and Gravel Permit" document that the applicant submitted (also a requirement for WA Department of Ecology's NPDES permit) does not cure the Checklist defect. It is almost entirely generic, and simply lists typical Best Management Practices (BMPs) to prevent erosion and manage buffers. It is not site-specific and does not actually explain how the side-cast materials, or "overburden", will be handled or how buffers along property lines will be managed. It is unclear in this plan which BMP's listed will actually be implemented or when or where they will be used. This omitted information is essential for verifying that the project would protect water quality, minimize disturbance to wildlife habitat, and reduce noise, dust and vibration impacts on neighboring properties.

Numerous relatively small private parcels lie to the west and north of the proposed mine site. Noise, dust and vibration from the mine will impact these properties. An appropriately-scaled, undisturbed vegetated buffer must be established to protect these properties. It is unclear in the application materials if the buffers between the mine and adjacent properties will be left undisturbed. In addition, there are repeated assertions in project documents that all runoff from the site will drain into the open pit and infiltrate into groundwater. This does not address any surface water runoff and contamination from side-cast material that may be stockpiled outside of the footprint of the mine itself for use in reclamation when mining operations are completed. There is no way to evaluate the impact of this earth moving activity when it is not fully explained and described.

Question #1.g. asks if any impervious surfaces are proposed. The applicant states that no permanent, impervious surfaces are proposed, despite the two-mile private haul road and

the apparent need for on-site staging areas at the mine site for dozens of trucks and equipment. A site-specific surface water drainage plan that includes measures for protecting waterways from sediment and other contaminants from these impervious surfaces needs to be prepared and implemented.

Air (SEPA Checklist, Section B. #2): The applicant's response to question #2.a., which requests disclosure of the project's air emissions, avoids identifying the substantial amount of emissions to be expected over the project's 25-year lifespan. Instead, the answer characterizes air quality impacts as "temporary." Mining is an ongoing activity. It is not temporary construction. There will be earthmoving equipment generating emissions constantly during operating hours for decades. Additionally, there is no mention of the significant cumulative carbon and particulate emissions from 25 years of diesel truck traffic. This omission alone is fatal to SEPA review.

Question #2.b. The applicant states incredulously that there are no off-site sources of emissions or odor. This answer simply ignores emissions from diesel truck hauling. As stated above, the cumulative mileage of tandem diesel trucks hauling material from this mine is more than 4,600,000 miles, or more than 184,000 miles per year.[5] The diesel emissions from this hauling activity will be concentrated in a small area, day after day, year after year. Diesel emissions include both particulates that create localized health hazards and greenhouse gasses that contribute to global climate change. The type of diesel fuel used, maintenance and age of vehicles, speed and driving patterns, idling activities, etc. all influence the intensity of emissions. The applicant must disclose the true nature and quantity of these emissions and identify measures to reduce the impact to air quality. A simplistic calculation of the carbon emissions from just the hauling component of this project is more than 17,200 metric tons over 25 years, or around 690 metric tons per year[6]. The actual amount of carbon emissions will probably be considerably higher because, as discussed above, the mileage is under-represented. This is a very carbon-intensive proposal. The applicant needs to provide realistic estimates of the cumulative emissions from all of the truck hauling and on-site mining activities, as well as propose an adequate mitigation plan for them.

Water (SEPA Checklist, Section B. #3): Question #3.a. involves disclosing impacts to surface water. The Checklist does not fully disclose surface water impacts from the project's proposed undersized buffer. The applicant proposes a 200-foot vegetative buffer between

[5] Assumptions: round trip of 15.4 miles between the mine and Belleville Pit, 46 round trips per day, 260 days per year, for 25 years.

[6] Carbon emissions estimation based on the per ton/mile truck emissions estimates and sample calculations included in the EDF publication produced to assist industry in reducing carbon emissions, "A Green Freight Handbook", Chapter 2, Establish Metrics, we estimate that depending again on which of the two proposed main haul routes is followed, annual (total) truck CO2 emissions will be between 271 (6,768) and 403 (10,064) metric tons.

the mine and the adjacent Samish River, but a 200-foot buffer is not adequate and is inconsistent with Skagit County Critical Areas Ordinance (SCC 14.24.230) requirements for the intensity of this land use. Additionally, when slopes of 25% or more are present, buffers are generally required to extend 25 feet beyond the top of the slope. We address this further in the section on "animals" below, and in the attached memo titled: "Fish and Wildlife, and Water Quality (Regulated Critical Areas) Review " (Wiggins, November 2020).

In response to these concerns, PDS asked the applicant to submit drawings showing a 300 foot buffer, which they did. This drawing is labeled "Alternate 300 foot buffer" (dated July 2018). To date, however, this "alternate" buffer has not been required as a condition of the permit.

In addition, mine site plans identify an unnamed tributary to the Samish River on the southeast corner of the site. The supplement to the SEPA checklist references the Site Management Plan to explain how surface water will be protected. Again, as discussed above in the "Earth" section, this Site Management Plan is not site-specific and simply lists a number of BMPs without explaining where or how they may be implemented; except that Appendix B ("Site Map") of the plan identifies one "monitoring point" near the tributary stream. There is not enough information provided to determine if surface water will be adequately protected from sediment and other contaminants or if the minimal monitoring proposed will be adequate to detect such pollution. In addition, it is unclear from the project documents where all the surface water in the areas around the mine site may drain after the site is disturbed. The mine site is perched above the river and it is unclear if the proposed buffers encompass the entire slope edge between the mine and the river. There is not enough detail in the drawings and application materials to ensure that erosion and contaminated run-off will be prevented from making its way downslope to the river.

Question #3.b. involves disclosing impacts to groundwater. The applicant states that no waste discharge will occur into groundwater. The Supplement to the SEPA Checklist again references the Site Management Plan, and states that mining runoff will infiltrate into the bottom of the mine. However, the project description states that the intention is to mine within ten feet of the groundwater level. Given the pervious nature of the sand and gravel floor of the mine, we question if this method of preventing groundwater contamination is sufficient. This is especially concerning as the groundwater in this location will essentially flow directly into the Samish River and into designated critical habitat for the endangered Oregon Spotted Frog (discussed further below in the section about animals). Protection of groundwater requires further evaluation, especially in terms of the potential for fuel and other toxic material spills from heavy equipment in the mine (this issue is further discussed below under the section about environmental health and hazardous chemicals.)

In addition, the application does not explain how operators will ensure that they remain at least ten feet above groundwater during seasonal fluctuations. To avoid the risk of the mining activity penetrating into groundwater, the applicant must identify a method for determining the highest groundwater level and establish a monitoring plan to ensure compliance.

Question #3.c. involves describing impacts from water runoff, including stormwater. In addition to the concerns related to runoff from the mining site described above in the 'earth' section, the impact of runoff from the haul road to surface water was not identified as a concern and has not been addressed. This involves impacts to both water quality and quantity -- to the wetlands on site, to Swede Creek and to the greater Samish watershed. There is the potential for sedimentation in Swede Creek, a fish-bearing stream, and for increased overland flows and downstream flooding. There are already significant flooding issues associated with Swede Creek. The ditch adjacent to Grip Road east of the bridge over the Samish River is an overflow channel of Swede Creek. The Public Works Department and local residents are well aware that this ditch routinely spills over its banks and floods the roadway during high rainfall events. In addition, the edge of the roadbed itself at this location has required repeated hardening and repair due to erosion caused by the high volume of water flowing through this ditch. The impacts to hydrology and the potential for exacerbating sedimentation and flooding problems from the increased impervious surface and heavy use of the haul road, especially in the gorge where the road crosses Swede Creek, needs to be evaluated and appropriate mitigation measures required. A stormwater management plan for the haul road needs to be prepared and implemented.

Plants (SEPA Checklist Section B. #4): Notwithstanding that the mine would completely strip native vegetation from more than fifty acres of land, the Checklist omits any discussion of ways to minimize this impact. A one-sheet survey drawing titled "Reclamation Plan and Mine Sequence" (May 2015) shows the proposed mine area divided into four quadrants labeled "1" through "4". These labeled quadrants presumably explain the "sequencing" of the mining activity, but there appears to be no narrative explaining how or when this sequencing may occur. Phasing the mining so that portions of the site remain forested until it is needed, and/or reclaiming sections over time while other sections are being mined would significantly reduce the impact to native vegetation. Simply reducing the scale of the proposed mine would be even more appropriate. Measures and alternatives that reduce the impact to the native vegetation must be evaluated.

Animals (SEPA Checklist Section B. #5): The Checklist omits significant animal species and potential project impacts on them. First, the Checklist states that no threatened or endangered species are known to be on or near the site. In fact, the US Fish and Wildlife Service and WA Department of Fish and Wildlife have designated Critical Habitat for the Oregon Spotted Frog (*Rana pretiosa*) along the Samish River directly adjacent to the site. In

addition, there is designated Bull Trout (*Salvelinus confluentus*) Critical Habitat a few hundred feet downstream from the northeast corner of the mine site. The Oregon Spotted Frog was believed to be extirpated from this area until breeding sites were discovered in 2011-2012 in the upper Samish River. The Samish River system is the only place in Skagit County that the Oregon Spotted Frog has been found. It is listed as Endangered in Washington State, and Threatened federally. Bull Trout is a Candidate species for listing in Washington State and is listed as Threatened federally. The presence of designated critical habitat for species listed under the Endangered Species Act (ESA) was not disclosed in the SEPA Checklist nor in the accompanying Fish and Wildlife Assessment (GBA/August 2015). These are serious omissions.

At the request of the County, an Addendum to the Fish and Wildlife Assessment was submitted by the applicant to address the presence of the Oregon Spotted Frog habitat adjacent to the site (GBA/April 2017). However, the addendum simply states that in the consultant's opinion, their recommended 200-foot buffer is adequate to protect this designated critical habitat without siting any clear science or expert biological opinion to back up the statements. In fact, a note in the Addendum states:

> "*Our original assessment and this addendum are not intended to constitute a biological evaluation pursuant to the requirements of the Endangered Species Act. The documents are intended solely to demonstrate compliance with the Skagit County Critical Areas Ordinance (SCC 14.24).*"

Further evaluation of the impact from the proposed mining to the Oregon Spotted Frog, Bull Trout, and their designated critical habitat, needs to be conducted, consistent with State requirements and the Federal ESA. As discussed in sections elsewhere in this letter (in "earth", "water" and "toxics"), measures are not clearly described that will protect the water quality of the Samish River, its tributaries, and the groundwater that flows to the river. This is a serious concern that must be addressed to ensure that the Oregon Spotted Frog, Bull Trout, and Puget Sound Steelhead habitat is adequately protected according to law.

In addition, the SEPA Checklist and Supplement do not acknowledge a number of large mammals that are known to frequent this area. These include bear, cougar and bobcat. Furthermore, the Checklist states that the property is not an animal migration route even though local residents regularly observe the use of this area as a wildlife corridor between Butler Hill to the south and the Samish River Valley and Anderson Mountain to the north. Surrounding landowners have seen cougar, bobcat, and bear traveling across their properties on numerous occasions, and at least one resident located south of the subject property has captured many photos of these animals on remote trail cameras. These animals require large territories and are sensitive to disturbance. The subject property is the last large undeveloped property linking a larger landscape between Butler Hill to the

south, and the Samish River to the north. The applicant's Fish and Wildlife Assessment does not address the impacts to this wildlife corridor. Measures could be taken to protect a swath of land and maintain intact vegetative buffers surrounding the mine on the applicant's larger ownership. This would help reduce this impact.

Finally, the applicant's Fish and Wildlife Assessment is more than five years old (August 2015), and its limited scope does not address the current data regarding Threatened and Endangered Species (ESA). A new complete Fish and Wildlife Assessment needs to be prepared that considers the full footprint of the project, including the land area impacted by the private haul road, as well as all ESA species that may be impacted by the proposal. These concerns are further discussed in the attached memorandum: "Fish and Wildlife, and Water Quality (regulated Critical Areas) review" (Wiggins, November 2020).

Energy (SEPA Checklist Section B. #6): This is a very fossil fuel and carbon intensive project, both on and off site. As stated previously, just to haul the proposed volume of gravel to the applicant's processing site would require diesel truck/trailer combinations to drive more than 4,600,000 miles over 25 years, or more than 184,000 miles per year. This does not include the on-site energy consumption from the heavy equipment required for the mining activity. In addition, there is no electrical power supply to the site. There is no mention of power supply in the application materials, but presumably the applicant plans to run generators to provide light and power to the site. This will create even more fossil fuel consumption (and noise pollution that has not been disclosed). The applicant has made no attempt to estimate the amount of energy required, nor the impacts to the environment from it. There are no proposed energy conservation measures. The applicant should be required to evaluate alternatives to such high rates of energy consumption, and a carbon budget should be calculated with mitigation identified to offset the effects of carbon emissions to the atmosphere.

Environmental Health (SEPA Checklist Section B. #7): Question #7a. Toxics: The Supplement to the SEPA Checklist states that "mobile fueling vehicles" and "mobile maintenance vehicles" will be used and that "if fueling stations or other storage of these materials occurs on site, it will be in compliance with the NPDES Permit filed with the WA Department of Ecology". These vague and inconsistent statements fail to confirm whether fueling stations and fuel storage are planned or not. Furthermore, the application does not define "mobile fueling" or "mobile maintenance" or measures to control or respond to spills from them in different locations across the site. The applicant must explain how they will monitor this and provide specific management practices for use with mobile fueling and maintenance units.

Although the Site Management Plan purports to address spill prevention, it merely recites generic BMPs. It does not state what specific measures will be used on this site, nor does it

show any locations for fueling, fuel storage, etc. The applicant needs to disclose what the nature and location of the fuel storage and vehicle refueling and maintenance process will actually be, and what measures will be taken to prevent spills and toxins from entering surface and groundwater. As discussed previously, there is a real danger of surface water contamination and or groundwater contamination through the bottom of the mine floor if this issue is not properly addressed.

Question #7.b. Noise: This section requires disclosure of health impacts related to noise generated from the project on-site and off-site. The applicant submitted an "Updated Noise and Vibration Study" (November 2018), which concludes through modeling that the noise generated from the mine, and from off-site trucking, is within the limits set forth in Skagit County Code. There are several major flaws in this study that call into question its thoroughness and validity:

- Concerning the computer modeling of mine operation noise levels, the November 2018 noise study states "A front-end loader, dozer, and excavator were assumed to operate concurrently in the mine", with noise levels at 100 feet from each shown as 75, 75, and 76, dBA respectively. The study does not cite the source for these numbers. Presumably, different sizes and models of heavy equipment generate different levels of noise, and are not interchangeable for noise level modeling purposes.

- Furthermore, the noise study appears to address only "typical" mine production levels, not the "extended hours" production scenario of up to 5,000 tons per day described in the September 2020 DN Traffic Consultants Traffic Impact Analysis. Presumably, the latter would require more pieces of heavy equipment to accomplish, as well as more trucks. Based on the seasonal nature of sand and gravel demand, it seems likely that the mine would exceed "typical" or "average" production levels for extended periods during late spring, summer, and early fall. For a noise study to be valid, it must address the <u>maximum</u> production level.

- The computer modeled noise level receptor labeled "R3" is located approximately 900 feet north of the receiving property boundary, not at the receiving property boundary as required under WAC 173.58-020(11) and 173-60-040(1).

- The study does not address the significant noise fully loaded truck/trailer combinations will generate using their compression brakes while descending the Grip Road hill. Adding an "average" of 46 diesel trucks a day (or 30 trucks an hour, as under the "extreme" scenario from the DN Traffic Impact Analysis) onto Grip and Prairie Road will be a major change to the soundscape for residents along the haul route for the next 25 years regardless of whether the trucks exceed legal noise limits.

There are 100 homes within a mile radius of the proposed mine, and 375 homes within a 2 mile radius. Even if the applicant's consultant can somehow create a model that shows that the noise generated from the mine and truck traffic is below the thresholds set out in the WAC and Skagit County Code, the ambient noise from the mine and the trucks will become a constant backdrop for the residents in the surrounding area. This noise will have a lasting impact on public health, on the quality of life in this quiet rural neighborhood, and on wildlife. Per an article titled "The Adverse Effects of Environmental Noise Exposure on Oxidative Stress and Cardiovascular Risk" in the National Institute of Health's online National Medical Library, "Epidemiological studies have provided evidence that traffic noise exposure is linked to cardiovascular diseases such as arterial hypertension, myocardial infarction, and stroke."

The SEPA checklist and accompanying documents contain no discussion of ways to reduce or mitigate noise impacts, instead the focus is simply on proving that this new unprecedented level of industrial scale noise pollution will somehow meet legal standards. What is "legal" and what is "acceptable" are not interchangeable.

Light and glare (SEPA Checklist Section B. #11. The applicant apparently intends to operate the mine during dark hours, however the application does not describe the type of lighting that will be used on site. Nor does the application identify whether, or what, lighting would be installed for security purposes. The 700 acres owned by the applicant is currently used only for forestry, and it is dark at night. The type of lighting used for heavy construction tends to be very bright and penetrates into the night sky. Measures need to be taken to minimize light pollution from the site. Impacts on migrating birds from even small amounts of outdoor lighting is well-documented.[7] The applicant needs to describe the type and extent of the lighting systems that are planned, and appropriate mitigation measures need to be required, including down-shielding of all lights, and installing motion sensors and controls where constant lighting is unnecessary.

Recreation (SEPA Checklist Section B. #12: This section requires disclosing "designated and informal recreational opportunities" in the vicinity. The applicant's response mentions only hunting and fishing. In fact, local residents walk on Grip and Prairie Roads, and the haul route along Grip and Prairie Roads is a popular recreational bicycling route. The route is included in a "Skagit County Bike Map" produced by Skagit Council of Governments, and distributed by Skagit County Parks Department. This same bike map is also included in Skagit County's 2016 Comprehensive Plan, as the "Bicycle Network Map"; it includes Grip and Prairie Roads as part of the inventory of the County's non-motorized transportation system. This important recreational activity was not disclosed in the SEPA checklist; nor were impacts to it evaluated. As discussed elsewhere in this letter, Grip and Prairie Roads

[7] https://www.fws.gov/news/blog/index.cfm/2020/4/22/Lights-Out-for-Migrating-Birds

are narrow and substandard with soft or nonexistent shoulders. There are many parts of this route where there is literally no option for a cyclist to move to the right to make room for a passing vehicle. The recent addition of guardrails on portions of Prairie Road have had the effect of eliminating options for a shoulder and narrowing the roadbed even further (guardrails were apparently installed more to protect power poles from vehicle collision than for public safety).

The introduction of an average of five tandem gravel trucks an hour (much less the 30 trucks an hour under the "extreme" scenario) to this route will render recreational cycling not only unpleasant, but very dangerous. Mitigation and alternatives could be identified for reducing the impact of trucking on these important recreational uses, such as widening and hardening road shoulders, limiting the number of trucks allowed per day on the road and designating 'safe passage' times during each day, when trucks are not allowed to haul from the site.

The omission in the SEPA checklist and project documents of the impact on pedestrians and bicyclists along the haul route is just one more example of the serious inadequacies in the application materials, and the disregard for public safety shown by the applicant. Issues regarding public safety related to truck traffic and the condition of County roads along the haul route are further discussed below under traffic.

Transportation/Traffic (SEPA Checklist Section B. #14): The SEPA Checklist and Supplement asserts that that no improvements to existing roads are necessary and that traffic generated will be "typical" of mining operations. The Checklist and Supplement then reference studies conducted by their traffic consultant DN Traffic Consultants without providing further details. However, a review of those documents reveals that "typical" traffic is a stunning 11,765 truck trips per year. The SEPA documents do not identify this number. DN Traffic goes on to calculate that this will "average" 46 truck trips per day. However, given the seasonal nature of gravel mining, this "average" is meaningless. The number of trucks that the applicant intends to deploy on a daily or weekly basis has never been clearly defined. This makes it impossible to evaluate the actual intensity of use and potential threats to public safety.

DN Traffic Consultants' more recent "Traffic Impact Analysis" (TIA), submitted in September 2020, seems intended to address the basic requirement that a TIA be done for this project (we have been requesting a TIA since we first learned about the permit application in 2016). It also seems intended to address at least some of the issues we have raised in the many comment letters we have submitted since that time. However, the document fails on both counts. While we intend to submit a detailed comment letter to the county on the entire TIA in the future, we provide below a summary of some of our main concerns.

- It does not meet the requirements and format for a Level II TIA as set out in Skagit County Road Standards, 2000 (SCRS) (SCRS 4.01-4.02 and Appendix A).
- It does not state whether the information included in the TIA supersedes previous inconsistent and/or contradictory information submitted by the consultant and the applicant regarding critical aspects of the project, including hours of operation and numbers of truck trips. This adds to the overall lack of definition for the project rather than clarifying it.
- It proposes that if the applicant needs to exceed a limit of 46 truck trips per day to meet demand (up to a limit of 29.4 trips each way per hour, or 294 trips per 10-hour operating period), they will first request permission from the County, and then Public Works will be responsible for determining temporary safety measures to mitigate for the increased risks. This is problematic in several regards:
    - It does not state how often and for how long this "extended hours operation" could occur.
    - It seems to imply, without ever stating clearly, that hauling under this scenario would take place for only 10 hours per day, while mining would happen for unspecified "extended hours." Since the applicant has repeatedly asserted their right to operate up to 24 hours per day, seven days per week, we must assume that both accelerated mining and hauling could take place during those hours. The actual number of round trips per 24-hour period under this scenario would be 706, meaning there would be 1,412 one-way truck trips every 24 hours, and 60 one way truck trips every hour. Mine traffic impacts must be evaluated on this basis.
    - Without specifying what measures would need to be implemented to ensure traffic safety under this "extended hours" scenario, the applicant defers its obligation in this regard to the County and potentially exposes the County to liability.
- It contains false statements regarding existing road conditions and uses, as well as future uses, for instance:
    - As previously noted, the statement that there are no designated bicycle routes on the roads proposed for the haul route, when in fact a map of these routes is included in the non-motorized transportation component of the County Comprehensive Plan.
    - The statement that the shoulders on Prairie Road vary from two feet to four feet wide. In actuality, recently installed guardrails on the south side of the road practically eliminate the shoulder entirely for a considerable distance along the haul route.
    - The statement that there is no significant development planned that will impact traffic levels on the proposed haul route. In fact, the County has already approved bringing Kalloch Road and North Fruitdale Road up to arterial

standards to provide better access from the north to the Sedro Woolley Innovation for Tomorrow (SWIFT) Center. The bulk of this traffic from the north will come via I-5, Bow Hill Road, Prairie Road, Grip Road, and Mosier Road. In addition, a major new residential development is planned for north of Sedro Woolley between SR9 and Fruitdale Road. This will also generate a significant amount of traffic to the north via these same roads.

- It omits key facts and conditions, such as:
    - The existence of several Burlington and Sedro-Woolley School District bus routes along the proposed haul route. It makes no mention of these bus routes; does not analyze the threats presented by mine truck traffic to the safety of schoolchildren, parents, or district employees and equipment; and proposes no mitigation actions for these risks.
    - A major roadway misalignment issue on the Grip Road Hill curves, which requires that a truck with pup trailer repeatedly encroach on both the centerline and the edge of the pavement (there is no fog line) while navigating this very narrow, steep section of the road.
    - The existing, progressive failure of the pavement and roadbed on the outside of the uphill (south side) lane of traffic in the above location. This presents both a safety hazard to the public and an ongoing maintenance liability for the county.
- It documents some of the other existing, critical road deficiencies and traffic hazards but either omits corresponding mitigating actions or proposes inadequate mitigation actions. For example:
    - It documents that a truck with pup trailer cannot navigate the two 90-degree curves on Prairie Road east of the Old Highway 99 intersection in either direction without encroaching significantly on both the fog line and centerline. It acknowledges that this constitutes a traffic safety hazard, but does not propose any mitigation actions. Instead, it states that the County is responsible for dealing with this issue.
    - It proposes a flashing yellow light warning system to mitigate for inadequate sight distance at the Prairie Road/Grip Road intersection, a measure the author of the TIA described as "temporary" in an earlier traffic memo. This is the same place where, in an email obtained via public records request, former PDS Senior Planner John Cooper described coming upon the scene of an auto accident at this intersection and being told by the attending Sheriff's Department officer (who himself was a former commercial truck driver) that a flashing yellow warning light would be insufficient to prevent accidents in that location (John Cooper email to Dan Cox, 1/30/2017).

In addition, in the TIA fails to disclose serious impacts with regard to use of the bridge over the Samish River on Old 99. In response to information about the bridge's weight

restrictions, the TIA proposes either to reduce load weights or to use an alternate route that involves continuing west up Bow Hill Road from Prairie Road to I-5, heading south to the Cook Road exit, and then north on Old 99. However, these options either generate more truck trips than proposed (lighter loads equals more trucks trips) or follow a considerably longer haul route. The impacts from this longer haul route have not been analyzed. There are many concerns related to dozens of gravel trucks making their way up the steep Bow Hill Rd and entering and exiting two busy freeway interchanges, and passing through additional busy intersections that are already hazardous. And of course, either way, the cumulative mileage and emissions increase. These additional impacts have simply not been evaluated.

As we stated above, the comments included here on DN Traffic's TIA are only some examples of how woefully short this document falls when it comes to addressing the true scope of road and traffic safety risks associated with this project. Until these issues are thoroughly analyzed and comprehensive mitigation measures proposed, the only valid SEPA threshold determination for the proposed mine is a determination of significance (DS) requiring a full environmental impact statement (EIS).

Finally, to our knowledge, the County's hired traffic engineer/consultant, HDR, who has been reviewing the various traffic information submitted by the applicant, has never visited the site and actually observed the condition of the roads in question. All of the third-party review has been conducted remotely using information and data provided by the applicant and County – it is simply unacceptable that the reviewers signing off on the traffic studies have not observed in-person the problems with road conditions and safety.

Public Services (SEPA Checklist Section B. #15). The applicant states that there will be no impacts to public services, but absent measures to address the road safety issues discussed above, the traffic collision rate in this area will undoubtedly increase. This will create a heavier demand on law enforcement and first responders. In addition, the need for road maintenance will increase considerably with the hauling of 200,000 tons of gravel per year on Grip and Prairie Roads.

The applicant should be required to share costs of necessary infrastructure improvements as stated in Skagit County Comprehensive Plan Policies: *Policy 4D-5-3: Roads and Bridges: New public roads and bridges accessing designated Mineral Resource Overlay Areas shall be designed to sustain the necessary traffic for mineral extraction operations. Existing roads and bridges shall be improved as needed as each new extraction operation is developed. Cost sharing for the improvement of roads and bridges shall be negotiated between the permitting authorities and the applicant.*

6) **Appropriate mitigation measures or alternatives are not identified.** The overriding assumption in the application documents seems to be that this project requires very little mitigation. There is no real exploration of project alternatives or other ways proposed to reduce impacts. We find this very troubling, and it supports the need for a full EIS. Since key aspects of the proposal are still not clearly defined, it is difficult to fully explore appropriate permit conditions and mitigation measures. Nonetheless, it is clear to us that there are some pathways to addressing the project impacts. A few examples of alternatives that should be explored, and mitigation measures or permit conditions that should be required are discussed in the various sections of this letter, and identified below, along with a list of additional studies that need to be completed.

- Explore alternative project scenarios that include significantly scaled back rates of extraction, a smaller mine size and limits on daily truck trips.
- Limit hours of operation and hauling to daylight hours.
- Require a larger buffer on Samish River consistent with the County's Critical Areas Ordinance and Department of Ecology's guidance for protecting river and associated wetlands and sensitive & critical habitat from industrial uses.
- Require a larger undisturbed vegetated buffer between the active mine and adjacent private property, to reduce noise, vibration and dust.
- Major road and safety upgrades along the haul route need to be included before hauling is allowed, including but not limited to:
    - Traffic lights and/or turn lanes at critical intersections including: Grip Road at the intersection with the mine access road; at intersection of Grip and Prairie Roads; at the intersection of F&S Grade and Prairie Roads, at intersection of Prairie Road and Old 99.
    - Improve site distance to the east at intersection of Prairie and Grip Roads
    - Widen Grip and Prairie roads and harden shoulders.
    - Straighten and widen curves on Grip Road hill or find an alternate access point to the mine below the 'S curves' and hill.
    - Improve the two ninety degree turns on Prairie Road so that trucks can stay in their lanes.

- Gravel trucks must be restricted to the identified haul route (presuming necessary road improvements have been made). There are numerous safety issues with other haul routes that have not been evaluated, including at least four ninety degree corners on Grip Road heading east where it is impossible for large trucks to stay in their lane.
- The above safety concerns are also applicable to sale of mined materials to private parties and independent truckers. The application materials are not consistent regarding whether CNW intends to sell directly to third parties. If this were to occur,

these third party trucks would not necessarily stay on the identified haul route. Therefore sale to private parties and independent truckers from the site must be prohibited.

Additional Assessments or Studies needed:

- Fully updated Critical Areas study and Fish and Wildlife assessment of the larger property, including the private haul road and areas adjacent to it, with appropriate mitigation measures identified for the footprint of the entire project, not just the mine itself.
- Further evaluation needs to be conducted of the impact to the listed Oregon Spotted Frog and Bull Trout consistent with State and Federal Endangered Species Act.
- The impacts to hydrology and potential for exacerbating sedimentation and flooding problems from the increased impervious surface and heavy use of the haul road, especially in the gorge where the road crosses Swede Creek, needs to be evaluated and appropriate mitigation measures required.
- Full Level II Traffic Impact Analysis.
- A realistic estimate of the cumulative emissions from all of the mining activities on-site, as well as the diesel emissions from truck hauling needs to be made, and a mitigation plan proposed.
- A revised Noise Study that corrects the serious flaws identified in this letter.

We hope that you find this letter useful as you proceed with your review of this project, and the new SEPA process. We would be happy to discuss any of it further, and look forward to hearing from you. Thank you for your time and consideration.

Sincerely,



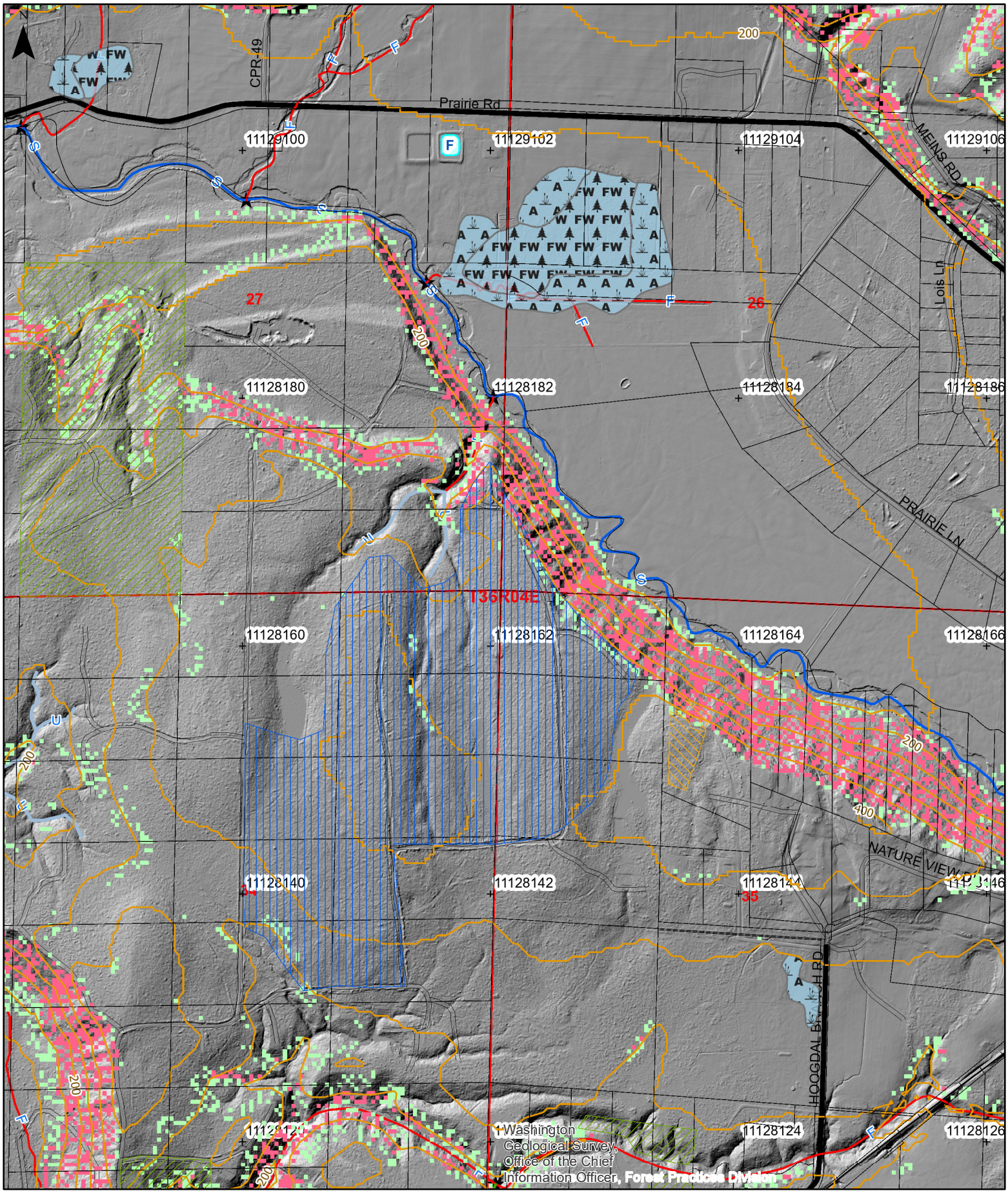
Martha Bray and John Day
6368 Erwin Lane
Sedro-Woolley, WA 98284

cc: Julie Nicholl, Skagit County Prosecuting Attorney
Kyle Loring, Attorney, Loring Advising

Encl: "Fish and Wildlife, and Water Quality (regulated Critical Areas) review" (Wiggins, November 2020

ATTACHMENT B

Active harvest -- Lisa Inc



WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES

Extreme care was used during the compilation of this map to ensure its accuracy. However, due to changes in data and the need to rely on outside information, the Department of Natural Resources cannot accept responsibility for errors or omissions, and therefore, there are no warranties that accompany this material.

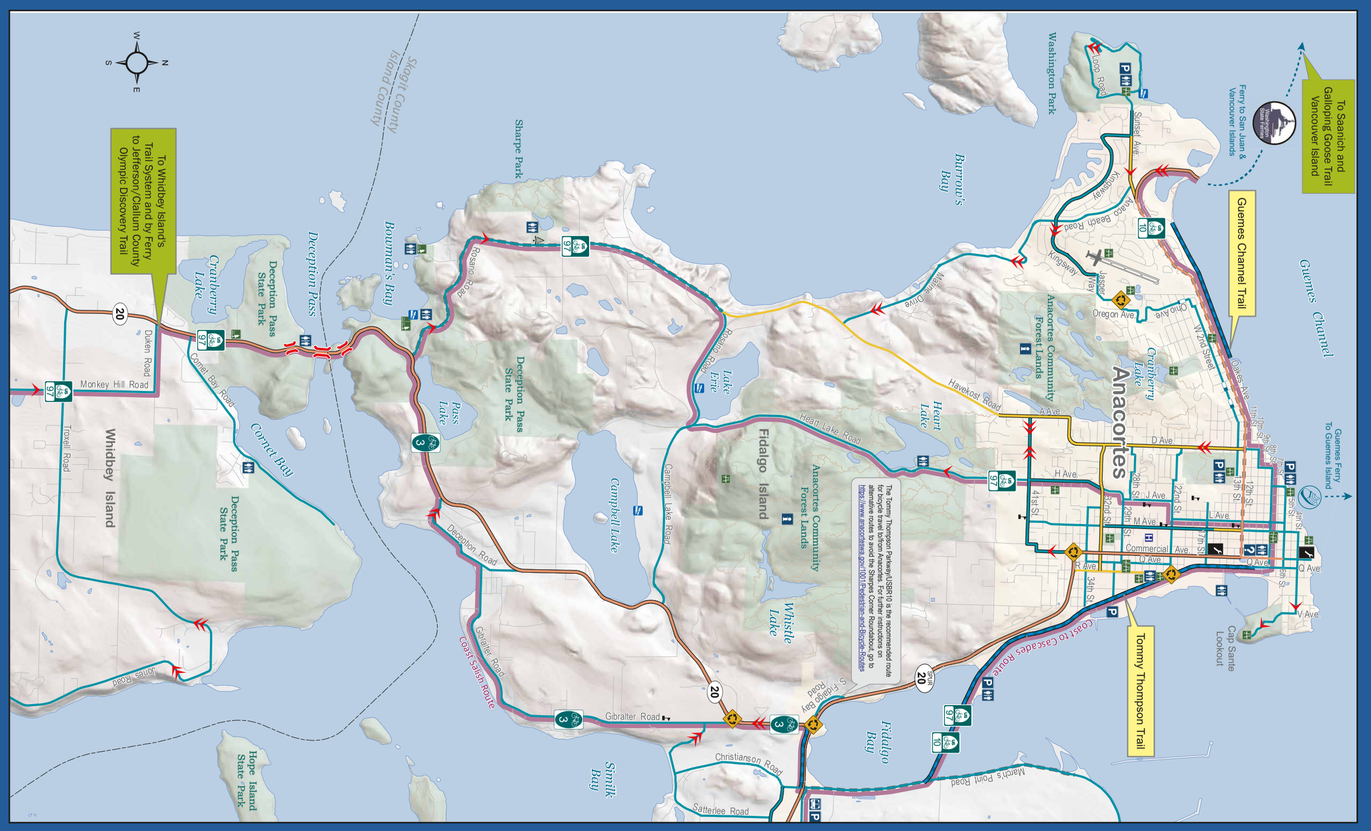
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Date: 4/26/2021 Time: 5:05:00 PM

ATTACHMENT C





Discover the wonderful bicycling Skagit County has to offer.



The Skagit County Bike Map is intended to familiarize cyclists with the many great bicycling opportunities in Skagit County and to provide information to cyclists so they can make their own decisions as to which route is suited for their skill level.

The 2018 edition of the map is made possible with support and funding from: Skagit Regional Health, Anacortes Chamber of Commerce, bikespot, Skagit Bicycle Club, Island Hospital, Port of Skagit, Skagit Cycle Center, Sedro-Woolley Chamber of Commerce, Kiwanis Club of Burlington-Edison, Skagit Bank, Skagit Valley Food Co-Op, Sherman Physical Therapy, Shell Puget Sound Refinery and La Conner Chamber of Commerce.

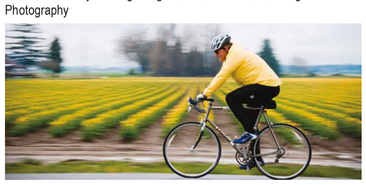
Special thanks to Skagit County Geographical Information Services, Skagit Council of Governments staff and Non-Motorized Advisory Committee members: Marie Erbstoeszer, Jeroldine Halberg, Steve Jahn, Liz McNett Crowl and Linda Talman. Thanks as well to Walt Farmer and John Pope for their assistance with the map.

To contribute, request multiple copies, or to send comments and suggestions, contact info@scog.net.

Cartography & Map Design: Kim Berry, Skagit County Geographical Information Services and Mapping Services

Graphic Design: Thomas Printing

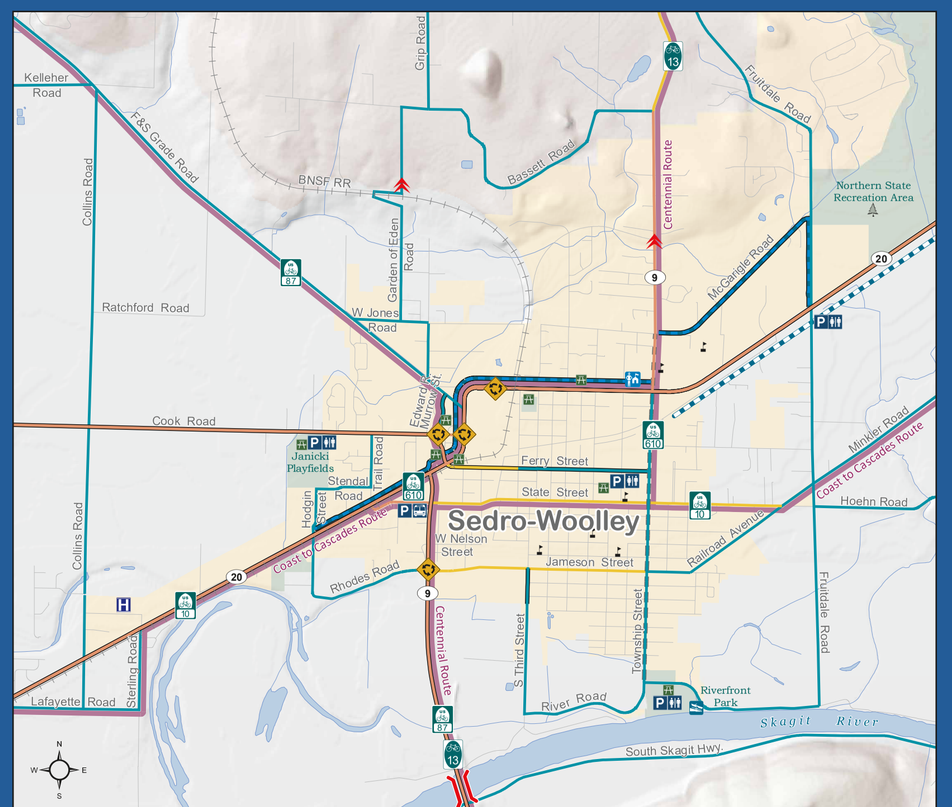
Photos: Courtesy of Skagit Regional Health and Linda Wright Photography



SKAGIT COUNTY BIKE MAP

DISCOVER THE SKAGIT VALLEY





The Non-Motorized Advisory Committee developed this map with the intent of encouraging safe bicycling, increasing physical activity, improving health, and increasing the amount of non-motorized transportation trips taken in Skagit County.

This map is intended to provide information to cyclists so that they can make their own decisions as to which route is suited for their skill level. Facilities in Skagit County range from narrow roads with no shoulder to roads with bike lanes or wide shoulders, and separated non-motorized trails. Likewise, vehicular traffic varies from low to high on the roads throughout the region.

The roads have been coded with input from local bicycle commuters, recreational cyclists, and transportation planners using criteria important to bicyclists including: grade, pavement condition, paved shoulder width, vehicle lane width, traffic volumes, and speed. The legend matrix of the roads should only be used as a guide. Cyclists should be prepared to make their own evaluations. Experienced cyclists may feel comfortable on medium and heavy traffic routes, while beginning and novice riders may prefer to stick to routes with designated bike lanes or lower traffic volumes.

This map and the accompanying information are intended solely to assist bicyclists in their selection of facilities to ride on throughout Skagit County. This map includes facilities within multiple jurisdictions, and as such, conditions and design elements may vary widely. It is the responsibility of the individual bicyclist to remain alert at all times as to the conditions of a facility, pedestrian and vehicle traffic, and the inherent potential for conflict in any shared-use space. Riders should always ride with care for their own safety as well as the safety of all users of a facility right-of-way.

Legend

4ft + Shoulder	2ft to 4ft Shoulder	No Shoulder	*Average Annual Daily Traffic
			Heavy Traffic 7000 + AADT *
			Medium Traffic 3,000 - 7,000 AADT *
			Low Traffic 0 - 3,000 AADT *

Federal and Regional Bike Routes

Separated Non-Motorized Trails — Paved / Unpaved

- Hill
- Steep Hill
- Narrow Bridge
- Roundabout
- Regional Bike Routes: 14; 3 - Coast Salish Route; 5 - Coast Millennium Route; 13 - Centennial Route
- US Bike Routes: 87, 95, 97, 610; 10-Coast to Cascades Route
- Visitor Information
- Parking
- Restrooms
- Transit
- Train Station
- State Route
- Interstate (No Bikes)
- Park/Public Land
- School
- County Park
- City Park
- State Park
- National Park Service Office
- Hospital
- Bike Shop
- Urban Areas

Additional Information Links

- Little Mountain Park Trails (360) 336-6125 http://www.littlemountainpark.org/map/
- City of Anacortes Parks and Recreation (360) 293-1918 www.anacorteswa.gov/490/Parks-Recreation
- Port of Skagit Trails 360-757-0011 http://scog.net/Content/2018/04/Port_of_Skagit_TrailSystem.pdf
- Link to Online Version of Bike Map www.skagitcounty.net/BikeMap

0 2.5 5 Miles

N W E S

Detail A Sharpes Corner

To - From Anacortes

To Anacortes via USBR 10

To Oak Harbor

To Burlington

The Tommy Thompson Parkway/USBR10 is the recommended route for bicycle travel to/from Anacortes. For further instructions on alternative routes to avoid the Sharpes Corner Roundabout, go to https://www.anacorteswa.gov/1001/Pedestrian-and-Bicycle-Routes

To Bellingham

To Deming / Sumas

To Saanich and Galloping Goose Trail Vancouver Island

To Concrete and Winthrop

To Stanwood

To Whidbey Island's Trail System and by Ferry to Jefferson & Clallum County Olympic Discovery Trail

Centennial Trail

To Arlington

Road Narrows

Cascade Trail

Tommy Thompson Trail

Warning: Narrow Bridge With 2-Way Bike Path Over North Span Only. East Bound Bikes Must Double Under at SR20 Bridge

See Detail A Sharpes Corner

Coast to Cascades Route

Coast Millennium Route

Coast Salish Route

Padilla Bay Interpretive Center

Bay View State Park

Northern State Recreation Area

Deception Pass State Park

Anacortes Community Forest Lands

Swinomish Reservation

Lake McMurray

Mount Vernon

Anacortes

Burlington

Sedro-Woolley

Lyman

Hamilton

Birdsview

Bay View

Edison

Bow

Blanchard

Alger

Allen

Conway

La Conner

Oak Harbor

Fir Island

Padilla Bay

Samish Bay

Skagit Bay

Guemes Channel

Bellingham Channel

Skagit River

Samish River

Joe Leary Slough

Judy Reservoir

Lake Cavanaugh

Lake Erie

Lake Campbell

Simiak Bay

Burrow's Bay

Fidalgo Bay

Deception Pass

Pass Lake

Clear Lake

Beaver Lake

Barney Lake

Big Lake

SINCLAIR ISLAND

CONE ISLANDS

CYPRESS ISLAND

STRAWBERRY ISLAND

JACK IS.

SAMISH ISLAND

GUEMES ISLAND

HUCKLEBERRY ISLAND

SADDLEBAG ISLAND

HAT ISLAND

BURROWS ISLAND

YOUNG ISLAND

ALLAN ISLAND

FIDALGO ISLAND

KIKET ISLAND

HOPE ISLAND

GOAT ISLAND

IKA ISLAND

NAS WHIDBEY ISLAND

WHIDBEY ISLAND

Ferry to San Juan & Vancouver Islands

Whatcom County

San Juan County

Skagit County

Skagit County Island County

Swinomish Channel

Skagit Wildlife Refuge

Lake Cavanaugh

Lake McMurray

Ault Field

Washington Park

Biz Point

Rosario Beach Road

Bowman Bay Road

Deception Pass State Park

Sharpe Park

Yokeko

Kiket Island - Kukutali Preserve

Hope Island State Park

Deception Pass State Park

Coupeville Ferry

Coast to Cascades Route

Coast Millennium Route

Coast Salish Route

Padilla Bay Interpretive Center

Bay View State Park

Northern State Recreation Area

Deception Pass State Park

Anacortes Community Forest Lands

Swinomish Reservation

Lake McMurray

Mount Vernon

Anacortes

Burlington

Sedro-Woolley

Lyman

Hamilton

Birdsview

Bay View

Edison

Bow

Blanchard

Alger

Allen

Conway

La Conner

Oak Harbor

Fir Island

Padilla Bay

Samish Bay

Skagit Bay

Guemes Channel

Bellingham Channel

Skagit River

Samish River

Joe Leary Slough

Judy Reservoir

Lake Cavanaugh

Lake Erie

Lake Campbell

Simiak Bay

Burrow's Bay

Fidalgo Bay

Deception Pass

Pass Lake

Clear Lake

Beaver Lake

Barney Lake

Big Lake

SINCLAIR ISLAND

CONE ISLANDS

CYPRESS ISLAND

STRAWBERRY ISLAND

JACK IS.

SAMISH ISLAND

GUEMES ISLAND

HUCKLEBERRY ISLAND

SADDLEBAG ISLAND

HAT ISLAND

BURROWS ISLAND

YOUNG ISLAND

ALLAN ISLAND

FIDALGO ISLAND

KIKET ISLAND

HOPE ISLAND

GOAT ISLAND

IKA ISLAND

NAS WHIDBEY ISLAND

WHIDBEY ISLAND

Ferry to San Juan & Vancouver Islands

Whatcom County

San Juan County

Skagit County

Skagit County Island County

Swinomish Channel

Skagit Wildlife Refuge

Lake Cavanaugh

Lake McMurray

Ault Field

Washington Park

Biz Point

Rosario Beach Road

Bowman Bay Road

Deception Pass State Park

Sharpe Park

Yokeko

Kiket Island - Kukutali Preserve

Hope Island State Park

Deception Pass State Park

Coupeville Ferry

SAME ROADS • SAME RIGHTS • SAME RULES

Be Visible • Wear a Helmet • Be Alert • Have Fun

BE PREDICTABLE
Ride so drivers can see you and predict your movements. Remember that the rules in the driver's manual apply to bicyclists also.

BE ALERT
Ride defensively and expect the unexpected. Remember, bicyclists are more vulnerable.

BE EQUIPPED
Always wear a helmet. Use protective gear and wear visible clothing.

USE HAND SIGNALS
Hand signals tell others what you intend to do. Signal as a matter of courtesy and self-protection.

RIDING ON SIDEWALKS MAY BE PROHIBITED
Pedestrians have the right-of-way. Give them an audible warning before you pass. Watch for vehicles at driveways and intersections.

BE VISIBLE AT NIGHT
The law requires a strong headlight and a rear reflector or taillight at night or when visibility is poor. Wear light-colored clothes with reflective tape for extra protection.

OBEY TRAFFIC SIGNS, SIGNALS, AND LAWS
Bicyclists must follow the same laws as motorists. Stop at red lights and stop signs just as you would in a car.

FOLLOW LANE MARKINGS
Do not go straight in a lane marked right-turn-only.

RIDE WITH BOTH HANDS READY TO BRAKE
You may need to stop suddenly at unexpected times. In rain, allow three times the normal braking distance.

RIDE IN THE MIDDLE OF NARROW LANES
When the lane is too narrow for a car to pass you safely, ride in the middle of the lane.

YOU MAY LEAVE A BIKE LANE
When overtaking a bicycle, making a left turn, avoiding a road hazard or other obstruction or you are afraid a motorist might turn across your path, you may temporarily merge WITH CAUTION into the adjacent automobile lane for safety or better visibility.

RIDE IN A STRAIGHT LINE
Ride in a straight line and far enough from parked cars so you can avoid suddenly opened doors. Riding in a straight line allows others to anticipate what you are likely to do.

CHOOSE THE BEST WAY TO TURN LEFT
1) Like an auto, signal, move into the left lane, and turn left. Do not turn left from the right lane.
2) Like a pedestrian, use the crosswalk and walk your bike across the sidewalk.

NEVER RIDE AGAINST TRAFFIC
Bicyclists must ride with traffic. Approach velocities are unsafe! Motorists are looking for oncoming traffic when turning right.

SCAN THE ROAD AROUND YOU
Look ahead and anticipate what other traffic is likely to do. Watch for cars, people, pebbles, grates, etc. Learn to look back over your shoulder without losing your balance or swerving.

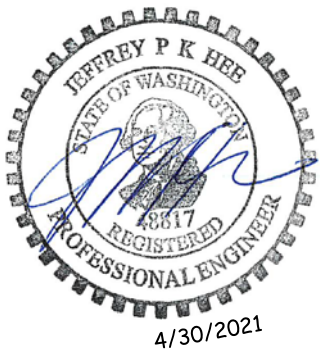
DO NOT PASS ON THE RIGHT
When approaching an intersection or driveway, be especially cautious and do not overtake a vehicle on its right; it might turn right in front of you.

RIDE SINGLE FILE
When riding with other bicyclists, ride in a single file line so automobiles can safely pass. Cyclists in front should warn those following of potential hazards.

006819

ATTACHMENT D

Transportation Solutions
INNOVATIVE | PRACTICAL | EQUITABLE



April 30, 2021

To: John Day and Martha Bray, Central Samish Valley Neighbors

From: Jeff Hee, PE, Transportation Solutions

Subject: Grip Road Grave Mine Traffic Analyses
Peer Review Comments

This memorandum provides my professional opinion comments on the Applicant's traffic impact analyses and responses to comments, Skagit County and HDR staffs' comments, and Skagit County's Re-Issued conditions for the proposed Grip Road Gravel Mine project. If you have any questions, please contact me at your convenience.

Main Comments/Questions

- What is the maximum trip generation and anticipated frequency of maximum trip hours and days? The November 30, 2016 Maximum Daily Truck Traffic memorandum forecasted a maximum trip generation of 60 truck trips per hour. The September 10, 2020 TIA documented an extended hours maximum haul operation of 29.4 truck trips per hour. The frequency and intensity of trips generated suggest a need for additional analysis and mitigation on the part of the Applicant.
- The County's April 15, 2021 Re-Issued MDNS gives the Applicant the option to improve substandard roadway conditions or to not use truck/trailer combinations. If the Applicant elects not to resolve substandard roadway conditions and use standard gravel trucks (no trailer), then the number of truck trips generated is anticipated to be higher than what was evaluated in the traffic analysis.
- The Applicant's mitigation measures do not address all impacts at the new mine access/Grip Road intersection. The intersection sight distance is not satisfied at the site access and the mitigation measures do not extend to Grip Road east of the new access. Additionally, it is my opinion that the sight distance impacts were not accurately disclosed.
- Safety impacts were identified on the proposed haul route in the vicinity of Friday Creek east of Old Highway 99. There are sections along the haul route where the roadside shoulder sections do not meet County standards. The analyses of roadway centerline and shoulder impacts just in the vicinity of Friday Creek, in my opinion, does not provide sufficient information to conclude the other sections along the haul route are adequate for gravel truck traffic.

This document is organized to present my comments and questions regarding the trip generation analysis, proposed site operations, sight distance analysis, roadway shoulder and centerline impacts, haul route impacts, and requests for additional information on the Applicant's traffic mitigation plans, level-of-service standards and impacts to Cook Road.

The comments that follow are based on criteria from the Skagit County Road Standards as applied to the analyses prepared by the Applicant's consultant. References include:

> Section 2.14. "Transportation and frontage improvements, SEPA mitigation, traffic impacts, fees, etc. or the proportionate cost share of the improvements based on peak hour trips and necessary to mitigate impacts of the development (or each phase of development if it is done in phases) shall be in place or paid no later than time of final plat approval or certificate of occupancy, whichever occurs first, for that development or

phase. If the improvements are not listed on the County Transportation Improvement Plan, they shall be installed prior to final plat approval.

"Frontage improvements will be required for all new development that front on an existing County road (See Section 13). Other transportation improvements that may be required will be identified in the Traffic Impact Analysis (See Section 4.06) and the Safety Analysis (See Section 4.09)."

Section 4.00. "All applications for land division and changes of land use shall include sufficient data to determine the amount of additional traffic generated by the development. Such data shall also be used as a guideline for access road and/or driveway requirements."

Section 4.06. "The County may require developments to make traffic impact contributions if the development significantly adds to a road's need for capacity improvement, to a roadway safety problem, or to the deterioration of a physically inadequate roadway. Such traffic impact contributions are in addition to transportation and frontage improvements required in the immediate area for access to and from the development. See also Section 2.14."

Documents Reviewed

- *Grip Road Gravel Pit Preliminary Traffic Information* February 8, 2016, DN Traffic Consultants.
- *Grip Road Gravel Pit Maximum Daily Truck Traffic* November 30, 2016, DN Traffic Consultants.
- *Grip Road Mine Response to Skagit County Request* April 13, 2020, DN Traffic Consultants.
- *Concrete Nor'West Grip Road Gravel Pit Project* April 28, 2020 Grip Road Gravel Pit Traffic Impact Analysis, HDR recommendations.
- *Concrete Nor'West Grip Road Gravel Pit Project* May 14, 2020 Grip Road Gravel Pit Traffic Impact Analysis by County Staff, HDR recommendations.
- *Mitigated Determination of Nonsignificance PL16-0097 and PL16-0098* May 26, 2016, Skagit County.
- PL16-0097 *Revised Request for Additional Information* July 31, 2020, Skagit County Planning and Development Services.
- *Grip Road Min Traffic Impact Analysis* September 10, 2020, DN Traffic Consultants.
- *PL 16-0097 Mining Special Use Permit Response to Additional Information Request, July 31, 2020,* October 8, 2020, Semrau Engineering and Surveying, PLLC mitigation plans.
- *Notice of Withdrawn and Re-Issued MDNS for Concrete Nor'West File #'s PL16-0097 and PL16-0098* April 15, 2021, Skagit County.

Trip Generation Impacts and Hours of Operation

Page 1 of the February 8, 2016 Preliminary Traffic Information memorandum states that hauling from the project is limited to 9 AM-3 PM on 260 working days (Monday-Friday) per year. The trip generation assumes an average and even distribution of truck traffic during those hours. The time frame is typically consistent with the consultant's conclusions that there will be negligible traffic impacts during the traditional AM (7-9 AM) and PM

(4-6 PM) peak hour traffic periods. The preliminary study forecasted the site's hourly trip generation to be 7.67 truck trips per hour.

Page 13 of the September 10, 2020 TIA changed the site operations to 7 AM-5 PM. Truck hauling was proposed to be limited to Monday-Friday and onsite activity proposed to extend to Saturday. Unlike the earlier project proposal, the current proposal will generate truck traffic during the peak hour periods. Under a typical operation, the TIA indicates that the site would generate an average of 4.6 combination truck/trailer trips per hour. The truck/trailer combination is assumed for all truck trips based on the 34-ton load capacity of the combination vehicle.

The frequency and to a degree the intensity of the peak number of truck trips generated by the site are unclear. The consultant's November 30, 2016 Maximum Daily Truck Traffic memorandum states that the maximum truck volume generated by the project could be up to 60 truck trips per hour, based on the availability of truck/trailer combinations in the County. The consultant's September 10, 2020 TIA computed a maximum truck volume of 29.4 trips per hour, assuming extended hours of operation and a higher daily volume transported for the site.

The forecasted maximum trip generation and frequency of maximum trip generating events needs to be clarified. It is assumed that maximum conditions will not occur every day or for every hour of the day; however, it is reasonable for the County to consider implementing restrictions on the project's operations. Restrictions such as prohibiting hauling during the weekday AM, PM, or school peak periods or limiting hauling to not to exceed 5 trucks per hour (based on the consultants 4.6 trucks per hour forecast) would reduce the potential for significant project impacts during peak traffic hours and during the time-periods associated with school bus pickup/drop-off.

Condition 12 of the County's April 15, 2021 Re-Issued MDNS allows the Applicant to limit their operations to non-truck/trailer combination vehicles unless other roadway safety mitigation measures are satisfied. If the Applicant elects to limit their operations to trucks without trailers, then the number of truck trips generated by the project is expected to be higher, due to the smaller hauling capacity of a gravel truck and assuming the same annual and daily tonnage goals provided by the Applicant.

A higher trip generation scenario, based on restrictions on the truck types, should be evaluated. Also, it is common practice to update level-of-service analyses provided in the September 10, 2020 TIA should the trip generation increase.

Trip Generation Impacts and Hours of Operation Additional Comments/Questions

- Does the trip generation account for onsite workers and mining/non-haul operations?
- The site operations have changed from 2013 to 2020. The average-normal hourly trip generation has ranged from 4.6 to 7.67 hourly truck trips. What is the peak hour trip generation anticipated?

Sight Distance Analysis

Sight distance factors include design speeds, brake reaction times, braking distances, and time gaps for turning vehicles, among other factors. Skagit County Road Standards Section 2.02 includes the following speed definitions:

Design Speed - A speed determined for design and correlation of the physical features of a highway that influence vehicle operation: the maximum safe speed maintainable over a specified section of road when conditions permit design features to govern.

Operating Speed - Used for determination of sight distance. Operating speed should be equal to the P85 speed for existing facilities and be equal to the design speed for new facilities.

Tables 5 and 6 from the September 10, 2020 TIA indicate that the posted speed was used to evaluate the sight distance requirements.

There are several locations where sight distance was identified as a concern. The County's Road Standards, suggest a design speed alternative to the posted speed. The Skagit Council of Governments (SCOG) publishes measured daily traffic volumes and 85th-percentile speeds on their website. A common practice is to use the 85th-percentile speed as the design speed when evaluating sight distance. The sight distance analyses should be revised to reflect the publicly available speed data from the SCOG. I note that in some instances the sight distance may be better than reported by the Applicant's consultant and in other instances sight distance may be worse, when revised using the SCOG data.

Page 11 of the September 10, 2020 TIA states that; "Existing sight distance at Prairie Road/Grip Road and Prairie Road/F&S Grade Road intersection is the responsibility of Skagit County. If sight distance deficiencies exist at these intersections, it is the responsibility of the County to make necessary improvement to provide acceptable sight distance."

Page 11 of the TIA states that; "The Applicant is responsible for providing acceptable SSD (stopping sight distance) and ISD (intersection sight distance) at Grip Road/site access." Page 12 of the TIA identifies intersection sight distance deficiencies at Prairie Road/Grip Road and Grip Road/site access. At Grip Road/site access the TIA states; "In this case, it is estimated there would be no more than one (1) left turning truck during the PM peak hour from the Mine access road. The WSDOT Design Manual (section 1310.05 Intersection Sight Distance), however, indicates that ISD is not required for low volume roadways such as Grip Road."

The Skagit County Road Standards are not based on the WSDOT Design Manual. The WSDOT Design Manual does not appear to include exemptions from sight distance requirements for low volume roads. The WSDOT Design Manual reference, does not deal with sight distance.

On April 28, 2020 HDR comments recommended a reanalysis of sight distance based on truck and trailer combinations and also mitigation for entering sight distance at the site access.

The September 10, 2020 TIA states that; "one (1) left turning truck is forecast during the PM peak hour from the Mine access road". There is no sight distance mitigation proposed to the east of the mine access. The warning beacon system proposed for sight distance mitigation, if still reasonable with any changes trip generation, should be extended to the east of the mine access, at minimum.

The warning devices are recommended by the Applicant and accepted by HDR and the County staffs. Since these devices are intended to mitigate and not resolve existing sight distance deficiencies, which the Applicant's consultant has indicated are the responsibility of the County, it is requested that the hours of hauling operations be limited to daylight hours to afford roadway users optimal conditions to navigate through sight distance impaired locations.

Sight Distance Analysis Additional Comments/Questions

- Is County's Vision Clearance Triangle (Road Standards Figure C-2) satisfied in the study area?
- Were sight distance exhibits submitted and are they available for review?
- What is the speed needed to achieve sight distance at the study locations?
- Intersection sight distance for truck/trailer combinations was not evaluated at the F & S Grade Road/Prairie Road intersection (Table 6 September 10, 2020 TIA); and thus, it is requested that mine traffic be prohibited from using F & S Grade Road, unless additional analysis or mitigation is provided.

Roadway Shoulder and Centerline Impacts

Page 20 of the September 10, 2020 TIA states; "Prairie Road has a number of curves which would force the dump truck/pup rigs to encroach on the centerline or the shoulder." Page 21 states; "The Consultant prepared an AutoTurn® analysis of these turns on Prairie Road approximately 1200 lineal feet and 1800 lineal feet east of the Prairie Road/Old Highway 99 intersection. Based on this analysis, it was estimated the dump truck/pup trailer combination is expected to encroach approximately two (2) to three (3) feet onto the shoulder of over the centerline." Page 21 later states; "Potential encroachment of the dump truck/pup combination on shoulder and center line is a safety concern. It should be noted the roadways are not consistent with current Skagit County Road Standards for shoulder widths."

The exhibits included in the TIA are hard to read. The exhibits do not provide dimensions and specifications for the non-standard, "custom", truck/trailer design vehicle. Common practice for reporting vehicle-turn results is to provide an exhibit clearly showing the design vehicle and its analysis specifications. This is reasonable considering the design vehicle is "custom" and was created for this analysis.

The Grip Road east of the Prairie Road and west of the site is narrow and includes ditches, curve warning and speed reduction signs, guardrails, no shoulder striping, limited available shoulder area and a relatively steep grade section. Common practice is to apply design vehicle turning templates to justify the roadway section(s) can support the desired vehicle. No turning templates or similar analyses were applied to Grip Road based on the materials provided to review.

The Re-Issued MDNS Condition 12 gives the Applicant an option to operate with gravel trucks (no trailers).

To verify that the proposed haul route can support truck/trailer combinations or gravel trucks (no trailers) the Applicant's consultant should provide additional turning templates to support use of the existing road section.

Haul Route Impacts

Page 1 of the County's July 2020 Request for Additional Information document identifies concerns that truck/trailers will not be able to navigate the 90-degree turns on Prairie Road directly east of Friday Creek.

The project trip distribution, Figures 4 and 6 in the September 10, 2020 TIA, shows truck trips to/from the east of the site on Grip Road.

The 90-degree turns on Grip Road directly of the site access have similar challenges as those on Prairie Road near Friday Creek. There is no analysis that supports a truck/trailer combination traveling to/from the east of the site. I recommend that the County limit the haul route to/from the west of the site unless the roadway

geometry to the east of the site is analyzed and there is documentation provided to support a haul route either for truck/trailer combinations or a truck (no trailer) vehicles east of the site.

The crash history on pages 9 and 10 of the September 10, 2020 TIA does not report or evaluate collision trends on road segments on the haul route. It is common to include segment crash trends in a TIA, particularly when the analyses disclose safety issues on the haul road segment in the vicinity of Friday Creek and also since the County is allowing the Applicant the option of not mitigating certain existing substandard conditions.

Haul Route Additional Comments/Questions

- It would be useful if turning templates could be amended to show the gravel truck (non-combination) impacts at key locations along the haul route.
- The total crashes at I-5 SB Ramps/Bow Hill Road and at Old Highway 99 N/Bow Hill Road/Prairie Road are different in Tables 2, 3, and 4 in the September 10, 2020 TIA.
- The TIA report recommends improvements at Prairie Road/Old Highway 99. Will the Applicant complete the improvements recommended in the report?
- The analysis does not provide any conclusions on if the project traffic will increase the frequency and severity of collisions on the haul route, given the haul route's geometric and sight distance constraints.

Mitigation Plans Additional Comments/Questions

The plans included for the Mine Access do not include street names and are difficult read. May new copies be sent of Sheets 3 and 10 and any other relevant sheet?

Other Comments/Questions

- The TIA does not address the segment LOS requirements, per the County Road Standards. Based on the analyses to date, this is not likely to be a significant issue, unless the trip generation radically increases.
- The TIA references a weight limitation on the Samish River bridge on Old Highway 99. The Re-Issued MDNS requires the project to comply with the weight restrictions on the bridge. Compliance to the bridge loading was addressed in the TIA by redistributing traffic to I-5 southbound to the Cook Road interchange. The WSDOT, SCOG and County have identified traffic issues on Cook Road at the interchange and at and on Old Highway 99 and related to the local railroad crossing. Does the redistribution of truck traffic to Cook Road affect traffic operations and warrant mitigation?

ATTACHMENT E

Washington Dept of Fish & Wildlife

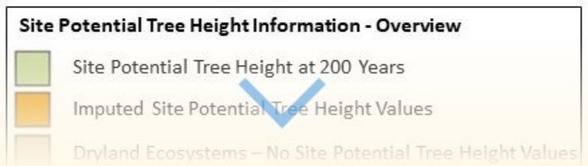
Priority Habitats And Species: Riparian Ecosystems and the Online SPTH Map Tool

This mapping tool provides site-potential tree height information at the parcel level state-wide. However, the specific application of this tool is for those areas that are proximate to waterbodies - also known as the riparian ecosystem.

The riparian ecosystem is the extent of the area alongside a waterbody that significantly influences the exchange of energy and matter among terrestrial and aquatic ecosystems. Riparian ecosystems are a focal point for conservation because within them, protection of full riparian functions are possible. In addition to fish and wildlife habitat connectivity, those functions include bank stability, shade, pollution removal, and contributions of detrital nutrients and of large woody debris. For more information see: ***Riparian Ecosystems***, *Volume 1: Science Synthesis and Management Implications* and *Volume 2: Management Recommendations*.

Using this online map tool:

- The online map contains GIS data layers that will provide you with site-potential tree height (SPTH) values (in feet) for forested ecoregions (green), imputed site-potential tree height values (in feet) for selected urban areas (gold/orange), steps to derive a riparian management zone width value for dryland ecosystem areas (brown), or directions for contacting WDFW Habitat Biologists for riparian guidance for lands that have no site-potential tree height values (tan).



Site-potential Tree Height (SPTH) and Riparian Management Zone (RMZ) Values

Find address or place

Legend

Washington State NHD Hydrography

NHD Coastline

NHD Rivers
- Stream / Perennial
- Intermittent / Ephemeral
- Canal, Ditch
- Pipeline
- Connector

NHD Waterbody
- Lake, Pond, Reservoir
- Swamp, Marsh
- Ice Mass

NHD Area
- Large Rivers
- Canal, Ditch
- Foreshore
- Rapids

Site Potential Tree Height Information

Site Potential Tree Height at 200 Years

Imputed Site Potential Tree Height Values

Other Lands - No Site Potential Tree Height Values
- No NRCS soil information available
- No SPTH site index data available

Dryland Ecosystems: No Site Potential Tree Height Values
- Red: Band_1
- Green: Band_1
- Blue: Band_1

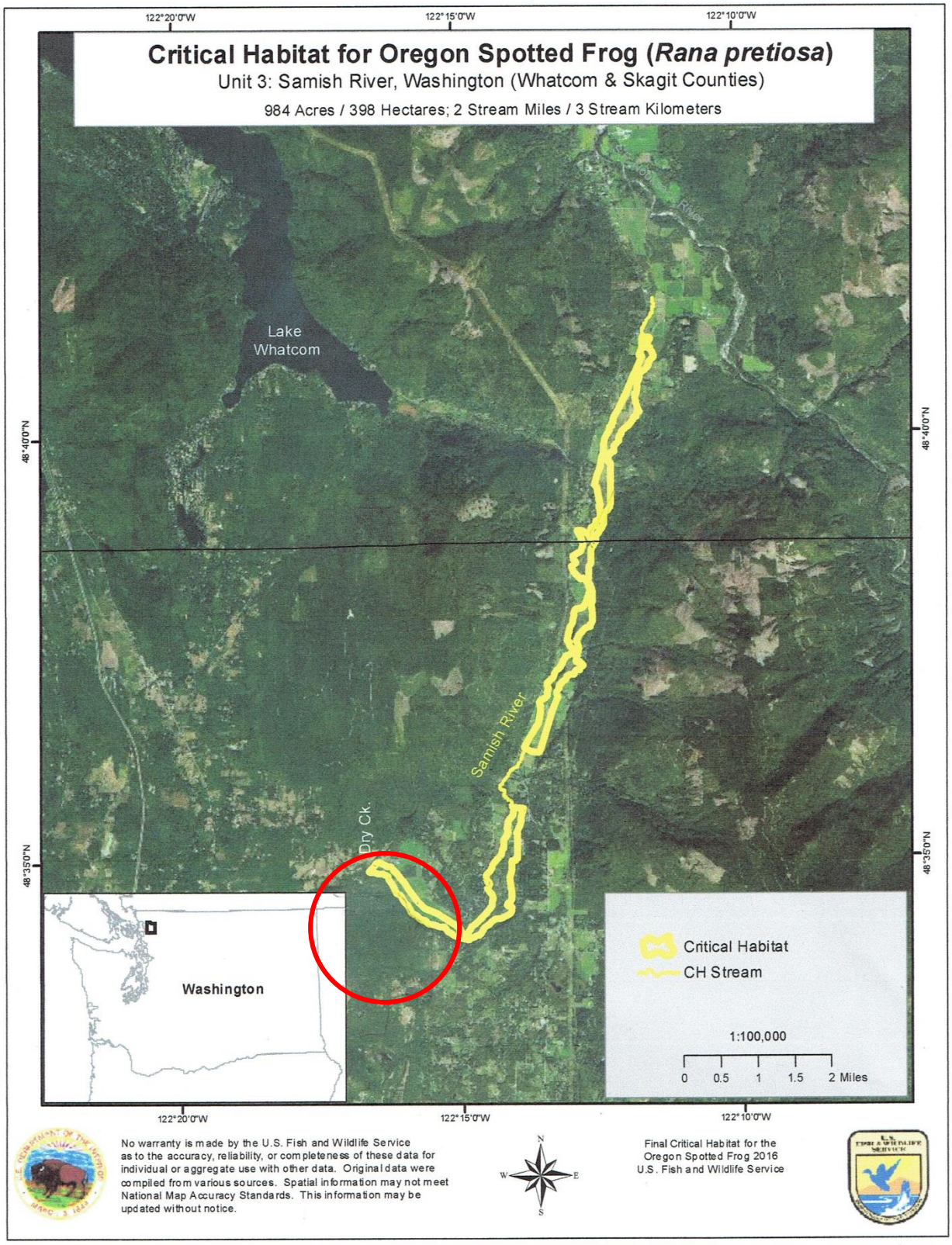
600ft

48.5734 -122.2727 Degrees

006828

Maxar | WDFW

ATTACHMENT F


Critical Habitat for Oregon Spotted Frog (*Rana pretiosa*)
Unit 3: Samish River, Washington (Whatcom & Skagit Counties)
984 Acres / 398 Hectares; 2 Stream Miles / 3 Stream Kilometers
122°20'0"W
122°15'0"W
122°10'0"W
48°40'0"N
48°35'0"N
Lake Whatcom
Samish River
Dry Ck.
Washington
Critical Habitat
CH Stream
1:100,000
0 0.5 1 1.5 2 Miles
N
S
E
W
No warranty is made by the U.S. Fish and Wildlife Service as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. Spatial information may not meet National Map Accuracy Standards. This information may be updated without notice.
Final Critical Habitat for the Oregon Spotted Frog 2016
U.S. Fish and Wildlife Service

Matt Mahaffie
22031 Grip Road
Sedro Woolley, WA 98284

April 30, 2021

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

RE: PL16-0097

Dear Mr. Cerbone,

I am writing in comment to the special use permit application PL16-0097, a proposed operation of a gravel mine by Concrete Nor'West. I am supportive of the need of the company to have a reliable source of their base material going into the future, a need that also in many cases has a public benefit, but have serious concerns about the proposal as presented which will place undo burden upon the local community's quality of life, safety, and environment without any meaningful mitigating measures volunteered by Concrete Nor'West nor Skagit County, even after extensive public input for several years.

I am very familiar with this property, having spent over 20 years traversing all portions of the property when it was open for public access (previous owners) as well as reviewing it professionally as a wetland/critical areas specialist under other development proposals. I am also a nearby resident of the community who also spent many years as a CDL licensed driver of the types of trucks proposed to be utilized with this endeavor. Specific concerns are as follows:

Critical Areas Review

In the normal course of work I personally have the utmost respect for Graham-Bunting Associates and Skagit County Planning staff, and as previously commented, respectfully disagreed with a few key findings presented with the supplied report and/or the scope of work that should have been specified by Skagit County. The fact that these distinct factual errors and very clear requirements of Skagit County Code were ignored after being pointed out by the Washington State Department of Ecology, two Skagit County approved Critical Area specialists, and countless community members is very disturbing.

- The singular wetland rating put forth appears accurate. However, the land use intensity (moderate) put forth in no way conforms to the land use intensity description put forth in Appendix 8C of WA DOE Publication No. 05-06-008 as required if using the alternative buffers in SCC 14.24.230(1)(b). This is not just

my personal opinion; it is my opinion as a Natural Resource Planner and staff biologist for a local County government, trained by the Department of Ecology in the use of their rating system, as well as a consulting wetland professional recognized by Skagit County as such via inclusion as a recognized qualified professional included in Skagit County PDS list of approved consultant (having submitted hundreds of approved critical area assessments to Skagit County). It was also the consistent opinion every professional wetland scientist and agency reviewer that I inquired with, including the Department of Ecology (Doug Gresham, DOE, personal conversation 12/23/16) the authors of the said referenced publication who has also commented to Skagit County on this proposal with this fact. The land use intensity for a full-time gravel mining operation is unquestionably **high**. A high habitat score (as put forth by the supplied wetland rating) requires a 300ft wetland buffer per SCC 14.24.230, not 200ft as proposed (300 also being the standard buffer).

- The review/assessment also neglected SCC 14.24.230(2), where in general, buffers are to extend 25 feet past the top of sloping areas that are 25% or greater. The site plan as indicated shows areas where this provision is applicable. Regardless of the aforementioned land use intensity issue, the buffer likely should still extend past the line indicated in areas unless there is a rational reason put forth not to, which does not appear to have been done specific to this.

- A wetland assessment is required for this project as proposed (regardless of the land use intensity) per SCC 14.24.220. A wetland assessment has not been submitted for this project even though the Fish & Wildlife Assessment made it clear that a wetland was present. The wetland assessment should include a wetland delineation which was also requested to be completed by WA DOE during the initial SEPA comment period. It is unclear why this portion of Skagit County Code was ignored, as were all of the SEPA comments submitted by the singular state agency most relevant to the issue.

- Critical area review, and to a lesser extent SEPA, was limited to the proposed mine site only. However, Skagit County staff has consistently maintained that changing the use of forest roads to new uses was tantamount to a new impact, needing at a minimum assessment, and potentially mitigation. The haul road is most certainly a change of use by a drastic degree. Going from an access only used infrequently for forestry purposes to a road that could have hundreds of truck trips per day essentially in perpetuity will most certainly be an impact to the environment in numerous areas. This will be a distinct habitat break in what is presently one of the largest undeveloped tracts of left in lowland Skagit County, home to deer, bear, cougar, and elk as well as many avian and small mammal species. Heavily trafficked corridors are well known to affect the habits of such species. The haul road also drains to a salmon stream that has serious turbidity problems, and it seems inconceivable that the increased road traffic and maintenance/improvements without stormwater control will not affect this riparian area.

The road crosses one of the most productive tributaries in the Samish River basin as well as being within the buffer of likely Category I wetlands. The road has already been improved, and it would be ridiculous to think that the significant improvements (grading, surfacing, and vegetation clearing) were solely for "forest management" after the special use permit is granted. It is unclear from the available documentation why Concrete Nor'West is not being held to the same standards as numerous clients of mine (professionally) building simple single-family homes have been; addressing the clear intensification of impacts when transferring the use of a logging road to another use.

- No meaningful protective measures have been assessed to the buffer of the critical area adjacent to the mine operations. While recording of a Protected Critical Area (PCA) site plan is standard and generally adequate for a single family home, a commercial operation with employees on heavy equipment, no oversight, and no vested interest in the observation of the buffer is a recipe for disregard of said buffer (not to mention a PCA is required by SCC). Glaringly as well, there is no reference on the ground for the buffer. If there is no survey or mapping, how will anyone know where the buffer is? The buffer should be required to be demarcated in the field, an absolute standard practice, and in reality, should be fenced as well (absolutely standard industry practice).

- All conversion activities (PL16-0098) were supposedly limited to the mine site. Most recent aerial photos of the site (Google Earth August 2020) clearly indicate conversion activities that have occurred onsite, including conclusively within the standard review area of a clearly apparent wetland, quite likely within the buffer. The proposal and subsequent review has in no way addressed these areas of converted forest land as defined by WAC/RCW, with the scope of the noticing of the conversion activities not held to, nor the apparent non-compliance of issued FPA conditions.

<u>Noise</u>

The applicants have stated that their project will have no noise concerns to the neighborhood. This is blatantly false. A raised voice can be heard on neighboring properties to the north (known from personal past observation) from the area proposed to be mined. How would heavy equipment not be heard? An excavator bucket hitting the side of a dump truck is as loud as a small caliber rifle shot, and such hits and bucket shaking will take place many times a day with such a mining operation. All of the neighboring properties will be subject to such noise. On the upslope side (where I live), any use of the onsite road system by even a diesel pickup truck can be clearly heard outside on a clear day, heavy equipment use can be heard inside. There is absolutely no way mining operations will be fully self contained in regards to noise. Operations during standard business hours would be one thing, but evening and weekend operations would result in a seriously degraded quality of life in this regard. While it can be noted that the

area is in a mineral resource overlay (zoning), the overlay was added after many of us moved into the area.

Also lacking in analysis is the road noise going east from the site, and very questionable analysis going west. Although eastern traffic is not part of the proposal, without a condition regarding such, there will very likely be traffic going that way as well. We live on a small country road, and most of the homes are close to the road. When the infrequent gravel truck and trailer passes by, the entire house shakes, both from the noise of the truck/engine, and the constantly used exhaust brake. The noise has been so loud that objects have fallen off of walls, children wake from naps, and any sense of peace and quite country living is shattered. We knew the conditions when we bought property in the area, and were accepting, but a constant and potentially hundredfold increase in daily gravel truck traffic would be unacceptable for any in the area, especially in light of the fact that Skagit County Planning staff required that my home be built abutting the road rather than the several hundred feet back that I desired to address such issues. These trucks will pass many homes and will cause significant duress for many residents.

Traffic Safety

While it is nice to see that the County added conditions regarding the two 90-degree corners closest to Old 99 on Prairie Road be fixed prior to truck/trailer combos being allowed to access the site in the updated MDNS, glaring omission was made to the status of Grip Road if such happens. As an experienced driver of the types of trucks in question (still hold Class A CDL and have for many years), yes, a dump truck and pup trailer may technically traverse Grip Road from the property to Prairie Road. Reality, however, is far different. Virtually no truck driver is going to consistently traverse this road section safely. Center lines will be crossed and shoulders will be driven upon, it is a given. This creates an issue for taxpayers who will have to repair the road, for the environment that will be degraded by the continual influx of sediment from damage to the shoulder/ditch, and the public safety. There will be no place to safely walk or ride a bike on this stretch of road with trucks and trailers cutting corners. Families walk in the area, ride bikes, and commute on this road (as well as Prairie Road). Also present are hundreds of bicyclists throughout the warmer months with numerous planned rides/races using this area as one of the "safer" routes. With the development of the Tope Ryan Conservation Area (Skagit Land Trust property at Swede Creek on Grip Road) trail system, the lower end of Grip Road has also become a park like setting with many families using the area, walking the road and bridge, and swimming in the river (which can only be accessed after walking from the parking spots down the road). How will this safety issue be mitigated. While I let our older children ride their bikes down to the river now, or their friends house, I cannot allow such with such an increase in industrial truck traffic. My children's safety and basic childhood experience will forever be altered by this proposal.

In over 30 years of living in the area, I have noted numerous very serious accidents at the intersection of Grip and Prairie Roads, one of the worst blind corners in the County. Recent work by Skagit County to extend the site distance has not significantly changed the response time for a driver, and while past lowering of the speed limit has helped

some, but having trucks and trailers essentially blocking the intersection throughout the day will lead to disaster, regardless of a blinking warning light (that the drivers will assuredly become numb too).

While Grip Road can technically be argued to be traversable from the property in question to Prairie Road, it absolutely cannot the other way (east). The two 90-degree corners immediately west cannot physically be traversed by a truck and trailer within the bounds of their assigned lanes. Presently, when a truck meets another vehicle, one must stop as the truck must cross into another lane to traverse the corner. It is unclear why traffic analysis did not address this when application materials clearly left open the possibility and likelihood of routing this way (and why the County has only noticed the project with truck traffic going west) without any kind of mitigating measure put forth in the MDNS.

Future Plans

It is the stated purpose of the applicants and the County that Concrete Nor'West that this project is to haul gravel to haul to their other facilities for processing. However, onsite sales are also mentioned in some documentation, as is residential development. Concrete Nor'West also states their need as the existing pits in their portfolio are being depleted. That begs the question of why would they continue to haul to other pits for processing? It would seem to be much more practical to bring their processing to this site. The issuing of this special use permit with the presently recommended conditions would simply lead to further intensification of the site and all that would entail (onsite processing, retail sales, batch plant construction?). Honesty and consistency on the part of the applicant with proper conditioning of the permit is a must, with an MDNS issued that applies concrete terms, not generalities; to be applied to any issued permits as well. Concrete Nor'West has not been a good neighbor here, or on other properties, and there is no reason to think that would change.

The County has consistently put forth an average number of truck trips per day. The applicants have clearly indicated not wishing to be bound by this number on a daily basis. Using it without any actual limitation or conditions is quite arbitrary and by not putting

Conclusions

Whether I am sure that it was not intentional, the permitting review of this project quite preferential to the applicants and has created a high level of distrust with Skagit County in the local community, and I find that quite unfortunate. It is understood that as a company that supplies materials derived from mining operations that a reliable supply going forward would be a business necessity. However, unlike the other gravel pits in the Concrete Nor'West portfolio, they are not acquiring an existing pit in a neighborhood, but creating a new one in an existing, long established neighborhood. There will be notable environmental, quality of life, and safety impacts with no notable or worthwhile mitigating conditions placed upon the applicants, and in many regards is a slap in the face

to the citizens of Skagit County I work with on a daily basis that must comply with Skagit County Code to get their permits. Regardless of the complete lack of understanding of the SEPA process to put a mitigating condition as following County code, in the instance of following the CAO while blatantly ignoring factual errors as pointed out by professionals as well as representative of the Agency which wrote and manages the documentation the County is to follow is appalling.

A cursory exercise in the finances of the project shows that there will be in excess of $100,000,000 of material sold, this is of course before costs and using an average sale price (~$25/cy as typical for 5/8 minus), but reflects the sheer volume of money involved and the resources Concrete Nor'West should be willing and able to mitigate the impacts that they will create. We, the neighbors of this site, and the citizens of the County as a whole, should not have to bear the costs for a private companies profit whether it be lost property values, health and safety, or via sacrifice of local habitat and sensitive environments. While at this time I do not support the project as proposed, the appropriate conditions following review (that is required by Skagit County Code) would make it much more palatable and supportable. This should be via a holistic review of the proposal followed most likely by an EIS.

Thank you for your time and consideration on this matter.

Respectfully,

Matt Mahaffie

29 April 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

I would like to comment on the SEPA determination issued by Skagit County Planning and Development Services in response to the mine development application submitted by Mile Sand & Gravel's.

While the conditions suggested in this MDNS are more substantial than in the previous one issued nearly five years ago, I am disappointed that these conditions reflect a limited understanding of the scale and scope of the project and offer only piecemeal and symbolic mitigation, rather than specific and prudent measures to protect our community's well-being.

First, we see no limitation on the volume of truck traffic. And this is a very important point. While the applicant suggests an average of 46 truck trips per day, it's clear that the average is a meaningless number when it comes to determining traffic safety impacts. Speed limits, for example, are set based on the maximum safe speed of travel, and principle for a maximum limit on mine traffic volume should be similar. The applicant's own analysis suggests that up to 30 truck & trailer combos or up to 70 single dump truck trips per hour might occur. It is reasonable to expect the SEPA determination to evaluate the traffic safety impacts of the project based on this maximum, and mitigation conditions should set hard limits on this number, frequency, and duration.

Second, the application and mitigation plan lack clear definitions and maps of all haul routes. There is a proposed route but there is no specified limitation of mine traffic strictly to the defined routes. Neither the County Government nor the public can evaluate the traffic safety impacts of the project and the adequacy of the MDNS without this information. We need a safety analysis of all haul route intersections and road segments to determine whether or not trucks traveling to and from the mine will stay within their lane of traffic, and the mitigation measures to be required for every location where they will not.

I am glad to see that the new MDNS recognizes and requires mitigation for the fact that truck & trailer combos are unable to navigate the two sharp curves on Prairie Road east of Old Highway 99 without encroaching on the opposing lane of traffic. However, this is not the only spot along the proposed haul route, or the other likely alternative routes, which are similarly difficult to traverse for truck & trailer combos. The S-curves on Grip Road are particularly challenging and

on a steep incline. Why haven't these other problematic spots been evaluated, and mitigation measures been required? What happens when a school bus meets a gravel truck on these shoulderless curves?

Third, our rural roads have seen a large number of traffic accidents in recent years. My wife and I commute to Bellingham on a daily basis and often pass accident scenes on Highway 99 and sometimes on Prairie Road. And everyone in our community has stories about near misses. Has any analysis been performed to see what's causing all these accidents? In the analysis provided by the applicant I haven't seen any indication how this additional traffic will impact existing traffic. Do speed limits or passing conditions need to be adjusted to improve safety? I have personally observed how slow-moving trucks can cause irritation and provoke unsafe passing behaviors in some drivers.

Fourth, what's the long-term impact going to be on our public infrastructure? Adding heavy mine traffic to our existing, substandard roads will cause increased damage and higher maintenance costs. These impacts must be evaluated and the applicant should be required to pay their proportional share of the costs. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required frequent repairs over the last few years just with existing traffic levels. It's no secret that as the gross vehicle weight increases, the damage to road infrastructure increases exponentially.

Finally, I would like to express my disappointment in the "flashing light" solution to the Grip and Prairie intersection problem. This seems like such a band-aid solution. Instead of eliminating the source of the danger, you're just asking drivers to be on the lookout for danger. Yes, that may help raise driver awareness, but it's really only a half-hearted attempt to rectify the problem, when the applicant's own analysis shows there's a safe, albeit more expensive, solution.

I hope that you and your staff will take another deep and thoughtful look at the application, the concerns raised by community members and your own analysis. There's a lot of room for improvement here.

Respectfully,
Jed Holmes
7691 Delvan Hill Road
Sedro-Woolley, WA 98284

Michael Cerbone

From: Planning & Development Services
Sent: Monday, April 19, 2021 12:10 PM
To: Michael Cerbone
Subject: FW: PDS Comments

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Friday, April 16, 2021 9:50 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Barbara Lemme
Address : 5856 Park Court
City : Sedro Woolley,
State : WA
Zip : 98284
email : bobbil@cnw.com
PermitProposal : Grip Road Mine proposal
Comments : I have a tremendous concern for the safety of bike riders on Prairie Road. There is minimal shoulder space for a bike rider to safely get off the road in case a large truck comes by. With an increased number of trucks on the road, it will be extremely difficult to safely get off the road, especially if two trucks are passing each other, going different directions.

This is an accident waiting to happen. I would imagine a family would rightfully sue the county if a death or injury resulted from too many trucks on the road. Prairie road has too many curves. Grip Road is steep and narrow. And where the two roads meet, there is a blind spot for turning trucks, even with blinking lights.

It seems like the county is caving in to business interests instead of listening to the residents who live in the area. Who does the county represent??

I don't think that this proposal is a good one.

From Host Address: 50.34.189.197

Date and time received: 4/16/2021 9:46:11 AM

From: normfranwasson@gmail.com
To: John Cooper
Subject: Open Pit Gravel Mine permit #PL16-0097
Date: Wednesday, December 21, 2016 11:41:56 AM

Dear Mr. Cooper;

I would like to express some concerns that my neighbors and I have regarding the Concrete Nor'West proposed open pit gravel mine between Grip and Prairie roads. Permit #PL16-0097.

Why is there no Environmental Impact Statement or Study required?

The Samish River flows around the gravel mine site from the Northeast to the South Southeast. What happens if this promontory suffers a devastating slide similar to what happened in Oso disaster on the Stillaguamish river several years ago? What happens to the houses and farms directly across the river from this proposed gravel pit mine site?

How will the groundwater be affected as gravel mine is excavated 50 to 90 feet deep? How will this affect the household wells of the residents sharing the plateau with this gravel pit mine?

What is the consideration for public safety as these GVW 105,000 lbs truck/ trailer combos barrel down a narrow, steep and winding Grip road to Prairie road? There are no shoulders on either of these roads that are safe for pedestrians, children or bicycles. That the entrance to Prairie road from Grip road is a totally blind corner from both directions is a disaster waiting to happen needs to be addressed.

Why are we, the property tax payers, required to finance the resurfacing of our roads, after being destroyed by these overweight trucks, for this corporations profits?

Why is there no mention of the noise, dust and vibrations from the operation of this gravel mine? And why is there no limitation on the hours of operation of this proposed open pit gravel mine so we, the residents of this rural area, may preserve our quiet country lifestyle?

Who will recompense the property owners in this area from decline in property values incurred by this gravel mine?

The Samish river is a major salmon bearing stream. How can you not have an Environmental Impact Study initiated when this gravel mine could potentially send large amounts of silt into the sensitive spawning areas downstream?

This whole gravel mine proposal has the feeling of local government jumping through the hoops of big business at the expense and disregard of the local property owners.

Thank you for your time.

Norman Wasson

20836 Prairie R

Sedro Woolley, WA 98284

(360)724-5054

Sent from Mail for Windows 10

From: NICK & NICOLE
To: Commissioners; John Cooper; Planning & Development Services; betta@co.skagit.wa.us
Subject: Proposed Gravel Mine
Date: Monday, December 19, 2016 7:37:06 AM

To Whom It May Concern:

It has recently come to my attention that Concrete Nor'West has applied to open a gravel mine near the Samish River. As a resident on Prairie Rd I have many concerns about this proposal, including impacts to residents such as noise, visual, dust, safety and inadequate road systems. I was surprised to hear that this project has been under consideration for some time and disappointed that most local residents have not been notified and are unaware.

My understanding is that the county realized that inital notification was indeed insufficient and have now notified property owners within 300 feet of Concrete Nor'west's contiguous parcels and also re-opened the comment session for the proposal, from December 15-December 30th.

While I appreciate the expansion of notification and comment session, I still have several concerns.

My first concern is that the scope of notification is too small. I am not within 300 feet of these parcels, and will not receive notification from the county. Likewise, most residents along Grip and Prairie Rd will not be notified. There are many small and private roads that use Prairie Rd daily that will not receive notification. Unfortunately, it puts a burden of both time and money on the few informed residents to spread the word up and down miles of country road to encourage people to give their feedback to the county during an open comment period of 2 weeks.

I'm sure the county would like people who give feedback to be educated on the proposal and not just respond in an emotional manner or be swayed by others opinions. This requires time to research and educate oneself. With the holidays nearing, many county employees who provide that information may understandably take vacation time away from work to spend with families. In fact, it has come to my attention that John Cooper, who is the Senior Natural Resource Planner and listed contact for this project, will be out of his office December 22nd through January 2nd and unavailable to answer questions. In addition, it is easy to imagine my neighbors will be busy with the holidays and find it difficult to spend adequate time considering and responding to this proposal. Therefore, I ask that this comment period be extended to allow residents to be informed by both the county and their neighbors.

I also ask that expanded notification be provided by mail to any resident who is within sight or sound of the proposed mine. Additionally, I request that residents who live on or near the proposed travel route of the gravel trucks be contacted and notified as well. This should include all residents along Grip Rd and Prairie Rd, as well as the small roads that are found along their length. Currently, with the exception of one, signs posted are 8 1/2x 11 inches and not readable from the road. Because our roads our narrow and without shoulders it seems dangerous to ask residents to stop and read these signs from the road nor is it fair to ask them

to park on private property and return on foot to read signs. I have attached a photo as example of the sign notification that is currently in place as seen from Grip Rd.

Residents of our county have the right to be fully informed and a project of this magnitude should require notification beyond what is required for residential construction. Thank your for your time and any effort you may take to ensure that all residents have a fair opportunity to become informed in a safe and timely manner.

Sincerely,
Nicole Nickelson
20636 Prairie Rd
Sedro Woolley
360-362-9174



From: NICK & NICOLE
To: John Cooper; commisioners@co.skagit.wa.us; Planning & Development Services
Subject: Proposed Gravel Mine
Date: Monday, December 19, 2016 7:50:53 AM

To Whom It May Concern:

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Sincerely,
Nicole Nickelson
20636 Prairie Rd
Sedro Woolley
360-362-9174



From: NICK & NICOLE
To: Commissioners; Planning & Development Services; John Cooper; Betta Spinelli
Subject: Proposed Gravel Mine
Date: Monday, December 19, 2016 7:55:42 AM

To Whom It May Concern:

It has recently come to my attention that Concrete Nor'West has applied to open a gravel mine near the Samish River. As a resident on Prairie Rd I have many concerns about this proposal, including impacts to residents such as noise, visual, dust, safety and inadequate road systems. I was surprised to hear that this project has been under consideration for some time and disappointed that most local residents have not been notified and are unaware.

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Sincerely,
Nicole Nickelson
20636 Prairie Rd
Sedro Woolley
360-362-9174



From: NICK & NICOLE
To: Commissioners; John Cooper; Planning & Development Services; betta@co.skagit.wa.us
Subject: Proposed Gravel Mine
Date: Monday, December 19, 2016 7:37:06 AM

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Sincerely,
Nicole Nickelson
20636 Prairie Rd
Sedro Woolley
360-362-9174



Ryan Walters

From: Martha Bray <mbray1107@gmail.com>
Sent: Saturday, February 3, 2018 10:03 PM
To: Ryan Walters
Subject: RE: meet about Grip Road Gravel Mine (PL16-0097 & PL16-0098) ?
Attachments: GRIP RD GRAVEL MINE PERMITTING TIMELINE3.pdf

Hi Ryan,

We have kept a record of the application process for the Grip Road gravel mine SPU permit. It is from the community's perspective of course, but as accurate as possible as far as events and dates.

Perhaps this would be useful for you and the new director to understand where things stand, and why we are in need of a meeting.

Hope to hear from you soon.

Thank you,
Martha Bray

From: Ryan Walters [mailto:rrwalters@co.skagit.wa.us]
Sent: Friday, January 26, 2018 3:45 PM
To: Martha Bray
Subject: RE: meet about Grip Road Gravel Mine (PL16-0097 & PL16-0098) ?

Hi Martha,

We are always willing to meet with the community to discuss the status of any pending permit application. I'd like to loop our new department director, Hal Hart, into this matter before scheduling a meeting, however. He starts on Monday, and I'll discuss it with him right away. Thank you for your patience.

Ryan Walters
Assistant Director
Skagit County Planning & Development Services
direct 360-416-1319
www.skagitcounty.net/planning

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Wednesday, January 17, 2018 1:40 PM
To: Ryan Walters <rrwalters@co.skagit.wa.us>
Subject: meet about Grip Road Gravel Mine (PL16-0097 & PL16-0098) ?

Hi Ryan,
It was good to sit down with you the other day to discuss the RFI proposal -- I learned a lot. It got me thinking that perhaps it would be helpful to meet with you about the Grip Road gravel mine. Months ago you said to get in touch with you if I had any questions or issues about it. Well, our neighborhood group is feeling pretty marginalized and confused about the process right now.... We have gotten very little response to our recent letters and inquiries. Would you be willing to meet with a few of us to hear our concerns about the permit review process and so you could explain where

PDS is headed with this project? If one of the planners who is involved in this application review could attend to help clarify things that would be really helpful. I spoke with John Cooper on the phone last month trying to find out what was happening with the permit extension and about the meeting that was held with Dale Pernula and Concrete Nor'West representatives. He said that he did not attend that meeting, but Betsy Stevenson did. It would help if someone who was at that meeting could be there -- perhaps Betsy could attend? John also told me that he has been instructed not to respond to us in writing, which explained why my email inquiries were not returned, but leaves us pretty much in the dark.... Our intention would be to simply clear the air and to get information.

Thank you for your consideration,
Martha Bray

LORING ADVISING

By Electronic Portal and Email

April 30, 2021

Hal Hart
Director of Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: File No. PL16-0097 & PL16-0098; Concrete Nor'West Grip Road Gravel Mine
Skagit County Planning and Development Services Mitigated Determination of Nonsignificance

Dear Mr. Hart,

I'm writing on behalf of Central Samish Valley Neighbors ("CSVN") to request that Skagit County Planning and Development Services ("PDS") reconsider and withdraw the Mitigated Determination of NonSignificance ("MDNS") that it issued for the clearing and development of a 68-acre sand and gravel mine ("Mine") along the Samish River. The MDNS conflicts with Washington's State Environmental Policy Act ("SEPA") because it issued without an evaluation of multiple potential environmental impacts from the Project. For example, although prominent issues like the Mine's hours of operation and its encroachment into the 300-foot wetland buffer have been raised consistently since Concrete Nor'West ("CNW") applied for a special use permit for the Mine in 2016, the MDNS does not limit the hours of operation or reject CNW's proposed 200-foot buffer. Its silence on those issues can be presumed to allow CNW to operate the Mine without time limitations, as CNW has asserted that it may, and to mine up to just 200 feet from wetlands that host Endangered Species Act-listed species like the Oregon spotted frog. Yet the neither PDS nor the applicant has evaluated the impacts of those project operations. Absent this information, as well as significant information gaps like the refusal to evaluate private haul road impacts on Swede Creek, a fish-bearing tributary of the Samish River, PDS has not satisfied the SEPA requirement that it fully consider the environmental impacts of the Mine. The MDNS must be withdrawn.

Moreover, PDS must issue a Determination of Significance ("DS") because the information disclosed in the application materials for permits PL16-097 and PL16-0098 indicates that the Mine would cause significant impacts. For example, CNW's traffic impacts analysis confirms that dump trucks and trailers pose a threat to other users on the narrow, high-speed-limit roads that they will traverse.

CNW has had five years to address the potential impacts of its Mine, and while they have slowly piecemealed a few additional documents, they have not demonstrated that the Mine will address the impacts. As the representative of the local community entrusted with ensuring that applicants for large industrial development analyze and address environmental impacts, PDS must respond accordingly and issue a DS and start the Environmental Impact Statement ("EIS") process to address the Mine's impacts.

This letter explains below that: (1) the Project outlined by the application materials; (2) will have a variety of impacts, some unevaluated and others already identified as significant; on (3) its sensitive ecological surroundings and the local transportation network. The MDNS does not adequately condition the Mine to address those impacts.

In drafting this letter, we reviewed application materials that included the following: (1) the March 7, 2016 fact sheet, special use narrative, and project description; (2) subsequent special use narratives and revised project description; (2) SEPA Checklist; (3) fish and wildlife documents by Graham-Bunting Associates; (4) the Hydrogeologic Site Assessment from Associated Earth Sciences; and (5) traffic documents by DN Traffic Consultants. We also reviewed comment letters by state agency officials, consulted with fish and wildlife officials and a traffic engineer, and reviewed publicly-available information about the site and environs like aerial photographs and the regional bicycle map. We have attached the CSVN November 24, 2020 comments on the Project's SEPA process, none of which have been addressed since the submission of that letter, and incorporate it by reference.[1]

A. Project Details.

Concrete Nor'West has applied for a Mining Special Use Permit to excavate approximately 4,280,000 cubic yards of sand and gravel in a 68-acre mine in the Central Samish Valley.[2] CNW projects that the mining would occur over 25 years, though the proposal would not be limited to a specified period of time and the rate of excavation would depend on demand for sand and gravel. The mining would require the clear cutting of timber, followed by excavation that would dig down 90 feet toward the water table. The withdrawn MDNS stated in 2016 that logging would remove approximately 50,000 board feet of timber from the land but there are no updates on the progress of the logging.[3] While the proposed mining would occur on three parcels totaling 77 acres, these parcels form just a portion of an overall block of

[1] Attachment A.
[2] CNW, Revised Project Description (Section A), 8 of 17 (received Feb. 23, 2018).
[3] Skagit County, Notice of Withdrawn and Re-Issued MDNS, 1 (April 15, 2021) ("MDNS").

parcels totaling more than 726 acres.[4] Although the SEPA Checklist suggests that there are no plans for future additions, expansion, or further activity related to or connected with the proposal, a large portion of the other 650+ acres of land have also been designated as Mineral Resource Overlay, with some of it approved for active harvest by the Washington Department of Natural Resources.[5] A noise and vibration study submitted by CNW did not evaluate the noise and vibration impacts that would occur after logging of the larger property.

1. Hours and staffing.

According to CNW, mine hours would be unlimited consistent with its underlying zoning, though normal working hours would typically extend for 10 hours, from 7am to 5pm, six days a week.[6] According to the MDNS, hauling would occur during the workweek, Monday through Friday, and site operations would occur Monday through Saturday.[7] CNW estimates that one to two full-time employees would work on-site and an unspecified number of truck drivers would haul gravel off-site throughout the day.[8] On-site operations would involve heavy equipment like a front-end loader, excavator, dozer, and dump trucks.[9]

2. Hazardous materials.

The Application offers conflicting information about whether hazardous materials will be stored at the site. It responds "Yes" to a question about whether chemicals, waste oils, solvents, and fuels would be stored at the site, and describes the possibility of installing a 2,000-gallon diesel fuel tank.[10] But it also states that "[w]aste oils, solvents, etc. will not be stored on site."[11]

3. Gravel and sand hauling routes and volume.

Application materials offer varying estimates of the amount of truck traffic that the mine would generate. A September 10, 2020 Traffic Impact Analysis ("TIA") by DN Traffic Consultants estimates that under "extended hours conditions," the Mine would generate 29.4

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[4] CNW Special Use Narrative, at 2.
[5] SEPA Checklist, 2 of 18 (March 2, 2016); Attachment B shows a DNR timber harvest map for the area, with approved Class II timber harvests marked in blue overlay.
[6] CNW, Revised Project Description (Section A), 8 of 17 (received Feb. 23, 2018).
[7] Skagit County, Notice of Withdrawn and Re-Issued MDNS, 1 (April 15, 2021).
[8] CNW, Revised Project Description (Section A), 8 of 17 (received Feb. 23, 2018).
[9] CNW, Revised Project Description (Section A), 10 of 17 (received Feb. 23, 2018).
[10] CNW, Revised Project Description (Section A), 10 of 17 (received Feb. 23, 2018).
[11] CNW, Revised Project Description (Section A), 10 of 17 (received Feb. 23, 2018).

truck-and-trailer trips per hour.[12] The TIA does not define extended hours or explain why the site would be limited to that number of trips if demand were high enough to require greater production. DN Traffic Consultants' earlier memo, aptly-titled "Maximum Daily Truck Traffic," estimated that a realistic maximum number of trips for truck-and-trailer was 60 trips per hour.[13] That study assumed that increased demand for material would lead to increased production at the site, limited only by the (likely artificial) logistical consideration of the number of truck and pups available in Skagit County.[14] DN Traffic explains in its TIA that the ~30 trips per hour that it estimates for a higher end number is based on the anticipation that the Mine could generate up to 5000 tons per day. It does not explain how this production amount was derived and does not explain the inconsistency between the ~30 trips figure and the 60 truck-and-trailer trips per hour that it deemed a realistic maximum in its Maximum Daily Truck Traffic memo.

The gravel and sand would be hauled by trucks and trailers forced to navigate narrow rural roads with medium to high speed limits. The original road special use narrative stated that hauling would occur along Old Highway 99, Prairie Road, and Grip Road.[15] Subsequent documents identified Bow Hill Road and F&S Grade Road as potential route extensions. Road widths along these routes are just 20-22 feet and they allow speeds up to 50 mph. Although the TIA suggests that shoulders exist along each of these roads but Grip Road, the Skagit County Bike Map identifies Grip Road, Prairie Road, and F&S Grade Road as roads without shoulders.[16] A simple review of these roads through google maps' street view function confirms that paved shoulders are largely non-existent on those roads, though some stretches contain large gravel that promptly slopes down to a ditch. In addition, the TIA asserts that there are no known bike routes in the subject area, yet the readily-available Skagit County Bike Map identifies Prairie and F&S Grade Roads as part of a federal bike route, US Route 87. Local residents have communicated that guard rails have been installed along a significant stretch of Prairie Road, shrinking the width available for cyclists and pedestrians outside the actual roadway to nothing.

The transportation documents associated with the application do not prescribe a haul route, but instead contemplate multiple options. The TIA states "[i]t is estimated that 95 percent of the trips will be assigned to and from the west on Prairie Road; with 80 percent south to the existing Belleville Pit Operation using either Old Highway 99N or I-5 south; ten (10) percent of the trips to end users via I-5 south, five (5) percent to end users west of I-5 on Bow

[12] DN Traffic Consultants, Traffic Impact Analysis for Grip Road Mine (Sept. 10, 2020).
[13] DN Traffic Consultants, Memo re: Grip Road Gravel Pit, Maximum Daily Truck, 2 Traffic (Nov. 30, 2016).
[14] DN Traffic Consultants, Memo re: Grip Road Gravel Pit, Maximum Daily Truck, 2 Traffic (Nov. 30, 2016).
[15] CNW, Grip Road Special Use Narrative, page 9 of 17 (March 7, 2016).
[16] See Skagit Valley Bike Map, attached hereto as Attachment C.

Hill Road; and five (5) percent to end users east of the Mine access via Grip Road."[17] One of the options in the TIA assumes that truck/trailer combinations using Old Highway 99 would be short-loaded to comply with current weight restrictions on the Old Highway 99 Samish River bridge or that those restrictions would be removed. The Application does not evaluate the number of truck trips that would be required if vehicles were short-loaded to meet current bridge weight limits. The Application's revised project description identifies the route through Grip Road, Prairie Road, and Old Highway 99 North.[18]

In addition, although the Application does not describe the on-site haul route on CNW property, a review of aerial photographs indicates that it would stretch for more than two (2) miles between the Mine and Grip Road.

4. Independent review of transportation documents.

Although CNW has provided several documents about the Mine's traffic impacts, a review by Jeffrey Hee, P.E., Senior Transportation Engineer at Transportation Solutions Incorporated ("TSI") reveals that some impacts have yet to be addressed and others have not been fully evaluated.[19] Mr. Hee analyzed project documents, including the traffic reviews by DN Traffic Consultants, and discovered the following unresolved issues:

- the maximum trip generation numbers and frequency of maximum trip hours and days for the Mine have not been finalized. The Application offers conflicting information about the maximum traffic to be generated, and County conditions could require trucks without trailers, which would decrease capacity for each shipment and therefore increase the number of trips to ship the same overall volume of material. Also, the Application does not identify whether the trip generation numbers account for on-site workers and non-haul mining operations (page 3);

- site distance impacts were not evaluated based on common industry practice that contemplates the use of 85th-percentile design speeds from the County's Road Standards. Instead, even though those 85th-percentile speeds were readily available on the Skagit County of Governments website, DN Transportation relied on lower posted speeds for its modeling. This may underrepresent sight distance risks (page 4);

- site distance impacts were not evaluated for the intersection where the site access road meets Grip Road, based on the mistaken assumption that it wasn't required for a lower

[17] DN Traffic Consultants, Traffic Impact Analysis for Grip Road Mine, 13 (Sept. 10, 2020).
[18] CNW, Revised Project Description (Section A), 9 of 17 (received Feb. 23, 2018).
[19] Memorandum from Jeff Hee to John Day and Martha Bray re: Grip Road Gravel Mine Traffic Analyses Peer Review Comments (April 30, 2021) (attached hereto as Attachment D).

volume road (page 4);

- no mitigation was proposed to address site distance impacts at the Grip Road/access road intersection for egress to the east, and no analysis occurred to determine whether a gravel truck or truck/trailer combination can safely navigate the road network east of the mine (page 4);

- intersection sight distances were not evaluated for truck/trailer combinations at the intersection of F&S Grade Road and Prairie Road. Consequently, Mr. Hee recommended preventing the hauling on F&S Grade Road (page 5);

- the significant truck-trailer impacts that the TIA identifies between the site and Old Highway 99 have not been fully addressed (pages 1, 5);

- there has been no analysis of safety impacts associated with truck-and-trailer combinations traveling east of the Mine access. Mr. Hee recommended preventing hauling east of the Mine site (page 5-6);

- the Application does not evaluate traffic impacts associated with the redistribution of truck traffic onto Cook Road due to Samish River bridge weight limits. This is important given the traffic issues that WSDOT and Skagit County have identified for the Cook Road interchange at Old Highway 99 (page 6);

- the Application does not provide detailed specifications for the type(s) of vehicle(s) it modeled for transportation impacts, preventing confirmation of its results (page 5).

Specifically, with regard to site distance and haul route concerns, Mr. Hee notes at pages 5 and 6 that the following comments and questions should be answered:

- is the County's vision clearance triangle satisfied in the study area?

- what speed is needed to achieve site distance at the study locations?

- are sight distance exhibits available for public review?

- Why are total crashes different in some of the Tables in the TIA?

- Will the applicant complete the improvements recommended by the TIA for the intersection of Prairie Road and Old Highway 99?

- Why doesn't the TIA provide conclusions about whether the project traffic will increase the frequency and severity of collisions on the haul route given the route's geometric and sight distance constraints?

B. Valuable Ecological Setting.

The 68-acre mine site and associated properties provide important terrestrial and aquatic habitats. The Samish River, a salmon-bearing river, winds for more than one-quarter mile along the eastern portion of the mine property. Associated wetlands extend toward the Mine from the river's active channel and flood plain, though it is unknown just how close the edges of the wetland reach to the proposed mining area because they have not been delineated.[20] Swede Creek, a documented fish-bearing stream, would be traversed by every truck hauling gravel and sand to and from the Mine on the private haul road. The Application does not acknowledge the private haul road as part of the project and therefore does not evaluate impacts to wetlands along that route[21] or to Swede Creek from the haul road that crosses it.[22] A fish-bearing tributary to the Samish River crosses the southeastern corner of the Mine site.

1. Lack of analysis of undersized Mine buffer.

According to the project description set forth in the MDNS, the Mine would observe a 200-foot wetland buffer rather than the 300-foot buffer required for the wetlands associated with the Samish River. The MDNS refers to the mining of approximately 4,280,000 cubic yards of sand and gravel.[23] According to its Special Use Narrative, CNW will be able to extract 4,280,000 cubic yards of material if it mines up to 200 feet from the estimated edge of the wetlands, and approximately 3,942,000 cubic yards if it observes the required 300-foot buffer.[24] By embracing the larger volume, the MDNS indicates PDS' approval of a 200-foot buffer for the Mine.

A buffer of at least 300 feet applies to the Mine as a high intensity land use adjacent to a Category II wetland.[25] According to the Skagit County Code, "high intensity land uses" include "land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium- and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and commercial and

[20] As explained below, the applicant estimated average widths for the river, its floodplain, and associated wetlands, but did not survey or delineate the boundaries of those areas and thus has not specifically measured them.
[21] See Attachment E, map created with Washington Department of Fish and Wildlife mapping tool for identifying site-potential tree height, showing wetlands and drainages near haul road.
[22] Graham-Bunting Associates, Fish and Wildlife Site Assessment: Parcels 50155, 125644, 125645, 1 (Aug. 20, 2015) (circle showing limits of area reviewed around 68-acre mine site) (hereafter "GBA Assessment").
[23] *Compare* MDNS, at 1 *with* CNW Special Use Narrative, at 1.
[24] CNW Special Use Narrative, at 1.
[25] Skagit County Code 14.24.230.

industrial land uses."[26] The Mine qualifies as a commercial and industrial use of the land, and the clear-cutting of existing forest and conversion to a sand and gravel mine qualifies as a high level of human disturbance and substantial habitat impacts. In addition, the Application does not evaluate the angle of the slope in the buffer to determine whether it is greater than 25%, and thus warrants an extension of the buffer 25 feet past the top of the slope.[27]

In addition, by clearing the forest into the buffer, the Mine would eliminate functions that the forest furnishes the productive riparian zone, including: (1) maintaining water quality; (2) controlling fine sediment; (3) contributing large woody debris; (4) providing shade and moderating the microclimate; (5) contributing litter fall and organic matter; (6) moderating site hydrology and stabilizing slopes; and (7) providing fish and wildlife habitat.[28]

This riparian zone where the aquatic environment transitions to a terrestrial environment is essential for the Oregon spotted frog--listed as endangered by Washington in 1997 and threatened federally in 2014--that relies on the wetlands and environs.[29] The US Fish & Wildlife Service has identified critical habitat for the frog that extends from far upstream on the Samish River and includes the mine property adjacent to the river.[30] The 2017 GBA Addendum acknowledges that these wetlands meet the definition of critical habitat for the spotted frog due to their size, saturated soils, and shallow ponds.[31] The GBA Addendum includes a photograph showing these ideal conditions, as well as a hand-drawn line intended to reflect the edge of the saturated area.[32]

However, neither the SEPA Checklist nor the Application's documents by Graham-Bunting evaluate the impact on the Oregon spotted frog or other wetland species of converting one-third of the riparian buffer into a gravel mine. Consistent with the proposal to mine up to

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[26] SCC 14.040.020 (emphasis added).
[27] SCC 14.24.230(2).
[28] *See* Washington Department of Fish & Wildlife, *Riparian Ecosystems, Volume 1: Science Synthesis and Management Implications* (July 2020), *available at:* https://wdfw.wa.gov/sites/default/files/publications/01987/wdfw01987.pdf (last visited April 29, 2021); May, *Stream-Riparian Ecosystems in the Puget Sound Lowland EcoRegion: A Review of the Best Available Science*, 25-26 (2003) *available at:* https://salishsearestoration.org/images/d/d1/May_2003_riparian_best_available_science_puget_lowland.pdf (last visited April 29, 2021).
[29] Graham-Bunting Associates, Addendum to Fish and Wildlife Site Assessment: Parcels 50155, 125644, 125645, 1 (April 18, 2017) (hereafter "GBA Addendum").
[30] *See* US Fish and Wildlife Service Critical Habitat for Oregon Spotted Frog map attached to that addendum that shows critical habitat on the Mine property, attached hereto as Attachment F.
[31] GBA Addendum, at 1.
[32] GBA Addendum, at 2.

200 feet from the wetland, the GBA Addendum suggests that a 200-foot buffer is sufficient to protect aquatic life, but does not offer any justification for that assertion other than the absurd claim that clear-cutting a forest and converting it to a sand and gravel mine is a "medium" intensity use.[33] Nor does the GBA Addendum indicate why a 200-foot buffer would protect the Oregon spotted frog when Skagit County's critical areas ordinance requires a 300-foot buffer to protect the Category II wetland from the impacts of high intensity land uses like mining operations.[34] In fact, the GBA Addendum expressly disclaims that it is not intended to be used for the purpose of evaluating the spotted frog under the Endangered Species Act.[35]

2. Lack of response to Ecology concerns.

In addition to overlooking the impacts of developing 1/3 of the buffer intended to protect species such as the Oregon spotted frog, CNW declined to address state agency concerns expressed by Doug Gresham, the Washington Department of Ecology wetland specialist responsible for Skagit County. In his initial April 7, 2016 email, Mr. Gresham stated that wetland impacts should be avoided by refraining from excavating within the buffer area associated with the Samish River and its associated riparian wetlands and that any wetlands identified on the property that would be impacted should be delineated and permits should be submitted to Ecology.[36] In a June 1, 2016 comment letter, Gresham declared that additional wetland requirements include: (1) flagging of the ordinary high water mark along the Samish River banks by a qualified biologist, and survey of the boundaries; (2) a jurisdictional determination from the U.S. Army Corps of Engineers stating whether the delineated wetlands on the property are under federal jurisdiction; (3) ratings of all wetlands based on Ecology standards; (4) a critical area report describing wetland conditions on the property, wetland data sheets, wetland rating forms, and photographs; and (5) a mitigation plan for unavoidable wetland and buffer impacts per Ecology standards.[37] In addition, Mr. Gresham noted in his June 1, 2016 correspondence that the Application omitted maps showing associated wetlands or the ordinary high water mark of the Samish River.[38]

Six months later, Mr. Gresham supplemented his earlier comments by expressing a

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[33] GBA Addendum, at 2.
[34] Skagit County Code 14.24.230.
[35] GBA Addendum, at 2.
[36] Email from Doug Gresham to Planning & Development Services re: PDS Comments (April 7, 2016);
[37] Gresham letter to J. Cooper re: Ecology Comments on the Grip Road Gravel Mine, Project File # PL16-0097 and PL16-0098, 2 (June 1, 2016) (hereafter "Gresham June 2016 Comments").
[38] Gresham June 2016 Comments.

concern with CNW's use of a 200-foot buffer rather than the required 300-foot buffer.[39] Gresham stated that CNW needed to address the gravel mine's encroachment into the 300-foot buffer.[40] Gresham also stated that he had "a concern with the access road that will need to be improved to accommodate 46 truckloads a day, which could impact wetlands and streams. This access road may need to be widened, the Swede Creek bridge may need to be upgraded, and storm water drainage features may need to be reconfigured."[41] Gresham noted that these issues had not been addressed.[42]

Notwithstanding these clearly-stated agency concerns, CNW continues to propose to excavate up to 200-feet from what it assumes is the ordinary high water mark of the Samish River and associated wetlands without delineating the specific location of the river's edge, its floodplain, or the associated wetlands. CNW did not supplement the Application with a survey or flagging of the edge of Samish River, delineation of wetlands on the property (including any wetlands along the haul route), critical area reports for wetlands, a mitigation plan, or a discussion of impacts associated with the Swede Creek bridge or haul road development on the creek or wetlands. Instead, an engineering and surveying group drew a map with estimates for the location of Samish River "plotted from May 2011 aerial photo" and "wetland at toe of slope from LiDAR data and field observation," without a delineation survey.[43] The map is captioned "alternate 300 foot buffer," but none of the application materials indicate that CNW has decided to apply anything other than a 200-foot buffer. The map shows what appear to be roads or mining areas extending into the estimated buffer.

3. Water quality and quantity impacts.

Drainage from the site currently flows to the Samish River both above and below ground. The Application indicates that the mining would occur in an area that is currently elevated about 90 feet above the river and its associated wetlands (50-75 feet above the valley floor in the eastern portion of the site), and that groundwater from the site flows in a northerly direction and discharges to the Samish River.[44] According to the Application, CNW would construct a berm approximately 200 feet landward of the assumed wetland edge in order to

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[39] Gresham email to Planning & Development Services re: Ecology Comments on the Grip Road Gravel Mine, Project File # PL16-0097 (Dec. 23, 2016).
[40] *Id.*
[41] *Id.*
[42] *Id.*
[43] Semrau Engineering and Surveying, Pre-Mining Topographic Survey Map, Grip Road Gravel Mine (7-31-2018).
[44] GBA Assessment, at 3; Associated Earth Science Incorporated letter to Concrete Nor'West re: Hydrogeologic Site Assessment, Concrete Nor'West – Grip Road Mine, 3 (Aug. 21, 2015) (hereafter "Hydrogeo Assessment").

direct drainage from the site to the gravel floor for infiltration into the groundwater.[45] The Application does not evaluate whether that berm and mine infiltration would redirect surface water away from the wetlands and river complex and thus dewater these sensitive ecological features, or analyze the impacts of that dewatering.

Application materials offer conflicting information about whether the Mine would reach the water table. Although the GBA Assessment states that the mine would be excavated to a depth of 10 feet above the water table, the SEPA Checklist states that the Mine would be excavated to a depth of 154-163 feet above mean sea level while the hydrogeological assessment found the water table at 145-155 feet above mean sea level.[46] The Application did not evaluate whether excavation to a depth of 154 feet would interfere with a water table at 155 feet.

C. SEPA Requires Withdrawal of the MDNS Because the Application Does Not Supply PDS With Sufficient Information to Fully Consider the Project's Environmental Impacts.

PDS must withdraw the MDNS because it has not fully considered the environmental and ecological effects of CNW's sand and gravel mining proposal. RCW 43.21C.030; *see Boehm v. City of Vancouver*, 111 Wn. App. 711, 717, 47 P.3d 137 (2002). For example, PDS issued the MDNS without analyzing the impact of clearcutting and mining a large portion of a wetland buffer intended to protect wetland species like the federally-threatened and state-endangered Oregon spotted frog. Nor has the Application evaluated impacts associated with the private haul road that will traverse Swede Creek and travel near uncategorized and unsurveyed wetlands. The Application also omits a full analysis of the risk to human health and safety from a haul route that involves public roads where the proposed truck and trailer would not be able to stay in its lane on two-lane roads with speed limits up to 50 mph, and risks associated with the sight distance at the intersection of Grip Road and the site access road. In the absence of this information, PDS has not satisfied its duty under SEPA to fully consider the project's adverse environmental impacts.

SEPA requires agencies to "consider total environmental and ecological factors to the fullest extent when taking 'major actions significantly affecting the quality of the environment.'" *Lassila v. City of Wenatchee*, 89 Wn.2d 804, 814, 576 P.2d 54 (1978) (quoting *Sisley v. San Juan County*, 89 Wn.2d 822, 830, 567 P.2d 1125 (1977)). To determine whether an environmental impact statement is required for a major action, the responsible governmental

[45] GBA Assessment, at 3.
[46] GBA Assessment, at 3. *Compare* SEPA Checklist, at 3 *with* Hydrogeo Assessment, at 3.

body must first determine whether the action will cause significant impacts and render a threshold determination accordingly. RCW 43.21C.030(2)(c); *Boehm*, 111 Wn. App. at 717.

Agencies must first ensure that the proposal is properly defined. WAC 197-11-060(3). Every part of a proposal that combines to form a single course of action must be evaluated in the same environmental document. WAC 197-11-060(3)(b). Thus, where different parts of the same proposal could not proceed unless they are implemented simultaneously, they must be evaluated together. WAC 197-11-060(3)(b)(i). Because the Mine could not function without the use of the private haul road to transport the product off-site, environmental impacts associated with the use of that road must be evaluated as part of the project's SEPA review.

A major action significantly affects the environment when it is reasonably probable that the action will have more than a moderate effect on the quality of the environment. WAC 197-11-794; *Boehm*, 111 Wn. App. at 717 (citing *Norway Hill Pres. & Prot. Ass'n v. King County Council*, 87 Wn.2d 267, 278, 552 P.2d 674 (1976)). Significance involves a proposal's context and intensity; an impact may be significant if its chance of occurrence is low but the resulting impact would be severe. WAC 197-11-794.

To evaluate an action's effects, a responsible official like PDS must: (1) review the environmental checklist and independently evaluate the responses of the applicant; (2) determine if the proposal is likely to have a probable significant environmental impact; and (3) consider mitigation measures that the applicant will implement as part of the proposal. WAC 197-11-060(1); WAC 197-11-330; *Indian Trail Prop. Ass'n v. Spokane*, 76 Wn. App. 430, 442, 886 P.2d 209 (1994). In reviewing a project's impacts, an official must review both direct and indirect impacts and both short-term and long-term impacts. WAC 197-11-060(4). If the responsible official's review concludes that the proposal will not cause probable significant adverse environmental impacts, she issues a determination of nonsignificance ("DNS"). WAC 197-11-340. Conversely, a finding of probable significant adverse environmental impact leads to the issuance of a Determination of Significance ("DS"). WAC 197-11-360. A determination of significance triggers the need for an environmental impacts statement to review the project's identified impacts. WAC 197-11-360.

An agency that determines that a proposal will not result in a significant impact bears the burden of demonstrating "that environmental factors were considered in a manner sufficient to be prima facie compliance with the procedural dictates of SEPA." *Bellevue v. Boundary Rev. Bd.*, 90 Wn.2d 856, 867, 586 P.2d 470 (1978) (quoting *Lassila*, 89 Wn.2d at 814). For example, the threshold determination must be based on information sufficient to evaluate

the proposal's environmental impact. *Boehm*, 111 Wn. App. at 718. In addition, a court will not uphold a DNS unless the record demonstrates that the government gave actual consideration to the environmental impact of the proposed action or recommendation. *Boehm*, 111 Wn. App. at 718. An incorrect threshold determination will be vacated because it thwarts SEPA's policy to ensure the full disclosure of environmental information so that environmental matters can be given proper consideration during decision-making. *Norway Hill Pres. & Prot. Ass'n v. King County Council*, 87 Wn.2d 267, 273, 552 P.2d 674 (1976)).

The MDNS, SEPA Checklist, and associated application materials here demonstrate that PDS did not adequately consider the environmental factors, "in a manner sufficient to be a prima facie compliance with the procedural dictates of SEPA." *Lassila v. City of Wenatchee*, 89 Wn.2d 804, 814, 576 P.2d 54 (1978). The MDNS is not based on information sufficient to evaluate the proposal's environmental impact, as identified below and as exemplified by the lack of response to riparian and wetland requirements noted by Doug Gresham, Ecology's wetland specialist for Skagit County.

1. The MDNS is not based on information sufficient to evaluate the proposal's environmental impact.

The sections below summarize some of the information omitted from the Application that is necessary to fully understand and consider the Mine's environmental impacts. For more detailed descriptions and additional flaws, please see the CSVN November 2020 comment letter at Attachment A.

a. Lack of review of impacts within the Project's full footprint.

The application materials do not evaluate environmental impacts associated with the two-mile-long private haul road that transects the applicant's larger contiguous ownership and traverses Swede Creek, even though industrial-scale use of this haul road is a crucial element of the Project. For more information about this omission, see Attachment A, CSVN Letter at 4.

b. Lack of review of climate impacts associated with hauling sand and gravel.

No application materials, including the SEPA Checklist, evaluate the climate change impact associated with carbon emissions from mining and hauling more than 4 million cubic yards tons of sand and gravel over a 25-year period. Indeed, the SEPA Checklist asserts that, "[t]here are no off-site sources of emissions that would impact the proposal."[47] For more

[47] SEPA Checklist, at 5.

information about this omission, see Attachment A, CSVN Letter at 5 (identifying off-site and cumulative impacts omitted and ignored).

c. Lack of review of impacts from converting 1/3 of a forested buffer into a gravel mine, including impacts to listed species.

Although the MDNS contemplates the mining of more than 4 million cubic yards of sand and gravel, which would occur only if PDS applies a 200-foot buffer rather than the required 300-foot buffer, neither CNW nor PDS evaluated the impacts of reducing the buffer by 100 feet over a stretch of approximately ¼ mile. Nor does the Application review the impacts of this reduction on the listed Oregon spotted frog that relies on the wetlands and environs for its habitat.

d. Lack of sufficient information about wildlife impacts.

Notwithstanding that the Project would convert at least 51 acres of forested land to a gravel pit, the Application does not identify or analyze impacts to native fauna. CSVN have communicated to PDS that bears, cougars, and bobcats have been known to frequent the area and that local residents regularly observe the use of that area as a wildlife corridor between Butler Hill to the south and the Samish River valley and Anderson Mountain to the north. Yet the SEPA Checklist asserts that the property is not an animal migration route. In addition to providing critical habitat for the Oregon spotted frog, bull trout, and Puget Sound steelhead, the Samish River and its associated wetlands provide important habitat for a wide range of species that include river otters, beavers, bald eagles, belted kingfishers, great blue herons, spotted sandpipers, and numerous species of migratory songbirds. The Application should be supplemented to identify the animal species that inhabit or necessarily transit that area and analyze the impacts of turning that land into an open gravel pit and the impacts of converting what is presumably a lightly-used forest road to heavy industrial use.

e. Potential water pollution impacts.

The Application repeatedly states that stormwater will be infiltrated at the site, and notes that the groundwater flows to the nearby Samish River, but does not evaluate whether spills of fuels or other hazardous materials will impact the river's water quality after traveling through, ultimately, just 10 feet of ground before entering the groundwater. The Application also does not evaluate potential impacts from stormwater runoff of the private haul road, including sedimentation and petroleum products entering Swede Creek or wetlands east of that road. The Application must evaluate the potential for water pollution and the effects on Samish River and Swede Creek.

f. Lack of requisite Critical Areas review.

Skagit County has incorporated the goals, policies, and purposes of its Critical Areas Ordinance ("CAO") into its SEPA policies.[48] Consequently, to satisfy its duties under SEPA, the County must require compliance with CAO directives like the standard review of impacts that includes the submission of a critical area checklist and/or a site plan that shows the location of the proposed activity and associated area of disturbance in relation to all known critical areas or critical areas indicators.[49] The County must then review these project documents, complete a critical areas staff checklist, inspect the site, and complete the critical areas field indicator form.[50] Where the County's review concludes that the proposed activity extends to within 200 feet of critical area indicators or a distance otherwise specified by the chapter, it must require a critical areas site assessment. Ultimately, this process should result in protected critical areas being delineated and their outer edges and buffers marked permanently.[51]

With regard to wetlands, any proposed high impact land use within 300 feet of wetland indicators, and any other proposed land use within 225 feet of wetland indicators, requires a wetland site assessment.[52] The site assessment must result in a wetland delineation, classification, site plan with wetland and buffer boundaries, and functions and values analysis.[53]

CNW's application does not satisfy these standards and thus does not meet Skagit County's SEPA requirements. The Application does not identify wetlands adjacent to the haul road at all, much less conduct a wetlands assessment for the impacts associated with the proposed hauling. The Application does acknowledge the existence of wetlands associated with the Samish River, but does not include a delineation, site plan with delineated boundaries depicted in relation to the Mine activities, or a full functions and values assessment. Absent this information, the County does not have sufficient information to issue a threshold determination.

g. Lack of sufficient review of noise impacts.

The Application's noise studies rely on a flawed methodology and overlook the planned

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[48] SCC 14.24.060(3).
[49] SCC 14.24.080(1).
[50] SCC 14.24.080(2) (note that these reviews must occur to determine whether activities that are within 200 feet of critical areas or their buffers, or a distance otherwise specified by the CAO).
[51] SCC 14.24.090.
[52] SCC 14.24.210.
[53] SCC 14.24.220.

removal of the forest buffer between the Mine and neighboring properties. For more information about this omission, see Attachment A, CSVN Letter at 13-14.

h. Lack of sufficient review of recreation impacts.

The Application omitted any acknowledgement or analysis of impacts to cycling along regional and federal bicycle routes. For more information about this omission, see Attachment A, CSVN Letter at 14-15.

i. Lack of sufficient information about transportation impacts.

As identified above, the Application omits significant, necessary information about potential traffic impacts, including final maximum traffic generation numbers, site distance impacts for intersections like that at Grip Rd/site access road, modeling with speeds anticipated by Skagit County's Road standards, mitigation for site distance impacts, the impact of truck-trailers crossing the centerline between the site and Old Highway 99, travel east of the Mine, and the redistributed traffic to Cook Road. These must be addressed.

2. The MDNS issued absent consideration of applicable mitigation measures.

While the MDNS included several conditions, the vast majority of them merely require compliance with existing standards (though the MDNS did not require observation of Skagit County's 300-foot buffer and instead embraced CNW's decision to apply only a 200-foot buffer). To the extent that the MDNS included conditions for transportation impacts, it merely directs CNW to avoid hauling with trailers or to design and construct unidentified road improvements on two turns on Prairie Road. Other mitigation measures that should have been considered include:

- Scaled-back size of mine;
- Scaled-back rates of extraction;
- Limiting hours of operation to daylight hours during the workweek. This would partially address areas where the site distance is impaired;[54]
- Limiting the daily number of truck trips;
- Protections from sedimentation and stormwater drainage into Swede Creek;
- A drainage/runoff plan for the length of the private haul road to prevent surface water impacts from heavy traffic on the haul road;

[54] Per recommendation of Transportation Solutions, at 4.

- Requiring roadway upgrades to decrease the likelihood of collisions between Project trucks and other vehicles, bicycles, and pedestrians; and
- Identifying a prescribed haul route.

D. Conclusion.

Notwithstanding the five-year interval since CNW initially applied for the special use permits, it has not supplied PDS with environmental information about the proposal sufficient to warrant a threshold determination. PDS issued the MDNS without fully considering the Project's significant environmental impacts, from loss of habitat for an endangered frog to traffic impacts to impacts associated with the private haul road. CSVN therefore asks PDS to correct that mistake by withdrawing the MDNS and by coordinating with the Applicant to conduct an EIS for the significant impacts referenced above.

In addition, CSVN requests that PDS publish online the comments submitted to address the MDNS as soon as possible.

If you have any questions, please contact me at 360-622-8060 or kyle@loringadvising.com.

Sincerely,

Kyle A. Loring
Counsel for Central Samish Valley CSVN

Cc: Michael Cerbone
Martha Bray
John Day

Attachs:

A. CSVN Letter to Hal Hart re: Proposed Grip Road Gravel Mine #PL16-0097—Comments on SEPA Review
B. WDNR timber harvest map
C. Skagit Valley Bike Map
D. Grip Road Gravel Mine Peer Review Traffic Impact Analysis
E. WDFW map showing wetlands and drainages near haul road
F. US Fish and Wildlife Service Critical Habitat map for Oregon Spotted Frog

ATTACHMENT A

By Email

November 24, 2020

Hal Hart, Director and Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Proposed Grip Road Gravel Mine #PL16-0097—Comments on SEPA Review

Dear Mr. Hart and Mr. Cerbone:

We are writing on behalf of the local community group Central Samish Valley Neighbors (CSVN) to comment on the large new gravel mine along the Samish River proposed by Miles Sand and Gravel/Concrete Nor'West (CNW) in their application for a mining Special Use Permit (SUP) #PL16-0097. Our comments identify information that the County still needs to obtain in order to conduct an adequate review of the impacts that the proposed mine would cause. This information involves the need for both project details and the evaluation of environmental impacts. We are submitting this letter in advance of the renewed public process that Skagit County has committed to conducting[1] with the goal of informing your decision as you restart that process.

As you know, we have been expecting a decision from Skagit County Planning and Development Services (PDS) regarding next steps with this application for many months. Given the uncertainty about the timing of the new public process, we are taking this opportunity to provide you with our concerns. This also allows some of our members who were excluded from the initial State Environmental Policy Act (SEPA) process due to notification flaws to address the project impacts before more time passes. We anticipate following up with additional comments when the PDS issues the revised SEPA determination promised on its website.[2] As the County reopens SEPA and public review for the application, we respectfully request that you respond to community concerns, withdraw the 2016 MDNS, and require a full environmental impact statement (EIS) for the project that takes into consideration all of the environmental impacts.

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[1] We are referring to the Skagit County Prosecuting Attorney's representation in a brief last year that *"[o]nce the County receives a complete application, the County will conduct further analysis of potential project impacts, re-issue public notice, publish a new staff report with recommendations on the Special Use Permit conditions, issue a revised SEPA determination, and another public comment period and public hearing will follow."* Skagit County's Response to Renewed Motion to Intervene, PL 18-0200, at 2-3 ((Oct. 4, 2019).

[2] Statement regarding PDS's intent to issue a revised SEPA determination located on the County's website: https://www.skagitcounty.net/Departments/PlanningAndPermit/gravelmine.htm.

Over the last four years, the County has gone to considerable effort to clarify this proposal by requesting additional information from the applicant. Nonetheless, the application remains incomplete and inconsistent, and the applicant has still not provided all of the information necessary to evaluate the environmental impacts of the project. The submitted application materials are substantively inaccurate and inconsistent, and the scale of the project is consistently under-represented. Rather than clarifying the proposal, the additional submittals from the applicant have added more layers of confusing and contradictory information. And, the applicant has still not proposed or evaluated appropriate mitigation or project alternatives. For these reasons, the County's MDNS both was premature and failed to meet the environmental review requirements of SEPA and Skagit County Code. Based on our own review and consultation with our attorney, the project impacts identified in the application are significant and warrant additional analysis through an EIS that fully evaluates them and identifies appropriate alternatives and mitigation measures.

Summary of necessary information and environmental review omitted from the application materials. Based on our review of the March 7, 2016 SEPA Checklist, the August 2, 2019 Supplemental SEPA Checklist Information, the documents referenced in those materials, and the other documents posted to the County's project website, the application continues to suffer from the SEPA inadequacies listed below.

1) Project scale is under-represented: The application minimizes and under-represents the scale of the mining activity by avoiding many details and using vague descriptors such as "extracting relatively low volumes of aggregate".

2) Full footprint of project is not included in the environmental review: The application does not evaluate environmental impacts within the full footprint of the project. Instead, the project description is limited to just the 68 acre area where the actual mine would be. None of the project documents evaluate the use or impact of a two-mile long private haul road that transects the applicant's larger contiguous ownership, even though industrial scale use of this private haul road is a crucial element of the project.

3) Off-site and cumulative impacts are omitted and ignored: The application omits and/or minimizes descriptions of off-site and cumulative impacts of the project, especially off-site impacts related to truck traffic.

4) Future plans not disclosed: The application omits plans for future on-site processing despite the suggestion in the application materials that the applicant may seek to operate on-site processing in the future. This omission prevents a complete evaluation of the impacts and identification of appropriate mitigation.

5) Impacts on Environmental Elements inadequately reviewed: Defects in application materials result in a failure to fully disclose impacts for all of the "Environmental Elements" required by SEPA.

6) Mitigation measures and project alternatives not considered: Consequently, the application does not identify or evaluate appropriate mitigation measures or alternatives.

We discuss all of these issues further below, in the order listed.

1) **Project scale is under-represented.** The SEPA Checklist, Supplement and Special Use Narrative minimized and under-represented the scale of the proposed mining development by avoiding detail and using vague descriptors such as "extracting relatively low volumes of aggregate". The mining activity was described using generalities, and omitting many details. This approach obscured important information and it is unclear whether key details were used by the County in its SEPA review. Other examples of misleading application materials include the characterization of the site as "very remote" and the proposed mining as a "temporary" activity. The SEPA Checklist states, "traffic generated by the project will be typical of mining operations," but does not state any actual numbers. To the extent the submitted documents actually provide this information, many of those details are buried in the referenced studies and drawings.

   The truth is that this is a proposal for a 50-acre open pit mine that will eventually be ninety feet deep. This is a hole in the ground about the area of 38 football fields and ten stories deep. The Checklist states that there will be "4.28 million cubic yards of excavation". If 4 million cubic yards are hauled off site (assuming 1 yard equals 3,000 pounds), this would be approximately 6 million tons of sand and gravel removed from the site over a twenty-five year-period, or 240,000 tons per year. We do not see this scale of land disturbance and trucking at this location as "low volume". Furthermore, although the application characterizes the mining operation as a "temporary activity," its proposed daily operations over 25 years will feel permanent to the community, as will the long-term alterations to the landscape. The "very remote" characterization likewise ignores the actual setting--the site is located in an area where no prior industrial scale mining has occurred, and it would operate amidst a rural residential neighborhood with more than 100 homes within a mile of the site and 750 homes within three miles. And, an investigation into the DN Traffic memo (June 2019) reveals that the "typical" gravel truck traffic referenced in the SEPA Checklist is actually an estimated 11,765 tandem gravel truck trips per year on narrow substandard County roads.[3]

[3] Contrary to the volume of gravel stated in the SEPA checklist, the DN traffic memo assumes that 200,000 tons of material per year will be removed from the site. Using DN's math, and assuming the larger volume stated in the SEPA checklist, the number of truck trips per year would be actually be closer to 14,118 (240,000 tons/34

By avoiding details in the main project documents, the application appears complete, but does not actually address the full impacts of the project, nor does it explore less damaging alternatives or identify mitigation measures.

2) **Full footprint of project is not included in the environmental review.** The SEPA Checklist's description of the project site (Section A. #11) as only a 68-acre parcel of land precludes review of the full scope of the project; it fails to clearly identify the two-mile-long haul road across the applicant's 726-acre property, which is required to get the gravel to Grip Road. The applicant's SEPA narrative, as well as the updated narrative for the Special Use Permit application, describes the mine occurring on a 68-acre parcel of land and mentions the access point with Grip Road. It does not clearly explain that the mine site is located two miles from the access point on Grip Road. Therefore, hauling the mined material off site involves use of a private haul road that transects the applicant's larger 726-acre ownership.

   Industrial scale use of this private haul road is integral to the project, and yet the land area that the road crosses is not included in the project description. The application materials do not even identify the parcels the road crosses as part of the project. This is misleading and misrepresents both the size of the project and the extent of the environmental impacts. The private haul road, all of which is on the applicant's larger ownership, is adjacent to wetlands and crosses Swede Creek, a fish-bearing stream. This private haul road has been significantly upgraded in the past two years, without County oversight, under the auspices of the former landowner's Forest Management Plan (Trillium, 2009), filed with the state Department of Natural Resources. There are potentially significant impacts to surface water quality and hydrology as well as to Critical Areas, not only from the recent road upgrading, but also from the planned industrial scale use of this road by heavy trucks. Yet, this two-mile stretch of land has not been afforded environmental review.

   In the course of the permit review, and in response to public comments, the County requested that the applicant describe how this private haul road meets the County's private road standards. In response, the applicant submitted a request for Alternatives to County Road Standards (June 2019), and an "as built" drawing of the road. It is unclear if there was any formal decision issued by the County regarding this request, but regardless this does not address potential impacts from the heavy industrial use of the private haul road to surface water quality and quantity and to fish and wildlife habitat. The footprint of the entire project, including the areas adjacent to the haul road, must be included in the

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tons/truck*2), or an average of 54 truck trips per day (not 46 per day as stated in the DN memo). This is one of many examples of inconsistent and confusing information provided in the application materials.

environmental review of the project. It is not possible to evaluate the full project impacts or the necessary remediation measures without this information.

3) **Off-site and cumulative impacts omitted and ignored.** One of the most significant components of this proposal is the plan to haul approximately 4 million cubic yards of sand and gravel from the site to be processed at another facility. The material would be moved by truck along more than five miles of County roads over a period of 25 years. This trucking activity is a crucial part of the project that will cause significant environmental harm, yet the project description in the SEPA Checklist (Section A. #11), as well as the updated narrative for the Special Use Permit application, omit details of this aspect. The only mention of truck traffic is by reference – listing several "traffic memos" submitted by the applicant separately, together with piecemeal supplemental information and addenda. The County's pursuit of additional information on traffic impacts eventually led to a third-party desktop review by a consulting traffic engineer engaged by the County (HDR), and most recently (September 2020) a longer Traffic Impact Analysis (TIA) that was prepared by DN Traffic Consultants on behalf of CNW. However, all of the documents that look at the traffic impacts appear as a kind of postscript. This has the effect of concealing the severity of the truck traffic impacts and it considers only those impacts related to a narrow set of criteria regarding County road standards and "level of service". In reality, the off-site impacts from a heavy and sustained volume of truck traffic over a twenty-five year period are many-pronged and cumulative. These impacts include carbon emissions and air pollution, noise, vibration, public safety, and damage to public infrastructure. A full SEPA review needs to evaluate and identify mitigation measures for <u>all</u> of these impacts, not just those that fall under the narrowly defined criteria in County Code for triggering Traffic Impact Analyses. Furthermore, the applicant's TIA fails to meet some of the basic requirements for such documents included in Skagit County Road Standards, 2000, as incorporated by reference in the Skagit County Code.

   To illustrate the scale of this proposal (using the conservative figures in the DN traffic studies) approximately 294,000 truck trips over a 25-year period are required to haul the amount of material the applicant proposes to excavate from the mine. The shortest haul route to CNW's Belleville Pit site on County roads is approximately 11.5 miles round trip, plus an additional 4 miles round trip on the private haul road. Cumulatively, this is more than 4,600,000 miles over 25 years, or more than 184,000 miles per year. This is equivalent to almost 800 round trips between Seattle and New York City. [4] Furthermore, one fully

[4] Different application documents identify conflicting amounts of material to be excavated and hauled from the site, as well as different haul routes and mileage and load weights. Using the higher extraction figures in the SEPA checklist (assuming 4 million cubic yards of excavation), 356,666 truck trips would be required over a 25-year period cumulatively more than 5,528,300 miles (220,000 miles per year), equivalent to 970 round trips between New York City and Seattle.

loaded standard gravel truck with pup trailer weighs more than 80,000 pounds. Very few of the off-site impacts associated with this hauling have been addressed in the application materials. Finally, the number of truck trips and cumulative mileage may actually be considerably higher than stated above depending on several factors, including weight limits on the bridge over the Samish River on Highway Old 99 and the extent of third-party sales.

Other off-site impacts that were minimized or inadequately described in the application documents include potential impacts to surface water; impacts of noise from mining equipment and hauling; and potential impacts to fish and wildlife. We address these concerns elsewhere in this letter under the specific environmental elements, in the order they appear in the SEPA Checklist.

4) **Future plans not disclosed.** The SEPA checklist asks specifically if there are any plans for future additions, expansion, or further activity related to or connected with this proposal (Section A. #7). The applicant answered 'no' to this question on the SEPA Checklist but implies elsewhere that they may conduct onsite processing at a future date. The applicant was asked to clarify this point, and in a letter to the County on May 15, 2017, states only that no processing was proposed "in this application" – implying that future on-site processing is contemplated. And, the revised "Special Use Narrative," dated Aug. 2, 2018, states in the third paragraph that "No processing is proposed onsite at this time" (*emphasis ours*). SEPA guidelines require that all parts of a proposal be disclosed, even if the applicant plans to do them "over a period of time or on different parcels of land." We find the inconsistency on this topic troubling. Given the cost of hauling raw materials 184,000 miles/year, we find it unlikely that CNW will not apply for an additional permit in the future to allow on-site gravel processing. Furthermore, the disclosure of future plans is essential here because the project buffers would need to be larger to accommodate on-site gravel processing, and because the project would be subject to even more rigorous scrutiny. On-site processing would trigger a significantly larger buffer (200 feet—double the 100 feet currently proposed) on the northern and western borders to reduce noise and vibration impacts to the neighboring private properties (SCC 14.16.440(10)). This would reduce the amount of gravel available for extraction, but it is an important mitigation measure for reducing impact to adjacent landowners. It is also reasonable to assume that the applicant plans to expand the mine itself over time to cover more of the large property holding there. There have been many examples of Skagit County approving similar expansions and scope changes through the permitting process. Dividing the planned activities into separate development applications is a way to piecemeal SEPA review and thus under-evaluate project impacts. Under SEPA, the full scope of the proposed project must be considered in order to prevent inappropriate phased or piecemeal review (WAC 197-11-060(5)(d)(ii). Given that the applicant has expressly reserved the right to pursue processing at this site in the future, the project must be reviewed on the basis of what has been reserved as a

potential future activity—that such processing would occur on the site. Therefore, the conditions on the permit need to anticipate potential future expansion with larger buffers and additional measures to reduce likely future impacts. Alternately, restrictions need to be put in place to prevent such changes to on-site activities in the future.

5) **Impacts on Environmental Elements inadequately reviewed.** As addressed below, defects in the application materials result in the lack of adequate review of the project's impacts to earth, air, water, and environmental health are minimized or not completely disclosed in the SEPA Checklist and supporting documents.

Earth (SEPA Checklist, Section B. #1): Although question #1.e. of the SEPA Checklist requests a description of any project filling, excavation and grading, the applicant limits its response to the 51-acre open-pit mine footprint. The Checklist does not describe essential project elements such as storage and management of excavated and side-cast materials. In fact, there is no description of what, if any, site preparation will occur outside of the footprint of actual mine.

The "Site Management Plan, Sand and Gravel Permit" document that the applicant submitted (also a requirement for WA Department of Ecology's NPDES permit) does not cure the Checklist defect. It is almost entirely generic, and simply lists typical Best Management Practices (BMPs) to prevent erosion and manage buffers. It is not site-specific and does not actually explain how the side-cast materials, or "overburden", will be handled or how buffers along property lines will be managed. It is unclear in this plan which BMP's listed will actually be implemented or when or where they will be used. This omitted information is essential for verifying that the project would protect water quality, minimize disturbance to wildlife habitat, and reduce noise, dust and vibration impacts on neighboring properties.

Numerous relatively small private parcels lie to the west and north of the proposed mine site. Noise, dust and vibration from the mine will impact these properties. An appropriately-scaled, undisturbed vegetated buffer must be established to protect these properties. It is unclear in the application materials if the buffers between the mine and adjacent properties will be left undisturbed. In addition, there are repeated assertions in project documents that all runoff from the site will drain into the open pit and infiltrate into groundwater. This does not address any surface water runoff and contamination from side-cast material that may be stockpiled outside of the footprint of the mine itself for use in reclamation when mining operations are completed. There is no way to evaluate the impact of this earth moving activity when it is not fully explained and described.

Question #1.g. asks if any impervious surfaces are proposed. The applicant states that no permanent, impervious surfaces are proposed, despite the two-mile private haul road and

the apparent need for on-site staging areas at the mine site for dozens of trucks and equipment. A site-specific surface water drainage plan that includes measures for protecting waterways from sediment and other contaminants from these impervious surfaces needs to be prepared and implemented.

Air (SEPA Checklist, Section B. #2): The applicant's response to question #2.a., which requests disclosure of the project's air emissions, avoids identifying the substantial amount of emissions to be expected over the project's 25-year lifespan. Instead, the answer characterizes air quality impacts as "temporary." Mining is an ongoing activity. It is not temporary construction. There will be earthmoving equipment generating emissions constantly during operating hours for decades. Additionally, there is no mention of the significant cumulative carbon and particulate emissions from 25 years of diesel truck traffic. This omission alone is fatal to SEPA review.

Question #2.b. The applicant states incredulously that there are no off-site sources of emissions or odor. This answer simply ignores emissions from diesel truck hauling. As stated above, the cumulative mileage of tandem diesel trucks hauling material from this mine is more than 4,600,000 miles, or more than 184,000 miles per year.[5] The diesel emissions from this hauling activity will be concentrated in a small area, day after day, year after year. Diesel emissions include both particulates that create localized health hazards and greenhouse gasses that contribute to global climate change. The type of diesel fuel used, maintenance and age of vehicles, speed and driving patterns, idling activities, etc. all influence the intensity of emissions. The applicant must disclose the true nature and quantity of these emissions and identify measures to reduce the impact to air quality. A simplistic calculation of the carbon emissions from just the hauling component of this project is more than 17,200 metric tons over 25 years, or around 690 metric tons per year[6]. The actual amount of carbon emissions will probably be considerably higher because, as discussed above, the mileage is under-represented. This is a very carbon-intensive proposal. The applicant needs to provide realistic estimates of the cumulative emissions from all of the truck hauling and on-site mining activities, as well as propose an adequate mitigation plan for them.

Water (SEPA Checklist, Section B. #3): Question #3.a. involves disclosing impacts to surface water. The Checklist does not fully disclose surface water impacts from the project's proposed undersized buffer. The applicant proposes a 200-foot vegetative buffer between

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[5] Assumptions: round trip of 15.4 miles between the mine and Belleville Pit, 46 round trips per day, 260 days per year, for 25 years.

[6] Carbon emissions estimation based on the per ton/mile truck emissions estimates and sample calculations included in the EDF publication produced to assist industry in reducing carbon emissions, "A Green Freight Handbook", Chapter 2, Establish Metrics, we estimate that depending again on which of the two proposed main haul routes is followed, annual (total) truck CO2 emissions will be between 271 (6,768) and 403 (10,064) metric tons.

the mine and the adjacent Samish River, but a 200-foot buffer is not adequate and is inconsistent with Skagit County Critical Areas Ordinance (SCC 14.24.230) requirements for the intensity of this land use. Additionally, when slopes of 25% or more are present, buffers are generally required to extend 25 feet beyond the top of the slope. We address this further in the section on "animals" below, and in the attached memo titled: "Fish and Wildlife, and Water Quality (Regulated Critical Areas) Review " (Wiggins, November 2020).

In response to these concerns, PDS asked the applicant to submit drawings showing a 300 foot buffer, which they did. This drawing is labeled "Alternate 300 foot buffer" (dated July 2018). To date, however, this "alternate" buffer has not been required as a condition of the permit.

In addition, mine site plans identify an unnamed tributary to the Samish River on the southeast corner of the site. The supplement to the SEPA checklist references the Site Management Plan to explain how surface water will be protected. Again, as discussed above in the "Earth" section, this Site Management Plan is not site-specific and simply lists a number of BMPs without explaining where or how they may be implemented; except that Appendix B ("Site Map") of the plan identifies one "monitoring point" near the tributary stream. There is not enough information provided to determine if surface water will be adequately protected from sediment and other contaminants or if the minimal monitoring proposed will be adequate to detect such pollution. In addition, it is unclear from the project documents where all the surface water in the areas around the mine site may drain after the site is disturbed. The mine site is perched above the river and it is unclear if the proposed buffers encompass the entire slope edge between the mine and the river. There is not enough detail in the drawings and application materials to ensure that erosion and contaminated run-off will be prevented from making its way downslope to the river.

Question #3.b. involves disclosing impacts to groundwater. The applicant states that no waste discharge will occur into groundwater. The Supplement to the SEPA Checklist again references the Site Management Plan, and states that mining runoff will infiltrate into the bottom of the mine. However, the project description states that the intention is to mine within ten feet of the groundwater level. Given the pervious nature of the sand and gravel floor of the mine, we question if this method of preventing groundwater contamination is sufficient. This is especially concerning as the groundwater in this location will essentially flow directly into the Samish River and into designated critical habitat for the endangered Oregon Spotted Frog (discussed further below in the section about animals). Protection of groundwater requires further evaluation, especially in terms of the potential for fuel and other toxic material spills from heavy equipment in the mine (this issue is further discussed below under the section about environmental health and hazardous chemicals.)

In addition, the application does not explain how operators will ensure that they remain at least ten feet above groundwater during seasonal fluctuations. To avoid the risk of the mining activity penetrating into groundwater, the applicant must identify a method for determining the highest groundwater level and establish a monitoring plan to ensure compliance.

Question #3.c. involves describing impacts from water runoff, including stormwater. In addition to the concerns related to runoff from the mining site described above in the 'earth' section, the impact of runoff from the haul road to surface water was not identified as a concern and has not been addressed. This involves impacts to both water quality and quantity -- to the wetlands on site, to Swede Creek and to the greater Samish watershed. There is the potential for sedimentation in Swede Creek, a fish-bearing stream, and for increased overland flows and downstream flooding. There are already significant flooding issues associated with Swede Creek. The ditch adjacent to Grip Road east of the bridge over the Samish River is an overflow channel of Swede Creek. The Public Works Department and local residents are well aware that this ditch routinely spills over its banks and floods the roadway during high rainfall events. In addition, the edge of the roadbed itself at this location has required repeated hardening and repair due to erosion caused by the high volume of water flowing through this ditch. The impacts to hydrology and the potential for exacerbating sedimentation and flooding problems from the increased impervious surface and heavy use of the haul road, especially in the gorge where the road crosses Swede Creek, needs to be evaluated and appropriate mitigation measures required. A stormwater management plan for the haul road needs to be prepared and implemented.

Plants (SEPA Checklist Section B. #4): Notwithstanding that the mine would completely strip native vegetation from more than fifty acres of land, the Checklist omits any discussion of ways to minimize this impact. A one-sheet survey drawing titled "Reclamation Plan and Mine Sequence" (May 2015) shows the proposed mine area divided into four quadrants labeled "1" through "4". These labeled quadrants presumably explain the "sequencing" of the mining activity, but there appears to be no narrative explaining how or when this sequencing may occur. Phasing the mining so that portions of the site remain forested until it is needed, and/or reclaiming sections over time while other sections are being mined would significantly reduce the impact to native vegetation. Simply reducing the scale of the proposed mine would be even more appropriate. Measures and alternatives that reduce the impact to the native vegetation must be evaluated.

Animals (SEPA Checklist Section B. #5): The Checklist omits significant animal species and potential project impacts on them. First, the Checklist states that no threatened or endangered species are known to be on or near the site. In fact, the US Fish and Wildlife Service and WA Department of Fish and Wildlife have designated Critical Habitat for the Oregon Spotted Frog (*Rana pretiosa*) along the Samish River directly adjacent to the site. In

addition, there is designated Bull Trout (*Salvelinus confluentus*) Critical Habitat a few hundred feet downstream from the northeast corner of the mine site. The Oregon Spotted Frog was believed to be extirpated from this area until breeding sites were discovered in 2011-2012 in the upper Samish River. The Samish River system is the only place in Skagit County that the Oregon Spotted Frog has been found. It is listed as Endangered in Washington State, and Threatened federally. Bull Trout is a Candidate species for listing in Washington State and is listed as Threatened federally. The presence of designated critical habitat for species listed under the Endangered Species Act (ESA) was not disclosed in the SEPA Checklist nor in the accompanying Fish and Wildlife Assessment (GBA/August 2015). These are serious omissions.

At the request of the County, an Addendum to the Fish and Wildlife Assessment was submitted by the applicant to address the presence of the Oregon Spotted Frog habitat adjacent to the site (GBA/April 2017). However, the addendum simply states that in the consultant's opinion, their recommended 200-foot buffer is adequate to protect this designated critical habitat without siting any clear science or expert biological opinion to back up the statements. In fact, a note in the Addendum states:

> *"Our original assessment and this addendum are not intended to constitute a biological evaluation pursuant to the requirements of the Endangered Species Act. The documents are intended solely to demonstrate compliance with the Skagit County Critical Areas Ordinance (SCC 14.24)."*

Further evaluation of the impact from the proposed mining to the Oregon Spotted Frog, Bull Trout, and their designated critical habitat, needs to be conducted, consistent with State requirements and the Federal ESA. As discussed in sections elsewhere in this letter (in "earth", "water" and "toxics"), measures are not clearly described that will protect the water quality of the Samish River, its tributaries, and the groundwater that flows to the river. This is a serious concern that must be addressed to ensure that the Oregon Spotted Frog, Bull Trout, and Puget Sound Steelhead habitat is adequately protected according to law.

In addition, the SEPA Checklist and Supplement do not acknowledge a number of large mammals that are known to frequent this area. These include bear, cougar and bobcat. Furthermore, the Checklist states that the property is not an animal migration route even though local residents regularly observe the use of this area as a wildlife corridor between Butler Hill to the south and the Samish River Valley and Anderson Mountain to the north. Surrounding landowners have seen cougar, bobcat, and bear traveling across their properties on numerous occasions, and at least one resident located south of the subject property has captured many photos of these animals on remote trail cameras. These animals require large territories and are sensitive to disturbance. The subject property is the last large undeveloped property linking a larger landscape between Butler Hill to the

south, and the Samish River to the north. The applicant's Fish and Wildlife Assessment does not address the impacts to this wildlife corridor. Measures could be taken to protect a swath of land and maintain intact vegetative buffers surrounding the mine on the applicant's larger ownership. This would help reduce this impact.

Finally, the applicant's Fish and Wildlife Assessment is more than five years old (August 2015), and its limited scope does not address the current data regarding Threatened and Endangered Species (ESA). A new complete Fish and Wildlife Assessment needs to be prepared that considers the full footprint of the project, including the land area impacted by the private haul road, as well as all ESA species that may be impacted by the proposal. These concerns are further discussed in the attached memorandum: "Fish and Wildlife, and Water Quality (regulated Critical Areas) review" (Wiggins, November 2020).

Energy (SEPA Checklist Section B. #6): This is a very fossil fuel and carbon intensive project, both on and off site. As stated previously, just to haul the proposed volume of gravel to the applicant's processing site would require diesel truck/trailer combinations to drive more than 4,600,000 miles over 25 years, or more than 184,000 miles per year. This does not include the on-site energy consumption from the heavy equipment required for the mining activity. In addition, there is no electrical power supply to the site. There is no mention of power supply in the application materials, but presumably the applicant plans to run generators to provide light and power to the site. This will create even more fossil fuel consumption (and noise pollution that has not been disclosed). The applicant has made no attempt to estimate the amount of energy required, nor the impacts to the environment from it. There are no proposed energy conservation measures. The applicant should be required to evaluate alternatives to such high rates of energy consumption, and a carbon budget should be calculated with mitigation identified to offset the effects of carbon emissions to the atmosphere.

Environmental Health (SEPA Checklist Section B. #7): Question #7a. Toxics: The Supplement to the SEPA Checklist states that "mobile fueling vehicles" and "mobile maintenance vehicles" will be used and that "if fueling stations or other storage of these materials occurs on site, it will be in compliance with the NPDES Permit filed with the WA Department of Ecology". These vague and inconsistent statements fail to confirm whether fueling stations and fuel storage are planned or not. Furthermore, the application does not define "mobile fueling" or "mobile maintenance" or measures to control or respond to spills from them in different locations across the site. The applicant must explain how they will monitor this and provide specific management practices for use with mobile fueling and maintenance units.

Although the Site Management Plan purports to address spill prevention, it merely recites generic BMPs. It does not state what specific measures will be used on this site, nor does it

show any locations for fueling, fuel storage, etc. The applicant needs to disclose what the nature and location of the fuel storage and vehicle refueling and maintenance process will actually be, and what measures will be taken to prevent spills and toxins from entering surface and groundwater. As discussed previously, there is a real danger of surface water contamination and or groundwater contamination through the bottom of the mine floor if this issue is not properly addressed.

Question #7.b. Noise: This section requires disclosure of health impacts related to noise generated from the project on-site and off-site. The applicant submitted an "Updated Noise and Vibration Study" (November 2018), which concludes through modeling that the noise generated from the mine, and from off-site trucking, is within the limits set forth in Skagit County Code. There are several major flaws in this study that call into question its thoroughness and validity:

- Concerning the computer modeling of mine operation noise levels, the November 2018 noise study states "A front-end loader, dozer, and excavator were assumed to operate concurrently in the mine", with noise levels at 100 feet from each shown as 75, 75, and 76, dBA respectively. The study does not cite the source for these numbers. Presumably, different sizes and models of heavy equipment generate different levels of noise, and are not interchangeable for noise level modeling purposes.

- Furthermore, the noise study appears to address only "typical" mine production levels, not the "extended hours" production scenario of up to 5,000 tons per day described in the September 2020 DN Traffic Consultants Traffic Impact Analysis. Presumably, the latter would require more pieces of heavy equipment to accomplish, as well as more trucks. Based on the seasonal nature of sand and gravel demand, it seems likely that the mine would exceed "typical" or "average" production levels for extended periods during late spring, summer, and early fall. For a noise study to be valid, it must address the <u>maximum</u> production level.

- The computer modeled noise level receptor labeled "R3" is located approximately 900 feet north of the receiving property boundary, not at the receiving property boundary as required under WAC 173.58-020(11) and 173-60-040(1).

- The study does not address the significant noise fully loaded truck/trailer combinations will generate using their compression brakes while descending the Grip Road hill. Adding an "average" of 46 diesel trucks a day (or 30 trucks an hour, as under the "extreme" scenario from the DN Traffic Impact Analysis) onto Grip and Prairie Road will be a major change to the soundscape for residents along the haul route for the next 25 years regardless of whether the trucks exceed legal noise limits.

There are 100 homes within a mile radius of the proposed mine, and 375 homes within a 2 mile radius. Even if the applicant's consultant can somehow create a model that shows that the noise generated from the mine and truck traffic is below the thresholds set out in the WAC and Skagit County Code, the ambient noise from the mine and the trucks will become a constant backdrop for the residents in the surrounding area. This noise will have a lasting impact on public health, on the quality of life in this quiet rural neighborhood, and on wildlife. Per an article titled "The Adverse Effects of Environmental Noise Exposure on Oxidative Stress and Cardiovascular Risk" in the National Institute of Health's online National Medical Library, "Epidemiological studies have provided evidence that traffic noise exposure is linked to cardiovascular diseases such as arterial hypertension, myocardial infarction, and stroke."

The SEPA checklist and accompanying documents contain no discussion of ways to reduce or mitigate noise impacts, instead the focus is simply on proving that this new unprecedented level of industrial scale noise pollution will somehow meet legal standards. What is "legal" and what is "acceptable" are not interchangeable.

Light and glare (SEPA Checklist Section B. #11. The applicant apparently intends to operate the mine during dark hours, however the application does not describe the type of lighting that will be used on site. Nor does the application identify whether, or what, lighting would be installed for security purposes. The 700 acres owned by the applicant is currently used only for forestry, and it is dark at night. The type of lighting used for heavy construction tends to be very bright and penetrates into the night sky. Measures need to be taken to minimize light pollution from the site. Impacts on migrating birds from even small amounts of outdoor lighting is well-documented.[7] The applicant needs to describe the type and extent of the lighting systems that are planned, and appropriate mitigation measures need to be required, including down-shielding of all lights, and installing motion sensors and controls where constant lighting is unnecessary.

Recreation (SEPA Checklist Section B. #12: This section requires disclosing "designated and informal recreational opportunities" in the vicinity. The applicant's response mentions only hunting and fishing. In fact, local residents walk on Grip and Prairie Roads, and the haul route along Grip and Prairie Roads is a popular recreational bicycling route. The route is included in a "Skagit County Bike Map" produced by Skagit Council of Governments, and distributed by Skagit County Parks Department. This same bike map is also included in Skagit County's 2016 Comprehensive Plan, as the "Bicycle Network Map"; it includes Grip and Prairie Roads as part of the inventory of the County's non-motorized transportation system. This important recreational activity was not disclosed in the SEPA checklist; nor were impacts to it evaluated. As discussed elsewhere in this letter, Grip and Prairie Roads

[7] https://www.fws.gov/news/blog/index.cfm/2020/4/22/Lights-Out-for-Migrating-Birds

are narrow and substandard with soft or nonexistent shoulders. There are many parts of this route where there is literally no option for a cyclist to move to the right to make room for a passing vehicle. The recent addition of guardrails on portions of Prairie Road have had the effect of eliminating options for a shoulder and narrowing the roadbed even further (guardrails were apparently installed more to protect power poles from vehicle collision than for public safety).

The introduction of an average of five tandem gravel trucks an hour (much less the 30 trucks an hour under the "extreme" scenario) to this route will render recreational cycling not only unpleasant, but very dangerous. Mitigation and alternatives could be identified for reducing the impact of trucking on these important recreational uses, such as widening and hardening road shoulders, limiting the number of trucks allowed per day on the road and designating 'safe passage' times during each day, when trucks are not allowed to haul from the site.

The omission in the SEPA checklist and project documents of the impact on pedestrians and bicyclists along the haul route is just one more example of the serious inadequacies in the application materials, and the disregard for public safety shown by the applicant. Issues regarding public safety related to truck traffic and the condition of County roads along the haul route are further discussed below under traffic.

Transportation/Traffic (SEPA Checklist Section B. #14): The SEPA Checklist and Supplement asserts that that no improvements to existing roads are necessary and that traffic generated will be "typical" of mining operations. The Checklist and Supplement then reference studies conducted by their traffic consultant DN Traffic Consultants without providing further details. However, a review of those documents reveals that "typical" traffic is a stunning 11,765 truck trips per year. The SEPA documents do not identify this number. DN Traffic goes on to calculate that this will "average" 46 truck trips per day. However, given the seasonal nature of gravel mining, this "average" is meaningless. The number of trucks that the applicant intends to deploy on a daily or weekly basis has never been clearly defined. This makes it impossible to evaluate the actual intensity of use and potential threats to public safety.

DN Traffic Consultants' more recent "Traffic Impact Analysis" (TIA), submitted in September 2020, seems intended to address the basic requirement that a TIA be done for this project (we have been requesting a TIA since we first learned about the permit application in 2016). It also seems intended to address at least some of the issues we have raised in the many comment letters we have submitted since that time. However, the document fails on both counts. While we intend to submit a detailed comment letter to the county on the entire TIA in the future, we provide below a summary of some of our main concerns.

- It does not meet the requirements and format for a Level II TIA as set out in Skagit County Road Standards, 2000 (SCRS) (SCRS 4.01-4.02 and Appendix A).
- It does not state whether the information included in the TIA supersedes previous inconsistent and/or contradictory information submitted by the consultant and the applicant regarding critical aspects of the project, including hours of operation and numbers of truck trips. This adds to the overall lack of definition for the project rather than clarifying it.
- It proposes that if the applicant needs to exceed a limit of 46 truck trips per day to meet demand (up to a limit of 29.4 trips each way per hour, or 294 trips per 10-hour operating period), they will first request permission from the County, and then Public Works will be responsible for determining temporary safety measures to mitigate for the increased risks. This is problematic in several regards:
    - It does not state how often and for how long this "extended hours operation" could occur.
    - It seems to imply, without ever stating clearly, that hauling under this scenario would take place for only 10 hours per day, while mining would happen for unspecified "extended hours." Since the applicant has repeatedly asserted their right to operate up to 24 hours per day, seven days per week, we must assume that both accelerated mining and hauling could take place during those hours. The actual number of round trips per 24-hour period under this scenario would be 706, meaning there would be 1,412 one-way truck trips every 24 hours, and 60 one way truck trips every hour. Mine traffic impacts must be evaluated on this basis.
    - Without specifying what measures would need to be implemented to ensure traffic safety under this "extended hours" scenario, the applicant defers its obligation in this regard to the County and potentially exposes the County to liability.
- It contains false statements regarding existing road conditions and uses, as well as future uses, for instance:
    - As previously noted, the statement that there are no designated bicycle routes on the roads proposed for the haul route, when in fact a map of these routes is included in the non-motorized transportation component of the County Comprehensive Plan.
    - The statement that the shoulders on Prairie Road vary from two feet to four feet wide. In actuality, recently installed guardrails on the south side of the road practically eliminate the shoulder entirely for a considerable distance along the haul route.
    - The statement that there is no significant development planned that will impact traffic levels on the proposed haul route. In fact, the County has already approved bringing Kalloch Road and North Fruitdale Road up to arterial

standards to provide better access from the north to the Sedro Woolley Innovation for Tomorrow (SWIFT) Center. The bulk of this traffic from the north will come via I-5, Bow Hill Road, Prairie Road, Grip Road, and Mosier Road. In addition, a major new residential development is planned for north of Sedro Woolley between SR9 and Fruitdale Road. This will also generate a significant amount of traffic to the north via these same roads.

- It omits key facts and conditions, such as:
    - The existence of several Burlington and Sedro-Woolley School District bus routes along the proposed haul route. It makes no mention of these bus routes; does not analyze the threats presented by mine truck traffic to the safety of schoolchildren, parents, or district employees and equipment; and proposes no mitigation actions for these risks.
    - A major roadway misalignment issue on the Grip Road Hill curves, which requires that a truck with pup trailer repeatedly encroach on both the centerline and the edge of the pavement (there is no fog line) while navigating this very narrow, steep section of the road.
    - The existing, progressive failure of the pavement and roadbed on the outside of the uphill (south side) lane of traffic in the above location. This presents both a safety hazard to the public and an ongoing maintenance liability for the county.
- It documents some of the other existing, critical road deficiencies and traffic hazards but either omits corresponding mitigating actions or proposes inadequate mitigation actions. For example:
    - It documents that a truck with pup trailer cannot navigate the two 90-degree curves on Prairie Road east of the Old Highway 99 intersection in either direction without encroaching significantly on both the fog line and centerline. It acknowledges that this constitutes a traffic safety hazard, but does not propose any mitigation actions. Instead, it states that the County is responsible for dealing with this issue.
    - It proposes a flashing yellow light warning system to mitigate for inadequate sight distance at the Prairie Road/Grip Road intersection, a measure the author of the TIA described as "temporary" in an earlier traffic memo. This is the same place where, in an email obtained via public records request, former PDS Senior Planner John Cooper described coming upon the scene of an auto accident at this intersection and being told by the attending Sheriff's Department officer (who himself was a former commercial truck driver) that a flashing yellow warning light would be insufficient to prevent accidents in that location (John Cooper email to Dan Cox, 1/30/2017).

In addition, in the TIA fails to disclose serious impacts with regard to use of the bridge over the Samish River on Old 99. In response to information about the bridge's weight

restrictions, the TIA proposes either to reduce load weights or to use an alternate route that involves continuing west up Bow Hill Road from Prairie Road to I-5, heading south to the Cook Road exit, and then north on Old 99. However, these options either generate more truck trips than proposed (lighter loads equals more trucks trips) or follow a considerably longer haul route. The impacts from this longer haul route have not been analyzed. There are many concerns related to dozens of gravel trucks making their way up the steep Bow Hill Rd and entering and exiting two busy freeway interchanges, and passing through additional busy intersections that are already hazardous. And of course, either way, the cumulative mileage and emissions increase. These additional impacts have simply not been evaluated.

As we stated above, the comments included here on DN Traffic's TIA are only some examples of how woefully short this document falls when it comes to addressing the true scope of road and traffic safety risks associated with this project. Until these issues are thoroughly analyzed and comprehensive mitigation measures proposed, the only valid SEPA threshold determination for the proposed mine is a determination of significance (DS) requiring a full environmental impact statement (EIS).

Finally, to our knowledge, the County's hired traffic engineer/consultant, HDR, who has been reviewing the various traffic information submitted by the applicant, has never visited the site and actually observed the condition of the roads in question. All of the third-party review has been conducted remotely using information and data provided by the applicant and County – it is simply unacceptable that the reviewers signing off on the traffic studies have not observed in-person the problems with road conditions and safety.

Public Services (SEPA Checklist Section B. #15). The applicant states that there will be no impacts to public services, but absent measures to address the road safety issues discussed above, the traffic collision rate in this area will undoubtedly increase. This will create a heavier demand on law enforcement and first responders. In addition, the need for road maintenance will increase considerably with the hauling of 200,000 tons of gravel per year on Grip and Prairie Roads.

The applicant should be required to share costs of necessary infrastructure improvements as stated in Skagit County Comprehensive Plan Policies: *Policy 4D-5-3: Roads and Bridges: New public roads and bridges accessing designated Mineral Resource Overlay Areas shall be designed to sustain the necessary traffic for mineral extraction operations. Existing roads and bridges shall be improved as needed as each new extraction operation is developed. Cost sharing for the improvement of roads and bridges shall be negotiated between the permitting authorities and the applicant.*

6) **Appropriate mitigation measures or alternatives are not identified.** The overriding assumption in the application documents seems to be that this project requires very little mitigation. There is no real exploration of project alternatives or other ways proposed to reduce impacts. We find this very troubling, and it supports the need for a full EIS. Since key aspects of the proposal are still not clearly defined, it is difficult to fully explore appropriate permit conditions and mitigation measures. Nonetheless, it is clear to us that there are some pathways to addressing the project impacts. A few examples of alternatives that should be explored, and mitigation measures or permit conditions that should be required are discussed in the various sections of this letter, and identified below, along with a list of additional studies that need to be completed.

- Explore alternative project scenarios that include significantly scaled back rates of extraction, a smaller mine size and limits on daily truck trips.
- Limit hours of operation and hauling to daylight hours.
- Require a larger buffer on Samish River consistent with the County's Critical Areas Ordinance and Department of Ecology's guidance for protecting river and associated wetlands and sensitive & critical habitat from industrial uses.
- Require a larger undisturbed vegetated buffer between the active mine and adjacent private property, to reduce noise, vibration and dust.
- Major road and safety upgrades along the haul route need to be included before hauling is allowed, including but not limited to:
    - Traffic lights and/or turn lanes at critical intersections including: Grip Road at the intersection with the mine access road; at intersection of Grip and Prairie Roads; at the intersection of F&S Grade and Prairie Roads, at intersection of Prairie Road and Old 99.
    - Improve site distance to the east at intersection of Prairie and Grip Roads
    - Widen Grip and Prairie roads and harden shoulders.
    - Straighten and widen curves on Grip Road hill or find an alternate access point to the mine below the 'S curves' and hill.
    - Improve the two ninety degree turns on Prairie Road so that trucks can stay in their lanes.

- Gravel trucks must be restricted to the identified haul route (presuming necessary road improvements have been made). There are numerous safety issues with other haul routes that have not been evaluated, including at least four ninety degree corners on Grip Road heading east where it is impossible for large trucks to stay in their lane.
- The above safety concerns are also applicable to sale of mined materials to private parties and independent truckers. The application materials are not consistent regarding whether CNW intends to sell directly to third parties. If this were to occur,

these third party trucks would not necessarily stay on the identified haul route. Therefore sale to private parties and independent truckers from the site must be prohibited.

Additional Assessments or Studies needed:

- Fully updated Critical Areas study and Fish and Wildlife assessment of the larger property, including the private haul road and areas adjacent to it, with appropriate mitigation measures identified for the footprint of the entire project, not just the mine itself.
- Further evaluation needs to be conducted of the impact to the listed Oregon Spotted Frog and Bull Trout consistent with State and Federal Endangered Species Act.
- The impacts to hydrology and potential for exacerbating sedimentation and flooding problems from the increased impervious surface and heavy use of the haul road, especially in the gorge where the road crosses Swede Creek, needs to be evaluated and appropriate mitigation measures required.
- Full Level II Traffic Impact Analysis.
- A realistic estimate of the cumulative emissions from all of the mining activities on-site, as well as the diesel emissions from truck hauling needs to be made, and a mitigation plan proposed.
- A revised Noise Study that corrects the serious flaws identified in this letter.

We hope that you find this letter useful as you proceed with your review of this project, and the new SEPA process. We would be happy to discuss any of it further, and look forward to hearing from you. Thank you for your time and consideration.

Sincerely,



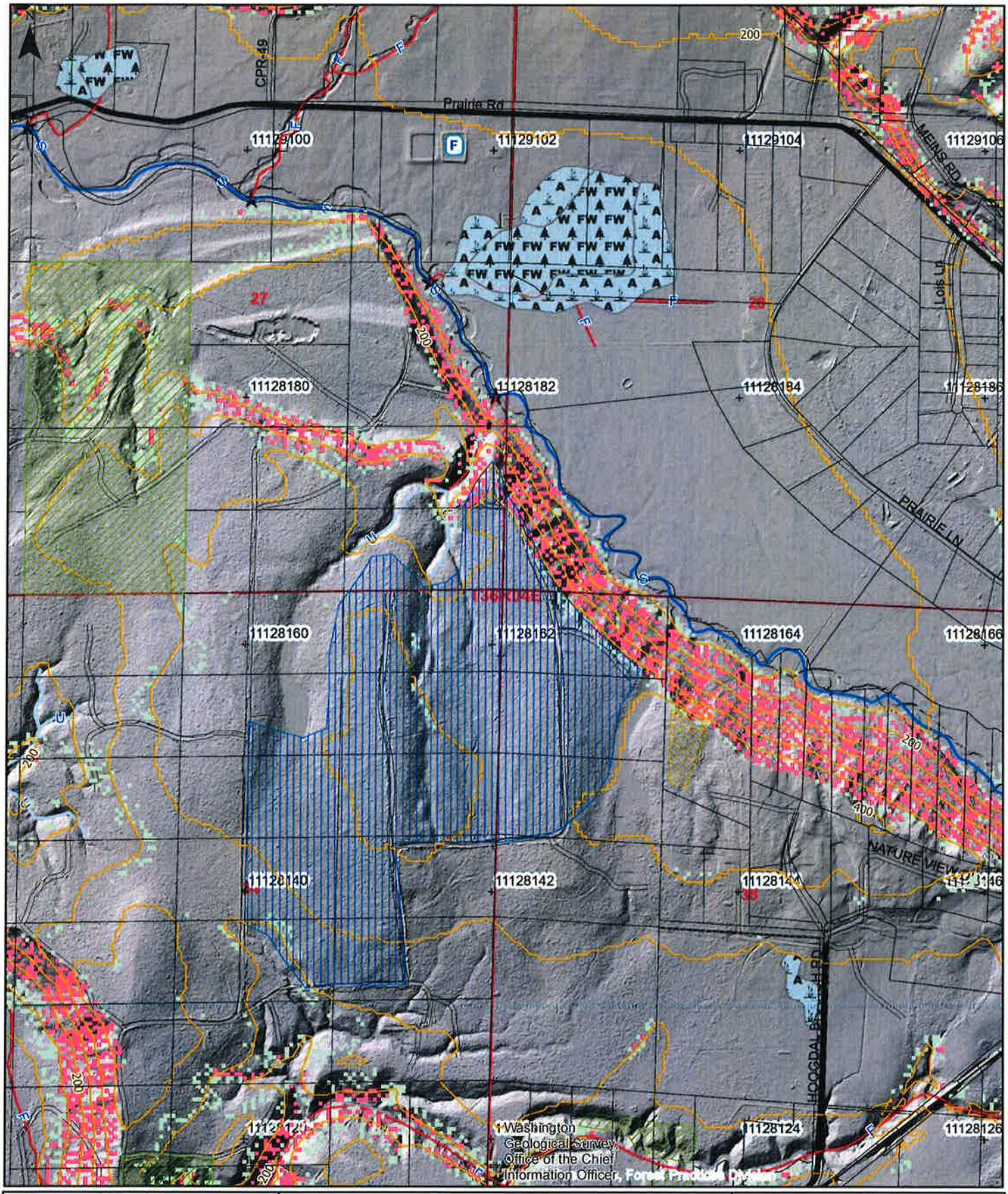
Martha Bray and John Day
6368 Erwin Lane
Sedro-Woolley, WA 98284

cc: Julie Nicholl, Skagit County Prosecuting Attorney
Kyle Loring, Attorney, Loring Advising

Encl: "Fish and Wildlife, and Water Quality (regulated Critical Areas) review" (Wiggins, November 2020

ATTACHMENT B

Active harvest -- Lisa Inc



WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES

Extreme care was used during the compilation of this map to ensure its accuracy. However, due to changes in data and the need to rely on outside information, the Department of Natural Resources cannot accept responsibility for errors or omissions, and therefore, there are no warranties that accompany this material.

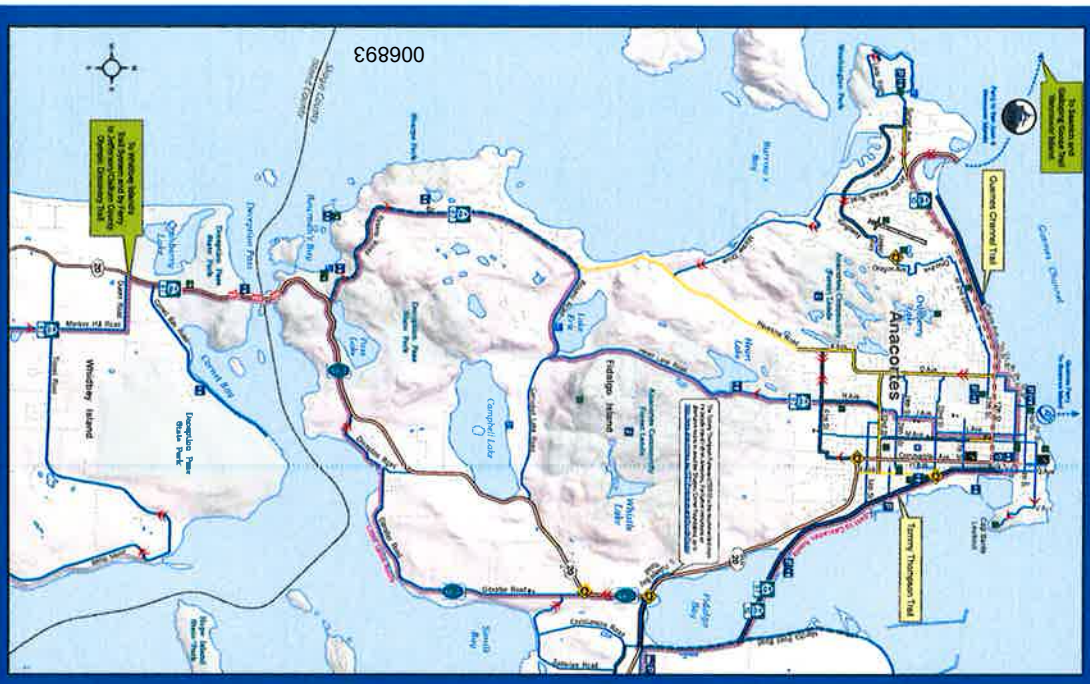
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ATTACHMENT C

68900







Discover the wonderful bicycling Skagit County has to offer.



The Skagit County Bike Map is intended to familiarize cyclists with the many great bicycling opportunities in Skagit County and to provide information to cyclists so they can make their own decisions as to which route is suited for their skill level.

The 2018 edition of the map is made possible with support and funding from: Skagit Regional Health, Anacortes Chamber of Commerce, bikespot, Skagit Bicycle Club, Island Hospital, Port of Skagit, Skagit Cycle Center, Sedro-Woolley Chamber of Commerce, Kiwanis Club of Burlington-Edison, Skagit Bank, Skagit Valley Food Co-Op, Sherman Physical Therapy, Shell Puget Sound Refinery and La Conner Chamber of Commerce.

Special thanks to Skagit County Geographical Information Services, Skagit Council of Governments staff and Non-Motorized Advisory Committee members: Marie Erbstoeszer, Jeroldine Hallberg, Steve Jahn, Liz McNett Crowl and Linda Tatman. Thanks as well to Walt Farmer and John Pope for their assistance with the map.

To contribute, request multiple copies, or to send comments and suggestions, contact info@scog.net.

Cartography & Map Design: Kim Berry, Skagit County Geographical Information Services and Mapping Services

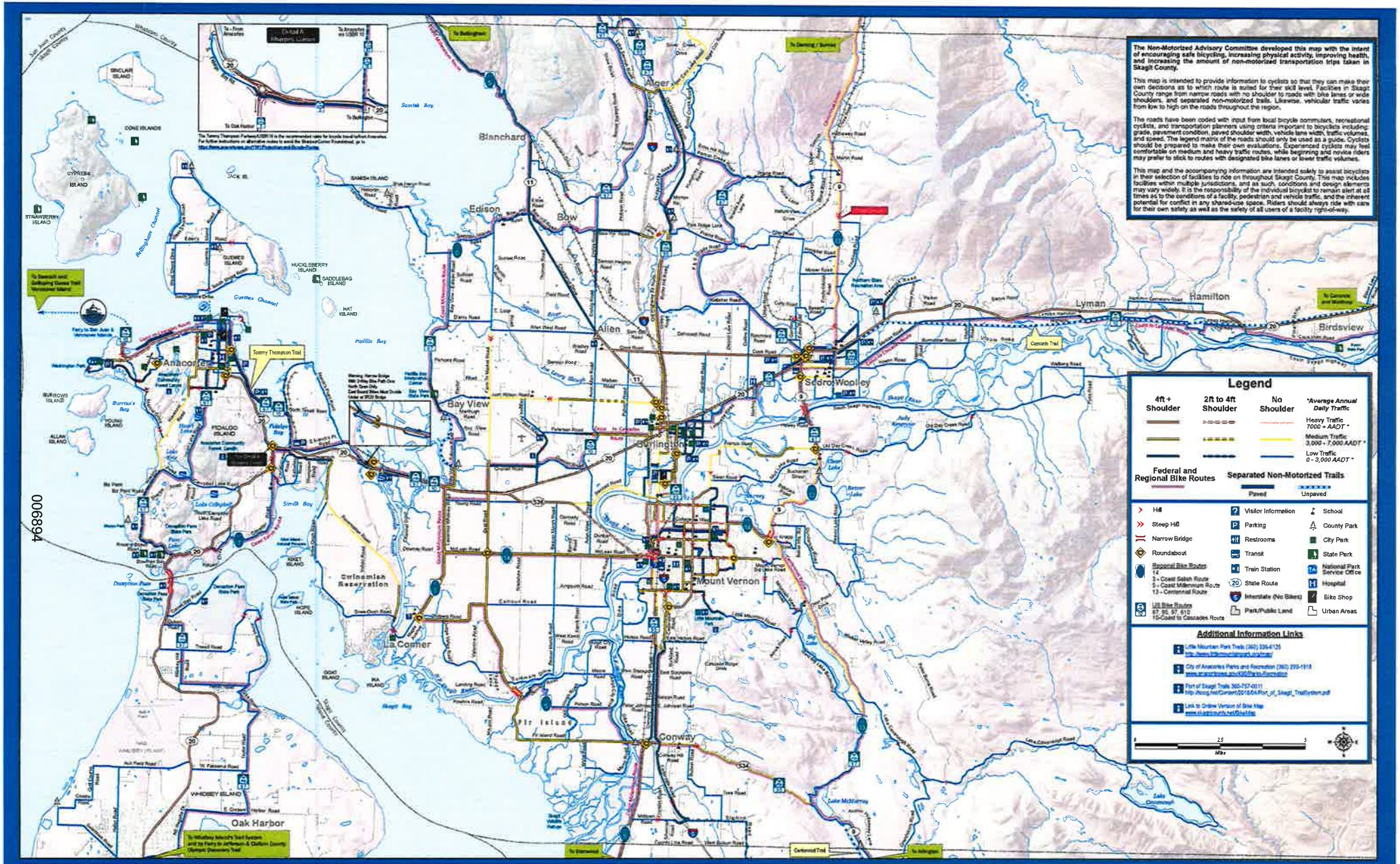
Graphic Design: Thomas Printing

Photos: Courtesy of Skagit Regional Health and Linda Wright Photography








The Non-Motorized Advisory Committee developed this map with the intent of encouraging safe bicycling, increasing physical activity, improving health, and increasing the amount of non-motorized transportation trips taken in Skagit County.
This map is intended to provide information to cyclists so that they can make their own decisions as to which route is suited for their skill level. Facilities in Skagit County range from narrow roads with no shoulder to roads with bike lanes or wide shoulders, and separated non-motorized trails. Likewise, vehicular traffic varies from low to high on the roads throughout the region.
The roads have been coded with input from local bicycle commuters, recreational cyclists, and transportation planners using criteria important to bicyclists including: grade, pavement condition, paved shoulder width, vehicle lane width, traffic volumes, and speed. The legend matrix of the roads should only be used as a guide. Cyclists should be prepared to make their own evaluations. Experienced cyclists may feel comfortable on medium and heavy traffic routes, while beginning and novice riders may prefer to stick to routes with designated bike lanes or lower traffic volumes.
This map and the accompanying information are intended solely to assist bicyclists in their selection of facilities to ride on throughout Skagit County. This map includes facilities within multiple jurisdictions, and as such, conditions and design elements may vary widely. It is the responsibility of the individual bicyclist to remain alert at all times as to the conditions of a facility, pedestrian and vehicle traffic, and the inherent potential for conflict in any shared-use space. Riders should always ride with care for their own safety as well as the safety of all users of a facility right-of-way.
Legend
4ft + Shoulder
2ft to 4ft Shoulder
No Shoulder
*Average Annual Daily Traffic
Heavy Traffic 7000 + AADT *
Medium Traffic 3,000 - 7,000 AADT *
Low Traffic 0 - 3,000 AADT *
Federal and Regional Bike Routes
Separated Non-Motorized Trails
Paved
Unpaved
Hill
Steep Hill
Narrow Bridge
Roundabout
Regional Bike Routes
1A
3 - Coast Salish Route
5 - Coast Millennium Route
13 - Centennial Route
US Bike Routes
97, 90, 97, 610
10-Coast to Cascades Route
Visitor Information
Parking
Restrooms
Transit
Train Station
State Route
Interstate (No Bikes)
Park/Public Land
School
County Park
City Park
State Park
National Park Service Office
Hospital
Bike Shop
Urban Areas
Additional Information Links
Little Mountain Park Trails (360) 336-6125
City of Anacortes Parks and Recreation (360) 293-1918
Port of Skagit Trails 360-757-0011
Link to Online Version of Bike Map
Miles
Anacortes
Burlington
Mount Vernon
Sedro-Woolley
La Conner
Oak Harbor
Bay View
Edison
Bow
Allen
Blanchard
Alger
Lyman
Hamilton
Birdsview
Conway
Fir Island
Samish Bay
Padilla Bay
Bellingham Channel
Guemes Channel
Skagit Bay
Similk Bay
Fidalgo Bay
Deception Pass
Swinomish Reservation
Tommy Thompson Trail
Centennial Trail
Cascade Trail
006894
SAME ROADS • SAME RIGHTS • SAME RULES
Be Visible • Wear a Helmet • Be Alert • Have Fun
BE PREDICTABLE
Ride so drivers can see you and predict your movements. Remember that the rules in the driver's manual apply to bicyclists also.
BE ALERT
Ride defensively and expect the unexpected. Remember, bicyclists are more vulnerable.
BE EQUIPPED
Always wear a helmet. Use protective gear and wear visible clothing.
USE HAND SIGNALS
Hand signals tell others what you intend to do. Signal as a matter of courtesy and self-protection.
RIDING ON SIDEWALKS MAY BE PROHIBITED
Pedestrians have the right-of-way. Give them an audible warning before you pass. Watch for vehicles at driveways and intersections.
BE VISIBLE AT NIGHT
The law requires a strong headlight and a rear reflector or taillight at night or when visibility is poor. Wear light-colored clothes with reflective tape for extra protection.
RIDE IN A STRAIGHT LINE
Ride in a straight line and far enough from parked cars so you can avoid suddenly opened doors. Riding in a straight line allows others to anticipate what you are likely to do.
OBEY TRAFFIC SIGNS, SIGNALS, AND LAWS
Bicyclists must follow the same laws as motorists. Stop at red lights and stop signs just as you would in a car.
CHOOSE THE BEST WAY TO TURN LEFT
1) Like an auto, signal, move into the left lane, and turn left. Do not turn left from the right lane.
2) Like a pedestrian, use the crosswalk and walk your bike across the sidewalk.
FOLLOW LANE MARKINGS
Do not go straight in a lane marked right-turn-only.
NEVER RIDE AGAINST TRAFFIC
Bicyclists must ride with traffic. Approach velocities are unsafe! Motorists are looking for oncoming traffic when turning right.
RIDE WITH BOTH HANDS READY TO BRAKE
You may need to stop suddenly at unexpected times. In rain, allow three times the normal braking distance.
SCAN THE ROAD AROUND YOU
Look ahead and anticipate what other traffic is likely to do. Watch for cars, people, pebbles, grates, etc. Learn to look back over your shoulder without losing your balance or swerving.
RIDE IN THE MIDDLE OF NARROW LANES
When the lane is too narrow for a car to pass you safely, ride in the middle of the lane.
DO NOT PASS ON THE RIGHT
When approaching an intersection or driveway, be especially cautious and do not overtake a vehicle on its right; it might turn right in front of you.
YOU MAY LEAVE A BIKE LANE
When overtaking a bicycle, making a left turn, avoiding a road hazard or other obstruction or you are about a motorist right turn across your path, you may temporarily merge WITH CAUTION into the adjacent automobile lane for safety or better visibility.
RIDE SINGLE FILE
When riding with other bicyclists, ride in a single file line so automobiles can safely pass. Cyclists in front should warn those following of potential hazards.

ATTACHMENT D

Transportation Solutions
INNOVATIVE | PRACTICAL | EQUITABLE



April 30, 2021

To: John Day and Martha Bray, Central Samish Valley Neighbors

From: Jeff Hee, PE, Transportation Solutions

Subject: Grip Road Grave Mine Traffic Analyses
Peer Review Comments

This memorandum provides my professional opinion comments on the Applicant's traffic impact analyses and responses to comments, Skagit County and HDR staffs' comments, and Skagit County's Re-Issued conditions for the proposed Grip Road Gravel Mine project. If you have any questions, please contact me at your convenience.

Main Comments/Questions

- What is the maximum trip generation and anticipated frequency of maximum trip hours and days? The November 30, 2016 Maximum Daily Truck Traffic memorandum forecasted a maximum trip generation of 60 truck trips per hour. The September 10, 2020 TIA documented an extended hours maximum haul operation of 29.4 truck trips per hour. The frequency and intensity of trips generated suggest a need for additional analysis and mitigation on the part of the Applicant.
- The County's April 15, 2021 Re-Issued MDNS gives the Applicant the option to improve substandard roadway conditions or to not use truck/trailer combinations. If the Applicant elects not to resolve substandard roadway conditions and use standard gravel trucks (no trailer), then the number of truck trips generated is anticipated to be higher than what was evaluated in the traffic analysis.
- The Applicant's mitigation measures do not address all impacts at the new mine access/Grip Road intersection. The intersection sight distance is not satisfied at the site access and the mitigation measures do not extend to Grip Road east of the new access. Additionally, it is my opinion that the sight distance impacts were not accurately disclosed.
- Safety impacts were identified on the proposed haul route in the vicinity of Friday Creek east of Old Highway 99. There are sections along the haul route where the roadside shoulder sections do not meet County standards. The analyses of roadway centerline and shoulder impacts just in the vicinity of Friday Creek, in my opinion, does not provide sufficient information to conclude the other sections along the haul route are adequate for gravel truck traffic.

This document is organized to present my comments and questions regarding the trip generation analysis, proposed site operations, sight distance analysis, roadway shoulder and centerline impacts, haul route impacts, and requests for additional information on the Applicant's traffic mitigation plans, level-of-service standards and impacts to Cook Road.

The comments that follow are based on criteria from the Skagit County Road Standards as applied to the analyses prepared by the Applicant's consultant. References include:

> Section 2.14. "Transportation and frontage improvements, SEPA mitigation, traffic impacts, fees, etc. or the proportionate cost share of the improvements based on peak hour trips and necessary to mitigate impacts of the development (or each phase of development if it is done in phases) shall be in place or paid no later than time of final plat approval or certificate of occupancy, whichever occurs first, for that development or

phase. If the improvements are not listed on the County Transportation Improvement Plan, they shall be installed prior to final plat approval.

"Frontage improvements will be required for all new development that front on an existing County road (See Section 13). Other transportation improvements that may be required will be identified in the Traffic Impact Analysis (See Section 4.06) and the Safety Analysis (See Section 4.09)."

Section 4.00. "All applications for land division and changes of land use shall include sufficient data to determine the amount of additional traffic generated by the development. Such data shall also be used as a guideline for access road and/or driveway requirements."

Section 4.06. "The County may require developments to make traffic impact contributions if the development significantly adds to a road's need for capacity improvement, to a roadway safety problem, or to the deterioration of a physically inadequate roadway. Such traffic impact contributions are in addition to transportation and frontage improvements required in the immediate area for access to and from the development. See also Section 2.14."

Documents Reviewed

- *Grip Road Gravel Pit Preliminary Traffic Information* February 8, 2016, DN Traffic Consultants.
- *Grip Road Gravel Pit Maximum Daily Truck Traffic* November 30, 2016, DN Traffic Consultants.
- *Grip Road Mine Response to Skagit County Request* April 13, 2020, DN Traffic Consultants.
- *Concrete Nor'West Grip Road Gravel Pit Project* April 28, 2020 Grip Road Gravel Pit Traffic Impact Analysis, HDR recommendations.
- *Concrete Nor'West Grip Road Gravel Pit Project* May 14, 2020 Grip Road Gravel Pit Traffic Impact Analysis by County Staff, HDR recommendations.
- *Mitigated Determination of Nonsignificance PL16-0097 and PL16-0098* May 26, 2016, Skagit County.
- PL16-0097 *Revised Request for Additional Information* July 31, 2020, Skagit County Planning and Development Services.
- *Grip Road Min Traffic Impact Analysis* September 10, 2020, DN Traffic Consultants.
- *PL 16-0097 Mining Special Use Permit Response to Additional Information Request, July 31, 2020,* October 8, 2020, Semrau Engineering and Surveying, PLLC mitigation plans.
- *Notice of Withdrawn and Re-Issued MDNS for Concrete Nor'West File #'s PL16-0097 and PL16-0098* April 15, 2021, Skagit County.

Trip Generation Impacts and Hours of Operation

Page 1 of the February 8, 2016 Preliminary Traffic Information memorandum states that hauling from the project is limited to 9 AM-3 PM on 260 working days (Monday-Friday) per year. The trip generation assumes an average and even distribution of truck traffic during those hours. The time frame is typically consistent with the consultant's conclusions that there will be negligible traffic impacts during the traditional AM (7-9 AM) and PM

(4-6 PM) peak hour traffic periods. The preliminary study forecasted the site's hourly trip generation to be 7.67 truck trips per hour.

Page 13 of the September 10, 2020 TIA changed the site operations to 7 AM-5 PM. Truck hauling was proposed to be limited to Monday-Friday and onsite activity proposed to extend to Saturday. Unlike the earlier project proposal, the current proposal will generate truck traffic during the peak hour periods. Under a typical operation, the TIA indicates that the site would generate an average of 4.6 combination truck/trailer trips per hour. The truck/trailer combination is assumed for all truck trips based on the 34-ton load capacity of the combination vehicle.

The frequency and to a degree the intensity of the peak number of truck trips generated by the site are unclear. The consultant's November 30, 2016 Maximum Daily Truck Traffic memorandum states that the maximum truck volume generated by the project could be up to 60 truck trips per hour, based on the availability of truck/trailer combinations in the County. The consultant's September 10, 2020 TIA computed a maximum truck volume of 29.4 trips per hour, assuming extended hours of operation and a higher daily volume transported for the site.

The forecasted maximum trip generation and frequency of maximum trip generating events needs to be clarified. It is assumed that maximum conditions will not occur every day or for every hour of the day; however, it is reasonable for the County to consider implementing restrictions on the project's operations. Restrictions such as prohibiting hauling during the weekday AM, PM, or school peak periods or limiting hauling to not to exceed 5 trucks per hour (based on the consultants 4.6 trucks per hour forecast) would reduce the potential for significant project impacts during peak traffic hours and during the time-periods associated with school bus pickup/drop-off.

Condition 12 of the County's April 15, 2021 Re-Issued MDNS allows the Applicant to limit their operations to non-truck/trailer combination vehicles unless other roadway safety mitigation measures are satisfied. If the Applicant elects to limit their operations to trucks without trailers, then the number of truck trips generated by the project is expected to be higher, due to the smaller hauling capacity of a gravel truck and assuming the same annual and daily tonnage goals provided by the Applicant.

A higher trip generation scenario, based on restrictions on the truck types, should be evaluated. Also, it is common practice to update level-of-service analyses provided in the September 10, 2020 TIA should the trip generation increase.

Trip Generation Impacts and Hours of Operation Additional Comments/Questions

- Does the trip generation account for onsite workers and mining/non-haul operations?
- The site operations have changed from 2013 to 2020. The average-normal hourly trip generation has ranged from 4.6 to 7.67 hourly truck trips. What is the peak hour trip generation anticipated?

Sight Distance Analysis

Sight distance factors include design speeds, brake reaction times, braking distances, and time gaps for turning vehicles, among other factors. Skagit County Road Standards Section 2.02 includes the following speed definitions:

Design Speed - A speed determined for design and correlation of the physical features of a highway that influence vehicle operation: the maximum safe speed maintainable over a specified section of road when conditions permit design features to govern.

Operating Speed - Used for determination of sight distance. Operating speed should be equal to the P85 speed for existing facilities and be equal to the design speed for new facilities.

Tables 5 and 6 from the September 10, 2020 TIA indicate that the posted speed was used to evaluate the sight distance requirements.

There are several locations where sight distance was identified as a concern. The County's Road Standards, suggest a design speed alternative to the posted speed. The Skagit Council of Governments (SCOG) publishes measured daily traffic volumes and 85th-percentile speeds on their website. A common practice is to use the 85th-percentile speed as the design speed when evaluating sight distance. The sight distance analyses should be revised to reflect the publicly available speed data from the SCOG. I note that in some instances the sight distance may be better than reported by the Applicant's consultant and in other instances sight distance may be worse, when revised using the SCOG data.

Page 11 of the September 10, 2020 TIA states that; "Existing sight distance at Prairie Road/Grip Road and Prairie Road/F&S Grade Road intersection is the responsibility of Skagit County. If sight distance deficiencies exist at these intersections, it is the responsibility of the County to make necessary improvement to provide acceptable sight distance."

Page 11 of the TIA states that; "The Applicant is responsible for providing acceptable SSD (stopping sight distance) and ISD (intersection sight distance) at Grip Road/site access." Page 12 of the TIA identifies intersection sight distance deficiencies at Prairie Road/Grip Road and Grip Road/site access. At Grip Road/site access the TIA states; "In this case, it is estimated there would be no more than one (1) left turning truck during the PM peak hour from the Mine access road. The WSDOT Design Manual (section 1310.05 Intersection Sight Distance), however, indicates that ISD is not required for low volume roadways such as Grip Road."

The Skagit County Road Standards are not based on the WSDOT Design Manual. The WSDOT Design Manual does not appear to include exemptions from sight distance requirements for low volume roads. The WSDOT Design Manual reference, does not deal with sight distance.

On April 28, 2020 HDR comments recommended a reanalysis of sight distance based on truck and trailer combinations and also mitigation for entering sight distance at the site access.

The September 10, 2020 TIA states that; "one (1) left turning truck is forecast during the PM peak hour from the Mine access road". There is no sight distance mitigation proposed to the east of the mine access. The warning beacon system proposed for sight distance mitigation, if still reasonable with any changes trip generation, should be extended to the east of the mine access, at minimum.

The warning devices are recommended by the Applicant and accepted by HDR and the County staffs. Since these devices are intended to mitigate and not resolve existing sight distance deficiencies, which the Applicant's consultant has indicated are the responsibility of the County, it is requested that the hours of hauling operations be limited to daylight hours to afford roadway users optimal conditions to navigate through sight distance impaired locations.

Sight Distance Analysis Additional Comments/Questions

- Is County's Vision Clearance Triangle (Road Standards Figure C-2) satisfied in the study area?
- Were sight distance exhibits submitted and are they available for review?
- What is the speed needed to achieve sight distance at the study locations?
- Intersection sight distance for truck/trailer combinations was not evaluated at the F & S Grade Road/Prairie Road intersection (Table 6 September 10, 2020 TIA); and thus, it is requested that mine traffic be prohibited from using F & S Grade Road, unless additional analysis or mitigation is provided.

Roadway Shoulder and Centerline Impacts

Page 20 of the September 10, 2020 TIA states; "Prairie Road has a number of curves which would force the dump truck/pup rigs to encroach on the centerline or the shoulder." Page 21 states; "The Consultant prepared an AutoTurn® analysis of these turns on Prairie Road approximately 1200 lineal feet and 1800 lineal feet east of the Prairie Road/Old Highway 99 intersection. Based on this analysis, it was estimated the dump truck/pup trailer combination is expected to encroach approximately two (2) to three (3) feet onto the shoulder of over the centerline." Page 21 later states; "Potential encroachment of the dump truck/pup combination on shoulder and center line is a safety concern. It should be noted the roadways are not consistent with current Skagit County Road Standards for shoulder widths."

The exhibits included in the TIA are hard to read. The exhibits do not provide dimensions and specifications for the non-standard, "custom", truck/trailer design vehicle. Common practice for reporting vehicle-turn results is to provide an exhibit clearly showing the design vehicle and its analysis specifications. This is reasonable considering the design vehicle is "custom" and was created for this analysis.

The Grip Road east of the Prairie Road and west of the site is narrow and includes ditches, curve warning and speed reduction signs, guardrails, no shoulder striping, limited available shoulder area and a relatively steep grade section. Common practice is to apply design vehicle turning templates to justify the roadway section(s) can support the desired vehicle. No turning templates or similar analyses were applied to Grip Road based on the materials provided to review.

The Re-Issued MDNS Condition 12 gives the Applicant an option to operate with gravel trucks (no trailers).

To verify that the proposed haul route can support truck/trailer combinations or gravel trucks (no trailers) the Applicant's consultant should provide additional turning templates to support use of the existing road section.

Haul Route Impacts

Page 1 of the County's July 2020 Request for Additional Information document identifies concerns that truck/trailers will not be able to navigate the 90-degree turns on Prairie Road directly east of Friday Creek.

The project trip distribution, Figures 4 and 6 in the September 10, 2020 TIA, shows truck trips to/from the east of the site on Grip Road.

The 90-degree turns on Grip Road directly of the site access have similar challenges as those on Prairie Road near Friday Creek. There is no analysis that supports a truck/trailer combination traveling to/from the east of the site. I recommend that the County limit the haul route to/from the west of the site unless the roadway

geometry to the east of the site is analyzed and there is documentation provided to support a haul route either for truck/trailer combinations or a truck (no trailer) vehicles east of the site.

The crash history on pages 9 and 10 of the September 10, 2020 TIA does not report or evaluate collision trends on road segments on the haul route. It is common to include segment crash trends in a TIA, particularly when the analyses disclose safety issues on the haul road segment in the vicinity of Friday Creek and also since the County is allowing the Applicant the option of not mitigating certain existing substandard conditions.

Haul Route Additional Comments/Questions

- It would be useful if turning templates could be amended to show the gravel truck (non-combination) impacts at key locations along the haul route.
- The total crashes at I-5 SB Ramps/Bow Hill Road and at Old Highway 99 N/Bow Hill Road/Prairie Road are different in Tables 2, 3, and 4 in the September 10, 2020 TIA.
- The TIA report recommends improvements at Prairie Road/Old Highway 99. Will the Applicant complete the improvements recommended in the report?
- The analysis does not provide any conclusions on if the project traffic will increase the frequency and severity of collisions on the haul route, given the haul route's geometric and sight distance constraints.

Mitigation Plans Additional Comments/Questions

The plans included for the Mine Access do not include street names and are difficult read. May new copies be sent of Sheets 3 and 10 and any other relevant sheet?

Other Comments/Questions

- The TIA does not address the segment LOS requirements, per the County Road Standards. Based on the analyses to date, this is not likely to be a significant issue, unless the trip generation radically increases.
- The TIA references a weight limitation on the Samish River bridge on Old Highway 99. The Re-Issued MDNS requires the project to comply with the weight restrictions on the bridge. Compliance to the bridge loading was addressed in the TIA by redistributing traffic to I-5 southbound to the Cook Road interchange. The WSDOT, SCOG and County have identified traffic issues on Cook Road at the interchange and at and on Old Highway 99 and related to the local railroad crossing. Does the redistribution of truck traffic to Cook Road affect traffic operations and warrant mitigation?

ATTACHMENT E

Washington Dept of Fish & Wildlife

Priority Habitats And Species: Riparian Ecosystems and the Online SPTH Map Tool

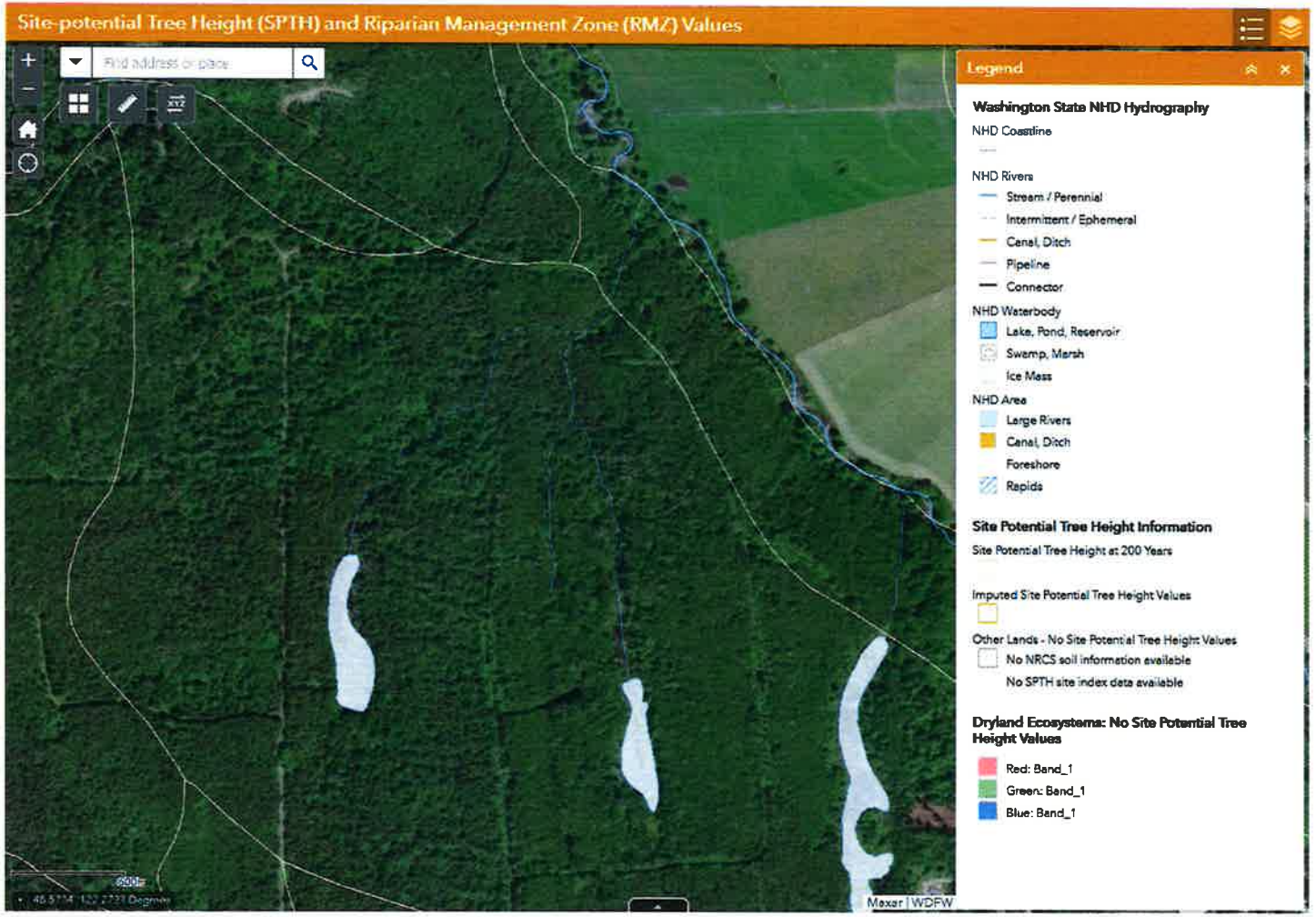
This mapping tool provides site-potential tree height information at the parcel level statewide. However, the specific application of this tool is for those areas that are proximate to waterbodies - also known as the riparian ecosystem.

The riparian ecosystem is the extent of the area alongside a waterbody that significantly influences the exchange of energy and matter among terrestrial and aquatic ecosystems. Riparian ecosystems are a focal point for conservation because within them, protection of full riparian functions are possible. In addition to fish and wildlife habitat connectivity, those functions include bank stability, shade, pollution removal, and contributions of aquatic nutrients and of large woody debris. For more information see ***Riparian Ecosystems, Volume 1: Science Synthesis and Management Implications*** and ***Volume 2: Management Recommendations***.

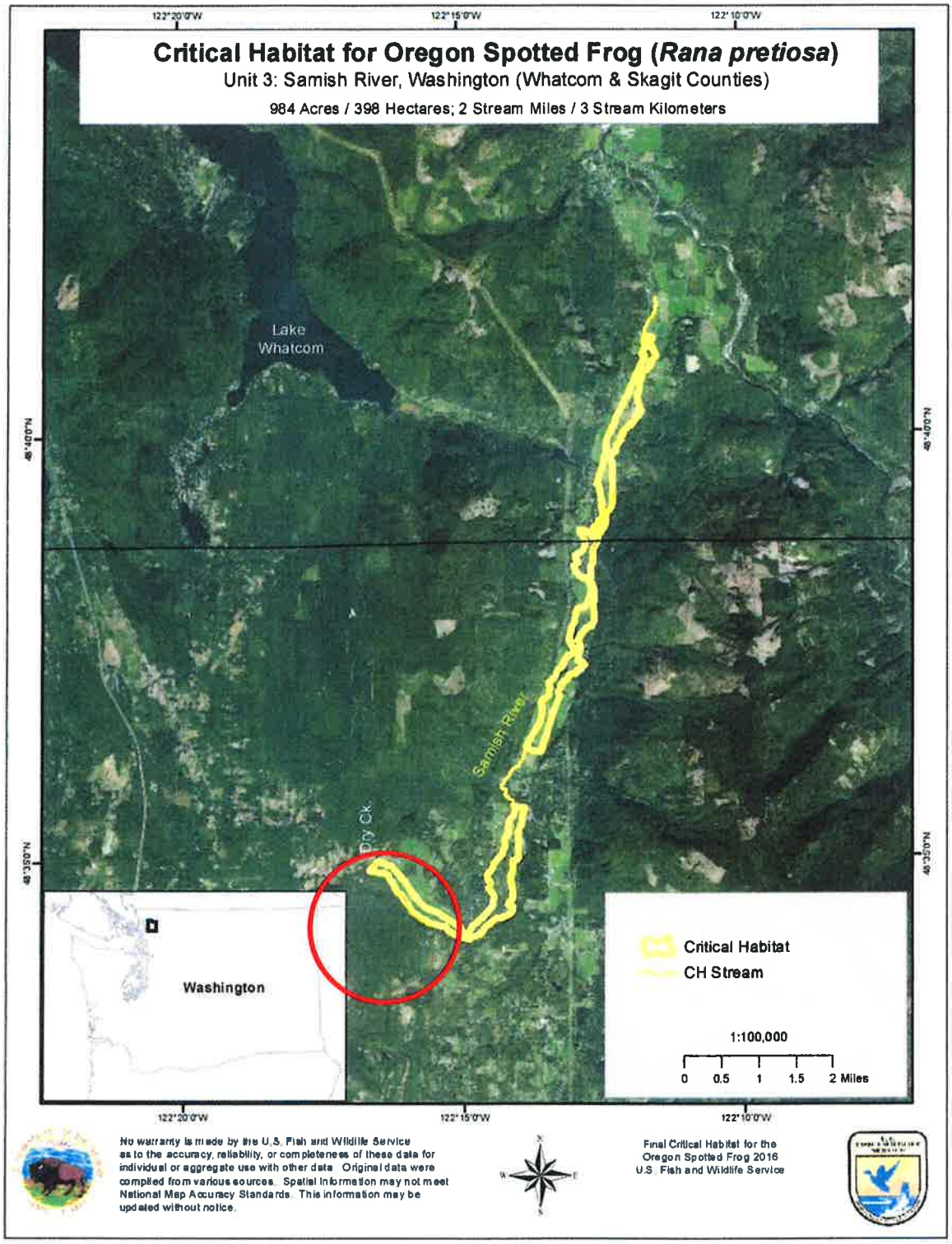
Using this online map tool:

- The online map contains GIS data layers that will provide you with site-potential tree height (SPTH) values (in feet) for forested ecoregions (green), imputed site-potential tree height values (in feet) for selected urban areas (gold/orange), steps to derive a riparian management zone width value for dryland ecosystem areas (brown), or directions for contacting WDFW Habitat Biologists for riparian guidance for lands that have no site-potential tree height values (tan).





ATTACHMENT F


Critical Habitat for Oregon Spotted Frog (*Rana pretiosa*)
Unit 3: Samish River, Washington (Whatcom & Skagit Counties)
984 Acres / 398 Hectares; 2 Stream Miles / 3 Stream Kilometers
122°20'0"W
122°15'0"W
122°10'0"W
48°40'0"N
48°35'0"N
Lake Whatcom
Samish River
Dry Ck.
Washington
Critical Habitat
CH Stream
1:100,000
0 0.5 1 1.5 2 Miles
No warranty is made by the U.S. Fish and Wildlife Service as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. Spatial information may not meet National Map Accuracy Standards. This information may be updated without notice.
Final Critical Habitat for the Oregon Spotted Frog 2016
U.S. Fish and Wildlife Service

In the zoning part at the bottom there is only an X by the within - X Agriculture - and nothing else is checked on that line. On the next line - Adjacent -Nothing is check. So as I understood the document it was referring to Agricultural activities. There is no mention of within/adjacent lands being any of the other designations on the form. Mining Resource Overlay is certainly Not X checked. Even though at that time I was not familiar with or even understood what the various land use terms really meant, I did recognize and was familiar with 'Agriculture' and so I was not concerned with the list of negative impacts of mining, those things did not apply to us. And as I stated in previous comments and at the hearing on December 7, 2016, I was not aware of land use processes and allowances, and I naively thought the very sensitive Samish River and its surrounding habitat provided us with protection from any negative activities such as mining being allowed nearby.

The form is much like 'shutting the barn door after the animals are out', since a lot of us have owned our land for many years and whether we agree to the zoning or not, it is designated by decision makers in a process that the average property owner is unaware of. I know for us, and many other neighbors, we had already made our purchases without an understanding of what it all means to be landowners near NRL lands, we simply desired to live in the country, bought property and establish a quiet country lifestyle decades ago. I have learned a lot about of these issues since the hearing on December 7th and still have much to learn.. Throughout the years the zoning has even changed without us being able to do much about it, such as the current Mineral resource overlay designation, which I have learned about since December 2016. We were here long before the Mineral resource overlay was in effect. I think perhaps the intention of the form is to inform people before they purchase a parcel, but for those of us who already own homes and land it means very little, since we cannot change land use on other people's properties and we already have purchased our properties. So whether we agree or not, understand or not, it just doesn't matter, it is too late for us to decide not to purchase due to the negative impacts.

What other landowners have been asked to sign such documents during their simple permit process in this area? I think Lisa, Inc/Concrete Nor'West/ Miles Sand & Gravel owns over 700 natural resource acres in this area and there are other owners in this area with NRL land and still others within 500 feet or adjacent to natural resource land. Surely there must be other landowners in this area who have sought permits before or after 2015 who have been presented with a Title notification document to sign as an update during their permit process, before getting their permit? If not why was I asked to sign it as part of a the County's update for residents applying for routine permits? I believe most people are like myself and are or were unaware of the meaning of NRL and certainly MRO zonings even if they have signed them. If there are other forms signed, I am surprised Mr. Cox ,representing Concrete Nor'West/Miles Sand & Gravel (Lisa, Inc) chose to call attention to only 1--an actively involved, concerned resident's form. With the level of concern that has been expressed in the large number of comments to the County, whether or not there are other forms signed it only validates-- the residents in this area, like myself, did not understand they would be expected to endure such potentially negative side effects ---especially for a single company to do business.

Continued to part 2 of 2
Linda Walsh

From Host Address: 24.113.239.132

Date and time received: 3/6/2017 6:56:35 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, December 16, 2016 7:00:00 PM

Name : Kathryn Longfellow
Address : 5318 Cedar Ridge Pl
City : Sedro Woolley
State : WA
Zip : 98284
email : klongfellow@frontier.com
Phone : 3608549910
PermitProposal : PL16-0097
Comments : I would like to know the method of extraction and how much noise it will create. How far away will the noise be heard? We have nesting eagles. Will this activity affect the eagles habitat? The Samish River has known pollution issues and many dollars have been spent to reduce the pollution. Will the mining of gravel create additional pollution issues? If so, how will that be mitigated? The corner of Grip and Prairie road is already a hazard with poor sight distance for vehicle drivers along with corners and elevation. Traffic revisions are needed. I think a roundabout would reduce the potential accident issues.

From Host Address: 50.34.113.131

Date and time received: 12/16/2016 6:57:50 PM

20 March 2019

John Cooper
Skagit County Planning & Development Services
800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west/Miles Sand & Gravel; PL16-0097, Mining Special Use Permit

Dear Mr. Cooper,

I have reviewed a letter from Mr. William Lynn representing Miles Sand and Gravel (Miles) to Julie Nicoll, Deputy Prosecuting Attorney of Skagit County Prosecuting Attorney's Office, dated 29 January 2019 and have the following comments. During my review of said letter, I have again read previous submitted reports, and have a few additional comments, clarifications, concerns, and recommendations.

In Mr. Lynns' referenced letter, 1st page, last paragraph, he refers to the "City's" March 14, 2017 letter. I assume this is a typographical error and should read "County's letter".

On page 2 of said Lynn letter, **Fueling**, Lynn states "*yes fuel "may" be stored on site..*" This is inconsistent with, at a minimum, the AESI 21 August 2015 letter/report, page 00170, second paragraph, **Ground Water Quality**, last sentence states "*No permanent fueling or maintenance facilities are proposed for the Site*". "*May be*", and "*no permanent*" fueling, indicate that it will occur in the future, therefore all necessary environmental impacts need to be considered and included in their permit package.

On page 2 of said letter, 4th paragraph, **Processing**, Mr. Lynn states "*Again, the May 15, 2017 letter from Miles Sand & Gravel to the County makes clear that no processing is proposed.*" Mr. Lynn's statement is inconsistent with, at a minimum, the AESI, 21 August 2015 letter/report page 00170, 2nd paragraph, **Ground Water Quality,** "*The proposal is for a surface mining operation with on-site processing limited to stock piles and **dry screening**.*" Dry screening is "processing". This is also inconsistent with the Revised Application Narrative dated 2 August 2018, page 1, first paragraph, "*The gravel will be loaded into trucks and transported to one of Concrete Nor'West's nearby facilities for processing.*" In other words, we request clarification, will processing occur on site, if so when, or, will gravel forever be hauled off site for processing?

Transportation
Additionally on page 00167 of the AESI letter/report, it states "*The mined resource will be loaded into trucks and transported to market*". This statement is inconsistent with several of Miles' narratives such as their Revised Application Narrative that states, page 1, 3rd paragraph, "*The gravel will be loaded into trucks and transported to one of*

concrete Nor'west's nearby facilities for processing. Operations onsite will be limited to excavation and removal from the site. No process is proposed onsite at this time." To reiterate, these two previous quotes are in conflict. If said mined gravel will be transported to market, all potential haul routes must be included in all reports such as vibration and noise, road safety, and biological impacts.

On page 3 of Mr. Lynn's letter, first paragraph, he references vibration screening process...again..."*The gravel will be loaded into trucks and transported to one of concrete Nor'west's nearby facilities for processing. Operations onsite will be limited to excavation and removal from the site. No process is proposed onsite at this time.*" "*At this time*" indicates it will proceed in the future. Therefore, it is apparent Miles is planning on processing on site. Such processing and subsequent cumulative impacts need to be addressed in their application at this time.

Item 4, page 3, 4th paragraph, Mr. Lynn states in <u>*Road Issues*</u> "*We have previously submitted an as-built drawing of the existing logging access road*". This statement lacks clarity as to which as-built this is? Is it prior to the 2018 road maintenance, i.e. as the timber harvest roads have been for many years, or is it the "new" condition as-builts from the recent "road maintenance" that occurred summer of 2018 where the mine haul road was widened, ditched, and resurfaced? We require clarity to respond accordingly.

Habitat

Within the contents of the Graham-Bunting Associates 18 April 2017 Addendum to Fish and Wildlife Site Assessment" Parcels 50155, 125644, 125645, said report discussed the identification of critical habitat associated with the Oregon Spotted Frog (*Rana pretiosa*) in the wetland adjacent to the Samish River on the Miles mine property. Due to the presence of a mapped Endangered Species Act (ESA) listed species on the subject property, the Wetland Rating Form that was within the Graham Bunting original wetlands report, said rating needs to be updated to include this finding (the presence of a listed species), and, updated using the "Wetland Rating System for Western WA; 2014 Update Rating Form – Effective January 1, 2015".

Thank you for the opportunity to express my concerns. Additional comments are warranted however most have been expressed previously. A short list of additional comments include, but are not limited to:

1. We need a survey of the field flagged wetlands and Ordinary High Water Mark (OHWM) of the Samish River and any additional Skagit County regulated critical areas within the regulated buffers of all past work and proposed work on the Miles parcels.

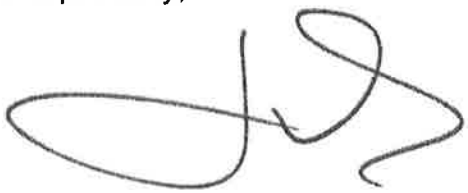
2. Miles has never provided clarity of their intention to <u>not</u> be nearer than 10 feet above the ground water table when excavating gravel in the mine. There is no mention of how they will determine to ensure that ground water is not penetrated.

3. One of the arguments within the Graham and Bunting wetlands report as it pertains to a 200-foot buffer, and, in the Revised Application Narrative that states, page 4, 7th bullet "*No processing or industrial activity is proposed in conjunction with the project*". If processing is to occur on site in the future, the above statements and subsequent rating need rectified.

4. We request Miles resubmit their application, with edits to all reports, to be consistent. Otherwise which narrative, checklist, or report are we to use for our comments.

5. The haul road was recently widened and bolstered for hauling gravel. I formally request all survey data, pre-Miles ownership, pre-Miles logging, and post summer 2018 road maintenance. Please include all field notes of Skagit county personnel on this specific matter.

Respectfully,



Jim Wiggins
21993 Grip Road
Sedro-Woolley, WA 98284

Cc: Hal Hart
Julie Nicoll

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Saturday, December 17, 2016 5:05:00 PM

Name : Jason
Address : Haugland
City : Sedro-Woolley
State : Wa
Zip : 98284
email : Jhaugland3@gmail.com
Phone : 5129139936
PermitProposal : 3607245006
Comments : Hello- I'm referencing the development action file #pl16-0097 gravel mine on grip rd. They had offered all of the Prairie rd residents bordering this site money to build a bridge across the Samish river several times and were denied because of the effect it would directly have to our protected ,salmon habitat and Eagle nesting grounds. Not to mention the added unneeded traffic to a road in much need of improvements. At the proposed intersection of grip and Prairie is a dangerous blind corner and I have had a neighbor had a tragic accident there years ago when the road was able to accept the local traffickers . We as land owners have such restrictions to protect this environment how is mining 24/7!off f the corner of my property going to effect the local wildlife and local land owners? This is the worst thing that Skagit valley could possibly do to the Samish river valley. The strip logging on top of f and s grade road hill has already caused extreme run off into the Samish river this will undoubtedly add enough to possibly destroy the local salmon spawning streams with all the machinery noise and leaking fuel and oil I doubt the Eagles will remain either!! Please hear our concerns and put a stop to this. I drive my family down that section of Prairie rd everyday very cautiously as it is I can't imagine 24/7 gravel trucks turns from grip to Prairie will not result in a tragic accident once again. Hear us please!!! We weren't informed about hearings until it was too late. What else can I do to stop this please send me any information you can. All of my neighbors are up in arms about this and the environmental impact it will have. Not to mention the restrictions you have put on us as land owners how can some corporation just come in waves money and you just say ok???
Thanks Jason Haugland

From Host Address: 24.113.224.122

Date and time received: 12/17/2016 5:02:54 PM

GORDON THOMAS HONEYWELL LLP

RECEIVED
JAN 31 2019
SKAGIT COUNTY
PDS

William T. Lynn
Direct: (253) 620-6416
E-mail: blynn@gth-law.com

January 29, 2019

Julie Nicoll
Deputy Prosecuting Attorney
Skagit County Prosecuting Attorney's Office
605 S. Third
Mount Vernon, WA 98273

RE: Concrete Nor'west/Miles Sand & Gravel
PL16-0097 – Mining Special Use Permit

Dear Ms. Nicoll:

This is a follow up to our recent telephone conversation regarding my letter of December 7, 2018, which provided further information on this application. While you indicated you would be writing a letter, I am taking this opportunity to reply to your comments I heard by telephone. As you will see below, the "supplemental" information in this letter has either already been provided before or could have been obtained through a simple phone call from Skagit County staff or you.

To make this as clear as possible, this letter follows the format of the December 7 letter, quoting what was set forth in that letter and then providing supplemental information.

"1. Special Use Narrative. This is being resubmitted with a few minor changes:

a. We have updated the references to the Ramboll US Corporation Noise and Vibrations Study to the version submitted with this letter dated November 21, 2018.

b. On page 13, an additional sentence is added explaining the term SWMM.

c. On page 4 under (D) a minor clarification was made to the prior sentence that referenced equipment operation."

Supplemental Information. You identified no specific further questions as to the special use narrative but continue to want clarification about issues in the City's March 14, 2017 letter regarding fueling and processing.

Fueling. This question was answered definitively on May 15, 2017 in a letter from Miles Sand & Gravel to John Cooper on page 3:

> So to answer the questions posed in your letter, yes fuel "may" be stored on-site, and if it is will be done in compliance with the Sand & Gravel General Permit which authorizes this activity and protects water quality.

Additional information on this is set forth in the Site Management Plan submitted to the County in September 2018. The Special Use Narrative submitted in September and then again in December identifies specific BMPs from the General Sand & Gravel Permit that would be applicable to any fueling station. The County should have everything it needs on fueling.

Processing. Again, the May 15, 2017 letter from Miles Sand & Gravel to the County makes clear that no processing is proposed.

"2. Updated Noise and Vibration Study. (November 18, 2018)

a. Notes were added to Table 3 to explain potential reasons for high readings in current noise conditions.

b. The noise monitoring locations on Figure 1 have been corrected.

c. You asked about the analysis of vibration impacts at 50 feet from the road. Page 11 states that is a standard practice and consistent with the applicable measures.

d. You had expressed a concern about the speed of vehicles for which a vibration assessment was made. As written (page 12) it is clear that adjustments were made to reflect the higher speed limits here (40 and 50 mph) and so no revision to the language was made.

e. Page 12 was revised to make clear that, even if there were more truck trips, the threshold for vibration impact would not be met."

Supplemental Information. You have asked additional questions about the standards utilized in the Updated Noise and Vibration Study. The July 18, 2018 Noise and Vibration Study specifically referenced the Federal Transit Administration (FTA) Standards and that was further clarified in the November 21, 2018 report in Footnote 1 on page 3 where the specific PTA document relied upon, "Transit Noise and Vibration Impact Analysis" Federal Transit Administration, was specifically cited. This is an available public document,

but we have enclosed with this letter the cover pages and Chapters 8, 9 and 10, which address vibration. Most of the discussion about the vibration screening process is in Chapter 9 but the staff may find Figure 9-1 and Table 9-2 most helpful. The general assessment methods are found in Chapter 10, and attention should be focused on Figure 10-1 and Table 10-1. The noise and vibration analysis itself, and the FTA document, make it clear that there is no meaningful impact associated with this project.

"3. Plan Set. You had raised a concern about the fact that several of the plan sheets did not show the buffer. Each plan page has a different function and not all of them show all of the information. That is by design. In fact, it is what the Department of Natural Resources requires. Further, plans with less than all of the information are simpler and easier to read. The fact that the buffer is not depicted on each plan page does not mean it is not proposed. The plan set must be reviewed as a whole."

Supplemental Information. The County apparently continues to have a concern about the fact that the buffer is not shown on every plan. This is a very surprising concern and we expect the plans in County files routinely show some and not all detail. The buffer is proposed as part of the Application and is required by code. It is shown on some of the plans and we have stated in my letter of December 7, 2018 that the fact that it is not depicted on each page does not mean it is not proposed. I am not sure what more we can do. We certainly should not be required to do any more to make clear that this buffer is required and proposed at the 200 foot level, with the final buffer number to be determined by the Hearing Examiner.

"4. Road Issues. We have previously submitted an as-built drawing of the existing logging access road. I understand the County has made its own inspection."

Supplemental Information. There was an on-site meeting in December. As far as I know we have still not heard a response from the County. In addition, we have not heard anything about any work done by Gibson on behalf of the County to evaluate traffic.

Conclusion.

We understand that this is a controversial project and that will not change. At this point, we are confident that we have answered every conceivable question, often times by referring to information the County already has received. It is not realistic for the County to expect that some further information or some additional report will satisfy all public concerns. It seems safe to assume at this point that there will continue to be some public objections to this project no matter how much information is provided. We request that this matter be set for hearing before the Hearing Examiner on the merits of this requested permit. Should you

have any further questions about this, please let me know and either you and I can have a call, or we can set a broader conference call/meeting with additional people as necessary.

Very truly yours,

William T. Lynn

WTL:lb
Enclosures
cc: Hal Hart, Director, Planning & Development Services
Betsy Stevenson, Senior Planner/Team Supervisor, Planning & Development Services
Dan Cox
Brad Barton
Mike Schuh
Patricia Larson

[4828-6869-9526]

Appeal or Request for Reconsideration

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
voice 360-416-1320 · inspections 360-416-1330 · www.skagitcounty.net/planning

File #: PL18-0200

RECEIVED
APR 16 2018
SKAGIT COUNTY
Received By: PDS

Appeal

What are you appealing?

- ☑ Appeal of an Administrative Interpretation/Decision/Action to the Hearing Examiner
- ☐ Appeal of an Administrative Order to Abate (code enforcement order) to the Hearing Examiner
- ☐ Appeal of Impact Fees to the Hearing Examiner (impact fees must be paid) (SCC 14.30.070)
- ☐ Appeal of Hearing Examiner Decision/Action to the Board of County Commissioners
- ☐ Request for Reconsideration of a Hearing Examiner Decision (SCC 14.06.180)

File # of Appealed Decision or Permit	PL16-0097	**Appeal Fee**	$ 1000.00	*PDS will calculate*
Date of Appealed Decision or Permit	4-5-2018	**Publication Fee**	$ 280.-	*PDS will calculate*

PDS staff: do not accept appeal form without full payment of fees

$ 74- Rec Dec

Appellant

Standing to appeal	☑ Permit applicant ☐ Party of Record ☐ Party subject to code enforcement order ☐ Other				
Name	Miles Sand & Gravel			Dan Cox (Contact)	
Address	PO Box 280				
City, State	Mount Vernon	98273 **Zip**		**Phone**	(360) 757-3121
Email	dan.cox@miles.rocks	**Signature**	Dan Cox		

Attorney or Representative

☐ None

Name	William T Lynn				
Address	1201 Pacific Ave Ste 2100				
City, State	Tacoma, WA	**Zip**	98402	**Phone**	253-620-6416
Email	blynn@gth-law.com				

Attachments

☑ For any of the **appeals** listed above, please attach a concise statement with numbered responses to the following questions.

1. What is your interest in this decision?
2. How are you aggrieved by the decision you are appealing?
3. What are the specific reasons you believe the decision is wrong?
   e.g. erroneous procedures, error in law, error in judgment, discovery of new evidence
4. Describe any new evidence.
5. List relevant sections of Skagit County Code.
6. Describe your desired outcome or changes to the decision.

☐ For a request for **reconsideration** of a Hearing Examiner decision, attach a statement identifying the specific errors alleged.

PL18-0200

RECEIVED

APR 16 2018

SKAGIT COUNTY PDS

GORDON THOMAS HONEYWELL

William T. Lynn
Direct: (253) 620-6416
E-mail: blynn@gth-law.com

April 12, 2018

Skagit County Hearing Examiner
1800 Continental Place
Mount Vernon, WA 98273

RE: Concrete Nor'west
PC16-0097 – County Decision to Deny Application dated April 5, 2018

This letter shall serve as the Appeal by Miles Sand & Gravel Company and Concrete Nor'west of the Skagit County Planning and Development Services Department Decision April 5, 2018 to deny the above-referenced Miles' application for failure to submit timely requested information. A copy of the Decision appealed from is attached.

This Appeal is filed under Skagit County Code (SCC) 14.06.105 and .110. The following statements are set forth to meet the requirements of SCC 14.06.110(8)(a-e)

a) The Decision Being Appealed. The Decision being appealed is the letter dated April 5, 2018 a copy of which is attached as Exhibit A.

b) The Name and Address of the Appellant and His Interest(s) in the Matter. The Appellant is Miles Sand & Gravel Company and Concrete Nor'west, c/o Dan Cox, P.O. Box 280, Mt. Vernon, Washington 98273. The Appellant's Attorney is William T. Lynn, Gordon Thomas Honeywell, 1201 Pacific Avenue, Suite 2100, Tacoma, Washington 98402. Appellant has standing in this matter because it is the owner of the property that is the subject of the application and is the applicant for the permit at issue.

c) *The specific reasons why the appellant believes the decision to be wrong.* See attached Exhibit B.

d) Desired outcome or changes to the decision. The appellant requests that the decision be reversed and the application processed. Alternatively, the Appellant requests that the matter be remanded by the Examiner so that the Appellant has a fair opportunity to cure any defects.

e) Any Skagit County Code Section(s) the appellant deems relevant. Relevant Code Sections are included on Exhibit B. In general, this is based on SCC 14.06 chapter which implements RCW 36.70B chapter

We submit this appeal with a filing fee in the amount of $1,000.00. If anything further is necessary to perfect this appeal please notify me immediately.

Very truly yours,

William T. Lynn

WTL:lb
Enclosures
cc: Client

Approved this 16 day of April, 2018.

Miles Sand & Gravel Company
(Concrete Nor'west)

By: _____
Dan Cox

[4845-1949-8337]

EXHIBIT B

The Appellant alleges that the County Decision dated April 5, 2018 is incorrect for the following reasons:

1. Brief Procedural History. A brief procedural history will help provide context for the additional allegations set forth below. The Special Use Permit Application (Application) was filed March 7, 2016, assigned permit number PL16-0097, and deemed complete by the County on March 22, 2016. Notice of the Application was published March 31, 2016. The SEPA review process was completed, the SEPA MDNS was issued May 24, 2016, and the matter was set to go before the Hearing Examiner for public hearing. The Examiner actually convened the Hearing on November 16, 2016. The published staff report presented to the Examiner (attached here as Exhibit C) found that the Application met the requirements of applicable County codes, and that all findings necessary for the approval by the Examiner could be made. The staff report recommended approval subject to conditions.

Near the time of the public hearing, the County determined that notice of the Application had not been properly given. As a result, the hearing was opened by the Hearing Examiner, but then continued to a date to be set in the future. The County then recirculated a Notice of the Application for public comment and provided an opportunity for additional public comment with a deadline of December 30, 2016.

Since that time, the County has essentially treated the Application as being in an unending public comment period. In place of codes that formed the basis of its prior staff determination, the County has requested information seemingly based on "whatever the public wants", and has required the Appellant to meet a standard of "whatever will satisfy objecting parties."

The County has disregarded its own previous determinations made as to the completeness of the Application, and has disregarded the analysis of its own experts in reviewing Application materials, particularly related to wetlands, public works and traffic. In some cases (the noise and vibration study) the Appellant has been given no County comments and no real opportunity to respond to public comments. In some cases (traffic) the Appellant is still awaiting County comments. In other cases, the County has completely ceded its review authority to others (agencies or the public) without exercising the review discretion that the County staff is provided by code and statute. In still other cases, the County has ignored important mitigation measures provided by other agency permitting, in contravention of SEPA. More specific allegations are set forth below.

2. The first cited basis for denial in the letter is the Appellant's failure to show a 300-foot buffer from the edge of the wetland to the gravel mining operation. This ignores the previous County determination that a 200-foot buffer was consistent with County standards (see staff report attached as Exhibit B, p. 6). Moreover, this so-called defect does not affect the sufficiency of the Application. An application is complete if the submittal standards are met and requested information is provided SCC 14.06.090, .100 and .105. Here, the County is not requesting "information" but rather substantive changes to the proposal. The Application should go to the Examiner for his review. If the Hearing Examiner should determine that a 300-foot buffer is

required, that condition can be imposed at the time of the public hearing on the Application and the plan can be simply revised.

3. The County asserts that the Application must be modified to ensure the access road is in compliance with the private road standards that it deems applicable. This again does not affect the adequacy of the Application, which was previously deemed complete. And again, this is not a request for "information". If the Hearing Examiner determines that the project has to meet the private road standards, then a condition to that effect can be imposed. The most recent application materials submitted by the Appellant (February 23, 2018) specifically suggest a condition of approval to this effect if deemed necessary.

4. The County then requests a "site-specific Spill Control Plan" to address potential water pollution impacts. The County is required by SEPA to take into account mitigation provided by other permits to which an application is also subject. WAC 197-11-330(1)(c). The Appellant has advised the County on several occasions that the Department of Ecology has authority under the Clean Water Act to protect water quality and will require the applicant to comply with the provisions of the Sand and Gravel General Permit issued by the Department of Ecology under the National Pollution Discharge Elimination System process and the requirements of the State Waste Discharge General Permit. This includes the requirement for a Spill Control Plan. The County erred in failing to consider the requirements of these permit requirements administered by the State agency with primary authority with respect to water quality.

The County further asserts that the Spill Control Plan is inadequate because it fails to address "on-site operations and site-specific equipment and does not contain a site plan." This ignores the fact that a surface mine by its very nature is a land use that evolves over time. The various features that have the potential to adversely affect water quality move throughout the site as the mining proceeds. That is the reason that, as a generally accepted practice in the field, spill control plans are written generically so that the required measures (BMPs) apply wherever on the site activities with potential impact might occur. Nothing in the County Code including the provision cited by the County in its letter (SCC 14.16.900(1)(b)(v)(C) requires the details requested by the County, and the absence of those certainly has no bearing on the completeness of the Application. In fact a site specific plan would defeat the purpose of the measures by tying them to a specific location.

5. The County's comments regarding the noise study are particularly disturbing for several reasons. First, there was no evidence presented to the County to support the need for a study. The County should have adhered to its staff report finding of no adverse impact unless presented with facts to overcome that. Community displeasure is not a basis for land use decision-making. *Marantha Mining v. Pierce County*, 59 Wn. App. 795 (1990). The County's finding is supported by adopted noise standards (SCC Chapter 9.50) that apply to the proposal.

Second, the noise report was submitted on February 23, 2018 at the County's request, and the Appellant was never provided any County comments about the alleged "defects" until the application was denied. The only comments the Appellant received from the County were those forwarded from a neighbor on March 29th, four business days before the County denied the Application as incomplete. It is arbitrary and capricious and an erroneous process to summarily reject a noise study prepared by the professional without any opportunity to respond to

comments. We are confident that none of the bases cited in the County's April 5th letter would change the conclusions of the noise expert. In any event, the standard practice in this County and elsewhere (and the only process consistent with the rights of an applicant) is to provide comments and then allow an opportunity for correction or modification.

Moreover, the alleged deficiencies in the April 5 letter are exactly the same as those identified by the objecting neighbor in the comment forwarded by email on March 29th. The County is clearly not providing its own analysis and applying its own expertise. It is simply forwarding comments of neighbors and asking the Appellant to respond. In this case, the County went a step further and determined that the Appellant's failure to respond to the neighbor concerns within 4 business days was a reason to deny the Application altogether. This is completely inconsistent with any fair and objective process and unlawfully delegates the County's duties and powers to the public.

6. The County asserts that the Appellant failed to provide sufficient evidence showing that the criteria for the issuance of the Special Use Permit have been met. Of course, this first ignores the County's own previous findings that the criteria were met (see staff report). Second, it is not a request for "information". Third, it ignores the fact that the County staff's role here is to merely provide a recommendation and input to the Hearing Examiner. The Hearing Examiner's role is to make these determinations. Though this Appellant certainly makes every effort to do so, it is not required to satisfy the staff as to the merit of the proposal. The Appellant's burden is to satisfy the Hearing Examiner, and in denying the Application on the basis of incompleteness, the staff has usurped the Examiner's authority.

It is particularly troublesome that the staff's assertion here is that there were "numerous public comments" as to adverse effects that the applicant failed to address. It is not the Appellant's responsibility to respond to every public concern (though the Appellant certainly attempts to respond to all legitimate comments). The County staff's responsibility is to analyze the public comments and discern which of those require further analysis and then to advise the Appellant of that in due course. The staff is not to simply pass along every public comment and determine as a gate-keeper that all must be satisfied prior to advancing the Application to the Hearing Examiner process.

7. Although not mentioned in the letter, the Appellant is also concerned about the County's review of traffic impacts. We were advised some months ago that the County has retained a third party expert to review and comment upon the traffic study submitted to support the Application. To date, the Appellant has received no communications regarding the third party experts' conclusions. Based upon the history of this County review, the Appellant is justifiably concerned that, should this Application move forward as requested, the County will at some later point present a new list of comments requiring a response. The County should be required to provide all of its comments, including any as to the traffic report, in a specified period of time, well in advance of the hearing on this appeal. And, an extension of the Application time is appropriate for this. The County has specific authority to extend the time when needed to get input from another reviewer. SCC 14.06.105(5).

8. The staff has opened this Application to what seems to be unending public comment, and has changed its views about the proposal based upon those comments, even when they consisted of statements of opinion or mere conclusions. Many if not most comments do not present facts,

and certainly not facts based on expertise. The staff has set impossible goals for the Appellant: to address all public comments even from those who would never be satisfied. It would be bad enough if these public comments simply affected the staff's recommendation to the Hearing Examiner, but here, they are being used as a screen to deny the Appellant an opportunity to present its case to the Hearing Examiner. That is not a lawful process. It is arbitrary and capricious and contrary to the Appellant's right to have its proposal heard fairly before the Hearing Examiner. It also denies the Appellant the due process the U.S. and State Constitutions require.

9. On these bases, the Appellant will be requesting that the Hearing Examiner either overturn the staff's decision altogether and bring the matter on for hearing, or at the very least, remand the application for specific information requests consistent with the requirements of law.

GORDON THOMAS HONEYWELL

William T. Lynn
Direct: (253) 620-6416
E-mail: blynn@gth-law.com

February 27, 2019

Julie Nicoll
Deputy Prosecuting Attorney
Skagit County Prosecuting Attorney's Office
605 S. Third
Mount Vernon, WA 98273

RE: Concrete Nor'west/Miles Sand & Gravel
PL16-0097 – Mining Special Use Permit

Dear Ms. Nicoll:

We are most surprised by your letter of February 22, 2019 concluding that the application remains incomplete. Most notable is the fact that we submitted information on September 14, 2018, more than five months ago and this is the first written communication since that submittal. For reasons unknown to us, the County has completely abandoned the normal comment and response process and we believe has actually prevented staff members from having normal communications with the Applicant about any claimed deficiencies. Instead, we have been forced to "read the tea leaves" by having the Applicant's lawyer get sporadic filtered telephone comments from the County's lawyer and pass them onto the various consultants. That has led to two different resubmittals, one on December 7, 2018 and another on January 29, 2019 to respond as best we can understand the issues. If the County still finds the information inadequate it is certainly not the result of the Applicant's failure to try to both understand and respond to County questions.

Before turning to the specific comments in your letter we feel compelled to lay out a few things about the normal land use processes not only in Skagit County but elsewhere. These practices are certainly well known to the staff; applied here, they should easily resolve any claimed deficiencies.

1. Applications are read as a whole. Not every map, plan or report independently contains all of the information that relates to the Application. They are independent pieces that relate to a whole project.

2. Projects evolve over time. It is not surprising that there would be older information that is not 100% consistent with later information reflecting project changes. That is why we

submitted the Project Narrative (at your suggestion), to summarize all of the current project elements that should be considered in the County review.

3. If staff has questions or concerns about a proposal, they contact the Applicant and explain the concern so that the Applicant can respond. Verbal communications between experts can be the quickest way to answer a question. Where the comments are more significant they are put in writing. The County has completely departed from both the informal and formal process that successfully works on every other application in the County, instead relying upon very sporadic communication between the lawyers.

4. Finally, comments should work like a punch list, with the Applicant having an opportunity to address County comments until they are all answered. The Applicant should not have to face new comments with every review. That was an objection we noted in our original appeal of the County's decision finding the project application incomplete, and your latest letter includes several new requirements. There is no lawful basis for the County to add new requirements at the end of the process and then tell the Applicant its information is incomplete because those completely new comments have not been addressed.

We now turn to the specific comments in your letter. The paragraphs correspond to those in your letter:

1. Conflicts in Traffic and Hours

Hours of Operation.

Hours in Traffic Study. There have been numerous communications between the Applicant and the County regarding the hours of operation. On March 14, 2017, the County indicated that it would accept operations limited to Monday-Friday, 7:00 a.m. – 5:00 p.m. Miles responded by letter dated May 15, 2017 indicating that will be up to the Hearing Examiner to establish the hours of operation and that there is no basis to restrict hours at all. The County replied again on July 6, 2017 indicating that the PDS staff would recommend to the Hearing Examiner hours from 7:00 a.m. – 5:00 p.m. All of these letters post-dated the traffic analysis (2016). Why is this question about hours of operation in the traffic analysis coming up in 2019 for the first time? Is the County really going to tell the Hearing Examiner the application is deficient for a matter raised for the first time 3 years after the traffic study was submitted? We are confident that the hours of operation that are proposed are well established by the record. If the County would like us to file a correction or an errata to the traffic analysis so that it corresponds with the most recent discussions, we can do so but that seems extraordinary and unnecessary.

[4843-6250-0233]

Hours in Noise and Vibration Study. The County noted deficiencies in the noise study in its letter of April 5, 2018, which we appealed. No deficiency was noted with respect to hours of operation. This is literally the first time we have heard this objection. New comments should come at the last minute and should certainly not be the basis for a determination of deficiency.

We do not even believe that this is a material point. The project will have to comply with the County's day/night noise regulations no matter what. If, however, the County wants a correction or errata filed we can certainly do so. The Applicant should certainly have the right to take that simple step rather than having its application deemed incomplete.

Traffic Volumes.

The initial traffic report addressed an average trip count of 46 trucks per day. The traffic report addendum does not propose 60 trucks per hour (or 720 trucks per day). The addendum was prepared in response to a County question as to capacity of the intersection without exceeding the County's adopted level of service. All the addendum did was identify the number of trips that could be accommodated without exceeding the level of service threshold.

The Noise and Vibration Study makes clear on page 12 that it is the adopted impact criterion that is based on 70 events per day. That was not a projection of traffic but only an indication of the FTA-adopted standard. The study on the same page indicates that the expected measurement is below the level that would occur even if there were more events per day and so concludes that "no vibration impacts are anticipated." Thus the number of trips is irrelevant to the conclusion.

We recognize that the County does not receive (because it does not require) vibration analysis on a regular basis. That makes it all the more appropriate that the County simply ask the question of the expert rather than identify it too late as a basis for rejecting the application.

2. PLANS SHOWING BUFFERS

This is the first mention in a written comment of this requirement. You and I have discussed this by phone but not with the understanding that this was a code requirement. This is an easy fix; we can promptly submit plans showing all of the information that is required. Since the buffer itself is a code requirement we fail to see how this is material to the County's review. County law would require the buffers in any event. But, we are certainly willing to include this information and only ask that we receive a written comment.

[4843-6250-0233]

3. VICINITY MAP

This is a very surprising requirement and even more so that it would serve as the basis for rejecting the application. This Special Use Application was filed on March 7, 2016, and this is literally the first time this comment has been made. There are countless maps in the files and there is certainly no mystery on the part of anybody about where this proposal is. Again though, a vicinity map can easily be submitted now that (3 years later) the comment is made.

4. NOISE AND VIBRATION ANALYSIS

We suspect that some of the County's comments relate to the fact that it does not ordinarily require or review vibration analysis. That is why the Report itself and our January 29, 2019 letter specifically advise where the FTA Guidance can be obtained. In that latter letter we actually attached copies of the pages in question. It would have been a simple matter for the County to either put its comments in writing so that they could be responded to or to simply pick up a phone and ask for a conversation with the expert.

The geographic scope is explained. Page 11 of the report states that Ramboll identified all structures located within 50 feet of the nearest and farthest lanes of Grip Road and Prairie Road, west of the mine entrance. What more information is needed beyond that?

You state the County cannot determine "the locations of residential properties analyzed." Does the County want a map? All the County needs to do is identify the defect and it can be easily remedied. How it this even material since no impact is identified?

The County complains about the lack of information such as the limits of the mine in Figure 1 of the Report. As noted at the very beginning of this letter, applications must be read as a whole. Of course, this refers to the mine as proposed in all of the other documents, including the numerous plans that are made part of the record. And, again, if the County has a question or comment this could simply remedied.

Your letter complains of the lack of signature and discussion of credentials. The Report was first submitted on February 23, 2018, and resubmitted on September 17, 2018 and this is the first notice of this request. With this kind of comment, it frankly looks like the County is seeking reasons to deny the Application, not undertaking a serious review. Ramboll is a nationally recognized firm that has no doubt prepared other reports, reviewed and approved by the County. If the County wants a signature page or a resume of the parties involved in the report, it needs to say so and that will be provided.

5. WATER QUALITY

We have provided a copy of the DOE's Sand and Gravel General Permit, which includes all of the mitigation measures and best management practices required of any surface mine. This is important because the County is required under SEPA to consider mitigation provided by other applicable regulation. RCW 43.21C.240. We have provided a plan that shows the points at which water quality will be measured. And, we have made clear that the equipment may either be fueled by mobile sources or the Applicant may provide a central fueling location following best management practices in either case. The most recently submitted narrative makes very clear that both of these are options. There is no inconsistency. As to prior statements, we refer you to the note above – that Applications evolve over time. The most recent submittals are those that should govern the County's review. As projects evolve it is not common to go back and revise every prior document submitted.

6. ROAD

It is very surprising to receive this comment since the ball is in the County's court on this matter, not the Applicant's. The Applicant did provide at the County's request an as-built survey and that was submitted September 17, 2018. That was followed by a field meeting on December 4, 2018 attended by both Shane Whitney and John Cooper from the County. At that point, one location was identified where there was a deficiency: a short bridge crossing with the road section on either side. The County representatives noted that a variance could be obtained relatively easily, largely based on the fact that an expansion of the crossing at this location would potentially impact critical areas. We are still awaiting the applicable variance criteria.

7. GIBSON REVIEW

We have no idea why the County continues to stall its review of the traffic information. This Application is not going to go away and the County needs to conduct its review. We noted in our letter dated May 11, 2018 that the County was obtaining that information and that we wanted to begin addressing any comments "as soon as possible." It is disturbing to learn that the County has not even commenced its review of the traffic report and addendum, both submitted in 2016.

We are willing to go to hearing on this and to set a pre-hearing conference with the Hearing Examiner. We are confident, though, that the Examiner would be very surprised and disappointed to learn that the first comments that the Applicant received from the County came 5 months after the September submittal and in the form of a denial based on incompleteness. Even more surprising and disappointing will be the fact that the decision is

based on comments made for the first time more than three years after the Application was submitted. We strongly suggest that the Applicant be provided an opportunity to respond to these written comments before we trouble the Hearing Examiner again.

We request a conference with the actual County experts making the comments so that we can fully understand the concerns and then an opportunity to address those comments in a reasonable amount of time consistent with long standing practices in this County and elsewhere.

Very truly yours,

William T. Lynn

WTL:lb
Enclosures
cc: Hal Hart, Director, Planning & Development Services
Betsy Stevenson, Senior Planner/Team Supervisor, Planning & Development Services
Dan Cox
Brad Barton
Mike Schuh
Patricia Larson

[4843-6250-0233]

From: Brandon Black
To: John Cooper
Subject: FW: PDS Comments
Date: Friday, December 16, 2016 1:57:54 PM

These should have gone to you.

Brandon Black
Senior Planner – Team Supervisor
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

PHONE: (360) 416-1326
EMAIL: brandonb@co.skagit.wa.us

"Helping You Plan and Build Better Communities"

From: Lori Anderson **On Behalf Of** Planning & Development Services
Sent: Friday, December 16, 2016 12:13 PM
To: Annie T. Matsumoto-Grah; Brandon Black
Subject: FW: PDS Comments

From dept email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Friday, December 16, 2016 10:50 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Paula Shafransky
Address : 22461 Prairie Road
City : Sedro-Woolley
State : WA
Zip : 98284
email : pshafransky@gmail.com
Phone : 3608561637
PermitProposal : Concrete Nor'west Gravel Mine
Comments : I am writing to voice my concerns over the proposed gravel mine near Prairie and Grip roads. One of my concerns is the location and size of the project. I believe the scope and location of this operation would compromise the quality of rural life in this area in terms of

increased traffic and noise. I am also concerned about the number of trucks on the roads, especially at the intersection of Grip and Prairie roads. This is a blind intersection coming off of Prairie road and heading toward Highway 99. It's already a problem. Large trucks coming in and out of there many times per hour will only worsen the situation. As a resident of this area I like the feel of our rural roads and don't want to see them overrun or widened to accommodate larger vehicles. Thank you for your consideration in this matter.

From Host Address: 24.113.225.148

Date and time received: 12/16/2016 10:48:14 AM

From:	Debra L. Nicholson
To:	John Cooper
Subject:	FW: Open Pit Gravel Mine permit #PL16-0097
Date:	Wednesday, December 21, 2016 11:38:55 AM

From: normfranwasson@gmail.com [mailto:normfranwasson@gmail.com]
Sent: Wednesday, December 21, 2016 11:32 AM
To: PlanningCommissioners
Subject: Open Pit Gravel Mine permit #PL16-0097

Dear Planning Commission;

This is in regards to the proposed 68 acre open gravel pit mine by Concrete Nor'west between

Grip and Prairie roads. Permit #PL16-0097.

Why is there no Environmental Impact Statement or Study required?

The Samish River flows around the gravel mine site from the Northeast to the South Southeast. What happens if this promontory suffers a devastating slide similar to what happened in Oso disaster on the Stillaguamish river several years ago? What happens to the houses and farms directly across the river from this proposed gravel pit mine site?

How will the groundwater be affected as gravel mine is excavated 50 to 90 feet deep? How will this affect the household wells of the residents sharing the plateau with this gravel pit mine?

What is the consideration for public safety as these GVW 105,000 lbs truck/ trailer combos barrel down a narrow, steep and winding Grip road to Prairie road? There are no shoulders on either of these roads that are safe for pedestrians, children or bicycles. That the entrance to Prairie road from Grip road is a totally blind corner from both directions is a disaster waiting to happen needs to be addressed.

Why are we, the property tax payers, required to finance the resurfacing of our roads, after being destroyed by these overweight trucks, for this corporations profits?

Why is there no mention of the noise, dust and vibrations from the operation of this gravel mine? And why is there no limitation on the hours of operation of this proposed open pit gravel mine so we, the residents of this rural area, may preserve our quiet country lifestyle?

Who will recompense the property owners in this area from decline in property values incurred by this gravel mine?

The Samish river is a major salmon bearing stream. How can you not have an Environmental Impact Study initiated when this gravel mine could potentially send large amounts of silt into the sensitive spawning areas downstream?

This whole gravel mine proposal has the feeling of local government jumping through the

hoops of big business at the expense and disregard of the local property owners.

Thank you for your time.

Norman Wasson

20836 Prairie R

Sedro Woolley, WA 98284

(360)724-5054

Sent from Mail for Windows 10

From: Vicky Gonzalez on behalf of Commissioners
To: Dale Pernula; Ryan Walters; John Cooper
Subject: FW: GRIP RD GRAVEL PIT
Date: Wednesday, December 21, 2016 8:10:38 AM

Vicky Gonzalez (ext. 1311)
Administrative Coordinator
Administrative Services
Skagit County Commissioners' Office
1800 Continental Place, Suite 100
Mount Vernon, WA 98273
☎ (360) 416-1311
vickyg@co.skagit.wa.us

From: Rickeleazer [mailto:rickeleazer@aol.com]
Sent: Tuesday, December 20, 2016 8:53 AM
To: Commissioners
Subject: Re: GRIP RD GRAVEL PIT

Thank you for the update.
It's greatly appreciated.
Have a Happy Hoilday.
Thanks.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Commissioners
Sent: Tuesday, December 20, 2016 8:48 AM
To: 'Rickeleazer@aol.com'
Subject: RE: GRIP RD GRAVEL PIT

Hello, and thank you for contacting the Skagit County Commissioners with your concerns about the proposed Grip Road mining operation.

If you would like more information, the Skagit County Planning Department has a site plan and additional details about the proposed mining operation available at its office. The Planning Department is also taking comment by mail or email through February 2017 (not Dec. 30 as stated in the original letter.)

If you have feedback about the proposal and you would like it noted on the official record, you can write to:
John Cooper, Planner/Geologist
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
You can also submit comments electronically http://www.skagitcounty.net/pdscomments

The public meeting regarding the permit has not yet been scheduled, but would likely occur in early February 2017. Once it is scheduled, the meeting will appear on our online events and meetings calendar: http://skagitcounty.net/Departments/Home/EventCalendar.htm

Thank you for your feedback, and please share this information with your neighbors as you see fit.

From: Rickeleazer@aol.com [mailto:Rickeleazer@aol.com]
Sent: Monday, December 19, 2016 5:55 PM
To: Commissioners
Subject: GRIP RD GRAVEL PIT

TO WHOM IT MAY CONCERN:
Can You Please Let Me know when the meeting is for the Gravel Pit. I want to inform others.
Also, here is a revised Letter that I'm handing out to our neighbor hood.
While walking I had seen someone else is handing out a ""Flyer" with concerns about the gravel pit.
Talked to a few people, whom have hired attorneys, I was suprised.
I guess, I'm not the only one against this.

From:	Don and Karolyn Allgire
To:	John Cooper
Cc:	sbc-rides@googlegroups.com
Subject:	Proposed Gravel Pit
Date:	Wednesday, December 21, 2016 8:24:11 AM

Mr. Cooper,
In 1994 I built a home for my wife and myself 17939 Valley Ridge Lane, off of Hickox Road, Mount Vernon. The truck traffic to and from the Rock Quarry was for the most part considerate of the speed limit. There was however no shoulder to walk. My wife volunteered to adopt the road and keep the litter picked up. The county however would not allow her to do so as there was no shoulder and it was too unsafe. In 2004 we sold that home and moved into Mount Vernon where we had sidewalks.

The proposed Gravel Quarry in Sedro Wooley would useful for construction and having built a home and being a Carpenter I understand. As a cyclist it is always problematic to find a "Safe" place to ride. Providing a "Bike Lane" wide enough for truck traffic to safely pass, including the truck mirrors, in my mind should be a requirement of this project. Amortizing the cost over 25 years (the stated life of the Quarry) puts the cost into a feasible, doable perspective.

It is notable that the developers of the existing Rock Quarry on Hickox Road told us at an open house in 1996 the quarry would cease operations by 2008, which did not happen. It would be reasonable to conclude that the proposed Quarry may operate longer than 25 years spreading the cost of "Bike Lanes"over an even longer period of time.

Respectfully,
Donald Allgire, 1607 Birch Court, Mount Vernon, Wa

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Sunday, December 18, 2016 12:00:01 PM

Name : David Lee, PE
Address : 4611 Prairie Lane
City : Sedro-Woolley
State : WA
Zip : 98284
email : leedd@wavecable.com
Phone : 360-856-1156
PermitProposal : PL 1 6 - 0 0 97
Comments : There should be significant concern with the site distance issues at the intersection of Grip and Prairie Road. The exisitng sitedistance issues at the intersection without the added truck traillers nd trailers is dangerous. Simply adding a yellow flashing light does not solve the problem.

Realistically CNW should be required to make significant improvements at the Grip/Prairie Road intersection to remove the existing site distance issues. In particular, the site distance issues that exist while traveling westbound on Prairie Road and approaching this intersection at essentially a blind corner.

The trucks having to enter Prairie Road off Grip have to do so while on an adverse grade making acceleration onto Prairie Road very slow, especially considering that these trucks will be loaded. Westbound traffic on Prairie will not see a truck entering onto Prairie until they are nearly at the intersection.

From Host Address: 24.113.226.111

Date and time received: 12/18/2016 11:58:27 AM



Just found out that Concrete Nor' West wants to open a Gravel Pit on the Grip Rd, just off Prairie Rd. Which is located on the 1000 Block of Grip Road. Just above Swede Creek & the Samish River.

The Proposed Site is on the windy hill side heading off of Prairie Rd on Grip Rd. There is a yellow locked gate approx. ¾ mile to the NE side of Rd from Prairie, on Grip, to the site.

I live in this neighborhood. My concern for the Watershed, and our Natures Animals to this area. Then of Course, Pollution Run off from 46 dump trucks 6--Days a week, or more. Then to add in Sub-Contractors or Rental Dump Trucks. All the pollutants from them, will run into the ditches, which dumps into the Creeks and Rivers downstream. This will affectively in time, kill off any water migrating animals and wildlife that drink that water.

I work in heavy construction. Dump Trucks and Equipment break down. They spill Hydraulic Oil, Engine Oils, Diesel, and Anti-Freeze. They're called accidents, or Mechanical Breakdowns

Then combine this with Pedestrian and Traffic Safety, along with the Integrity of the Road. There hasn't been any "" Notice Signs"" **posted on the road stating** "" Proposed land Use" . There is one posting hidden off the roadway, on the proposed gravel access road to the site.

Another concern about is the structural integrity of the oil mat roadway breaking up. It's not designed for Heavy Truck Traffic. Then after repairing the oil mat roads, adding more pollutants into the waters, and storm runoff ditches, to the surrounding the areas.

The one of many concerns is for the Swede Creek Bridge. Is it designed for all that weight? Day after day. Is it Structurally Sound? Traffic Congestion at Prairie Rd & Grip intersection? ""Blind Corner"", Accidents are there all the time, poor planning. A flashing light that Concrete Nor'West is proposing to install for "caution", is ludicrous. On Grip or Prairie is horrible for us that drive that on a daily basis.

This road is not designed for heavy traffic. It's intention is for light traffic. There is no way you can have two trucks and trailers going up and down this windy road, side by side, at one time. Their trailers will swing into each other. This road is not wide enough for pedestrians, bicycles, traffic & dump trucks. It's a rural road, meant for normal residential traffic & school buses.

This project has been secretly done, with no input from the Community, or Neighborhoods. No Meeting. No effort to inform the public.

All I have heard is there is a meeting in January 2017, from King 5 News. Seattle. This is how I found out about this proposed Strip Mining and Proposed New Gravel Pit.

Please Call or Write. Skagit Co. Commissioners.-- Sedro Woolley Mayor/ Commissioners —Dept. of Ecology—Dept. of Fish and Wildlife—Governors—State Senators—Etc.

Very Concerned.

RECEIVED
MAR 08 2018
SKAGIT COUNTY
PDS

4 March 2018

John Cooper
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, Washington 98273

Re: Miles Sand and Gravel proposed Grip Road gravel pit, PL160097

Dear Mr. Cooper
I read through the recent package Dan Cox (Miles) sent to the county for their required response, to maintain their permit application. My comments regard the inadequate, inconsistent, and poorly written response by Miles. The four items in the submittal that I am commenting on (I printed these off the County website) include:

1. Cover letter from Miles dated 23 February 2018
2. Grip Road Noise and Vibration Study, dated 20 February 2018
3. Amended Sand and Gravel General Permit
4. Amended Special Use Permit Form

Additionally, I am using the following report and letter for this response:

1. 8 February 2016 DN Preliminary Traffic Information
2. July 6, 2017 Letter from John Cooper to D. Cox, J. Semrau, and W. Lynn.

Re: The Cover letter.

- First paragraph insinuates Miles will do no additional traffic analysis, although the DN traffic study is "only" preliminary. A full traffic study needs to be completed by Miles, the applicant.
- Paragraph 2, Miles states the projected noise limits is "*well below both daytime and nighttime limits*". The term "well below" is a subjective and misleading term. Additionally, Miles states..."*expects no impacts from onsite mining operation*". There is no such thing as "no impacts".
- Paragraph 3, Miles states, "...*DN Traffic Consultants, which have previously been approved by Public Works*", is incorrect. The DN study is only preliminary and in one of their last paragraphs state: "*The above alternatives to intersection reconstruction are only offered as potential interim solutions until the County has sufficient funds to improve the sight distance at this location...*" In other words, there is no approved traffic plan.
- Paragraph 3, last sentence, Miles states, "*In addition, our recently completed Noise and Vibration Study Indicates no potential adverse effects from noise and vibration of haul truck traffic, therefore the initial County recommendation to limit the number of truck trips should be dropped*". This paragraph states "*no potential adverse effects...*" while the

paragraph above states "*no impacts…*" indicating Miles' inconsistency in their argument. Additionally, although noise is a concern regarding truck traffic, our concern also includes the number of trucks on Grip Road, the Prairie and Grip Road intersections, etc., the noise that will be generated, and safety issues (see my comments below regarding the Ramboll Noise Study). Therefore, Miles' argument here is not relevant.

- Paragraph 4, discusses the County's request to upgrade the internal road, which Miles is arguing against any upgrades to said road. Our contention is that there will be upgrades to the internal road due to widening for safety, and general maintenance from the increased truck traffic. Therefore, triggering the need to complete a Wetland, Fish and Wildlife Habitat Assessment of the entire pit site and access road (between the mine and Grip Road, and Grip Road).
- Paragraph 5 is irrelevant regarding, *…managing 17 of these permits…*"
- Paragraph 6 regards the land use intensity, moderate versus high, and the resultant buffer off the Samish River. Their argument is self-defeating when quoting the Skagit County code definition for high intensity land use…"*Land uses…some agricultural practices and commercial and residential land uses.*" Miles continues to state "*While at face, the subject dry mining activity appears to be a high intensity land use, GBA also considered the following elements…*" Miles confirms the proposed pit is "high intensity" but appears to be arguing for a buffer reduction, which is a different approach to permitting using the Skagit County CAO.

  In the GBA report, as bulleted by Miles, the rationale for their argument in land use intensity mentions the mine being greater than 200 horizontal feet from the OHWM of the Samish, separated by 90 vertical feet, a berm between the mine and the OHWM, the mine being 10 feet above the water table, the aggregate extraction will be maintained at a relatively low volume, the project will use existing interior roads, and the site will be reclaimed post pit use.

  The 200 horizontal feet is required for all medium intensity projects, but 300 horizontal feet is required for high intensity projects which a gravel mine is. Mentioning 90 vertical feet has some merit for protection of the river function however there has been no site plan prepared to date that illustrates this factor, or the distance from the river, so how are we to know what is stated here is accurate. Miles needs to have a site plan prepared by a Professional Land Surveyor indicating the slope, location of the river OHWM, location of any riverine wetlands, the 300-foot buffer and the 200-foot shoreline jurisdiction, and the location of the proposed mine, only then will we know what is actually and accurately being proposed. Furthermore, we need to see their reclamation plan.

  Regarding the contention mining will remain 10 feet above the water table; how will this be determined once mining has begun? Miles needs to

provide a performance standard to monitor the ground water elevation in many locations prior to removal of gravel. A mitigation plan to remediate the mine elevation if the bottom of the mine is closer to the 10-foot water table. Also, in all likelihood, the water table will be higher in elevation during the wet Spring season as compared to the dry Fall season, this fact needs to be determined and included in any monitoring and performance standard criteria.

Re: The Grip Road Noise and Vibration Study prepared by Ramboll US Corporation. Please note, I am not qualified to preform a "noise and vibration study" but have the following comments.

- The report lacks the authors names and credentials, these need to be provided.
- The introduction, second sentence states "The mine would be situated in the *middle* of 726 acres… This is not true. The proposed mine is on the extreme northern portion of the 726-acre parcel.
- The next sentence in the introduction states …"*The site is forested and most of the existing buffers would remain intact*". At this time, much of the 726 acres is being logged. Logging and resultant removal of the trees will affect the buffering capacity. Has this fact been factored into their noise analysis?
- Item 4 Operational Noise Impact, 4.1 states …"*The primary noise sources introduced by the proposal would be a front-end loader…*" However, in the Amended Special Use Permit Form, Item 12, Miles states "*Yes, standard minimum equipment such as front-end loader, dozer and excavator will be used*". This discrepancy needs to be addressed. Additionally, in the Amended Sand and Gravel General Permit, Item 2., Miles states, "*In addition to the above listed materials, equipment on site typically includes: Front End Loader(s), Dump Trucks, Excavator(s), and other miscellaneous mining equipment.* Other miscellaneous mining equipment needs to be defined and included in the noise study.
- There is no mention of equipment size in either Item 4.3 or in any other location within the study. There is only references to "front end loader". The actual type, size, model, etc. needs to be referenced.
- Further Items in 4.3 do not reference the number/quantity of front end loaders to be used. Will there be a single piece of equipment or many? Also, assumptions about the dBA at a distance of 100 feet needs clarification regarding the source of this information and as stated above, the number, sizes, and other types of equipment to be used.
- Regarding referencing haul trucks and their noise and vibration on Grip Road. Will said trucks be using a "jake or engine brake" when descending Grip Road? If so, was this factored into this study?
- In Section 6 Conclusion there is mention of "…"*less than 3BA during the vast majority of mining activities.*" The term "vast majority" is not science based and needs clarification.

- Same section as above, "*Therefore, no impacts are expected from onsite mining operations*". There is no such thing as "no impacts". There are always project related impacts.

Re: The Amended Special Use Permit Form

- Item 3 references one to two full time employee's and truck drivers. Will there be bathrooms, a heated lunch room, electricity, a generator?
- Item 9. References to the February 8, 2016 DN Traffic report. This report is only preliminary and therefore should not be used nor referenced until a final report has been prepared. Also said report is based on incorrect data.
- Item 19, as referenced above. Because there will be at a minimum one full time employee, and truck drivers frequenting the mine, it is reasonable to assume a bathroom, lunchroom, heated space, work shack, and electricity will be required. These items need to be addressed and included in this amended form.

In conclusion, this latest response by Miles has not adequately responded to the requirements within your letter dated 6 July 2017. The only way to adequately address the impacts on the natural and physical environment, caused by the development of a gravel mine off Grip Road and the relationship of said mine on the people, is to complete an Environmental Impact Statement. I therefore recommend the county deny this permit application. I look forward to the scoping process for an EIS.

Jim Wiggins
21993 Grip Road
Sedro-Woolley, WA 98284

Cc: Hal Hart
Ryan Walters
Betsy Stevenson

John Cooper

From: Rick Brumfield <rbb123@frontier.com>
Sent: Monday, March 5, 2018 8:01 PM
To: Hal Hart; Ryan Walters; John Cooper; Paul A. Randall-Grutter
Subject: Application #PL16-0097

I've been following, a bit, the progress on the gravel pit application and staying in touch with the community group that's interested ... got your email addresses there.

I wanted to take the opportunity to share two recent traffic incidents that shed some light on concerns re traffic safety and then an additional comment re environmental impact.

The traffic incidents first:

1. On Friday, March 2, at about 3:30 p.m., my wife and I were traveling south & west on Grip towards Prairie. As we approached (southbound) the Grip/Lillian Ln. 90° turn, we were "met" by one of the large gravel trucks with a trailer traveling in the opposite direction. We were virtually "run off the road". In order to make the east to north turn the truck/trailer combination had to cut the corner and thus crossed the center line into our lane forcing us to pull off Grip onto the right shoulder. The truck driver's other option would have been to make a "wide turn" traveling east then north onto the shoulder of Grip to stay in his/her own lane. The problem is there are no such shoulders on Grip. All shoulders on Grip are either non-existent or very narrow and almost all have steep drainage ditches immediately adjacent to Grip. The truck/trailer driver did not stop. It's very possible the driver didn't even know he/she was causing a problem.

   After the truck passed, we pulled back onto Grip and as we passed the entrance (from Grip) to the Gravel Mine road, we noticed the gate was open (that's unusual). We don't know if that's where the truck/trailer combo came from.

   I'm not sure those large truck/trailer combos can physically make the various 90° turns in the area without:
   1. encroaching onto the (driver's side) oncoming lane, or
   2. making wide (passenger side) "off lane/shoulder" turns where there are no shoulders.

   The first represents a very dangerous situation for the oncoming traffic (the situation we found ourselves facing on March 2). The second implies there are shoulders available ... very unrealistic, and even if there were shoulders available, the use thereof would require constant maintenance by who???, the county? ... might be a good question to answer as part of the application process or the EIS. My experience says too wide vehicles require lead/following signed vehicles.

   Here's a picture (from Google maps) looking west from the 90° Grip/Lillian Ln. turn ... we were forced to pull off the road to the right, before the pole and guy-wire ... virtually no room to maneuver. Any further to the right and we would have been down in the ditch. We couldn't go forward because of the guy-wire and pole, we couldn't stay in our lane, the truck/trailer was there ... very scary, very dangerous.



2. A few minutes later we were at the intersection of Grip and Prairie getting ready to turn left onto westbound Prairie from Grip. That intersection is a "blind corner" intersection re traffic approaching westbound from Prairie. As we pulled onto Prairie from a full stop on Grip, another vehicle came speeding around the corner, westbound on Prairie ... no accident, but another "close call" ... very dangerous. If the county is going to allow all the additional traffic proposed by the applicant's operations of hours, that will make that intersection all the more dangerous.

There are many 90° or near 90° turns throughout the area the truck and/or truck/trailer combos would have to take to access the gravel pit ... here's a table of what I believe are the dangerous "90°" turn locations. There may be more. The latitude and longitude numbers are from Google Maps, the What3Words are from that application.

90° Problem Areas

Row	#	Location	what3words	Lat.	Long.
4	1	Prarie and Old Highway 99	trap.capillary.consist	48.558600	-122.33240
5	2	Prarie turning from north to east	joking.hips.stags	48.560206	-122.32724
6	3	Prarie and Grip	waging.ruins.bespoke	48.555905	-122.29090
7	4	Grip and entrance to subject parcel	simpler.smile.usefulness	48.553952	-122.27648
8	5	Grip at Lillian Ln.	deployed.grazes.parachutes	48.554687	-122.26848
9	6	Grip at insiders	insiders.blossoming.reassuring	48.558447	-122.26827
10	7	Grip at the railroad tracks	chocolates. Pleasantly. Crumbles	48.558532	-122.25989
11	8	Grip at Brookings Rd.	scored.stove.negotiated	48.557547	-122.24654
12	9	Grip and Hoogdal Rd.	tonality.winter.Forefinger	48.551920	-122.24721
13	10	Grip and Mosier Rd.	follows.chills.marginal	48.542710	-122.24853
14	11	Grip and Bassett Rd.	shrill.crusaders.removed	48.528371	-122.24810
15	12	Bassett Rd. at Fredrickson Rd.	finance.rated.premiums	48.528567	-122.23166
16	13				
17	14	Hoogdal Rd. to SR9	shortens.lawyer.wraparound	48.550356	-122.22511
18	15	Mosier Rd to SR9	shred.chunks.highly	48.543114	-122.22579
19	16	Bassett Rd. to SR9	forthright.rezoning.late	48.528537	-122.22613

One other point re environmental impact, I don't know what legally constitutes "significance" in terms of the determination of non-significance, or who gets to decide, but both the road safety issues (identified above) and the proposed operational hours issues would seem to constitute "significant" and require a full EIS. If the county is not requiring the gravel mine proposer to address these issues, it would seem the county is taking on liability. Do we really want to do that? As a county tax payer I would hope not, but ???

Hope this helps.

Please contact me if you have any questions, comments, concerns.

Rick Brumfield
rbb123@frontier.com
253-670-3606

March 7, 2018

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

Re: **Concrete Nor'west Gravel Operation near Grip Road, Special Use Permit Application PL16-0097**

Dear Mr. Hart:

Thank you for taking the time in February to meet with us about how the permitting process has unfolded for the proposed Grip Road gravel mine. We understand that Planning and Development Services (PDS) is in transition and that it is a busy time; nonetheless, we hope that under your leadership, we will see some positive changes with regard to the department's handling of this application. We have reviewed all of the documents submitted by Concrete Nor'west (CNW) to PDS on February 23, 2018, which were provided in response to PDS Senior Planner John Cooper's letter of July 6, 2017 requesting additional information.

Our response to the submissions can be summarized as follows:

1. Skagit County is obligated under Skagit County Code (SCC) 14.06.105 to reject CNW's February 23, 2018 submissions and deny the company's Special Use Permit Application for failure to submit the information requested within the 120 day time limit.
2. Even if CNW had submitted the information referenced above within the required timeframe, its submissions remain non-responsive to PDS' July 6, 2017 request for additional information in several critical aspects.
3. Given the serious flaws in the application process to date, and CNW's continued insistence on the legal validity of key steps, which have since been superseded or otherwise invalidated by the county, there is now only one way forward for CNW's proposal: The county must deny the current application and require CNW to start over again. CNW needs to submit a clear, complete new permit application and SEPA checklist. And then, a full Environmental Impact Statement (EIS) needs to be required to evaluate all of the potential impacts.

With regard to #1 above, we refer you to our November 2, 2017 letter to (former) PDS Director Dale Pernula (also submitted as comments via PDS online form). As we state in our letter, CNW did not submit a timely written request for an extension as required by code. PDS did not meet any of the required criteria for such an extension to be granted, and PDS has not granted a written extension to CNW, as would have been required by code had a request been properly submitted and approved. All the foregoing are confirmed by the public record, and by Assistant Director Ryan Walters' admission to us, in a meeting which you also attended on February 15, 2018. Skagit County, therefore, has no other option but to deny CNW's application, and require it to start over again if it wishes to pursue this project.

With regard to #2 above: Questions of legal validity aside, CNW's February 23 submissions clearly show its continued recalcitrance with regard to key requirements laid out by John Cooper in his July 6, 2017 letter. The submissions continue to omit or misrepresent key facts and demonstrate the company's ongoing refusal to address the most critical potential adverse impacts of its proposed mine.

In their cover letter for the February 23 submissions, #2, CNW cites a February 20, 2018 Noise and Vibration Study completed Ramboll US Corporation. While having the study done represents a step in the right direction for CNW, we remain skeptical of the conclusions made by the study and the inferences from it. We lack the technical background to review the science behind it and do not have the financial resources to have it professionally reviewed. We believe, however, that the characterization of noise and vibration from the mine and hauling as having "no impacts" is false. Just because the study purports to show that noise and vibration impacts would not exceed legal limits does not mean that there would be no impacts. Also, the study claims to address vibration along the haul route, but does not even mention noise impacts from the haul route. This omission alone brings the remainder of the study into question.

In #3 of their letter, CNW states, with regard to the proposed number of truck trips for the project, "Our proposal is clearly presented in the reports by DN Traffic Consultants, which have previously been approved by Public Works; and the conclusions of those approvals were conditions in the September 12, 2016 Staff Report to the Hearing Examiner." This statement is, at best, a gross distortion of fact. The following paragraphs explain this in more detail.

"Our proposal is clearly presented in the reports by DN Traffic Consultants..." This is false. The reports to which this refers are 1) the February 8, 2016 memo from Gary Norris of DN Traffic Consultants (DNTC) to Dan Cox of CNW with the subject "Grip Road Gravel Pit Preliminary Traffic Information" and 2) the November 30, 2016 memo from Norris to Cox with the subject "Maximum Daily Truck Traffic". These two documents together raise more questions than answers about what CNW is actually proposing.

The February 8, 2016 DNTC memo, characterized by its author as "preliminary", cites an average of 46 tandem dump truck trips per day, or 8 trips per hour, for the proposed mine. Existing traffic levels on the haul route are based on one, two-hour sample count made at each of two intersections during PM "peak hours" in July, 2013. The memo states that modeling using these minimal and already outdated "existing" traffic observations shows that the two intersections currently meet Skagit County's Level of Service (LOS) standards. The memo does NOT state, but is perhaps is intended to imply, that the proposed average of 8 truck trips per hour to and from the mine was also included in the "existing" LOS modeling. It is unclear from the report, therefore, whether the modeling actually indicated that the intersections would continue to meet standards once the mine is operating. The memo goes on to acknowledge that both of the intersections analyzed "have sight distance values below current standards". It provides a brief, cursory discussion of possible permanent mitigation measures to address this, but then dismisses them as too costly and offers a couple of "potential **interim** solutions" involving flaggers or flashing warning beacons. The memo concludes with the statement **"It is expected that additional traffic analysis will be required as the proposed gravel pit operation is defined."**

One thing is abundantly clear. If CNW gets their way, there will be a lot more than 46 truck trips per day on its proposed haul route, at least at certain times of the year. CNW has repeatedly stated that it expects to operate the mine and haul product from it whenever it needs to in order to respond to market conditions. Demand for gravel is far higher in the summer than the rest of the year. This means that haul traffic would be much higher than average during the summer months. With CNW's repeated rejection of a limit to the number of trips per day, the mine traffic impact analysis must therefore be based on the maximum possible number of trips for any given period of time.

In its September 12, 2016 Staff Report, PDS initially recommended that truck trips be limited to an average of 46 per day and not exceed 30 per hour. It also required that CNW implement one of DNTC's proposed "interim" mitigation solutions for the LOS deficiency at one of the intersections. Following the receipt of extensive public comment on traffic and other issues, the county informed CNW that, instead of an average number, mine truck trips would be limited to 46 actual trips per day. CNW pushed back, stating that such a limit was unacceptable.

In support of its contention, CNW submitted DNTC's November 30, 2016 "Maximum Daily Truck Traffic" memo. It is interesting and somewhat telling that the author, Gary Norris, refers in this document to his previous "preliminary" memo as a "Traffic Impact Analysis", seemingly to assign a higher status to it than he originally intended to the earlier document. The November 30, 2016 memo states that with the addition of 110 truck trips during the PM peak hour, the LOS at one of the intersections analyzed would drop below the level required in the County Road Standard(s). Citing a conversation with Cox, Norris states that this figure is unrealistic given that "there wasn't (sic) enough dump trucks in Skagit County to provide this volume of traffic". He then states that, based on the availability of 30 dump trucks, a more realistic maximum limit would be 60 truck trips per hour or 720 truck trips per day.

So, we ask once again, what is the maximum level of traffic CNW is actually proposing? Is it 46 truck trips per day, as stated in CNW's first "traffic impact analysis"? Is it 60 truck trips per hour and 720 trips per day as "suggested" by Gary Norris in his second memo? The 720 per day figure is based on a 12-hour day, but CNW says they should be allowed to operate up to 24 hours per day, which would make the actual figure 1,440 trips per day! Also, the dump truck availability limitation cited by Norris is a "red herring". CNW's parent company, Miles Sand and Gravel, is a large, regional corporation with multiple gravel mines and processing facilities along the I-5 corridor from the Canadian border to south of Olympia. It seems a little silly to suggest that Miles couldn't (or wouldn't) come up with more than 30 dump trucks from its combined operations if it needed them to move product out of its proposed Grip Road mine at any given time. DNTC's second memo suggests that 108 truck trips per hour (one round trip less than the 110 it says would exceed the LOS requirement) would actually be acceptable. That would be 1,296 trips per 12 hours and 2,592 trips per 24 hours! Obviously this is absurd, but it helps highlight the complete lack of clarity from CNW on this key aspect of its proposed operation.

The inadequacy of DNTC's traffic memos in addressing county road standards requirements and clear threats to public safety associated with CNW's mine traffic is laid out in considerable detail by Brian Bowser[1] and Matt Mahaffie[2], in comments they have submitted to PDS on the subject. After more than a year of effort on the part of the community and dozens of comments on this issue, CNW is still making the case that they have somehow answered this key concern with seriously flawed and inadequate traffic documents.

To return to CNW's February 23, 2018 cover letter, they continue (with reference to DNTC's traffic reports) "...which have previously been approved by Public Works; and the conclusions of those approvals were conditions in the September 12, 2016 Staff Report to the Hearing Examiner." This is misleading and irrelevant. An incomplete list of neighboring property owners was provided to PDS by CNW, so the county failed to provide adequate notice of the Mining Special Use Permit Application and subsequent notices as required under SCC. Only a handful of the property owners were notified, forcing a continuation of the hearing scheduled before the Hearing Examiner on December 7, 2016. As you are

[1] Brian Bowser, comments submitted to PDS to date re: Special Use Permit Application PL16-0097
[2] M. Mahaffie letter to J. Cooper, December 30, 2016

probably aware, once the proper notice had been given and word of the proposed mine got out to affected members of the local community, comments questioning the substance of CNW's application and the county's process poured in to PDS. On review of the comments, PDS acknowledged that there were significant issues of fact, consistency and completeness with CNW's application (including its traffic report) and informed CNW of this. As a result, any "approval" by Public Works implied by PDS' Staff Report and the recommended conditions included in the report became null and void. It is incredible to us that CNW continues to maintain otherwise.

A key point that the county has yet to explicitly acknowledge is that under Skagit County Road Standards, 2000 (SCRS), a formal Traffic Impact Analysis (TIA) is required for this project. SCRS 4.00, Traffic Analysis, sets out specific criteria for when a TIA is required, what level TIA is required, what must be covered in the analysis, and the format of the analysis. A Level 2 TIA is specified based on the potential volume of traffic generated by the mine, and because major deficiencies are known to exist, with the county roads serving the mine site (to cite only one example, the intersection sight distance issues mentioned above). For a more detailed discussion of these requirements, please see John Day's comments submitted on March 12, 2017 via PDS' online comment form.

Instead of requiring the applicant to conduct its own Level 2 TIA, the county has indicated that it intends to have a study completed by a third party consultant. The county's scope of work for the study is somewhat vague and does not specifically reference the TIA requirements of the Road Standards, so it remains to be seen whether or not the study will properly address all the required elements of a Level 2 TIA. It is clear, however, that without a full Level 2 TIA, the county cannot legally approve CNW's proposed use of county roads.

In #4 of his cover letter, Dan Cox addresses the county's insistence that the proposed haul route on CNW property meet the requirements for a "Private Road" as defined by Skagit County Road Standards. First, the information in Cox's cover letter with regard to the internal haul route conflicts with that contained in CNW's February 23, 2018 amended special use permit form. Section A, Question #10 on the form asks "Will your operation have an internal road system?", the response to which is "The mine site will not have a defined road system per se, as the mine floor and elevation will be constantly changing as mining progresses." By referring here only to the actual mine site, rather than to CNW's contiguous ownership, the author appears to have attempted to avoid any discussion of CNW's internal road system. The following question on the form, #11, asks "How is your property accessed? By private, county or state road?" -- The response is: "The site is accessed via Grip Road, which is a County Road." Somehow, the "site" has now become CNW's contiguous ownership, again avoiding any discussion of the two mile long private road accessing the actual mine site from Grip Road. This is a clear example of the sort of evasion and misstatement that has characterized CNW's application from the start. CNW had the opportunity to correct this and other misstatements and omissions when they submitted their "amended" Special Use Permit application form, but apparently they couldn't be bothered to do so. This demonstrates CNW's continuing lack of good faith in the entire process.

CNW makes a minor concession to the county in stating that they are willing to bring the internal haul road up to standard for an "Emergency Vehicle Access Road" (with the critical exception of the existing approach and bridge over Swede Creek), but not to county "Private Road" standards. Even discounting the fact that they exclude a critical portion of the access route, the Swede Creek bridge and its approaches, the minimal standards for emergency vehicle access clearly do not address the actual use the roads would receive. This represents nothing more than continued stonewalling on the part of CNW.

A great deal more critical information with regard to CNW's internal haul route is omitted from its February 23, 2017 submissions. By CNW's own admission, the internal roads that would serve the mine were designed and built as "Forest Roads" for management and harvest of timber on the property. With the development of the gravel mine, however, the intensity of road usage would increase dramatically – instead of infrequent, short term use for forest management and hauling timber, the roads would be subject to constant, heavy traffic by fully loaded tandem dump trucks. CNW will clearly have to make significant improvements to its internal "Forest Roads" for them to withstand this much heavier industrial use. This change in usage intensity and the need for significant road improvements triggers at least two things: 1) the requirement for compliance with County Road Standards for Private Roads accessing commercial/industrial property and 2) Critical Areas Ordinance requirements for delineating protected critical areas and preventing adverse impacts on those areas. The latter comes in to play in particular with regard to the approach and bridge over Swede Creek and at least one regulated wetland immediately adjacent to the internal access road. This consideration was omitted entirely from CNW's Mining Special Use Permit Application, SEPA checklist, and Fish and Wildlife Site Assessment. All of the foregoing issues with regard to the private haul route were presented in writing to CNW by the county, but they continue to insist they do not exist.

In their cover letter, #6, CNW states that "...at face, the subject dry mining activity appears to be a high intensity use..." They then proceed to make the same tired argument that the county has repeatedly (and correctly) rejected by as to why the proposed mine should be designated as a "medium intensity" land use subject to a 200 foot buffer from the Samish and associated wetlands instead of a high intensity use with a 300 foot buffer as required under SCC and state rules. Once again, this is pure stonewalling on the part of CNW. The county's position on this issue is strongly supported by the detailed comments submitted on this application by Doug Gresham, Wetland Specialist for the Washington State Department of Ecology's Shorelands and Environmental Assistance Program[3] and by Matt Mahaffie, a professional wetland/critical areas specialist personally familiar with the proposed mine site and its environs[4].

Notwithstanding that the County should have declared the application incomplete in November 2017, and denied it outright, CNW has still not fulfilled the County's request. It is long past time to deny this application, and require CNW to start the application process over with a clear project proposal, and a real analysis of all the impacts through a complete EIS.

Thank you for your time and consideration.

Sincerely,

John Day and Martha Bray

Cc: Ryan Walters; John Cooper

[3] D. Gresham letter to J. Cooper, June 1, 2016
[4] M. Mahaffie letter to J. Cooper, December 30, 2016

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Friday, March 16, 2018 8:23 AM
To: John Cooper
Subject: FW: PDS Comments

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Tuesday, March 13, 2018 4:40 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Paula Shafransky
Address : 22461 Prairie Road
City : Sedro Woolley
State : Washington
Zip : 98284
email : pshafransky@gmail.com
Phone : 3608561637
PermitProposal : Grip Road Open Pit Gravel Mine
Comments : I am writing to say that I have some serious concerns regarding the proposal of the 68 industrial gravel mine. I strongly feel an environmental impact statement(EIS) is needed to address all the potential adverse effects. In addition a Level II traffic analysis must be included in the EIS. The transportation of CNW's product will seriously jeopardize all of our safety on the public roads in our community. It is apparent that CNW, Miles Sand & Gravel, has no regard for our safety, well-being or our environment since they continue to ignore all the facts about our concerns which our community has documented for over a year.
I am in disbelief that CNW continues to insist this project will have no impacts. In the first paragraph of their noise study the report states, "The mine would be situated in the middle of 726 acres of contiguously owned property. The site is forested, and most of the existing buffers would remain intact." This is simply not true. The parcels which will be mined are far from the middle. They share borders on 3 sides with several private property owners (Shea on Samish River, Vander Veen, Walsh, Giles, Robinson and at a corner Haugland). In regards to 'forested', they are currently logging. These are just a couple of examples of how CNW is presenting their project to the County.
I believe February 23, 2018 was another deadline for CNW to submit information that the County requested back in July 2017 – this was basic information necessary to complete their application. Their recent submission appears to be seriously flawed. They have "doubled down" on their initial request for unlimited hours of operation, unrestricted numbers of gravel trucks on Grip and Prairie Roads, and feel a mere 200 foot buffer from Samish River is adequate. They have provided no new information except a faulty Noise and Vibration Study. They continue to claim that their project will have 'no impact'.

I would appreciate the county continuing to press for an EIS, a Level II traffic analysis, as well as the basic information still lacking from CNW's proposal.
I appreciate your consideration in this matter.

From Host Address: 172.92.236.32

Date and time received: 3/13/2018 4:35:50 PM

March 17, 2018

RECEIVED
MAR 23 2018
SKAGIT COUNTY
PDS

Hal Hart
Director of Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine Community Letter

Dear Mr. Hart,

As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application. CNW needs to start over again with a clear proposal, and the County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.

The applicant, Concrete Nor'West, aka Miles Sand and Gravel, has proposed an open pit Gravel Mine on 68 acres in our Community. It is only thousands of feet from Prairie Road, borders the Samish River on the eastern side-facing Prairie Lane and will be hauling material with 101,500 GVW truck and trailers approximately 2 miles north on a graveled forest road which crosses wetlands. According to paperwork their truck and trailers will then exit the forest road onto Grip Road and in about .7 miles they will enter Prairie Road at the blind corners, pass the left turn at F & S Grade and making a left hand turn onto Old Hwy 99.

CNW has not made it clear if they will be selling to private market and if so of course other routes could used and would also need evaluated. They still insist that 30 trucks per hour up to 720 in a day will not have any impact on our Community. CNW also insists they should be allowed to operate unlimited hours. They have stated this industrial activity will have No Impact on us and our environment! CNW insist the noise and vibrations will have No Impact. We disagree.

We have talked to countless numbers of people in our community and they agree a project of this size and scope needs to have an Environment Impact Statement (EIS) which will include a complete Traffic Analysis. The impacts of this project are not reversible nor temporary and therefore thorough evaluations are needed to avoid unnecessary negative impacts. It is apparent that CNW, Miles Sand & Gravel, has no regard for our safety, well-being or our environment, since they continue to ignore all the facts about our legitimate issues which we have documented for over a year.

We the undersigned are very concerned about CNW's proposed gravel mine near Grip and Prairie Road. We have been given the opportunity to review documents from the County, CNW, Attorney and Community comments before signing this letter. (RE: Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine Community Letter)

See attached signatures

COMMUNITY SIGNATURE SHEET	
GRIP ROAD GRAVEL MINE	**MARCH 17, 2018**
PL16-0097 & PL16-0098	**LETTER** - 3-17-2018 TO COUNTY

Name	Address	Email	Phone #	Signature
Nick + Nicole Nickelson	20636 Prairie Rd SW 98284	nicnick31@msn.com	360-362-9174	
Sarah Collie	20445 Prairie Rd	Secollie@my.milligan.edu	276-698-1167	Sarah Collie
Rick Brumfield	5318 CEDAR RIDGE Pl SEDRO-WOOLLEY, WA 98284	rbb123@frontier.com	253-670-3606	R. B. Brumfield
Jim Morrell	22777 NATURE VIEW DR	jmrrll@frontier.com	360/854-9319	Jim Morrell
Joni Morrell	22777 Nature View Dr Sedro-Woolley, WA	joni.morrelk@gmail.com	360-854-9319	Joni A Morrell
Kathryn Longfellow	5318 Cedar Ridge Pl Sedro Woolley WA	klongfellow@frontier.com	360-854-9916	Kathryn Longfellow
PAULA SHAFRANSKY	22461 Prairie Rd.	pshafranskya@gmail.com	360-856-1637	Paula Shafransky
Frank Phillips	22461 Prairie Rd.	Fphillips67a@gmail.com	360-202-7056	Frank Phillips
Miranda Walsh	2272 E Broadway MV 98274	MIwalsh84@gmail.com	360540-0214	Miranda Walsh
GREG HARVEY	22372 NITA LANE SEDRO WOOLLEY	harveygk@gmail.com	206-696-6961	

006955

(11)

COMMUNITY SIGNATURE SHEET	
GRIP ROAD GRAVEL MINE	**MARCH 17, 2018**
PL16-0097 & PL16-0098	**LETTER** - 3-17-2018 TO COUNTY

Name	Address	Email	Phone #	Signature
Linda Walsh	21710 Prairie Rd Sedro Woolley	walsh12006@hotmail.com	(360) 708-7736	Linda Walsh
Robert Walsh	21710 Prairie Rd Sedro Woolley	walshrob1@hotmail.com	360-708-7735	Robert Walsh
Jed Holmes	7691 Delvan Hill Rd Sedro-Woolley, WA	jed.ed.holmes@gmail.com	360 856 5905	
Wally Rogers	21009 Wildwood Pl Sedro-Woolley	Pattersetc1@gmail.com	360 724-2212	Wally Rogers
Renee Kenady	5319 CedarRidge PL Sedro Woolley, WA	rkenady44@gmail.com	360 661-1272	Renee Kenady
getting more signatures Steve Kenady	5319 CEDAR RIDGE S.W., WA 98284	SMKENADY@GMAIL.COM	360 661 1161	
Robert, Elizabeth, Skyler & Collin	20756 Prairie Rd S.W., WA, 98284	RobertPole1984@yahoo.com	360) 540-7792 360) 540-7793	
Joy Peters	22741 Nature Trail D, S.W. 98284	Joympeterse@hotmail.com	360-941-7577	Joy Peters
Fran Wasson	20836 Prairie Rd Sedro-Woolley, WA 98284	normfranwasson@gmail.com	360-724-5054	Frances E Wasson
~~Norman Wasson~~	"	"	"	

006956

(10)

COMMUNITY SIGNATURE SHEET	
GRIP ROAD GRAVEL MINE	**MARCH 17, 2018**
PL16-0097 & PL16-0098	**LETTER** - 3-17-2018 TO COUNTY

Name	Address	Email	Phone #	Signature
HOLLY HUNTER	22372 NITA LANE SEDRO WOOLLEY WA 98284			
Norm Wasson	20836 Prairie Rd Sedro Woolley 98284	normfranwasson @gmail.com	(360) 724-5054	
Tammy Braem	20908 Prairie Sedro Woolley			
Steve Houle	20543 Prairie Rd Sedro-Woolley			
Al Morgan	22286 PRAIRIE Sedro Woolley WA			
STEVEN BARNETT	22373 NITA LANE SEDRO-WOOLLEY WA			
Linda Jonasson	17543 Peterson Burlington 98233			
Jennifer Flynn	5252 Wildlife Acres Sedro-Woolley, Lane WA 98284		~~36~~ 703-967-1977	
Dugan Flynn	5252 Wildlife Acres Sedro-Woolley, Lane WT 98284		240-595-7915	
David Dochring	20002 Dobbie Creek SW 98284		360-661-0818	

(10)

006957

Nadine DeGolier

Earl Wolf

006958

COMMUNITY SIGNATURE SHEET	
GRIP ROAD GRAVEL MINE	**MARCH 17, 2018**
PL16-0097 & PL16-0098	**LETTER** - 3-17-2018 TO COUNTY

Name	Address	Email	Phone #	Signature
Donna Judy	20765 Prairie Rd S.W.		724-3984	Donna Judy
Craig Judy	20765 Prairie Rd		724-3984	
Sharon Hall	20575 Prairie Rd		724-7305	
Mike Hall	20575 Prairie Rd		724-7305	
Lester Bonnet	21710 Prairie Rd	lesterb@hotmail.com	360 854-2954	Lester Bonnet
Marian Walsh	19801 Prairie	catfishwalsh@aol.com	360 -724 6822	
Abbe Rolnick	21993 Grip Rd.	abbe@abbeardnc.com	360 856-2139	
Jim Wiggins	21993 Grip Rd			
Natalie Walsh	9533 Districtline		360 540 1637	Natalie Walsh

(9)

659000

COMMUNITY SIGNATURE SHEET	
GRIP ROAD GRAVEL MINE	**MARCH 17, 2018**
PL16-0097 & PL16-0098	**LETTER** - 3-17-2018 TO COUNTY

Name	Address	Email	Phone #	Signature
Karla M Gary	PO Box 427 6280 Erwin Ln Sedro Woolley, WA 98284	Kmgary@gmail.com	1-360-856-0058	Karla M Gary
Martha Bray	6368 Erwin Ln Sedro Woolley, WA 98284	mbray1107@gmail.com	(360) 856-0644	
John W. Day	6368 Erwin Ln Sedro-Woolley, WA 98284	jday0730@gmail.com	360-856-0644	John W Day

096900

Page 1 of 2

COMMUNITY SIGNATURE SHEET	
GRIP ROAD GRAVEL MINE	**MARCH 17, 2018**
PL16-0097 & PL16-0098	**LETTER** - 3-17-2018 TO COUNTY

Name	Address	Email	Phone #	Signature
Larry Hedgpeth Larry Hedgpeth	5809 Brookings	ljhedgpeth@gmail.com	360-856-6737	Larry Hedgpeth
Josie Hedgpeth Josie Hedgpeth	5809 Brookings Rd	ljhedgpeth@gmail.com	360 856-6737	Josie Hedgpeth
3-21-18 These signatures were Collected at a Community bake sale (3 hrs) + at a few neighbors' homes. We are still collecting signatures and will be submitting more next week, per our neighbors requests who were unable to sign at the event. 45 signatures				

006961

John Cooper

From: website
Sent: Friday, March 23, 2018 7:50 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Frederic Allen
Address : 22018 grip Road
City : Sedro-Woolley
State : WA
Zip : 98284
email : rik@rikallen.com
Phone : 3602021063
PermitProposal : #PL16-0097
Comments : As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application. CNW needs to start over again with a clear proposal, and the County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.

The applicant, Concrete NorlWest, aka Miles Sand and Gravel, has proposed an open pit Gravel Mine on 68 acres in our Community. It is only thousands of feet from Prairie Road, borders the Samish River on the eastern side-facing Prairie Lane and will be hauling material with 101,500 GVW truck and trailers approximately 2 miles north on a graveled forest road which crosses wetlands. According to paperwork their truck and trailers will then exit the forest road onto Grip Road and in about .7 miles they will enter Prairie Road at the blind corners, pass the left turn at F & S Grade and making a left hand turn onto Old Hwy 99.

CNW has not made it clear if they will be selling to private market and if so of course other routes could used and would also need evaluated. They still insist that 30 trucks per hour up to 720 in a day will not have any impact on our Community. CNW also insists they should be allowed to operate unlimited hours. They have stated this industrial activity will have No Impact on us and our environmentl CNW insist the noise and vibrations will have No Impact. We disagree.

We have talked to countless numbers of people in our community and they agree a project of this size and scope needs to have an Environment Impact Statement (EIS) which will include a complete Traffic Analysis. The impacts of this project are not reversible nor temporary and therefore thorough evaluations are needed to avoid unnecessary negative impacts. It is apparent that CNW, Miles Sand & Gravel, has no regard for our safety, well-being or our environment, since they continue to ignore all the facts about our legitimate issues which we have documented for over a year.

We the undersigned are very concerned about CNW's proposed gravel mine near Grip and Prairie Road. We have been given the opportunity to review documents from the County, CNW, Attorney and Community comments before signing this letter. (RE: Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine Community Letter)

From Host Address: 172.92.195.190

Date and time received: 3/23/2018 7:46:02 AM

John Cooper

From: website
Sent: Friday, March 23, 2018 7:50 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Andrew J. Rice
Address : 22356 Prairie Rd
City : Sedro Woolley
State : WA
Zip : 98284
email : academicsandadventures@hotmail.com
Phone : 360-466-3297
PermitProposal : Permit #PL16-0097 Mining Special Use Permit
Comments : March 17, 2018

Hal Hart
Director of Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Permit #PL16-0097 Mining Special Use Permit, Concrete NorlWest Gravel Mine Community Letter

Dear Mr. Hart,

As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application. CNW needs to start over again with a clear proposal, and the County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.

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We have talked to countless numbers of people in our community and they agree a project of this size and scope needs to have an Environment Impact Statement (EIS) which will include a complete Traffic Analysis. The impacts of this project are not reversible nor temporary and therefore thorough evaluations are needed to avoid unnecessary negative impacts. It is apparent that CNW, Miles Sand & Gravel, has no regard for our safety, well-being or our environment, since they continue to ignore all the facts about our legitimate issues which we have documented for over a year.

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See attached signatures

Sincerely,
Andrew J. Rice

From Host Address: 172.92.244.187

Date and time received: 3/23/2018 7:45:09 AM

John Cooper

From: website
Sent: Friday, March 23, 2018 7:35 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Wallace Groda
Address : 6386 Lillian Lane
City : Sedro Woolley
State : WA
Zip : 98284
email : wallacegroda@msn.com
Phone : 360-299-1490
PermitProposal : Permit #PL16-0097
Comments : March 17, 2018
Hal Hart
Director of Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
RE: Permit #PL16-0097 Mining Special Use Permit, Concrete NorlWest Gravel Mine Community Letter
Dear Mr. Hart,
As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application. CNW needs to start over again with a clear proposal, and the County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.
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CNW has not made it clear if they will be selling to private market and if so of course other routes could used and would also need evaluated. They still insist that 30 trucks per hour up to 720 in a day will not have any impact on our Community. CNW also insists they should be allowed to operate unlimited hours. They have stated this industrial activity will have No Impact on us and our environmentl CNW insist the noise and vibrations will have No Impact. We disagree.
We have talked to countless numbers of people in our community and they agree a project of this size and scope needs to have an Environment Impact Statement (EIS) which will include a complete Traffic Analysis. The impacts of this project are not reversible nor temporary and therefore thorough evaluations are needed to avoid unnecessary negative impacts. It is apparent that CNW, Miles Sand & Gravel, has no regard for our safety, well-being or our environment, since they continue to ignore all the facts about our legitimate issues which we have documented for over a year.
We the undersigned are very concerned about CNW's proposed gravel mine near Grip and Prairie Road. We have been given the opportunity to review documents from the County, CNW, Attorney and Community comments before signing this letter. (RE: Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine Community Letter)

John Cooper

From: website
Sent: Friday, March 23, 2018 8:15 AM
To: Planning & Development Services
Subject: PDS Comments

Name : George Voile
Address : 21387 Grip RD
City : Sedro Woolley
State : WA Washington
Zip : 98284
email : voileg3@gmail.com
Phone : 2088160491
PermitProposal : PL16-0097 Grip Rd gravel mine.
Comments : I live and drive on Grip Rd adjacent to the mine property. The proposed number of trucks & trailers to be coming to and from the mine would mean trucks would be meeting on Grip Rd west of the entrance. This is impossible because trucks with trailers cannot currently stay within the lane on the Grip Rd curves. This is a dangerous section of road already with the light truck traffic it has. Do not be surprised at a very high casualty rate if the proposed truck traffic is allowed.

From Host Address: 173.10.112.10

Date and time received: 3/23/2018 8:11:00 AM

John Cooper

From: website
Sent: Friday, March 23, 2018 8:15 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Richard Prange
Address : 20183 Prairie Rd
City : Sedro Woolley
State : Washington
Zip : 98284
email : r46j45@gmail.com
Phone : 3607082882
PermitProposal : PL16-0097 Mining Special Use
Comments : I would like to base my comments on the singular most important issue that is impacted by this proposal and that is public safety. We have lived on Prairie Rd since the early 1970's. Traffic on the road has steadily increased in volume and speed over the years to the point where you can no longer have more than a minute or two of nonexistent traffic before another vehicle passes, and they almost always pass at speeds exceeding the posted limit. If this proposal is allowed to go forward and nothing serious is done to deal with the width of the road or the posted speed limit, it would be easy to understand why multiple accidents would occur along the road given the increased volume and size of the vehicles traveling along it. I realize that gravel is important to progress in this county, but in the overall scheme of things public safety should be paramount.

From Host Address: 72.168.160.131

Date and time received: 3/23/2018 8:14:28 AM

John Cooper

From: website
Sent: Friday, March 23, 2018 8:30 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Nadine M. DeGolier
Address : 32620 - 80th Dr. NW
City : Stanwood
State : WA
Zip : 98292
email : nadinedegolier@yahoo.com
Phone : 360-629-4439
PermitProposal : #PL16-0097
Comments : March 23, 2018

Hal Hart

Director of Skagit County Planning & Development Services

1800 Continental Place

Mount Vernon, WA 98273

RE: Permit #PL16-0097 Mining Special Use Permit, Concrete NorlWest Gravel Mine Community Letter

Dear Mr. Hart,

As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application. CNW needs to start over again with a clear proposal, and the County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.

The applicant, Concrete NorlWest, aka Miles Sand and Gravel, has proposed an open pit Gravel Mine on 68 acres in our Community. It is only thousands of feet from Prairie Road, borders the Samish River on the eastern side-facing Prairie Lane and will be hauling material with 101,500 GVW truck and trailers approximately 2 miles north on a graveled forest road which crosses wetlands. According to paperwork their truck and trailers will then exit the forest road onto Grip Road and in about .7 miles they will enter Prairie Road at the blind corners, pass the left turn at F & S Grade and making a left hand turn onto Old Hwy 99.

CNW has not made it clear if they will be selling to private market and if so of course other routes could used and would also need evaluated. They still insist that 30 trucks per hour up to 720 in a day will not have any impact on our Community. CNW also insists they should be allowed to operate unlimited hours. They have stated this industrial activity will have No Impact on us and our environmentl CNW insist the noise and vibrations will have No Impact. We disagree.

We have talked to countless numbers of people in our community and they agree a project of this size and scope

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We the undersigned are very concerned about CNW's proposed gravel mine near Grip and Prairie Road. We have been given the opportunity to review documents from the County, CNW, Attorney and Community comments before signing this letter. (RE: Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine Community Letter)

Nadine DeGolier
32620 - 80th Dr. NW
Stanwood, WA 98292

From Host Address: 172.92.49.119

Date and time received: 3/23/2018 8:28:13 AM

John Cooper

From: website
Sent: Friday, March 23, 2018 10:05 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Patricia Groda
Address : PO Box 1367
City : Burlington
State : Wa
Zip : 98223
email : tgroda@msn.com
Phone : 3604207347
PermitProposal : PL16-0097
Comments : March 17, 2018
Hal Hart
Director of Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
RE: Permit #PL16-0097 Mining Special Use Permit, Concrete NorlWest Gravel Mine Community Letter
Dear Mr. Hart,
As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application. CNW needs to start over again with a clear proposal, and the County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.
The applicant, Concrete NorlWest, aka Miles Sand and Gravel, has proposed an open pit Gravel Mine on 68 acres in our Community. It is only thousands of feet from Prairie Road, borders the Samish River on the eastern side-facing Prairie Lane and will be hauling material with 101,500 GVW truck and trailers approximately 2 miles north on a graveled forest road which crosses wetlands. According to paperwork their truck and trailers will then exit the forest road onto Grip Road and in about .7 miles they will enter Prairie Road at the blind corners, pass the left turn at F & S Grade and making a left hand turn onto Old Hwy 99.
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We the undersigned are very concerned about CNW's proposed gravel mine near Grip and Prairie Road. We have been given the opportunity to review documents from the County, CNW, Attorney and Community comments before signing this letter. (RE: Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine Community Letter)

John Cooper

From: website
Sent: Friday, March 23, 2018 9:05 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Norman Wasson
Address : 20836, Prairie Road
City : Sedro Woolley
State : Washington
Zip : 98284
email : normfranwasson@gmail.com
Phone : 3607245054
PermitProposal : #PL16-0097 Samish River Gravel Mine
Comments : March 17, 2018
Hal Hart
Director of Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
RE: Permit #PL16-0097 Mining Special Use Permit, Concrete NorlWest Gravel Mine Community Letter
Dear Mr. Hart,
As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application. CNW needs to start over again with a clear proposal, and the County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.
The applicant, Concrete NorlWest, aka Miles Sand and Gravel, has proposed an open pit Gravel Mine on 68 acres in our Community. It is only thousands of feet from Prairie Road, borders the Samish River on the eastern side-facing Prairie Lane and will be hauling material with 101,500 GVW truck and trailers approximately 2 miles north on a graveled forest road which crosses wetlands. According to paperwork their truck and trailers will then exit the forest road onto Grip Road and in about .7 miles they will enter Prairie Road at the blind corners, pass the left turn at F & S Grade and making a left hand turn onto Old Hwy 99.
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We the undersigned are very concerned about CNW's proposed gravel mine near Grip and Prairie Road. We have been given the opportunity to review documents from the County, CNW, Attorney and Community comments before signing this letter. (RE: Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine Community Letter)

Norman Wasson
20836 Prairie Rd
Sedro Woolley, Wa 98284

From Host Address: 172.92.220.130

Date and time received: 3/23/2018 9:01:08 AM

John Cooper

From: website
Sent: Friday, March 23, 2018 11:30 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Jahn Steve & Dian
Address : 4501 Fidalgo Bay Road, #901
City : Anacortes
State : WA
Zip : 98221-8354
email : stevedianjahn@gmail.com
Phone : 425-830-4981
PermitProposal : Jahn Steve & Dian
Comments : March 17, 2018

Hal Hart
Director of Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Permit #PL16-0097 Mining Special Use Permit, Concrete NorlWest Gravel Mine Community Letter

Dear Mr. Hart,

As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application. CNW needs to start over again with a clear proposal, and the County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.

The applicant, Concrete NorlWest, aka Miles Sand and Gravel, has proposed an open pit Gravel Mine on 68 acres in our Community. It is only thousands of feet from Prairie Road, borders the Samish River on the eastern side-facing Prairie Lane and will be hauling material with 101,500 GVW truck and trailers approximately 2 miles north on a graveled forest road which crosses wetlands. According to paperwork their truck and trailers will then exit the forest road onto Grip Road and in about .7 miles they will enter Prairie Road at the blind corners, pass the left turn at F & S Grade and making a left hand turn onto Old Hwy 99.

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well-being or our environment, since they continue to ignore all the facts about our legitimate issues which we have documented for over a year.

We the undersigned are very concerned about CNW's proposed gravel mine near Grip and Prairie Road. We have been given the opportunity to review documents from the County, CNW, Attorney and Community comments before signing this letter. (RE: Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine Community Letter)

See attached signatures

From Host Address: 103.233.132.7

Date and time received: 3/23/2018 11:27:26 AM

John Cooper

From: website
Sent: Friday, March 23, 2018 1:20 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Stephanie Gahan
Address : 22035 Grip Rd
City : Sedro Woolley
State : Washington
Zip : 98284
email : colebran1@gmail.com
Phone : 3608401196
PermitProposal : PL16-0097
Comments : March 17, 2018

Hal Hart

Director of Skagit County Planning & Development Services

1800 Continental Place

Mount Vernon, WA 98273

RE: Permit #PL16-0097 Mining Special Use Permit, Concrete NorlWest Gravel Mine Community Letter

Dear Mr. Hart,

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We the undersigned are very concerned about CNW's proposed gravel mine near Grip and Prairie Road. We have been given the opportunity to review documents from the County, CNW, Attorney and Community comments before signing this letter. (RE: Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine Community Letter)

See attached signatures

From Host Address: 168.212.76.254

Date and time received: 3/23/2018 1:15:42 PM

John Cooper

From: website
Sent: Friday, March 23, 2018 1:55 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Dale R Abbott
Address : P.O. Box 804
City : Burlington
State : WA
Zip : 98233
email : d_abbott@hotmail.com
Phone : 360-202-9857
PermitProposal : PL16-0097
Comments : Community Letter
Dear Mr. Hart,
I agree completely with the following letter. I am a homeowner living on property less than a mile from the proposed mine site:
"As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application. CNW needs to start over again with a clear proposal, and the County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.
The applicant, Concrete NorlWest, aka Miles Sand and Gravel, has proposed an open pit Gravel Mine on 68 acres in our Community. It is only thousands of feet from Prairie Road, borders the Samish River on the eastern side-facing Prairie Lane and will be hauling material with 101,500 GVW truck and trailers approximately 2 miles north on a graveled forest road which crosses wetlands. According to paperwork their truck and trailers will then exit the forest road onto Grip Road and in about .7 miles they will enter Prairie Road at the blind corners, pass the left turn at F & S Grade and making a left hand turn onto Old Hwy 99.
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We the undersigned are very concerned about CNW's proposed gravel mine near Grip and Prairie Road. We have been given the opportunity to review documents from the County, CNW, Attorney and Community comments before signing this letter. (RE: Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine Community Letter"

Signed, Dale R Abbott
22290 Prairie Road
Sedro-Woolley, WA 98284

John Cooper

From: website
Sent: Friday, March 23, 2018 2:50 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Karin silvernale
Address : 21674 Grip Rd
City : Sedro-Woolley
State : wa
Zip : 98284
email : karinsilvernale@yahoo.com
Phone : 3608560573
PermitProposal : permit #PL16-0097
Comments : March 17, 2018

Hal Hart

Director of Skagit County Planning & Development Services

1800 Continental Place

Mount Vernon, WA 98273

RE: Permit #PL16-0097 Mining Special Use Permit, Concrete NorlWest Gravel Mine Community Letter

Dear Mr. Hart,

As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application. CNW needs to start over again with a clear proposal, and the County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.

The applicant, Concrete NorlWest, aka Miles Sand and Gravel, has proposed an open pit Gravel Mine on 68 acres in our Community. It is only thousands of feet from Prairie Road, borders the Samish River on the eastern side-facing Prairie Lane and will be hauling material with 101,500 GVW truck and trailers approximately 2 miles north on a graveled forest road which crosses wetlands. According to paperwork their truck and trailers will then exit the forest road onto Grip Road and in about .7 miles they will enter Prairie Road at the blind corners, pass the left turn at F & S Grade and making a left hand turn onto Old Hwy 99.

CNW has not made it clear if they will be selling to private market and if so of course other routes could used and would also need evaluated. They still insist that 30 trucks per hour up to 720 in a day will not have any impact on our Community. CNW also insists they should be allowed to operate unlimited hours. They have stated this industrial activity will have No Impact on us and our environmentl CNW insist the noise and vibrations will have No Impact. We disagree.

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We the undersigned are very concerned about CNW's proposed gravel mine near Grip and Prairie Road. We have been given the opportunity to review documents from the County, CNW, Attorney and Community comments before signing this letter. (RE: Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine Community Letter)

See attached signatures

Karin Silvernale

From Host Address: 172.92.210.201

Date and time received: 3/23/2018 2:47:23 PM

John Cooper

From: website
Sent: Friday, March 23, 2018 5:00 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Michele Elaine Walker
Address : P.O. Box 804
City : Burlington
State : WA
Zip : 98233
email : michelewalker54@gmail.com
Phone : 360-395-5440
PermitProposal : PL16-0097
Comments : Dear Mr. Hart,
I wish to be included as a signer of the following letter regarding the proposed gravel pit on Grip Road:
"As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application. CNW needs to start over again with a clear proposal, and the County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.
The applicant, Concrete NorlWest, aka Miles Sand and Gravel, has proposed an open pit Gravel Mine on 68 acres in our Community. It is only thousands of feet from Prairie Road, borders the Samish River on the eastern side-facing Prairie Lane and will be hauling material with 101,500 GVW truck and trailers approximately 2 miles north on a graveled forest road which crosses wetlands. According to paperwork their truck and trailers will then exit the forest road onto Grip Road and in about .7 miles they will enter Prairie Road at the blind corners, pass the left turn at F & S Grade and making a left hand turn onto Old Hwy 99.
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We the undersigned are very concerned about CNW's proposed gravel mine near Grip and Prairie Road. We have been given the opportunity to review documents from the County, CNW, Attorney and Community comments before signing this letter." (RE: Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine Community Letter)
I have lived at 22290 Prairie Road for 12 of the past 13 years, and while I am currently temporarily residing in New Zealand we will be returning to Washington in July.
Sincerely, Michele E. Walker

From Host Address: 118.93.127.8

John Cooper

From: website
Sent: Friday, March 23, 2018 1:00 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Jim Morrell
Address : 22777 Nature View Drive
City : Sedro-Woolley
State : WA
Zip : 98284
email : jmrrll@frontier.com
Phone : 360-854-9319
PermitProposal : Permit #PL16-0097
Comments : March 17, 2018

Hal Hart

Director of Skagit County Planning & Development Services

1800 Continental Place

Mount Vernon, WA 98273

RE: Permit #PL16-0097 Mining Special Use Permit, Concrete NorlWest Gravel Mine Community Letter

Dear Mr. Hart,

As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application. CNW needs to start over again with a clear proposal, and the County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.

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We the undersigned are very concerned about CNW's proposed gravel mine near Grip and Prairie Road. We have been given the opportunity to review documents from the County, CNW, Attorney and Community comments before signing this letter. (RE: Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine Community Letter)

Please note, we are a community that is very concerned about the impact of this mine on the environment, water quality, sound effects of the mine, quality of life as well as property values. We are not a bunch of gentleman farmers as CNW alluded to in one of their letters to you. We are the surrounding community that will be directly and adversely impacted by this mine.

My wife and I have chosen to live in a rural area because of the quality of life we enjoy. This mine will be a severe detriment to what we enjoy.

Jim Morrell

From Host Address: 50.34.129.193

Date and time received: 3/23/2018 12:56:53 PM

John Cooper

From: website
Sent: Saturday, March 24, 2018 4:40 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Stephen Garcia
Address : 22199 Grip RD
City : Sedro Woolley
State : WA
Zip : 98284
email : garcia4@wavecable.com
Phone : 3608547857
PermitProposal : PL16-0097
Comments : Dear Mr. Hart,

As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application. CNW needs to start over again with a clear proposal, and the County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.

The applicant, Concrete NorlWest, aka Miles Sand and Gravel, has proposed an open pit Gravel Mine on 68 acres in our Community. It is only thousands of feet from Prairie Road, borders the Samish River on the eastern side-facing Prairie Lane and will be hauling material with 101,500 GVW truck and trailers approximately 2 miles north on a graveled forest road which crosses wetlands. According to paperwork their truck and trailers will then exit the forest road onto Grip Road and in about .7 miles they will enter Prairie Road at the blind corners, pass the left turn at F & S Grade and making a left hand turn onto Old Hwy 99.

CNW has not made it clear if they will be selling to private market and if so of course other routes could used and would also need evaluated. They still insist that 30 trucks per hour up to 720 in a day will not have any impact on our Community. CNW also insists they should be allowed to operate unlimited hours. They have stated this industrial activity will have No Impact on us and our environmentl CNW insist the noise and vibrations will have No Impact. We disagree.

We have talked to countless numbers of people in our community and they agree a project of this size and scope needs to have an Environment Impact Statement (EIS) which will include a complete Traffic Analysis. The impacts of this project are not reversible nor temporary and therefore thorough evaluations are needed to avoid unnecessary negative impacts. It is apparent that CNW, Miles Sand & Gravel, has no regard for our safety, well-being or our environment, since they continue to ignore all the facts about our legitimate issues which we have documented for over a year.

We the undersigned are very concerned about CNW's proposed gravel mine near Grip and Prairie Road. We have been given the opportunity to review documents from the County, CNW, Attorney and Community comments before signing this letter. (RE: Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine Community Letter)
Steve Garcia

John Cooper

From: website
Sent: Saturday, March 24, 2018 4:35 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Andrea Garcia
Address : 22199 Grip RD
City : Sedro Woolley
State : WA
Zip : 98284
email : garcia4@wavecable.com
Phone : 3608547857
PermitProposal : PL16-0097
Comments : Dear Mr. Hart,

As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application. CNW needs to start over again with a clear proposal, and the County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.

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Andrea Garcia

From Host Address: 172.92.219.92

Date and time received: 3/24/2018 4:32:54 PM

John Cooper

From: website
Sent: Saturday, March 24, 2018 9:30 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Ronald E. Holmes
Address : 7691 Delvan Hill Rd.
City : Sedro Woolley
State : WA
Zip : 98284
email : ronaldeholmes@gmail.com
Phone : 3608565905
PermitProposal : Permit #PL16-0097 Mining Special Use Permit
Comments : March 17, 2018
Hal Hart
Director of Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
RE: Permit #PL16-0097 Mining Special Use Permit, Concrete NorlWest Gravel Mine Community Letter
Dear Mr. Hart,
As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application. CNW needs to start over again with a clear proposal, and the County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.
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CNW has not made it clear if they will be selling to private market and if so of course other routes could used and would also need evaluated. They still insist that 30 trucks per hour up to 720 in a day will not have any impact on our Community. CNW also insists they should be allowed to operate unlimited hours. They have stated this industrial activity will have No Impact on us and our environmentl CNW insist the noise and vibrations will have No Impact. We disagree.
We have talked to countless numbers of people in our community and they agree a project of this size and scope needs to have an Environment Impact Statement (EIS) which will include a complete Traffic Analysis. The impacts of this project are not reversible nor temporary and therefore thorough evaluations are needed to avoid unnecessary negative impacts. It is apparent that CNW, Miles Sand & Gravel, has no regard for our safety, well-being or our environment, since they continue to ignore all the facts about our legitimate issues which we have documented for over a year.
We the undersigned are very concerned about CNW's proposed gravel mine near Grip and Prairie Road. We have been given the opportunity to review documents from the County, CNW, Attorney and Community comments before signing this letter. (RE: Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine Community Letter)
See attached signatures

John Cooper

From: website
Sent: Sunday, March 25, 2018 7:40 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Laura Brakke
Address : 22243 Grip Rd
City : Sedro Woolley
State : wa
Zip : 98284
email : llbrakke@hotmail.com
Phone : 360-739-7400
PermitProposal : Permit #PL16-0097 Mining Special Use Permit, Concrete NorlWest Gravel Mine
Comments : March 23, 2018

Hal Hart
Director of Skagit County Planning & Development Services

1800 Continental Place
Mount Vernon, WA 98273

RE: Permit #PL16-0097 Mining Special Use Permit, Concrete NorlWest Gravel Mine Community Letter
Dear Mr. Hart,
As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application. CNW needs to start over again with a clear proposal, and the County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.
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CNW has not made it clear if they will be selling to private market and if so of course other routes could used and would also need evaluated. They still insist that 30 trucks per hour up to 720 in a day will not have any impact on our Community. CNW also insists they should be allowed to operate unlimited hours. They have stated this industrial activity will have No Impact on us and our environment! CNW insists the noise and vibrations will have' No Impact'. We disagree.
We have talked to countless numbers of people in our community and they agree a project of this size and scope needs to have an Environment Impact Statement (EIS) which will include a complete Traffic Analysis. The impacts of this project are not reversible nor temporary and therefore thorough evaluations are needed to avoid unnecessary negative impacts. It is apparent that CNW, Miles Sand & Gravel, has no regard for our safety, well-being or our environment, since they continue to ignore all the facts about our legitimate issues which we have documented for over a year.
I am very concerned about CNW's proposed gravel mine near Grip and Prairie Road.
I am signing this community letter as I agree with all the points brought up and am also submitting a letter with

my personal concerns.

I would appreciate that you take these positions and request for a full EIS seriously, and protect public health and safety as your primary responsibility.

Thank you for your attention to this matter,
Laura Leigh Brakke

From Host Address: 71.212.111.196

Date and time received: 3/25/2018 7:39:38 PM

John Cooper

From: website
Sent: Sunday, March 25, 2018 8:20 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Laura Leigh Brakke
Address : 22243 Grip Rd
City : Sedro Woolley
State : wa
Zip : 98284
email : llbrakke@hotmail.com
Phone : 360-739-7400
PermitProposal : Permit #PL16-0097 Mining Special Use Permit, Concrete NorWest Gravel Mine
Comments : Dear Mr. Hal Hart,
I am submitting my concerns about the application and permitting process for a gravel mine.
There are so many things wrong with this proposal that I hardly know where to start.
I have read Concrete Nor'Wests letters to the County in response for more and better information in there flawed application. They demonstrate a clear disregard for the community they will negatively impact. They show a complete lack of concern over the risks to the Samish river and Swede creek system and salmon that depend on these waterways.Those are impacts they can hide from Public view, and we may not see erosion that allows for silt to drift into and destroy spawning grounds.
However, the impacts to all other users of Grip and Prairie Roads into and onto Hwy 99, cannot be hidden. There does not need to be a traffic study to prove that unlimited 24 hour tandem gravel trucks will cause substantial harm to the road beds, that the public will be asked to fix.
There will be no safe place to walk and for sure a bicyclist will literally be taking her life into jeopardy if one tries to exercise one's right to ride a bike on the public roads. I urge you to drive and bike the route they propose to have two gravel trucks an hour passing these roads. There will be collisions and accidents and injuries that may become fatal. This is not something the County should even consider in light of the health and safety risks. Especially, by a company that has such little regard for current residents and users of this right of way.
Please put Safety First before profit. The risks and the benefits must be weighed in favor to Skagit County residents and not corporations. Concrete Nor'Wester does not pay its fair share of property tax and should not dictate the conditions of their permit. They are ignoring just plain old Common Sense when they refuse to respond to repeated requests by the County and pretend that the community will not suffer negative impacts. Nonsense.
I am urging you to hold them to a high standard as gravel mining has proven that it impacts the environment in many varied and long term negative ways. Those need to be studied, and the record is filled with the items that need inclusion into a proper EIS.
Please deny a permit foe the current proposal.

Sincerely,
Laura Leigh Brakke

From Host Address: 71.212.111.196

Date and time received: 3/25/2018 8:17:15 PM

John Cooper

From: website
Sent: Sunday, March 25, 2018 9:25 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Jane Fish
Address : 5043 Wildlife Acres Lane
City : Sedro Woolley
State : WA
Zip : 98284
email : jfish1994@gmail.com
Phone : 360-848-7711
PermitProposal : CNW Application for Gravel Mine
Comments : March 25, 2018

Hal Hart

Director of Skagit County Planning & Development Services

1800 Continental Place

Mount Vernon, WA 98273

RE: Permit #PL16-0097 Mining Special Use Permit, Concrete NorlWest Gravel Mine Community Letter

Dear Mr. Hart,

As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application. CNW needs to start over again with a clear proposal, and the County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.

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Jane Fish
5043 Wildlife Acres Lane
Sedro Woolley, WA 98284

From Host Address: 72.173.9.133

Date and time received: 3/25/2018 9:24:29 AM

John Cooper

From: linda wa <walshL2006@hotmail.com>
Sent: Monday, March 26, 2018 11:29 AM
To: John Cooper; Hal Hart
Cc: Betsy D. Stevenson; rrwalter@co.skagit.wa.us; Lisa Janicki
Subject: RE: Important information - PL#16-0097 CNW Grave Mine

March 24, 2017

John Cooper
Hal Hart
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, Washington 98273

RE: PL#16-0097 Concrete Nor'west Gravel Mine

Dear John & Hal,

I would like to bring to your attention to some inaccurate information on the Ramboll - Noise and Vibration Study submitted by Concrete Nor'West , dated February 20, 2018. It is another example of the inaccurate documentation for this project proposal given to the County by the applicant.

Ramboll Introduction on Page 1:
Incorrectly states "The mine would be situated in the middle of 726 acres of contiguously owned property."
Correct: 3 of its 4 borders are not contained within the 726 acres.
I obtained this information from the Skagit County IMAP.
CNW Mine parcel P50155, shares eastern border with The Samish River adjacent to private property owner Shea's parcel P50065, adjacent SE border with P50086 Koetje/Emerson/Camp/Ford and Northern border with Vanderveen P50104 & Walsh P50105.
CNW Mine parcel P125644 shares adjacent Northern border with Walsh P50100, Giles P50098 and NW corner with Hauglands P50141, and entire Western border with Robinson P50143.
CNW Mine parcel P125645 also shares its entire Western border with Robinson P50143.
The Parcels CNW proposing (P50155, P125644 & P125645) to begin a new 68 Acre Industrial Gravel Mine are far from the "middle of 726 acres of contiguously owned..." This only address the actual parcels which will be mined, not the nearly 2 mile haul road.

The introduction also states "The site is forested, and most of the existing buffers would remain intact."
They are currently doing a large volume of logging and from what I can tell they hold a logging permit for 14 parcels within the 726 acres so this could invalidate their statement "most of the existing buffers would remain intact." Several neighbors have contacted me and complained about the noise from the logging and the early start hours well before 6 am. One of them is a 20 acre parcel away from the logging and she said the noise is extremely loud. Others have reported hearing the loud noise well over a mile away, it stands to reason mining activities will not be any quieter.
The following 7 parcels are listed for logging these are adjacent to private property owners -- P50087, P125640, P125641,P125642, P125646, P125647 & P125623 so how much of a buffer will they leave to mitigate the noise on those parcels...the buffers factored into their noise study. The wording 'most' is vague and should be defined since the Noise & Vibration study were relying on the buffers being intact when they did their study. The other 7 parcels listed to be logged are will also impact the noise buffer levels along the Haul road.

Noise information copied from WAC

(1) No person shall operate any motor vehicle or any combination of such vehicles upon any public highway under any conditions of grade, load, acceleration or deceleration in such a manner as to exceed the maximum permissible sound levels for the category of vehicle in Table I, as measured at a distance of 50 feet (15.2 meters) from the center of the lane of travel within the speed limits specified, under procedures established by the state commission on equipment in chapter 204-56 WAC, "procedures for measuring motor vehicle sound levels."

Below is copied form Department of Ecology.

https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Noise-pollution/Noise-pollution-FAQ-for-citizens

A: Here is a list of common noise levels copied from above link.

- Airport plan take-off - 120dB
- Rock concert - 105dB
- Lawn Mower - 100dB ---
- Blender - 90dB
- Garbage disposal - 80dB
- Traffic noise - 70-80dB
- Vacuum - 70dB
- Office - 60-65dB
- Library - 35dB
- Breathing - 10dB

WAC 173-58-020 Background Sound Level, Means the level of ALL Sounds in a given environment, independent of source being measured. The Code specifically defines property boundary for noise as this- "Property boundary means the surveyed line a ground surface which separates real property". The Ramboll study has R3 marked on their maps and referred to in their incorrectly labeled Maps as a property adjacent to the norther border. On their map the point of noise collection for their data modeled appears to be marked thousands of feet from the adjacent property boundary. They did not document how many feet into adjacent property. It appears it is not measured at the adjacent property boundary, as defined in code 173-58-020 or even at 100 feet within the boundary, which is the proposed buffer. Also, it was a computer model not an actual on-site study as required.

The Ramboll study states they measured noise at three locations representative of residences nearest the proposed mining area and access drive. They described the areas in the report and labeled those areas on a map. These labels are referenced on their tables. Ramboll has not labeled them correctly and therefore how can the information summarized on them be accurate. They are described in Ramboll's written report on page 4 as:

SLM1- onsite near northern property boundary

SLM2 - approximately .3 miles northwest of site along Wildlife Acres Lane

SLM3-near the southern property boundary at the entrance of the mine site, approximately 50 feet from Grip Road

The study and tables are inaccurate because Ramboll's reference to maps and tables are incorrectly labeled.

The Ramboll study has their map on page 6 labeled incorrectly. On the map they submitted:

**SLM2 on their map is located near the southern boundary at the mine entrance- not as referenced in their written description.

**SLM3 on their map it is located near Wildlife Acres - not as referenced in their written description.

These locations are nearly 2 miles apart so this is a significant misrepresentation of data.

How can we rely on the accuracy of this report when they cannot even properly document the noise data from source to receiving properties. Each of their tables relies on statistics from these receiving and source site descriptions. Perhaps the data was also recorded inaccurate from source to receiving properties.

SLM1 on their map looks like it is in the middle of a northern parcel of the proposed Mine parcel and the R3 receiving property site appears to be on private property-Walsh P50099 -thousands of feet from the mine source noise. SCC & WAC states levels must be below 60/50, (day / night) ON at receiving property boundary as describe from WAC 173-58-020 (copied) *"Property boundary" means the surveyed line at ground surface, which separates the real property owned, rented, or leased by one or more persons, from that owned, rented, or leased by one or more other persons, and its vertical extension.*

R3 site on map and used on Table 4 & Table 5 does not represent noise on an adjacent property boundary location as described by SCC 173-58-020 but it appears to be several thousand feet away from Source noise SLM1. This important since it does not represent the level of dBA at receiving property boundary and therefore the Tables are not valid in regards to noise levels on receiving property.

It is also important to note Page 7 4.1 Noise Sources. The study states primary noise would be a front-end loader. It is hard to believe a single front-end loader will be the only equipment in operation in an Industrial Mine excavating 4.2 Million Cubic Yards of sand & gravel covered in vegetation, trees or tree stumps and large rocks and loading it into waiting trucks and trailers. It will most certainly take a more than "a" front-end loader, most likely will take Dozer, Grader, Excavator possibly a Stump Grinder and other construction equipment to clear and excavate the earth. The applicant, CNW - Miles Sand and Gravel seems to have failed to properly inform the Ramboll group of the types of equipment which will be in operation at one time.
The assumption that a single loader will be in operation with 12 trucks waiting is absurd and renders this whole study useless. Unless perhaps CNW wants to put in writing they will only have 1 Front-end Loader operating onsite?
4.2 Noise Model used - on page 7 The steps they used for modeling are also invalid due to the inaccurate Noise Source equipment.
Step (1) characterizing the noise sources -- not accurate - more than just a loader will be operating
Step (2) It would take an expert to know if this step was done accurately and due the mistakes noted on the Ramboll report the County should have an expert review the data and or require an actual onsite study with accurate information.
Step (3) assigning equipment and activity sound levels to appropriate locations on the site. Since they have not used the correct equipment to characterize the noise sources and have the source sites labeled incorrectly the rest of the data would be inaccurate.
It is important to note the study does not even describe the size of front-end loader or Trucks they based the dBA emissions on. The size of front end loader and trucks are crucial pieces of missing information.

Page 7 4.3 Modeling Assumptions page 7.. How many years before the 'walls' of the mine begin to buffer the noises, especially with it being logged?
The report was based on 12 trucks per hour ..... This estimated number of hourly trucks was based on the estimated average number of 8 trucks, with an additional 50% increase to ensure a conservative noise estimate. Since CNW insists on having the ability to run up to 720 that would be 30 trucks per hour not 8. Double if operating 24 hours per day as CNW insists on being allowed to do.

Page 8 : Table 4 -- R3 receiving on this table for the Southern Scenario is Leg/L25, dBA of 43 and for the Northern Scenario it is 36... This is strange because R3 is a location farther from the Southern Scenario noise source than the Northern Scenario noise source, so one would think the dBA would be greater at the Northern Scenario, is this a mistake in recording and summarizing the data or they have perhaps factored in Years of excavation creating more of a sound barrier.. However, the code does not account for future noise levels it is for Present levels.

Page 3 WAC 173-60-050 applies only to noises being exempt between 7AM to 10 PM but the Ramboll study just states The following sources are exempt" This is misleading since CNW is insisting on being allowed to operate unlimited hours.

On the Skagit County Mining Special Use Permit Information form it refers to SCC 14.16.440 Mineral Resource Overlay
On page 1 of 5 the special use permit has a section labeled 'Application Requirements For mining operations special use permit
(not suggestions or guidelines)
Under this section on page 2 of 5 *(3) (c) "An on-site study to determine appropriate mitigation requirements for noise, vibration and dust levels. The study should specify what levels the Applicant deems satisfactory to mitigate off-site disturbances."*

The Ramboll study seems to have collected data from a computer modeling program, not onsite or off-site physical study. There are no specifically described distances included nor specific points on parcels where the data was collected, so we have no idea how many feet from the source the noise level has documented. Ramboll has not assigned an author to the report.

Ramboll study does not address the truck and trailer noise using the haul road so noise impacts on nearby residents is undocumented. It has information about vibration but not on off-site trucking noise levels, the homes along Grip and Prairie are only evaluated for vibration not noise. The study makes no references to Dust, however they did submit a 'Fugitive Dust' paper as part of original application. That report stated no dust would leave the site, which common sense tells us that is not correct.

Not noise related but Mining Special Use form specifically address road requirements as well -On page 2 of 5 (4) - Transportation Analysis: " A review from Skagit County Public Works Department or Washington State Department of Transportation demonstrating that roads or bridges are capable of **sustaining the necessary traffic for the proposed mineral extraction operation, and that the proposed operation meets level-of-service, **safety**, and other standards as outlined in Skagit County Transportation Systems plan, the Skagit County Comprehensive Pan and applicable state and local regulations." Again, these are not suggestions but requirements which must be met before the special use permit can be issued. I would think in order for either Skagit County Public Works or Washington State Department of Transportation to put in writing, for this permit, that these roads meet those requirements those departments would have to accept liability for public safety. It has been clearly documented there are serious road safety issues.
Concrete Nor'West, Miles Sand and Gravel, owned by Lisa, Inc bought this property about a decade ago, the MRO overlay was placed on this area by the government and it was assumed CNW intended to extract the mineral resources via truck and trailer. Since that time neither has proposed improvements or made allowances to ensure our Community will not be adversely impacted by this industrial gravel mine and transportation of their product, except a mitigation of a flashing beacon. The lack of planning and budgeting should not mean the burden of the adverse impacts should fall onto the Community to endure in order for this proposed gravel mine to operate. A project of this size should be required to have an Environmental Impact Study and at least a level II Traffic Analysis and be thoroughly evaluated since its impacts will not be reversible or temporary.

Thank you for your time and the opportunity to share information in regards to PL#16-0097. If you have any questions please contact me.

Sincerely,

Linda Walsh
21710 Prairie Road
Sedro Woolley WA 98284

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Tuesday, March 27, 2018 3:32 PM
To: John Cooper
Subject: FW: PDS Comments

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Tuesday, March 27, 2018 12:25 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Vickie Koran
Address : PO Box 2552
City : Stanwood
State : WA
Zip : 98292
email : jimkoran1@gmail.com
Phone : (360) 724-0473
PermitProposal : PL16-0097 Mining Special Use Permit, Concrete North West Gravel Mine
Comments : March 26, 2018
Hal Hart
Director of Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
RE: Permit #PL16-0097 Mining Special Use Permit, Concrete North West Gravel Mine

Mr. Hart,
As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. In addition, the heavy use of the roads promises unevaluated damage to roadways which is no way addressed, and will create a burden not just to local residents, but to county taxpayers.
The application initiated by CNW/Miles was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application.
- CNW needs to start over again with a clear proposal,
- Skagit County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.
Concrete North West, aka Miles Sand and Gravel, has proposed an open pit Gravel Mine on 68 acres in our Community. It is only thousands of feet from Prairie Road, borders the Samish River on the eastern side-facing Prairie Lane and will be hauling material with 101,500 GVW truck and trailers approximately 2 miles north on a graveled forest road which crosses wetlands.
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CNW has not made it clear if they will be selling to private market and if so of course other routes could used and would also need to be evaluated. They still insist that 30 trucks per hour up to 720 in a day will not have any impact on our Community. CNW also insists they should be allowed to operate unlimited hours. They have

stated this industrial activity will have No Impact on us or our environment. CNW insists the noise and vibrations will have No Impact.
We disagree. We have talked to countless numbers of people in our community and they agree a project of this size and scope needs to have an Environment Impact Statement (EIS) which will include a complete Traffic Analysis. The impacts of this project are not reversible or temporary and therefore thorough evaluations are needed to avoid unnecessary negative impacts.
It is also very concerning that at every proposal made to limit hours of operation, limit days of operation, and total daily loads, CNW refuses to accept anything but unrestricted and unlimited operation in complete denial of every rational proposal and discussion. Instead of progress in these regards, the County position also does not seem to be adjusting in any significant measure from CNW's original proposal, despite promising but tentative suggestions with no follow through.
It is apparent that CNW, Miles Sand & Gravel, has no regard for our safety, well-being or our environment, since they continue to ignore all the facts about our legitimate issues which we have documented for over a year.
We the undersigned are very concerned about CNW's proposed gravel mine near Grip and Prairie Roads. We have been given the opportunity to review documents from the County, CNW, Attorney and Community comments before signing this letter.

From Host Address: 50.34.136.86

Date and time received: 3/27/2018 12:21:17 AM

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Tuesday, March 27, 2018 3:35 PM
To: John Cooper
Subject: FW: PDS Comments

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Tuesday, March 27, 2018 12:00 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : James D Koran
Address : PO Box 2552
City : Stanwood
State : WA
Zip : 98292
email : jimkoran1@gmail.com
Phone : 360-724-0473
PermitProposal : Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine
Comments : March 26, 2018
Hal Hart
Director of Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
RE: Permit #PL16-0097 Mining Special Use Permit, Concrete North West Gravel Mine

Mr. Hart,
As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application.
- CNW needs to start over again with a clear proposal,
- Skagit County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.

Concrete North West, aka Miles Sand and Gravel, has proposed an open pit Gravel Mine on 68 acres in our Community. It is only thousands of feet from Prairie Road, borders the Samish River on the eastern side-facing Prairie Lane and will be hauling material with 101,500 GVW truck and trailers approximately 2 miles north on a graveled forest road which crosses wetlands.

According to paperwork their truck and trailers will then exit the forest road onto Grip Road and in about .7 miles they will enter Prairie Road at the blind corner, pass the left turn at F & S Grade and making a left hand turn onto Old Hwy 99.

CNW has not made it clear if they will be selling to private market and if so of course other routes could used and would also need to be evaluated. They still insist that 30 trucks per hour up to 720 in a day will not have

any impact on our Community. CNW also insists they should be allowed to operate unlimited hours. They have stated this industrial activity will have No Impact on us or our environment. CNW insists the noise and vibrations will have No Impact.

We disagree. We have talked to countless numbers of people in our community and they agree a project of this size and scope needs to have an Environment Impact Statement (EIS) which will include a complete Traffic Analysis. The impacts of this project are not reversible or temporary and therefore thorough evaluations are needed to avoid unnecessary negative impacts.

It is apparent that CNW, Miles Sand & Gravel, has no regard for our safety, well-being or our environment, since they continue to ignore all the facts about our legitimate issues which we have documented for over a year.

We the undersigned are very concerned about CNW's proposed gravel mine near Grip and Prairie Roads. We have been given the opportunity to review documents from the County, CNW, Attorney and Community comments before signing this letter.

From Host Address: 50.34.136.86

Date and time received: 3/26/2018 11:57:38 PM

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Tuesday, March 27, 2018 3:36 PM
To: John Cooper
Subject: FW: PDS Comments

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, March 26, 2018 3:20 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Laurel K Peak
Address : 22841 Nature View Dr
City : Sedro Woolley
State : WA
Zip : 98284
email : laurelpeak@gmail.com
Phone : 2034702710
PermitProposal : Permit #PL16-0097
Comments : Hal Hart

Director of Skagit County Planning & Development Services

1800 Continental Place

Mount Vernon, WA 98273

RE: Permit #PL16-0097 Mining Special Use Permit, Concrete NorlWest Gravel Mine Community Letter

Dear Mr. Hart,

As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application. CNW needs to start over again with a clear proposal, and the County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.

The Environmental Impact Statement is CRITICAL before this projects moves forward in any capacity. The Samish River and watershed needs our protection.

The applicant, Concrete NorlWest, aka Miles Sand and Gravel, has proposed an open pit Gravel Mine on 68 acres in our Community. It is only thousands of feet from Prairie Road, borders the Samish River on the eastern side-facing Prairie Lane and will be hauling material with 101,500 GVW truck and trailers approximately 2 miles north on a graveled forest road which crosses wetlands. According to paperwork their truck and trailers will then exit the forest road onto Grip Road and in about .7 miles they will enter Prairie Road at the blind corners, pass the left turn at F & S Grade and making a left hand turn onto Old Hwy 99.

CNW has not made it clear if they will be selling to private market and if so of course other routes could used and would also need evaluated. They still insist that 30 trucks per hour up to 720 in a day will not have any impact on our Community. CNW also insists they should be allowed to operate unlimited hours. They have stated this industrial activity will have No Impact on us and our environmentl CNW insist the noise and vibrations will have No Impact. We disagree.

We have talked to countless numbers of people in our community and they agree a project of this size and scope needs to have an Environment Impact Statement (EIS) which will include a complete Traffic Analysis. The impacts of this project are not reversible nor temporary and therefore thorough evaluations are needed to avoid unnecessary negative impacts. It is apparent that CNW, Miles Sand & Gravel, has no regard for our safety, well-being or our environment, since they continue to ignore all the facts about our legitimate issues which we have documented for over a year.

We the undersigned are very concerned about CNW's proposed gravel mine near Grip and Prairie Road. We have been given the opportunity to review documents from the County, CNW, Attorney and Community comments before signing this letter. (RE: Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine Community Letter)

THank you,

Laurel Peak

From Host Address: 168.212.64.51

Date and time received: 3/26/2018 3:17:20 PM

CHMELIK SITKIN & DAVIS P.S.
ATTORNEYS AT LAW

Jonathan K. Sitkin
ATTORNEY
e) jsitkin@chmelik.com

April 2, 2018

VIA REGULAR U.S. MAIL & E-MAIL
julien@co.skagit.wa.us

Julie S. Nicoll
Deputy Prosecuting Attorney
Skagit County
Civil Division – Planning & Development Services
605 S. 3rd Street
Mount Vernon, WA 98273-3867

RE: SPECIAL USE PERMIT APPLICATION NO. PL 16-0097 AND PL 16-0098; DEMAND FOR DENIAL OF APPLICATIONS AND WITHDRAW OF THE SEPA MDNS

Dear Ms. Nicoll:

We write to you to again address several issues regarding the County's handling of the Concrete Nor-West ("CNW") proposed gravel mine located near Grip Road (the "Proposed Project"). As we have stated in the past the ***REQUIRED*** course of action for the County to take is to deny the application pursuant to SCC 14.06.105 and require the CNW file a new application. Our client firmly believes when this application is given a hard look as required under the State Environmental Policy Act ("SEPA") the preparation of an Environmental Impact Statement ("EIS") will be determined to be necessary to properly evaluate the probable significant adverse environmental impacts of the Proposed Project.

1. Summary of Prior Correspondence.

Over the course of the last 15 months, we have repeatedly raised concerns regarding the potential adverse environmental impacts of CNW's proposed gravel mine, the failure of the County to meaningfully examine these potential significant adverse impacts as required by SEPA and the County Code, the County's processing of the application and compliance with County and State regulatory requirements, as well as the general lack of transparency with the process. These communications included[1]:

- January 26, 2017: Letter to John Cooper indicating our representation of the group of concerned citizens and requesting notice of any action be sent to our office.
- March 2, 2017: Letter to John Cooper raising the issues with the Proposed Project including, defective notice, potential adverse environmental impacts, and the County's

[1] Communications regarding public record requests are excluded from this list.

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lack of adequate or legally compliant environmental review. Along with raising these issues, we invited representatives from the County and CNW to attend a community meeting to discuss the Proposed Project. [Note: On March 15, 2017, you responded on behalf of Skagit County assuring that a Revised MDNS would be issued for public comment, even though an analysis of new information from the applicant had not yet occurred][2].

- March 31, 2017: Letter to Julie Nicoll regarding a summary of issues discussed at the community meeting.

- July 19, 2017: Letter to Julie Nicoll regarding responses to CNW's May 15th letter to John Cooper, addressing, among other topics, the legal inadequacy of the SEPA MDNS issued by the County, and requesting the County require an EIS.

- July 27, 2017: Letter to Julie Nicoll requesting third-party review of the DN Traffic Consultants' Traffic Study and request for a Level II traffic impact analysis as required by the Skagit County Code ("SCC").

- October 4, 2017: Letter to Julie Nicoll regarding CNW's inadequate response to the County's request for information and County's obligation to deny CNW application pursuant to SCC 14.06.105.

- December 28, 2017: Letter to Julie Nicoll in response to the County's decision to grant CNW an extension to February 25, 2018 to provide additional information in violation of SCC 14.06.105. In that same letter, we requested the County restart the application process, conduct an appropriate environmental review, and provide the statutorily required notice to the public, which was disregarded during the initial application process.

To date, the County has not responded to our October 4th and December 28th letters[3]. The County has not explained its reasoning or provided any legal basis for allowing CNW to continue to supplement its application in violation of SCC 14.06.105. Furthermore, what is particularly troubling about the lack of response from the County is that it remains unclear how the County plans to proceed with new information submitted by CNW. Indeed, your March 15, 2017 communication advising that the County would issue a revised *threshold determination* rather than a revised *MDNS* ***prior to receipt of supplemental information from the applicant*** is an indicator of bias, improper pre-judgment, and a violation of the SEPA procedural requirements and County Code requirements. The County is so far awry of the permit and

[2] In that March 15, 2017 letter you wrote: "After receiving Concrete Nor'West's updated materials, the County will carefully evaluate them and issue a Revised SEPA Determination for public comment. Since certain neighbors were inadvertently excluded from the original notice list Concrete Nor'West prepared, the County will update the list and ensure that proper notice is provided pursuant to Skagit County Code. Subsequently, the Staff Report for the Special Use Permit will be revised and published for public comment and hearing."

[3] Copies of the County's letters to the Applicant were forwarded to our office.

SEPA review procedures set forth in the County Code that it has left the community guessing as to the County's decision making process.

2. Extension granted to CNW was in violation of the Skagit County Code and CNW's supplemental information is not responsive to the County's requests. The appropriate remedy is for the County to deny CNW's Application.

Despite the County allowing CNW more opportunities to supplement their application than is permissible under the County Code, CNW either failed to respond to the County's questions or responded by pointing to its original incomplete and inconsistent materials. The exchange of communications between the County and CNW demonstrating CNWs inadequate and incomplete responses is outlined in brief below.

- March 14, 2017: The County's first request for more information from CNW, less than three months after the notice of application. The County's letter indicated that hours of operation would be limited to 7:00 AM – 5:00 PM Monday – Friday and that truck trips would be limited to 46 per day, consistent with the analysis from CNW's Preliminary Traffic Information Plan submitted March 2, 2016. In addition, the County requested CNW provide:
    - A professional archaeological survey for the project area confirming that mining activities would not disturb archaeological resources;
    - A plan demonstrating proposed improvements to the roads accessing the mines in order to meet the Private Road requirements in the Skagit County Road Standards and County Code. In addition, the County requested confirmation that the bridge over Swede Creek is rated HS-25 and in the event improvements are needed to the bridge, that CNW provide additional information confirming compliance with critical area regulations;
    - Verification of whether a fuel storage tank will be placed onsite or if a mobile fuel system will be used and provide a plan to contain and prevent hazardous material spills;
    - Verification of whether processing or screening will occur on-site;
    - Update of the wildlife/wetland site assessment to address 300 foot critical area buffer and a full review of the Endangered Species Act (ESA)-listed species; and
    - General request to update its materials to address the "numerous factual discrepancies in your Application, Project Description, SEPA Checklist, Traffic Study, and Fish & Wildlife Site Assessment."
- May 15, 2017: CNW responded to the County's March 14th letter indicating that it objected to the hour limits and truck trip limits proposed by the County. Along with this objection, CNW presented an Addendum to Traffic Analysis requesting a limit of ***720***

truck trips per day (more than *15 times the figures from its Preliminary Traffic Information Plan*). In response to the County's requests for information:

- CNW provided a cultural resource assessment;[4]
- While CNW provided confirmation that the Swede Creek bridge is rated HS-25, it otherwise failed to provide the information requested by the County regarding compliance with the Skagit County Road Standards;
- CNW indicated that fuel would be stored onsite, but did not provide a plan to contain or prevent spills;
- CNW verified that screening and processing of materials are not proposed in this application (but did not foreclose on adding those activities in a future application); and
- While CNW provided an Addendum to its Fish & Wildlife Site Assessment, it did not update its materials to reflect the 300 foot buffer as requested by the County.

- July 6, 2017: The County indicated that CNW's response and application materials remain incomplete. In addition, the County noted the significant increase in the number of truck trips provided in the Addendum to the Traffic Analysis. Based on the incomplete responses and new information revealed by CNW May 2017 materials, the County provided yet another opportunity for CNW to supplement its application, rather than deny the application as required by the County Code. Instead of requiring a new application, the County requested that CNW provide *an amended application.* In addition, the County request the following:
  - Evidence to support that CNW's **unlimited hours of operation** as proposed would not create significant adverse environmental impacts and be consistent with the criteria set forth in SCC 14.16.900(1)(b)(v)[5];

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[4] Note, despite CNW noting in its letter that this report concluding that "no cultural resources were identified during the survey", this report has still not been produced or made available to the public based on the County's claim of exemption under RCW 42.56.300. However, as indicated by our June 20, 2017 letter, the County's claim of exemption may not apply, and in any event, the exemption was not accompanied by an exemption log identifying the records withheld in violation of the Public Records Act.

[5] SCC 14.16.900(1)(b)(v)(A)-(I) require applicants provide proof sufficient to demonstrate the projects (A) compatibility with existing and planned land uses and the Comprehensive Plan, (B) compliance with the Skagit County Code, (C) that the proposed project will not create undue noise, odor, heat, vibration, air and water pollution impacts based on the performance standards in SCC 14.16.840, (D) that the proposed use will not generate intrusion on the privacy of surrounding uses, (E) that the proposed use will not cause potential adverse effects on public health, safety, or welfare, (F) that impacts on long-term natural resource management and production will be minimized, (G) that the use will not conflict with health and safety of the community, (H) that adequate public facilities or services will not be adversely affected, and (I) that the proposed use will maintain the character, landscape and lifestyle of the rural area including consideration of cumulative impacts.

- A noise and vibration study;
- An amended application to ensure compliance with the County Road Standards as requested by the County in its March 14th letter;
- A copy of the site-specific spill control plan as requested by the County in its March 14th letter;
- An amended application indicating plans for a 300-foot buffer from the gravel mining operation to the wetlands as requested by the County in its March 14th letter; and
- An amended application resolving numerous factual discrepancies in CNW's application, again, which was previously requested in the County's March 14th letter.

- September 20, 2017: CNW responded to the County's July 6th letter by pointing to its prior submission rather than providing supplemental information. The only responsive materials produced was "an example" environmental protection plan, but not one specific to the concerns created at the Proposed Project site.

- October 24, 2017: The County responded to CNW's September 20th letter indicating that CNW's application is still incomplete and that failure to submit the requested information by November 3, 2017 would result in the County denying the application. The County again allowed more time to allow CNW to respond, rather than deny CNW's application as required by the County Code.

- November 21, 2017: CNW submits a letter to the County confirming that the County granted CNW an extension to provide materials to February 25, 2018. This extension was granted without explanation by the County and despite its lack of response to our October 4th letter.

- February 23, 2018: CNW's most recent response again failed to adequately respond to the County's requests. Several matters required by the County remained unaddressed, including:
  - The County's repeated requests for CNW to update its application materials to show how its Proposed Project meets the Skagit County Road Standards, and if improvement are required, to demonstrate how those improvements comply with critical area regulations. CNW's February 23rd response merely indicates that CNW disagrees with the County defining the haul road as a "Private Road" and offers no supplemental information. Further, CNW's indication that it will agree to an Emergency Vehicle Access Road as a condition of permit approval does not address the County's request to provide information to show the existing Private Roads will comply with the County Road Standards; and

- The County's request that CNW update its application to indicate a 300-foot buffer from the edge of the wetlands to the gravel mining operations. CNW did submit a letter from Graham-Bunting Associates ("GBA") from May 18, 2015, which was inexplicitly not previously included in the record although claimed to be submitted by CNW to the County in June 2016. The after the fact submission did not address the County's request and again is an example of a failure of fundamental public disclosure requirements as members of the public only first had access to this GBA letter 14 months after the notice of application.

The above list is only a list of the County's issues with CNW's application, it is not an exhaustive list of the omissions and inadequacies of CNW's application materials which our clients would raise to the Hearing Examiner if the County choses to proceed with the present application in violation of the County Code.

The County has continually evidenced deliberate indifference to its own code and procedures. These actions are a violation of our client's procedural due process rights. These actions by the County serve to deprive our clients of their constitutional rights in violation of Section 1983 of the Civil Rights Act.

While the extension should not have been granted by the County in the first place, even if the County considers CNW's February 23rd responses, CNW still failed to respond to the County's requests and therefore CNW's application must be denied at this time.

3. A new SEPA Threshold Determination is required.

Not only does the County Code require that the application be dismissed for the failure and refusal of CNW to timely provide the requested information, the SEPA Rules require the lead agency withdraw the MDNS when the submission of new information warrants additional analysis or when a MDNS was procured by misrepresentation or lack of material disclosure -- as is the case here. WAC 197-11-340(3)(a)(ii) and (iii). More than a year ago, we indicated in a letter to Mr. Cooper at the County Planning and Development Department, that the initial MDNS was issued in violation of the fundamental disclosure and notice requirements of SEPA and in violation of our clients' procedural due process rights.[6]

A new threshold determination is required here based on contradicting information presented by CNW throughout the application process and based on the submission of new materials which warrants additional analysis. Therefore, the County should withdraw the MDNS, and issue a new threshold determination. Our clients believe that should be a determination of significance necessitating that an EIS be prepared to appropriately examine the Proposal with clarity, accuracy, and transparency with the purpose of identifying the probable significant adverse environmental impacts resulting from the project.

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[6] *See* March 2, 2017 Letter from J. Sitkin to J. Cooper regarding Special Use Permit Application No. PL 16-0097.

4. The significant probable adverse environmental impacts of the Proposed Project necessitates a determination of significance and preparation of an EIS.

Each time the County received additional information from CNW, inconsistencies in responses become more evident and new environmental impacts are identified necessitating an EIS. The most recent submission from CNW on February 23, 2018 is no exception. The issues with CNW's that have been identified thus far are summarized below.

- Critical Areas: CNW's February 2018 response failed to address the County's July 6, 2017 request for CNW to update its application to provide for a 300-foot buffer from the edge of the wetlands to the gravel mining operations. The County appropriately recognized that this is a high intensity project and requested an updated application to reflect the appropriate buffers. As pointed out in Jim Wiggins[7] March 4, 2018 comment letter, no site plan has been prepared by CNW that identifies the location of the proposed mine in relation to critical areas. Without this information, the County and community are unable to accurately assess the Proposed Project's compliance critical area buffer requirements. A site plan prepared by a Professional Land Surveyor indicating the slope, location of the Ordinary High Water Mark of the adjacent streams and wetlands, location of any riverine wetlands, the 300-foot buffer and the 200-foot shoreline jurisdiction, and the location of the proposed mine in each of its stages is a necessary start for appropriately evaluating the probable significant adverse environmental impacts. This level of detail is warranted for a project of this scale, is a necessary part of project and environmental review, and surely would be a component of an EIS.

- Water Table Issues: It is unclear from CNW's application materials how the mining activities will remain ten (10) feet above the water table. CNW should provide performance standards to monitor ground water elevation prior to the removal of gravel and include a mitigation plan remediate the mine elevation if the bottom of the mine is closer to the 10-foot water table.

- Noise and Vibration: The Ramboll Grip Road Mine Noise and Vibration Study provided by CNW (the "Noise Study") has several inaccuracies, which seriously calls in to question the adequacy of the Noise Study. Some of the Noise Study's errors on which the findings of the study are based include[8]:

    - Page 1 – the Introduction states the proposed gravel mine would be located in the middle of the 726-acre property. This is not accurate as three of the four borders are not contained within the 726 acres. However, defining the project area as 72 acres suggests CNW's long term intent to extract gravel from an area beyond the current application.

[7] Mr. Wiggins is a professional biologist by trade, and a concerned neighbor.
[8] These issues were identified by a desktop review by a non-noise expert. Likely, if this report is scrutinized by an impartial noise expert more issues of concern could be revealed.

- Page 1 – the Introduction states that the site is forested and most of the existing buffers would remain intact. If by buffers, Ramboll is referring to the trees, then the CNW must not have indicated that it is actively removing the trees comprising that buffer under its forestry permit. And, indicates Ramboll may not have even visited the site, suggesting the noise study is nothing more than a desktop evaluation. Furthermore, the study failed to consider the cumulative impacts of the noise generated from the existing logging occurring onsite along with the added noise and vibrations from the proposed mining activity. Based on the forgoing, the noise study apparently did not consider the absence of the tree buffer in regards to noise impacts.

- Page 7 – the Noise Analysis states that the noise sources would include a single front-end loader and the trucks removing pit-run from the mine.[9] This analysis did not include the equipment for clearing the forest or excavating the mine such as stump grinders, dozers, and graders. Notably, the report failed to not indicate the size or quantities of the equipment which will be used onsite, a critical element of any noise study.

- Page 7 – the equipment referenced in the Noise Analysis is inconsistent with and omitted several pieces of equipment that CNW indicated would be used onsite in its Amended Special Use Permit Form, Item 12. There CNW stated that, "standard mining equipment such as front-end loader, dozer and excavator will be used", while the Amended Sand and Gravel General Permit, Item 2 that, "equipment on site typically includes: Front End Loader(s), Dump Trucks, Excavator(s), and other miscellaneous mining equipment." The Noise Analysis does not address dozers, excavators, or miscellaneous mining equipment, all of which would generate noise and vibration in addition to what was considered by Ramboll.

- Traffic: The Proposed Project requires a Level 2 Traffic Study. As was described in Brian Bowser's letter dated January 7, 2018, the Proposed Project causes significant traffic impacts and safety concerns, including vehicle, pedestrian, non-motorized vehicle safety concerns, such as site distance issues, all of which necessitate a Level 2 Analysis. *See* County Road Standards 4.02.B.6. Moreover, CNW's traffic consultant indicated in its reports that "additional traffic analysis will be required", yet to date that analysis has not occurred.

  The County's third party independent review from Gibson Traffic Consultants may likely reveal additional areas of concern not fully addressed by CNW's traffic consultants which would require further review pursuant to the County Road Standards. If the County requires an EIS as it should here, that alone would trigger the need for a Level 2 Traffic Study. *See* County Road Standards 4.02.B.4.

[9] Noise and Vibration Study page 7, Section 4.1.

CNW's inconsistent responses about traffic impacts indicates its intent to expand the scope of the project after approval, which would result in improper segmenting and a piecemealed review. In CNW's May 15, 2017 response letter to the County's inquiries about traffic impacts and road standards, CNW objected to a condition limiting the daily truck trips to 46 trips because "there are certainly days where this [limit of 46 trips] would be exceeded." CNW objected to the 46-trip limit even though that was the number CNW's traffic consultant used to demonstrate concurrency and show that the Proposed Project would not negatively impact the level of service. Rather than the 46-trip daily limit, CNW submitted a revised traffic memorandum from DN Traffic Consultants suggesting a daily limit of 720 truck trips per day. These figures mind you, do not account for any other non-truck trips for employees or other persons' accessing the site. There is also an open ended question of sales of material from the site that will generate independent truck trips to and from the site.

As you know, our clients held a community meeting. During this meeting, which was attended by the prior director of the Planning Department and two of the County Commissioners, Brian Bowser presented a detailed power point addressing the traffic impacts of the Proposed Project on the community and surrounding County roads. Since that time, the County has retained a new Planning Director. Mr. Bowser is available to meet with Hal Hart and Ryan Walters to review the traffic impact power point that was presented to the community. We can facilitate arranging this meeting, or Hal can contact Brian directly to review this power point and related information concerning the traffic impacts of the Proposed Project.

- Piecemeal Review and Hours of Operation: Throughout the review process, CNW has refused to provide definitive answers to straight forward questions. The County must not ignore the resulting vague project scope of the project that implicitly reserves to CNW the ability to pursue broader development actions within the MRO at a later date without comprehensive environmental review. For example, CNW on the one hand updated its application to include that hours of operation will be 7:00 AM to 5:00 PM but continues to include in its amended application that "hours of operation may be unlimited."[10] CNW insistency on allowing unlimited hours of operation suggests its intent to conduct future expansion. Future expansion would amount to an improper segmenting of the project. SEPA requires the County consider the full scope of the project and future environmental impacts resulting from its actions.

  These inconsistency and material non-disclosure results in a piecemeal environmental review in violation of WAC 197-11-060(3)(b). When an applicant does not have a specific proposal to develop the land in question the County "cannot close its eyes to the ultimate probable environmental consequences of its current action."[11] Even if the Proposed Project were to be limited to the minimum hours of 12 hours a day, 5-days per week, this level of activity, including but not limited to truck trips, noise and other

[10] Dan Cox Letter dated February 23, 2018, page 1, item 1 and Amended Special Use Permit Application, page 8, item 2.
[11] *Cheney v. City of Mountlake Terrace*, 87 Wn.2d 338, 334, 553 P.2d 184 (1976).

impacts, would cause probable significant adverse environmental impacts which must be examined and disclosed to the public through the preparation of an EIS.

5. The Proposed Project lacks consistency with the Skagit County Comprehensive Plan.

A project of this magnitude implicates several goals and policies within the Comprehensive Plan. While we did not address all the goals and policies that are violated or compromised here, we do note the significant traffic impacts of the Proposed Project. There is no plan for mitigation of these traffic impacts, which demonstrates the Proposed Project's lack of consistency with the Comprehensive Plan. Applicable provisions include:

- Goal 8A-10 requires the County provide a safe travel environment for county residents and visitors in all modes of transportation. Policy 8A-10.1 makes safety improvements a priority in all capital projects and maintenance decisions related to the County road system.
    - Neither of the traffic studies submitted by CNW analyze the potential for accidents on the roads impacted by the Proposed Project. Given the added truck traffic, narrow roadways, limited shoulders and pass lanes, and sight issues, the Proposed Project likely will result in significant increase in accidents, and an increased likelihood of significant injury or death without significant updates to the roads prior to operation of the Proposed Project.
- Goal 8A-13 requires the County incorporate transportation goals, policies, and strategies into all County land use decisions. Policy 8A-13.1 requires that growth and development ensure the short- and long-term public costs and benefits of needed transportation facilities be addressed concurrently with the associated development impacts.
    - Here, necessary improvements to mitigate the Proposed Project's impacts to the community and impacted County roads are not proposed or accounted for with the Proposed Project to address its traffic impacts.
- Concurrency Goal 8A-14 requires the County ensure that suitable mitigation measures address the impacts of growth fairly and equitably, and that transportation impacts at the project and system levels are mitigated concurrently with the project. Policy 8A-14.5 provides that mitigation measures can be incorporated through assessment of suitable mitigation fees where the development significantly adds to the road's need for capacity improvement, to a roadway safety problem, or to the deterioration of the roadway.
    - Even with the limited information provided by CNW, the Proposed Project will significantly increase trips on County roads, impact road and community safety, and increase road maintenance demands due to damage created by heavy trucks loaded with gravel.

Again, without the detail of a Level 2 Traffic Analysis, it will be difficult to assess the Proposed Project's impacts and ascertain appropriate mitigation measures to address the traffic impacts.

We urge the County to follow its Code and deny the application as it should have initially after CNW's failure to produce the additional information pursuant to the time allotted by SCC 14.06.105. In addition, the inconsistent information provided by CNW and new information submitted after the MDNS was issued in May 2016 requires the County to withdraw the MDNS and restart the environmental review. Our clients believe that the Propose Project requires a determination of significance and the preparation of an EIS. Based on the above, the County must require CNW to restart the application process, including the appropriate environmental review and provide for the appropriate public comment period following proper notice.

Thank you for your consideration.

Sincerely,

CHMELIK SITKIN & DAVIS P.S.



Jonathan K. Sitkin
Timothy D. Schermetzler

JKS/TDS/
Encl.
cc: Client
John Cooper, Skagit County Planning & Development (hard copy only)
Hal Hart (via email)
Ryan Walters (via email)



March 21, 2018

Commissioner Ron Wessen, District 1

Commissioner Ken Dahlstedt, District 2

Commissioner Lisa Janicki, District 3

This letter is in reference to the Quaker Cove Rezone (QC) application P17-0414

I have lived adjacent to the QC for 30 years. I have become friends with the Quakers. The Quakers have always been sensitive to the neighborhood. They did not want to exceed the concessions made by the Rural Intermediate (RI) neighborhood.

Ernie Ostrine and his wife, prior QC presidents, were very careful in establishing neighborhood relationships. They cared for the surrounding environment and habitat for eagles, herons, owls and birds. Their retreats were only 3 to 4 times a year. The number of participants was around 50.

They started refurbishing the buildings in 2005 and completed in 2010. This was because the property had been abandoned from 1970 to 2005 due to the gas shortage of the 1970's and the financial scandal they had experienced. As far as 2005, the property looked like a storage facility for construction materials and debris. Lack of activity resulted in the first abandonment of their non-conforming Land Use designation.

At the end of the year 2009, after having a Church Service at the Green cabin, A representative of the Newberg Quakers delivered a message indicating that there could not be any Church Services at the QC any longer. The group could meet elsewhere. From a Land Use point of view, this is the second abandonment of the non-conforming use.

Between the years 2016 and 2017, the new QC Directors proceeded to change the small Church into a commercial venue exceeding the limitations established between 1987 and 2005 and then 2005 and 2009. This change in direction is considered a change in Land Use designation from Family Church Retreat to a daily commercial venue without County approval. From a Land Use point of view, this is considered the third abandonment of the non-conforming status of the Land Use designation.

When the major Land Use designation came around the year 2000, the existing buildings, cabins and chapel define the non-conforming use of the property for Land Use purposes including the occupant load. Even as far as the year 2008, the number of retreats at the QC was limited to 3 or 4 as indicated in the enclosed flyer. It is interesting to note that the flyer describes participation being dependent on the behavior, disruption to camp and endangerment to others. This indicated there were established rules of conduct reflecting sensitivity to the neighborhood.

Sensitivity to the surrounding areas can be measured in terms of the disturbance/disruption factor (DDF). It depends on the length of time of occurrence, frequency and noise level.

You will find a method of calculating the disturbance/disruption factor for the QC comparing noise level for the years 2000-2008 to the year 2016 as a separate enclosure.

The New QC Directors have operated the premises between the years 2016-2017 at the level of a commercial venue without County approval. The disturbance/disruption factor has increased 104 times. The sensitivity to the surrounding environment reduced to 1%. The non-conforming land use designation is questionable because the use has been abandoned once for 35 years and then for another seven years from 2009 to 2016 by instruction.

The most important assets cherished by the Gibralter Road neighborhood and vicinity are: safety, peace, quiet and harmony with the environment. It is to this end that they have invested their energies, hard earned money and stability. The Quakers understood the balance. We do not want to think that the trust that we had with them will be broken by someone else's actions.

We have been congratulated for having helped and supported the Quakers' enterprise for 30 years. We do not want to stop now. The QC Rezone would create problems for South Fidalgo Island and the residential neighborhood of Gibralter because of incompatibility. Hopefully the County's Code amendment approach to making improvements would accommodate the Quaker Cove needs as well as the neighborhood values.

Your attention to this matter will be appreciated.

Sincerely,

Art Fournier

Robyn Fournier

14785 Gibralter Rd.

Anacortes

Enclosures

Name _____

Address _____

_____

Phone _____ Alternate _____

E-mail address _____

Grade next fall _____ Birthdate _____

Home Church _____

Parent/Guardian _____

Emergency Contact _____

Please list "special needs" _____

_____

Allergies, Medication _____

Last Tetanus Shot _____

Special Diet _____

Activity Restrictions _____

Medical Insurance Co _____

Insurance Policy # _____

In case of illness or injury, after every reasonable effort has been made to contact the parent or guardian, I hereby authorize a Quaker Cove Staff Member to sign in my stead for necessary medical treatment.

Parent/Guardian Signature _____

I understand that my participation in Camp is dependent on my behavior. If my behavior becomes an issue, if I cause a disruption to camp, or endanger my life or others, I understand that the Camp Director has the ability to send me home at my parents expense and inconvenience. I agree to follow all rules and direction from staff. I also understand that if I am dismissed from camp I must have the director's permission to return another year.

Camper Signature _____

Mail check for $25 made out to the *Puget Sound Camp Board*:

☐ **Youth Camp**
East Hill Friends Church
22600 116th Ave SE
Kent, WA 98031

☐ **Kid's Camp**
Mrs. Gerry Sugden
37608 43rd Ave S
Auburn, WA 98001

007015

2008 Quaker Cove Youth Registration

Quaker Cove Camp
14964 Gibraltar Rd
Anacortes, WA

During Camp :
(360) 293-8504

- Take I-5 North to exit 230.
- Go west on Highway 20 for 13 miles.
- Turn left at West Highway 20—to Oak Harbor, Port Townsend Ferry.
- Go 1/3 mile and turn left on Gibralter Rd.
- Go 1.7 miles and turn right at the Quaker Cove Retreat sign.

Camp McCullough
20665 SE 264th St
Covington, WA

(425) 432-9470

- Take highway 167 to Kent, WA
- Go east on highway 516
- Turn left onto 204th Ave SE
- Turn right onto 264th St
- Camp is at 20665 SE 264th St

Puget Sound Friends Camps 2008

Women's Retreat
April 18-20
Camp McCullough
Covington, WA

~

Family Camp
May 23-26
Quaker Cove Camp
Anacortes, WA

~

Work Camp
June 27-29
Quaker Cove Camp
Anacortes, WA

~

Youth Camp
August 10-15
Quaker Cove Camp
Anacortes, WA

~

Kid's Camp
August 10-15
Quaker Cove Camp
Anacortes, WA



EXHIBIT NO. 1

EXHIBIT NO. 2

CALCULATIONS FOR DISTURBANCE/DISRUPTION FACTOR = DDF

DDF= length of time x frequency x noise level

Non-conforming DDF around years 2000-2008

Years 2000/2008 noise level = 1

Year 2008 DDF= 3 weeks/year x 7 days/week x 2 times/day x 1

Year 2008 DDF=42/year

(NEW) Non-conforming DDF around 2017

Year 2017 noise level = 8

Year 2017 DDF = 26 weeks/year x 7 days/week x 3 times/day x 8

Year 2017 DDF = 4368/year

The new venues brought by the New Directors at the Quaker Cove have multiplied the number of activity days in a six month period of time and the number of shifts in a day.

The new disturbance/disruption factor has increased by 104 times = 4368/42.

The sensitivity level to the surrounding areas has decreased to 1% = 1/104. This indicates that the sensitivity level is almost zero.

John Cooper

From: PDS comments
Sent: Tuesday, April 3, 2018 10:02 AM
To: Hal Hart
Cc: Julie S. Nicoll; John Cooper
Subject: FW: Objection to gravel pit on Grip Road

FYI...another one from PDS comments

Sincerely,

Kathy Jewell
Administrative Coordinator
Skagit County Planning and Development Services
direct: 360-416-1338
www.skagitcounty.net/planning

From: Patricia Groda <tgroda@msn.com>
Sent: Friday, March 23, 2018 8:29 AM
To: PDS comments <pdscomments@co.skagit.wa.us>
Subject: Objection to gravel pit on Grip Road

March 17, 2018

Hal Hart
Director of Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
RE: Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine Community Letter
Dear Mr. Hart,
As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application. CNW needs to start over again with a clear proposal, and the County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.
The applicant, Concrete Nor'West, aka Miles Sand and Gravel, has proposed an open pit Gravel Mine on 68 acres in our Community. It is only thousands of feet from Prairie Road, borders the Samish River on the eastern side-facing Prairie Lane and will be hauling material with 101,500 GVW truck and trailers approximately 2 miles north on a graveled forest road which crosses wetlands. According to paperwork their truck and trailers will then exit the forest road onto Grip Road and in about .7 miles they will enter Prairie Road at the blind corners, pass the left turn at F & S Grade and making a left hand turn onto Old Hwy 99. CNW has not made it clear if they will be selling to private market and if so of course other routes could used and would also need evaluated. They still insist that 30 trucks per hour up to 720 in a day will not have any impact on our Community. CNW also insists they should be allowed to operate unlimited hours. They have

stated this industrial activity will have No Impact on us and our environmentl CNW insist the noise and vibrations will have No Impact. We disagree.

We have talked to countless numbers of people in our community and they agree a project of this size and scope needs to have an Environment Impact Statement (EIS) which will include a complete Traffic Analysis. The impacts of this project are not reversible nor temporary and therefore thorough evaluations are needed to avoid unnecessary negative impacts. It is apparent that CNW, Miles Sand & Gravel, has no regard for our safety, well-being or our environment, since they continue to ignore all the facts about our legitimate issues which we have documented for over a year.

We the undersigned are very concerned about CNW's proposed gravel mine near Grip and Prairie Road. We have been given the opportunity to review documents from the County, CNW, Attorney and Community comments before signing this letter. (RE: Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine Community Letter)

Siincerely,

Trish Groda
6386 Lillian Lane
Sedro Woolley, Wa 98284

John Cooper

From: PDS comments
Sent: Tuesday, April 3, 2018 10:02 AM
To: Hal Hart
Cc: Julie S. Nicoll; John Cooper
Subject: FW:

FYI...this came into the PDS comments email.

Sincerely,

Kathy Jewell
Administrative Coordinator
Skagit County Planning and Development Services
direct: 360-416-1338
www.skagitcounty.net/planning

From: David Miller <davidmiller8080@icloud.com>
Sent: Saturday, March 24, 2018 5:43 AM
To: PDS comments <pdscomments@co.skagit.wa.us>
Subject:

March 17, 2018

Hal Hart
Director of Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine Community Letter

Dear Mr. Hart,
As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application. CNW needs to start over again with a clear proposal, and the County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.

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See attached signatures
Sent from my iPhone

October 2, 2018

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

Re: Proposed gravel mine / Miles Sand and Gravel 9/20/17 response to County (PL16-0097)

Dear Mr. Hart,

We are writing regarding the current status of the application from Miles Sand and Gravel (Miles) for a Mining Special Use Permit (MSUP) (PL16-0097). As you are aware, Planning and Development Services (PDS) denied this application on April 5, 2018, and Miles subsequently appealed the denial on April 16, 2018. Since then, it is our understanding that settlement discussions were held between the PDS and Miles. Initially those discussions were supposed to be completed by August 14, 2018, but on that date the deadline was extended to September 17, 2018. We were not privy to the settlement discussions between the parties, and there has been no written documentation provided to the public regarding these discussions. We have simply been provided with the "revised application materials" that Miles submitted on September 17, 2018, and were told that the PDS is reviewing these materials to "determine what course of action to take". At this juncture, we wish to raise a number of concerns regarding both the course this application has taken and substance of the recent submittal from Miles.

Has the settlement period just been one more improper application extension? We do not see how the submittal of these revised application materials resolves the many issues that resulted in the denial of the application back in April. The application was denied, among other reasons, because Miles failed to submit information that had been requested by PDS over a year ago. The denial came after several hard deadlines had passed without Miles responding appropriately, including a deadline set by the former planning director that constituted a verbal application extension in violation of County Code. All of this is documented in our previous comment letters. Now it appears that this latest four-month settlement period may have been just one more way for Miles to get even more time, while simultaneously (and conveniently for them) shutting the public completely out of the process. Even if the additional materials comprised a substantively complete application, which they do not, this does not seem like a fair way to conduct the application process.

Absence of transparency and documentation. We are disappointed with the lack of transparency and documentation that has accompanied this settlement process. There has been effectively a four month black-out period during which the public has been told nothing. Throughout this period, we repeatedly asked for clarification about what was happening with the public process. We were told that a report on the settlement would be forthcoming, but two weeks after the settlement deadline, we still have not received either a report or an explanation. Despite repeated polite inquiries, we have no idea what is going to transpire from this point forward. We feel we have been respectful and patient -- the result, we now fear, is that our concerns have once again been ignored.

In addition, these revised application materials have been given to us without any documentation from PDS as to what was requested of Miles during the settlement discussions. Therefore, there is no way for us to determine if Miles provided what was requested of them, and we have no way of knowing if PDS took into consideration the community's concerns during the settlement discussions. Certainly many of the things that we have been asking for are not included in these materials, but we have been unsuccessful in our attempts to intervene, or even to get an audience with PDS staff. If all the "settlement" consisted of was PDS requesting additional information, why was it necessary to keep the public in the dark for four months under the cover of attorney/client privilege? This is just further eroding any confidence the community might have had in PDS. Finally, if there is, in fact, no written record of the items requested from Miles by PDS, then it shows once again a disturbing pattern evident throughout this drawn out application process. This is a pattern of little or no documentation and vague statements from PDS instead of clear requirements. We feel this has allowed Miles to define their own terms.

The applicant is still referring to the original invalid MDNS as if it has merit. This lack of clarity is most obvious is in the fact that Miles is still referring to the flawed Mitigated Determination of Non-Significance (MDNS) that was issued in 2016, even in their recently submitted updated narrative ("Concrete Nor'West Grip Road Special Use Narrative" dated August 2, 2018). The MDNS was invalidated by procedural and substantive errors long ago. We have repeatedly pointed this out, yet somehow the MDNS has never been formally withdrawn. Instead, after acknowledging the serious error that infected both the SEPA and MSUP process from the very beginning, PDS then provided vague language about issuing a "revised MDNS" at a future date; this has enabled the applicant to repeatedly argue that the original staff report/findings and MDNS conditions still somehow apply.

We repeat, yet again, that proper notice was not issued in 2016, and many affected landowners, who were legally entitled to notice, did not have an opportunity to comment, let alone appeal that MDNS. Hundreds of comments poured in from the community after notice was issued to all required neighboring landowners. These comments contained significant new information that PDS had not taken into consideration, information that should have been considered prior to a SEPA threshold determination. Yet somehow the applicant feels justified in ignoring all of these very legitimate concerns and PDS seems to continue to side-step these issues.

There have been other serious and unacknowledged consequences of this. We believe that PDS' failure to withdraw the MDNS allowed Miles to apply for and receive a Class IV-General Forest Practices Activity (FPA) permit from the DNR in order to log its proposed mine site as part of converting it from forestry to mining use. This then led to the justification for the major road work Miles conducted this summer on their private haul road, as discussed below.

Private haul road improvements under pretext of forest practices. During this last four-month period while the application was technically denied and the denial under appeal, Miles was busy building their two-mile long haul road to the mine site without any County regulatory oversight. Miles claimed repeatedly that no improvements to the existing forest roads were necessary for their mining project. In May of 2017 in correspondence with the PDS, they stated "the Forest Road standards and existing roadway

are sufficient and all that is necessary to transport the mine materials to the County Road and provide for adequate emergency response." This was their justification for not including the internal road work as part of the MSUP application. Yet the road received a major rebuild this summer -- it has been widened, graded and many tons of new fine, crushed gravel spread and compacted. When we inquired to PDS about this last summer, we were provided with an email forwarded from Miles' attorney stating that they were conducting "routine maintenance" of their forest roads. This is patently absurd. The only road on their 700 acre property that has received said "maintenance" is the one from the Grip Road entrance to the mine site. This is not a road designed for forest management. When we contacted WA State Department of Natural Resources, we were told that that no permits for forest road maintenance are required under State Forest Practice Rules, and that the County has jurisdiction over conversions, so if we have concerns we should talk with the County about it. PDS completely ignored our letter of complaint about the road work. This work should not have been done until Miles had an approved MSUP, and should have been subject to Critical Areas review. Instead the applicant has used loopholes in the Forest Practice Rules, along with a FPA permit enabled by an invalid MDNS, to build the road without answering to concerns about environmental impacts associated with conversion of the road to heavy industrial use. The County should have asserted its authority to regulate the conversion, stopped the work, and required Miles to follow County regulations. Now, in a fait accompli, Miles has submitted a "Private Internal Road As Built" survey in their updated application materials. This drawing shows a new widened, compacted graded road that is ready to handle hundreds of gravel trucks a day, all accomplished during the period of the "settlement talks". To say the least, this too has further eroded the public's confidence in the fairness of this process.

Revised application materials are inadequate. We have reviewed the revised application materials submitted on September 17th. We will refrain from a point by point critique at this time, but we find the package astonishingly inadequate. Simply put, there is nothing very new about these materials. In the "Revised Grip Road Special Use Narrative" very little of consequence has changed from CNW's original application from 2016. CNW has not even bothered to submit a new MSUP application form, despite the inaccuracies and misstatements included in the original submitted on March, 2016. The revised Narrative still contains most of the wording from the original submission. The applicant once again refers to the County's determination, issued March 22, 2016, that the application is "complete". Subsequent events, submissions, and lack thereof have clearly made that determination legally void, so this statement is, at best, misleading.

There is still no Traffic Impact Analysis. Most notably, we have repeatedly asked for a full Level 2 Traffic Impact Analysis as is required by County Code. The road and traffic safety concerns have been very well documented in previous comment letters. Not only has this traffic study not been provided, but Miles is still referencing the same completely outdated and inadequate DN Traffic Consultants "Traffic Report", which is actually a memo with the subject "Preliminary Traffic Information" (emphasis ours), dated November 30, 2016, and an update to the same dated April 24, 2017. After more than two years into this process, how can it be that this basic element of the application has still not been addressed? There is no new information in the revised Narrative about the volume of truck traffic expected. The applicant states that the number of truck trips per day will be based on market demand and that it is described in the DN Traffic Consultants "Traffic Report". By way of reminder, this memo identifies no clear maximum number of truck trips per hour or per day. The consultant says in his update that a "suggested" limit would be 60

trips per hour, but that there could be up to 110 trips per hour without violating county Level of Service (LOS) requirements. As we have been saying for two years, the notion that this volume of gravel truck traffic on these roads would not pose a serious safety hazard is ludicrous.

The new narrative proposes only one traffic safety mitigation measure: the installation of a flashing yellow warning light at the Grip/Prairie Road intersection. This is not new and it is entirely inadequate. This intersection was identified by the consultant (and this is obvious to anyone who has ever driven through it) as having a major issue with limited sight distance. The consultant describes the flashing light measure only as a possible "interim solution". None of the other serious inadequacies of the roads and intersections on the proposed mine haul route are mentioned.

We have not even touched on the existing condition of Grip and Prairie Roads, which are substandard now and patched together every year with more little fixes by Public Works. The impact of this volume of truck traffic on these roads has never been addressed despite dozens of individuals asking for an explanation. Interestingly, the applicant includes lengthy excerpts from the ***Skagit County's Comprehensive Plan*** in an apparent attempt to bolster the legitimacy of the project as it is currently proposed. The most critical of these policies is under *Goal 4D-5: Safe Operations*. As cited in the Miles' Narrative, *Policy 4D-5.3* states "*Existing roads and bridges shall be improved as needed as each new extraction operation is developed. Cost sharing for the improvement of roads and bridges shall be negotiated between the permitting authorities and the Applicant*" (*emphasis ours*). The applicant makes no attempt to address or explain how their project complies with this policy. Presumably they were asked to address compliance with the Comprehensive Plan; instead they have made glaringly obvious to us that this proposal is seriously lacking in substance.

In summary. We see no possible justification for the County to accept this recent submittal of revised application materials as somehow completing Miles application or satisfying the settlement of the appeal. If there is no more than this to the "settlement", then the settlement is seriously flawed, and the Denial issued in April needs to stand. The applicant has manipulated and distorted the County's rules long enough in a blatant attempt to resurrect an invalid SEPA determination. Please do what should have been done over a year ago and require Miles to start the process over again with a new application, so that a proper SEPA process can be followed and the public can truly participate.

Finally, we feel it is past time for the community to get an explanation and update about what is happening with this process. And, we respectfully request a meeting with you and PDS staff to discuss our concerns prior to the department issuing a decision regarding further actions.

Thank you for your time and consideration.

Sincerely,

Martha Bray and John Day

cc. Lisa Janicki
Julie Nicoll
John Cooper

Email.

To: Parties, and Interested Persons:

Re: Miles Sand and Gravel v. Skagit County, PL18-0200

The Hearing Examiner's office has been advised that progress is being made in efforts to resolve this dispute and that the parties hope to have an agreement within the next month. Accordingly the Examiner hereby extends the continuance herein and sets September 17, 2018 as the date for next report on the status of the case.

Wick Dufford, Hearing Examiner
August 10, 2018

Stevee Kivi
Skagit County Public Disclosure/ Hearing Coordinator
700 S. Second Street, Room 100
Mount Vernon, WA 98273

Email.

To: Parties, and Interested Persons:

Re: Miles Sand and Gravel v. Skagit County, PL18-0200

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Wick Dufford, Hearing Examiner
August 10, 2018

Stevee Kivi
Skagit County Public Disclosure/ Hearing Coordinator
700 S. Second Street, Room 100
Mount Vernon, WA 98273

The Examiner enters the following order:

ORDER

The Motion to Intervene is denied, without prejudice to being renewed should settlement fail to be achieved within a reasonable time. The appeal is continued for 90 days from the date of this Order – to August 14, 2018. Prior to or on that date, the County shall advise the Hearing Examiner of the status of settlement discussions. An appropriate further Order will be entered by the Examiner on receipt of the County's report.

SO ORDERED, this 17th day of May, 2018.

Wick Dufford, Hearing Examiner

Re: Miles Sand and Gravel v. Skagit County, PL18-0200

The Hearing Examiner's office has been advised that progress is being made in efforts to resolve this dispute and that the parties hope to have an agreement within the next month. Accordingly the Examiner hereby extends the continuance herein and sets September 17, 2018 as the date for next report on the status of the case.

Wick Dufford, Hearing Examiner
August 10, 2018

4 March 2018

John Cooper
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, Washington 98273

Re: Miles Sand and Gravel proposed Grip Road gravel pit, PL160097

Dear Mr. Cooper
I read through the recent package Dan Cox (Miles) sent to the county for their required response, to maintain their permit application. My comments regard the inadequate, inconsistent, and poorly written response by Miles. The four items in the submittal that I am commenting on (I printed these off the County website) include:

1. Cover letter from Miles dated 23 February 2018
2. Grip Road Noise and Vibration Study, dated 20 February 2018
3. Amended Sand and Gravel General Permit
4. Amended Special Use Permit Form

Additionally, I am using the following report and letter for this response:

1. 8 February 2016 DN Preliminary Traffic Information
2. July 6, 2017 Letter from John Cooper to D. Cox, J. Semrau, and W. Lynn.

Re: The Cover letter.

- First paragraph insinuates Miles will do no additional traffic analysis, although the DN traffic study is "only" preliminary. A full traffic study needs to be completed by Miles, the applicant.
- Paragraph 2, Miles states the projected noise limits is "*well below both daytime and nighttime limits*". The term "well below" is a subjective and misleading term. Additionally, Miles states..."*expects no impacts from onsite mining operation*". There is no such thing as "no impacts".
- Paragraph 3, Miles states, "...*DN Traffic Consultants, which have previously been approved by Public Works*", is incorrect. The DN study is only preliminary and in one of their last paragraphs state: "*The above alternatives to intersection reconstruction are only offered as potential interim solutions until the County has sufficient funds to improve the sight distance at this location...*" In other words, there is no approved traffic plan.
- Paragraph 3, last sentence, Miles states, "*In addition, our recently completed Noise and Vibration Study Indicates no potential adverse effects from noise and vibration of haul truck traffic, therefore the initial County recommendation to limit the number of truck trips should be dropped*". This paragraph states "*no potential adverse effects...*" while the

paragraph above states "*no impacts…*" indicating Miles' inconsistency in their argument. Additionally, although noise is a concern regarding truck traffic, our concern also includes the number of trucks on Grip Road, the Prairie and Grip Road intersections, etc., the noise that will be generated, and safety issues (see my comments below regarding the Ramboll Noise Study). Therefore, Miles' argument here is not relevant.

- Paragraph 4, discusses the County's request to upgrade the internal road, which Miles is arguing against any upgrades to said road. Our contention is that there will be upgrades to the internal road due to widening for safety, and general maintenance from the increased truck traffic. Therefore, triggering the need to complete a Wetland, Fish and Wildlife Habitat Assessment of the entire pit site and access road (between the mine and Grip Road, and Grip Road).
- Paragraph 5 is irrelevant regarding, *…managing 17 of these permits…*"
- Paragraph 6 regards the land use intensity, moderate versus high, and the resultant buffer off the Samish River. Their argument is self-defeating when quoting the Skagit County code definition for high intensity land use…"*Land uses…some agricultural practices and commercial and residential land uses.*" Miles continues to state "*While at face, the subject dry mining activity appears to be a high intensity land use, GBA also considered the following elements…*" Miles confirms the proposed pit is "high intensity" but appears to be arguing for a buffer reduction, which is a different approach to permitting using the Skagit County CAO.

  In the GBA report, as bulleted by Miles, the rationale for their argument in land use intensity mentions the mine being greater than 200 horizontal feet from the OHWM of the Samish, separated by 90 vertical feet, a berm between the mine and the OHWM, the mine being 10 feet above the water table, the aggregate extraction will be maintained at a relatively low volume, the project will use existing interior roads, and the site will be reclaimed post pit use.

  The 200 horizontal feet is required for all medium intensity projects, but 300 horizontal feet is required for high intensity projects which a gravel mine is. Mentioning 90 vertical feet has some merit for protection of the river function however there has been no site plan prepared to date that illustrates this factor, or the distance from the river, so how are we to know what is stated here is accurate. Miles needs to have a site plan prepared by a Professional Land Surveyor indicating the slope, location of the river OHWM, location of any riverine wetlands, the 300-foot buffer and the 200-foot shoreline jurisdiction, and the location of the proposed mine, only then will we know what is actually and accurately being proposed. Furthermore, we need to see their reclamation plan.

  Regarding the contention mining will remain 10 feet above the water table; how will this be determined once mining has begun? Miles needs to

provide a performance standard to monitor the ground water elevation in many locations prior to removal of gravel. A mitigation plan to remediate the mine elevation if the bottom of the mine is closer to the 10-foot water table. Also, in all likelihood, the water table will be higher in elevation during the wet Spring season as compared to the dry Fall season, this fact needs to be determined and included in any monitoring and performance standard criteria.

Re: The Grip Road Noise and Vibration Study prepared by Ramboll US Corporation. Please note, I am not qualified to preform a "noise and vibration study" but have the following comments.

- The report lacks the authors names and credentials, these need to be provided.
- The introduction, second sentence states "The mine would be situated in the *middle* of 726 acres… This is not true. The proposed mine is on the extreme northern portion of the 726-acre parcel.
- The next sentence in the introduction states …"*The site is forested and most of the existing buffers would remain intact*". At this time, much of the 726 acres is being logged. Logging and resultant removal of the trees will affect the buffering capacity. Has this fact been factored into their noise analysis?
- Item 4 Operational Noise Impact, 4.1 states …"*The primary noise sources introduced by the proposal would be a front-end loader…*" However, in the Amended Special Use Permit Form, Item 12, Miles states "*Yes, standard minimum equipment such as front-end loader, dozer and excavator will be used*". This discrepancy needs to be addressed. Additionally, in the Amended Sand and Gravel General Permit, Item 2., Miles states, "*In addition to the above listed materials, equipment on site typically includes: Front End Loader(s), Dump Trucks, Excavator(s), and other miscellaneous mining equipment*. Other miscellaneous mining equipment needs to be defined and included in the noise study.
- There is no mention of equipment size in either Item 4.3 or in any other location within the study. There is only references to "front end loader". The actual type, size, model, etc. needs to be referenced.
- Further Items in 4.3 do not reference the number/quantity of front end loaders to be used. Will there be a single piece of equipment or many? Also, assumptions about the dBA at a distance of 100 feet needs clarification regarding the source of this information and as stated above, the number, sizes, and other types of equipment to be used.
- Regarding referencing haul trucks and their noise and vibration on Grip Road. Will said trucks be using a "jake or engine brake" when descending Grip Road? If so, was this factored into this study?
- In Section 6 Conclusion there is mention of "…"*less than 3BA during the vast majority of mining activities*." The term "vast majority" is not science based and needs clarification.

- Same section as above, "*Therefore, no impacts are expected from onsite mining operations*". There is no such thing as "no impacts". There are always project related impacts.

Re: The Amended Special Use Permit Form

- Item 3 references one to two full time employee's and truck drivers. Will there be bathrooms, a heated lunch room, electricity, a generator?
- Item 9. References to the February 8, 2016 DN Traffic report. This report is only preliminary and therefore should not be used nor referenced until a final report has been prepared. Also said report is based on incorrect data.
- Item 19, as referenced above. Because there will be at a minimum one full time employee, and truck drivers frequenting the mine, it is reasonable to assume a bathroom, lunchroom, heated space, work shack, and electricity will be required. These items need to be addressed and included in this amended form.

In conclusion, this latest response by Miles has not adequately responded to the requirements within your letter dated 6 July 2017. The only way to adequately address the impacts on the natural and physical environment, caused by the development of a gravel mine off Grip Road and the relationship of said mine on the people, is to complete an Environmental Impact Statement. I therefore recommend the county deny this permit application. I look forward to the scoping process for an EIS.



Jim Wiggins
21993 Grip Road
Sedro-Woolley, WA 98284

Cc: Hal Hart
Ryan Walters
Betsy Stevenson

John Cooper

From: Dan Cox <Dan.Cox@miles.rocks>
Sent: Monday, February 27, 2017 10:45 AM
To: John Cooper
Cc: 'shanew@co.skagit.wa.us'
Subject: RE: Grip road pit

John,

This is an issue that was fully discussed at the pre-app and later during the County's project review, and we had already come to agreement on how the internal road system must be managed. On August 11, 2016 I sent you an e-mail describing the existing Internal Private Forest Roads. As we've discussed, these parcels are in active forest management, and the road system is regulated by DNR under our Road Maintenance Plan Agreement. The Road Maintenance Abandonment Plan (RMAP) was submitted to the Washington State DNR for the Grip Road Property on July 8, 2002; the plan was accepted by the DNR on September 19, 2002, RMAP number R2800007L. I'll re-send that correspondence again by separate e-mail.

I'm copying Shane here to ensure he is aware of this agreement with DNR as it pertains to his comments regarding private road standards. There is nothing about the mining special use that precludes or changes our ability to use our own private forest road to transport minerals to the County Road. Further, the County has no requirement and there is certainly no benefit for the County to regulate this Private Road System that will continue to serve the forest plantation as well as the mine.

Thank you for confirming that Public Works is satisfied with the off-site portion of the traffic analysis and mitigation.

Feel free to give me a call to discuss.

Sincerely,

MILES
SAND & GRAVEL

DAN COX
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Mobile: 360.770.0494
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From: John Cooper [mailto:johnc@co.skagit.wa.us]
Sent: Monday, February 27, 2017 8:04 AM
To: Dan Cox <Dan.Cox@miles.rocks>
Subject: FW: Grip road pit

Dan, this is the email I got from Shane concerning your internal service road system.

John Cooper, LG. LHg
Senior Natural Resource Planner/Geologist
Skagit County Planning and Development Services

1800 Continental Place
Mount Vernon, WA 98273
www.skagitcounty.net/planning
Ph 360-416-1334
johnc@co.skagit.wa.us

From: Shane W. Whitney
Sent: Thursday, February 09, 2017 8:49 AM
To: John Cooper
Subject: Grip road pit

John, we are good to go as far as traffic impacts and analysis for the offsite portion of the project. The internal service road will need to be widened to at least a private road standard. That would be a 20 foot wide driving surface. The bridge over the creek is a limiting factor, however because of a few other factors, the current bridge width will be sufficient.

The internal road improvements need to be made prior to the pit being open for business.

Shane Whitney
Engineering Technician
Skagit County Public Works
360-416-1428

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PO Box 280
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September 20, 2017

Via E-mail: Johnc@co.skagit.wa.us

Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
Attn: John Cooper, Planner/Geologist

RE: Replying to July 6, 2017 Skagit County Response (PL16-0097)

Dear Mr. Cooper,

Thank you for your July 6, 2017 letter requesting additional information in order to continue processing our application. I will respond in the order of the items listed in your letter.

1. With regard to the proposed hours of operation, we understand the County's recommendation was for Monday through Friday, 7:00 a.m. to 5:00 p.m. We presented our rational for unlimited hours in our application and in our July 6, 2017 letter. We are unclear what information the County relied on to recommend the Examiner restrict our hours from what is allowed by SCC 14.16.440(10)(i). Certainly the staff recommendations should be based on evidence and not unsupported public sentiment. Regardless, we are comfortable discussing the County's recommendation with the Hearing Examiner at the Public Hearing.

2. The County states our application fails to provide sufficient evidence to support the special use criteria of SCC 14.16.900(1)(b)(v). We find this confusing since the County had already found we meet this criteria, as documented in the September 12, 2016 Staff Report to the Hearing Examiner. You are now asking for a noise and vibration study. The site is very isolated and no processing is proposed. I am sure your research and experience confirm that the processing equipment is the biggest noise source at other mines. The activities here will be comparable to those at any site where construction earthwork is underway. What evidence is there to support a change in the County's position and request for a noise study?

3. With regard to truck trips, the County's letter does not accurately represent what we have proposed. Our proposal is clearly presented in the reports by DN Traffic Consultants, which again have previously been approved by Public Works and the conclusions of those approvals were conditions in the September 12, 2016 Staff Report to the Hearing Examiner. The County states "public concern" as the reason for the County to retain a third party traffic consultant. That is of course your discretion and requires no action on our part.

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4. We continue to disagree that the private road standards are appropriate for our project for reasons previously stated. We do however understand the County's need to ensure emergency vehicle access which of course we support. For that reason we are comfortable with a reasonable performance standard that requires the access road be maintained to private road standards (except as constrained by the existing approach and bridge over Swede Creek) as a condition of project approval.

5. I have enclosed an example of our Environmental Protection Plan, with Section 4 (starting at page 8) being the Spill Control Plan that would be implemented upon coverage under the Sand & Gravel General Permit through the Washington State Department of Ecology.

6. With regard to the appropriate land use intensity rating and buffer requirement, this issue has already been decided and approved by the County through its subject matter experts. The County has already issued a development permit associated with this application predicated on medium intensity use as described in our application and a 200' buffer. Public comment regarding the appropriate land use intensity can be presented to the Hearing Examiner, where we will have an opportunity to respond.

7. Please describe, specifically, the "numerous factual discrepancies" in our application so that we may correct them.

Finally, you state that after our response you will determine if our application is complete. If by complete you mean that you are comfortable re-scheduling the Public Hearing we'd prefer you use that language for clarity. As you know this application was deemed complete by the County on March 22, 2016.

We are looking forward to working with the County to move this project back to the Hearing Examiner so that a decision can be made. Please contact me to discuss any additional issues.

Sincerely,

Dan Cox

General Manger

encl:

Spill Control Plan

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PO Box 299
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May 15, 2017

Via E-mail: Johnc@co.skagit.wa.us

Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
Attn: John Cooper, Planner/Geologist

RE: March 14, 2017 Request for Additional Information (PL16-0097)

Dear Mr. Cooper,

Thank you for your March 14, 2017 letter request for additional information relative to the above noted application. We are providing answers to each of the questions below.

In the second paragraph of the letter you discuss conditions related to two significant issues that we will respond to. In both cases the County provides no rationale to support the arbitrary conditions suggested. Please consider our response below and revision of those proposed conditions.

The first is the maximum number of truck trips per day, in which you state that based on the information we provided, 46 truck trips per day is a reasonable limit. The information we provided describes 46 truck trips per day – on average – as being easily accommodated by the existing road system. This is not a limit but rather an average volume used by the Traffic Engineer to evaluate the existing road system's ability to function at the annual volumes we've proposed. As an average there are certainly days where this would be exceeded and others when the traffic would be lower. Any proposed traffic condition should refer to 46 trips per day as an average rather than as a limit. Attached is a November 30, 2016 Addendum by DN Traffic Consultants that further describes the capacity of the existing road system in terms of limits. Any traffic condition related to limits should reflect the trips proposed in this November 30, 2016 Addendum.

With regard to the second issue, you state operations will be limited to Monday through Friday, 7:00 a.m. to 5:00 p.m. (except holidays). The ability to limit hours of operation lies with the Hearing Examiner, but only in certain situations. As you are aware, SCC 14.16.440(10)(i) states: Hours of operation shall vary according to the locations on the site as stated below and may be shortened by the HE based on site-specific circumstances.

(i) Within designated natural resource lands, the hours of operation may be unlimited. 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, on any portion of the mining site where

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mining activity is proposed to occur less than 1/4 mile from existing Rural Intermediate, Rural Village, or Urban Growth Area designated lands;

Three significant facts are presented in this code section. First is that the Hearing Examiner is the authority charged with imposing hours limits. The staff is to make recommendations and act as the SEPA Official. There is no basis for a finding of a probable significant noise impact to support a condition. Second, in Natural Resource Lands, like the property here, hours of operation may be unlimited. That is the default standard. Third, the Hearing Examiner may consider limiting hours of operation on "any portion of the mine site where mining activity is less than ¼ mile from Rural Intermediate, Rural Village, or Urban Growth Area designated lands." Since our project is not within ¼ mile from any of those zones, our hours of operation may not be limited. We are, of course, required to comply with maximum allowable noise level per Chapter 173-60 which you'd previously described in your staff report and recommended as a condition of approval. That mitigation must be taken into account in the SEPA process.

For the remaining items, I will respond below in the same order of the bulleted items from your letter:

1. Based on comments received, the County requested a professional archaeological survey for the project area. Please see the attached March 9, 2017 Archaeological Survey by Cultural Resources Consultants which concludes that "no cultural resources were identified during the survey." This report should not be made available to the public because it contains information about archaeological sites, which are exempt from public disclosure requirements under state law (RCW 42.56.300). Please protect this document in your records as required by State law.

2. This second item deals with the County's request for our Forest Road to meet Skagit County Private Road Standards. "Forest Roads" are defined under WAC 222-16-010. Forest Road construction and maintenance is regulated through WAC 222-24. The Forest Road standards are "intended to assist landowners in proper road planning, construction and maintenance so as to protect public resources." The Skagit County Road Standards, International Building Code and International Fire Code referenced in the SCC are intended to address structures and residential lots. These standards apply to all building permits and the platting and land division regulations.

   The internal roadway is not a Private Road as described in the Skagit County Road Standards that will be open at all times to be traversed by the public. This Forest Road has been in continuous use and maintained for forest practice since before 1974 as defined in WAC 222-16-010. This is a gated internal roadway that will be used by professional drivers that will be in contact with their dispatch and each other by radio just the same as any emergency vehicle.

   This Forest Road is all that is necessary for the temporary extraction and transport of minerals to the County Road and the ongoing and future management and harvest of the timber resources. In Skagit County there are many miles of Forest Roads operated and managed by private, state and federal managers. These roadway systems are not required to be built to the Skagit County Road and development standards unless they serve structures and residences. No structures

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are proposed or required for this mine operation. IFC Appendix D103.2 Fire Department Vehicle Access Roads referenced in SCC 15.040 are defined by length of road and numbers of residential lots.

We assert that the Forest Road standards and existing roadway are sufficient and all that is necessary to transport the mine materials to the County Road and provide for adequate emergency response. In your letter you mention additional Critical Areas review for improvements to the haul road to County Road standards. The County should re-consider this approach and discourage any unnecessary impacts to critical areas. It is environmentally irresponsible to develop these roads to a greater standard than is necessary for the safe removal of the natural resources.

We are submitting for your review our Timber Management Plan dated November 9, 2009. This contains our Forest Road plan for this property. We can agree to maintain the Forest Road at an average 20 foot width and graveled surface under the Forest Road standards per WAC 222-16-010 which has already been approved for this road system. Maintaining the road to this standard will provide the necessary ingress and egress for emergency vehicle access to the proposed mine site as well as supporting the dominate land use of ongoing forest management on the remaining 650 acres of this approximate 730 acre ownership. Finally, as requested, we are submitting a memo from Jordan Janiki, PE certifying the bridge over Swede Creek at the required HS-25 rating.

3. This third bullet requests clarification as to whether a 2,000 gallon fuel tank may be stored on site and requests our spill control and countermeasure plan. All sand and gravel mines in Washington State are regulated by the Department of Ecology under the Sand And Gravel General Permit (SGGP) in compliance with the provisions of The State of Washington Water Pollution Control Law Chapter 90.48 Revised Code of Washington and The Federal Water Pollution Control Act (The Clean Water Act) Title 33 United States Code, Section 1251 et seq. (copy attached). That mitigation must be taken into account in the SEPA process. RCW 43.21C.240. Once local and state surface mining approvals have been obtained, coverage under the Sand And Gravel General Permit will be obtained prior to mining. Section S5 of the SGGP requires a Site Management Plan (SMP). The SMP consists of 4 main sections, including:
    a. Erosion and Sediment Control Plan (ESCP)
    b. Monitoring Plan
    c. Stormwater Pollution Prevention Plan (SWPPP)
    d. Spill Control Plan (SCP)

Section S8 SMP Section 3 of the SWPPP requires an inventory of materials stored on-site, including fuel, and has specific requirements for source control Best Management Practices in the event fuel will be stored on site. So to answer the questions posed in your letter, yes fuel "may" be stored on-site, and if it is it will be done in compliance with the Sand And Gravel

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General Permit which authorizes this activity and protects water quality. We will be happy to provide the County a copy of our site specific Site Management Plan, once completed, for your file. Although this requirement does not need to be restated by the County, we are certainly comfortable with the County conditioning the approval to require that coverage under the Sand And Gravel General Permit must be obtained prior to beginning mining operations on-site.

4. The fourth item is a request for clarification regarding screening or processing of material. We are not proposing either activity in this application.

5. The last item requests an update to the Fish & Wildlife / Wetland site assessment to address Threatened and Endangered Species and the appropriate width of the riparian buffer. The August 20, 2015 Site Assessment by Graham Bunting & Associates at Section 4.1, Threatened, Endangered and Sensitive Species, concludes that "No impacts to threatened, endangered or sensitive species above the existing baseline are anticipated, provided that the standard riparian buffer is applied." Even so, based on the County's request, GBA has provided the attached April 18, 2017 addendum which further addresses the issues raised during the public comment, including habitat requirements for the Oregon Spotted Frog, and concludes that the proposed critical area protections will provide the required protection. Finally, Section 5.2.2 Land Use Intensity of the August 20, 2015 Report fully describes the rational and justification for the moderate intensity land use and 200' buffer. Since this item is fully addressed in the existing Site Assessment, we have not asked our consultant to provide any update at this time.

Please contact me if you require any additional information or to discuss any of the items above.

Sincerely,

Dan Cox

Environmental, Land Use & Safety Manger

encls:

November 30, 2016 DN Traffic Consultants Addendum

November 5, 2009 Timber Management Plan

April 13, 2017 DCG Engineering Bridge Rating Letter

April 18, 2017 GBA Fish & Wildlife Addendum

March 9, 2017 Archaeological Survey by Cultural Resources Consultants

Washington State Department of Ecology Sand & Gravel General Permit

John Cooper

From: Dan Cox <Dan.Cox@miles.rocks>
Sent: Monday, February 27, 2017 10:48 AM
To: John Cooper
Subject: FW: Grip Road - Internal Private Forest Roads

John,

Re-sending our earlier correspondence regarding the Internal Private Forest Roads.

Thanks,

MILES SAND & GRAVEL

DAN COX
LAND USE / ENVIRONMENTAL / SAFETY
Direct: 360.757.3121
Mobile: 360.770.0494
P.O. Box 280 • Mount Vernon, WA 98273-0280
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From: Dan Cox
Sent: Thursday, August 11, 2016 3:53 PM
To: 'JohnCooper' <johnc@co.skagit.wa.us>
Subject: Grip Road - Internal Private Forest Roads

John,

The portions of our Grip Road ownership outside of the proposed mine area are managed as forest land. Below is an excerpt from our Forest Management Plan for the portion of the property outside of the mine area, which includes the internal forest road system.

Forest Roads: An extensive all-season forest road system services the property. The Forest Practices Act requires maintenance on all roads on forest land used for the transportation of forest products and that all roads under jurisdiction of forest practices rules be included in a road maintenance and abandonment plan submitted to the Department of Natural Resources. Further, the rules specify that all upgrades must be completed and new maintenance standards be applied to all roads used since 1974 by 2015. The Road Maintenance Abandonment Plan (RMAP) was submitted to the Washington State DNR for its Grip Road Property on July 8, 2002; the plan was accepted by the DNR on September 19, 2002, RMAP number R2800007L. All aspects of the plan have been implemented to date.

Road surface, turnouts, and shoulders should be graded and shaped as needed to provide a suitable travel surface and control water in an even, dispersed manner. Grading may be substituted with a lift of surface rock. Culverts should be inspected and cleaned routinely and immediately after any significant storm events. Culvert inlets should be armored and ditches should be kept clear of any debris. It is recommended that roadside vegetation be controlled every 2-years using the appropriate herbicides at manufacturers suggested rates, or every 2-3 years using mechanical brush control.

Thank you,

Dan Cox , Land Use/Environmental/Safety
Concrete Nor'West
P.O. Box 280, Mount Vernon, WA 98273
(360) 757.3121 x3046 Cell (360) 770.0494

CNW
CONCRETE NOR'WEST

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February 23, 2018

RECEIVED
FEB 23 2018

Via E-mail: Johnc@co.skagit.wa.us

Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
Attn: John Cooper, Planner/Geologist

RE: Replying to November 20, 2017 Meeting and November 21, 2017 Letter from Dan Cox to Dale Pernula PL16-0097)

Dear Mr. John Cooper,

Since our meeting and last correspondence, we have completed the Noise and Vibration Study and made additions to the Environmental Protection Plan. We are still looking forward to your third-party review of the traffic impacts. We would appreciate the opportunity to review and comment on that report once available. Following is our updated response.

1. With regard to the proposed hours of operation, we understand the County's recommendation was for Monday through Friday, 7:00 a.m. to 5:00 p.m. We presented our rationale for unlimited hours in our application and in our May 15, 2017 letter. Based on the results of our Noise and Vibration Study (described under Item 2 below), we continue to request "the hours of operation may be unlimited."

2. Our consultant, Ramboll US Corporation, completed a Noise and Vibration Study on February 20, 2018. In this study you will find that the model sound levels from the onsite mining and haul trucks are well below both the daytime and nighttime limits and expects no impacts from onsite mining operations. This study also considered the potential for vibration impacts from haul trucks traveling along Grip Road and Prairie road and found no impacts to residences from these trucks traveling to and from the mine site.

3. With regard to truck trips, the County letter from July 6, 2017 does not accurately represent what we have proposed. Our proposal is clearly presented in the reports by DN Traffic Consultants, which have previously been approved by Public Works; and the conclusions of those approvals were conditions in the September 12, 2016 Staff Report to the Hearing Examiner. In addition, our recently completed Noise and Vibration Study indicates no potential adverse effects from noise and vibration of haul truck traffic, therefore, the initial County recommendation to limit the number of truck trips should be dropped.

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4. We continue to disagree with the County defining our haul road as a "Private Road" as defined by the Skagit County Road Standards, Section 3.07, Private Roads. The proposed haul road will remain gated, private and is an internal haul road to be used by professional drivers. We do however understand the County's need to ensure emergency vehicle access which we support as we discussed in our November meeting. For these reasons we are comfortable with a reasonable performance standard of Section 3.08B, Emergency Vehicle Access Road, (except as constrained by the existing approach and bridge over Swede Creek) as a condition of approval.

5. We have made a couple of small additions to the Environmental Protection Plan as we discussed in our November 20, 2017 meeting. This division of Miles Sand and Gravel manages 17 of these permits for sites under the Sand & Gravel General Permit through the Washington State Department of Ecology.

6. With regard to the appropriate land use intensity rating and buffer requirement, this issue has already been decided and approved by the County through its subject matter experts. The County has already issued a development permit associated with this application predicated on medium intensity use, as described in our application, and a 200' buffer. This project started with a more conservative than required approach to determining ordinary high water mark and wetland edge. "Samish River (Ordinary High Water Mark/Wetland Edge)", letter report by Graham-Bunting Associates (GBA), May 18, 2015, proposed shoreline jurisdiction, 200 feet from the toe of the slope, when in fact the active channel varies between 50 feet and 300 feet from said toe location. GBA also characterized the subject proposal to be a "moderate land use intensity" in their report "Fish and Wildlife Site Assessment: Parcels 50155, 125644, 125645", August 20, 2015.

5.2.2 Land Use Intensity – Chapter 14.04 of the Skagit County Unified Development Code defines high intensity land uses as:

> *"Land uses which area associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium and high density residential (more than one home per five acres), multifamily residential, some agricultural practices and commercial and residential land uses."*

While at face, the subject dry mining activity appears to be a high intensity land use, GBA also considered the following elements of the subject proposal:

- The mine site is located greater than 200 horizontal feet landward of the OHWM
- The mine site is also separated vertically approximately 90 feet above the OHWM
- Mining activities will be separated from the OHWM by a protective berm
- The dry mine floor will maintain a maximum depth of 10 feet above the underlying water table
- All surface water will drain through the gravel floor of the mine site – no surface water will drain directly to the Samish River

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- The mine site is located in an area logged during the 1990s by a previous landowner
- No processing or industrial activity is proposed in conjunction with the project
- Aggregate extraction will be maintained at a relatively low volume level
- The project will utilize an existing interior road system
- The area contiguous to the berm will be mined first and reclaimed pursuant to a reclamation plan to be approved by the Washington State Department of Natural Resources. The goal of the reclamation plan will be to return the site to forest management or low density residential which are considered low and moderate land use intensities respectively.

Based on the elements of the project listed above, GBA would characterize the subject proposal as a moderate land use intensity. Moderate land use intensity is defined as:

> *" Land uses which are associated with moderate levels of human disturbance or substantial habitat impacts including, but not limited to, low density residential (no more than one home per five acres), active recreation, and moderate agricultural land uses."*

In short, the subject proposal is to utilize an existing mineral resource area by extracting relatively low volumes of aggregate with an excavator, loading the material into a dump truck and hauling the material to an authorized offsite processing facility.

The County has already issued a development permit associated with this application predicated on medium intensity use as described in our application and a 200' buffer. If the County is no longer concurring with the GBA characterization of a "moderate land use intensity" we need to know that and would like to see your rebuttal and reasons for this change.

Public comment regarding the appropriate land use intensity can be presented to the Hearing Examiner, where we will have an opportunity to respond.

7. In response to your request to update our application materials and our review of the applications, SEPA and project record, we found that the "Samish River (ordinary High Water Mark/Wetland Edge)" report by Graham-Bunting Associates, dated May 18, 2015, submitted to the County in June 2016 and referenced in SEPA checklist, has not been included in the record. We are including a copy of that memo with this letter.

   As we discussed in our meeting on November 20, 2017, we have also gone through the list of material discrepancies found on pages 4 and 5 of the letter from Jonathan K. Sitkin and Nolan F. Davidson to John Cooper, Skagit County Planning and Development Services, March 2, 2017.

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Traffic Figures:
February 8, 2016 traffic study was submitted with the MSUP application in March 7, 2017. The SEPA checklist also refers to the March 7, 2017 study. The MSUP application, Section A and Section B referenced the May 2015 report in three places on pages 9, 12 and 13. This has been corrected to reference the February 8, 2016 study and is attached for submittal.

Hours of Operation:
Proposal is for "unlimited" hours of operation as proposed in Section A, Item 2 of the application. "Normal" hours of operation would be 7:00 a.m. to 5:00 p.m., Monday through Friday as stated in Section A, Item 4 of the application.

Depth of Mine
The SEPA checklist, mine plan and mine cross-sections are based on survey information and work performed after the August 21, 2015 Hydrogeologic Site Assessment and bore hole exploration. Bore holes were plotted on the mine maps and the depth to ground water was converted to the survey map datum, NAVD88. The groundwater and bottom of the mine have been plotted on the cross sections and the separation of 10 feet is maintained. Hydrogeologic Site Assessment concludes the ground water is present "at an elevation of approximately 145 to 155 feet (msl)." There is no discrepancy between the "approximate" elevations in the Hydrogeologic report and the surveyed or rectified elevations in the SEPA and on the Mine Plans. The mine bottom will be a minimum 10 feet above the ground water table.

Amount of Gravel to be Removed
The SEPA Checklist, Special Use Permit and Staff Report all correctly report that 4.28 million cubic yards are proposed to be excavated over the life of the mine. The February 2016 traffic study uses 200,000 tons to be removed annually as an estimate for calculating the number of truck trips.

On Site Processing
No processing of gravel material is proposed on site as correctly stated in the MSU application and the Fish and Wildlife Site Assessment, August 20, 2015. Please disregard the reference to dry screening found in the Hydrogeologic Site Assessment, August 21, 2015.

Noise
A noise and vibration study has been completed and is being submitted for your review. The Staff Report can be revised to reflect the findings of the study.

Please include this document in the record and let us know if there are any further discrepancies in our application that need correction.

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We are looking forward to your review and our working with the County to move this project back to the Hearing Examiner so that a decision can be made. Please contact me to discuss any additional questions or issues.

Sincerely,

Dan Cox

General Manger

encl:

Noise and Vibration Study, February 20, 2018
Site Specific Spill Control Plan
Samish River (Ordinary High water Mark/Wetland Edge), May 18, 2015
MSUP application Section A and B

RECEIVED
FEB 23 2013
SKAGIT COUNTY
PDS

Section A

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

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

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

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

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

5. Will the employees be working on-site? Yes

If not, how many will be working off-site? None

6. Will there be signs indicating the operation? No

If so, where will they be placed and how big will they be? n/a

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

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

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

If development is phased please describe timelines. Once the mine is operating, mining and reclamation will proceed according to the phasing plan on the reclamation plan set (sheet C5). This schedule is driven by market demand for our product.

9. Describe the traffic impact of your operation on the County or State road system (such as the use of large trucks or constant vehicle traffic)? Traffic impacts and mitigation have been described in the attached February 8, 2016 Traffic Report by DN Traffic Consultants. Dump trucks will deliver sand and gravel to market via Grip Road, Prairie Road and Old Hwy 99 North Road.

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

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

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

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

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

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

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

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

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

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

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

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

19. If your operation will be using a building please describe the size, height and construction type. This building must be shown on the site plan.

No buildings are proposed at this time.

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

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

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

23. Address any fire flow issues. n/a

Section B

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

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

1. Describe how the proposed use is compatible with the neighboring properties. The mine site is bordered to the north by Ag-NRL and on the east, south and west by Rural Resource -NRL. Mining as described in this application is consistent and compatible with adjacent land uses typical of these zones.

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

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

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

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

6. What potential effects could your proposal have to the general public health, safety and general welfare?

No adverse effects to the general public health, safety and welfare are anticipated.

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

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

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

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

4. Describe the plan to minimize the impacts on these facilities? A traffic mitigation plan has been prepared and submitted as part of this application package (DN Traffic Consultants, February 8, 2016).

5. Describe any impact to those facilities. See attached report, DN Traffic Consultants, February 8, 2016. Impact and mitigation is provided for the Grip / Prairie Road intersection.

Please address Special Uses with Specific Criteria.

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

Provide the corresponding form for your application type.

See Forms A - K

October 2, 2018

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

Re: Proposed gravel mine / Miles Sand and Gravel 9/20/17 response to County (PL16-0097)

Dear Mr. Hart,

We are writing regarding the current status of the application from Miles Sand and Gravel (Miles) for a Mining Special Use Permit (MSUP) (PL16-0097). As you are aware, Planning and Development Services (PDS) denied this application on April 5, 2018, and Miles subsequently appealed the denial on April 16, 2018. Since then, it is our understanding that settlement discussions were held between the PDS and Miles. Initially those discussions were supposed to be completed by August 14, 2018, but on that date the deadline was extended to September 17, 2018. We were not privy to the settlement discussions between the parties, and there has been no written documentation provided to the public regarding these discussions. We have simply been provided with the "revised application materials" that Miles submitted on September 17, 2018, and were told that the PDS is reviewing these materials to "determine what course of action to take". At this juncture, we wish to raise a number of concerns regarding both the course this application has taken and substance of the recent submittal from Miles.

Has the settlement period just been one more improper application extension? We do not see how the submittal of these revised application materials resolves the many issues that resulted in the denial of the application back in April. The application was denied, among other reasons, because Miles failed to submit information that had been requested by PDS over a year ago. The denial came after several hard deadlines had passed without Miles responding appropriately, including a deadline set by the former planning director that constituted a verbal application extension in violation of County Code. All of this is documented in our previous comment letters. Now it appears that this latest four-month settlement period may have been just one more way for Miles to get even more time, while simultaneously (and conveniently for them) shutting the public completely out of the process. Even if the additional materials comprised a substantively complete application, which they do not, this does not seem like a fair way to conduct the application process.

Absence of transparency and documentation. We are disappointed with the lack of transparency and documentation that has accompanied this settlement process. There has been effectively a four month black-out period during which the public has been told nothing. Throughout this period, we repeatedly asked for clarification about what was happening with the public process. We were told that a report on the settlement would be forthcoming, but two weeks after the settlement deadline, we still have not received either a report or an explanation. Despite repeated polite inquiries, we have no idea what is going to transpire from this point forward. We feel we have been respectful and patient -- the result, we now fear, is that our concerns have once again been ignored.

In addition, these revised application materials have been given to us without any documentation from PDS as to what was requested of Miles during the settlement discussions. Therefore, there is no way for us to determine if Miles provided what was requested of them, and we have no way of knowing if PDS took into consideration the community's concerns during the settlement discussions. Certainly many of the things that we have been asking for are not included in these materials, but we have been unsuccessful in our attempts to intervene, or even to get an audience with PDS staff. If all the "settlement" consisted of was PDS requesting additional information, why was it necessary to keep the public in the dark for four months under the cover of attorney/client privilege? This is just further eroding any confidence the community might have had in PDS. Finally, if there is, in fact, no written record of the items requested from Miles by PDS, then it shows once again a disturbing pattern evident throughout this drawn out application process. This is a pattern of little or no documentation and vague statements from PDS instead of clear requirements. We feel this has allowed Miles to define their own terms.

The applicant is still referring to the original invalid MDNS as if it has merit. This lack of clarity is most obvious is in the fact that Miles is still referring to the flawed Mitigated Determination of Non-Significance (MDNS) that was issued in 2016, even in their recently submitted updated narrative ("Concrete Nor'West Grip Road Special Use Narrative" dated August 2, 2018). The MDNS was invalidated by procedural and substantive errors long ago. We have repeatedly pointed this out, yet somehow the MDNS has never been formally withdrawn. Instead, after acknowledging the serious error that infected both the SEPA and MSUP process from the very beginning, PDS then provided vague language about issuing a "revised MDNS" at a future date; this has enabled the applicant to repeatedly argue that the original staff report/findings and MDNS conditions still somehow apply.

We repeat, yet again, that proper notice was not issued in 2016, and many affected landowners, who were legally entitled to notice, did not have an opportunity to comment, let alone appeal that MDNS. Hundreds of comments poured in from the community after notice was issued to all required neighboring landowners. These comments contained significant new information that PDS had not taken into consideration, information that should have been considered prior to a SEPA threshold determination. Yet somehow the applicant feels justified in ignoring all of these very legitimate concerns and PDS seems to continue to side-step these issues.

There have been other serious and unacknowledged consequences of this. We believe that PDS' failure to withdraw the MDNS allowed Miles to apply for and receive a Class IV-General Forest Practices Activity (FPA) permit from the DNR in order to log its proposed mine site as part of converting it from forestry to mining use. This then led to the justification for the major road work Miles conducted this summer on their private haul road, as discussed below.

Private haul road improvements under pretext of forest practices. During this last four-month period while the application was technically denied and the denial under appeal, Miles was busy building their two-mile long haul road to the mine site without any County regulatory oversight. Miles claimed repeatedly that no improvements to the existing forest roads were necessary for their mining project. In May of 2017 in correspondence with the PDS, they stated "the Forest Road standards and existing roadway

are sufficient and all that is necessary to transport the mine materials to the County Road and provide for adequate emergency response." This was their justification for not including the internal road work as part of the MSUP application. Yet the road received a major rebuild this summer -- it has been widened, graded and many tons of new fine, crushed gravel spread and compacted. When we inquired to PDS about this last summer, we were provided with an email forwarded from Miles' attorney stating that they were conducting "routine maintenance" of their forest roads. This is patently absurd. The only road on their 700 acre property that has received said "maintenance" is the one from the Grip Road entrance to the mine site. This is not a road designed for forest management. When we contacted WA State Department of Natural Resources, we were told that that no permits for forest road maintenance are required under State Forest Practice Rules, and that the County has jurisdiction over conversions, so if we have concerns we should talk with the County about it. PDS completely ignored our letter of complaint about the road work. This work should not have been done until Miles had an approved MSUP, and should have been subject to Critical Areas review. Instead the applicant has used loopholes in the Forest Practice Rules, along with a FPA permit enabled by an invalid MDNS, to build the road without answering to concerns about environmental impacts associated with conversion of the road to heavy industrial use. The County should have asserted its authority to regulate the conversion, stopped the work, and required Miles to follow County regulations. Now, in a fait accompli, Miles has submitted a "Private Internal Road As Built" survey in their updated application materials. This drawing shows a new widened, compacted graded road that is ready to handle hundreds of gravel trucks a day, all accomplished during the period of the "settlement talks". To say the least, this too has further eroded the public's confidence in the fairness of this process.

Revised application materials are inadequate. We have reviewed the revised application materials submitted on September 17th. We will refrain from a point by point critique at this time, but we find the package astonishingly inadequate. Simply put, there is nothing very new about these materials. In the "Revised Grip Road Special Use Narrative" very little of consequence has changed from CNW's original application from 2016. CNW has not even bothered to submit a new MSUP application form, despite the inaccuracies and misstatements included in the original submitted on March, 2016. The revised Narrative still contains most of the wording from the original submission. The applicant once again refers to the County's determination, issued March 22, 2016, that the application is "complete". Subsequent events, submissions, and lack thereof have clearly made that determination legally void, so this statement is, at best, misleading.

There is still no Traffic Impact Analysis. Most notably, we have repeatedly asked for a full Level 2 Traffic Impact Analysis as is required by County Code. The road and traffic safety concerns have been very well documented in previous comment letters. Not only has this traffic study not been provided, but Miles is still referencing the same completely outdated and inadequate DN Traffic Consultants "Traffic Report", which is actually a memo with the subject "Preliminary Traffic Information" (emphasis ours), dated November 30, 2016, and an update to the same dated April 24, 2017. After more than two years into this process, how can it be that this basic element of the application has still not been addressed? There is no new information in the revised Narrative about the volume of truck traffic expected. The applicant states that the number of truck trips per day will be based on market demand and that it is described in the DN Traffic Consultants "Traffic Report". By way of reminder, this memo identifies no clear maximum number of truck trips per hour or per day. The consultant says in his update that a "suggested" limit would be 60

trips per hour, but that there could be up to 110 trips per hour without violating county Level of Service (LOS) requirements. As we have been saying for two years, the notion that this volume of gravel truck traffic on these roads would not pose a serious safety hazard is ludicrous.

The new narrative proposes only one traffic safety mitigation measure: the installation of a flashing yellow warning light at the Grip/Prairie Road intersection. This is not new and it is entirely inadequate. This intersection was identified by the consultant (and this is obvious to anyone who has ever driven through it) as having a major issue with limited sight distance. The consultant describes the flashing light measure only as a possible "interim solution". None of the other serious inadequacies of the roads and intersections on the proposed mine haul route are mentioned.

We have not even touched on the existing condition of Grip and Prairie Roads, which are substandard now and patched together every year with more little fixes by Public Works. The impact of this volume of truck traffic on these roads has never been addressed despite dozens of individuals asking for an explanation. Interestingly, the applicant includes lengthy excerpts from the ***Skagit County's Comprehensive Plan*** in an apparent attempt to bolster the legitimacy of the project as it is currently proposed. The most critical of these policies is under *Goal 4D-5: Safe Operations*. As cited in the Miles' Narrative, *Policy 4D-5.3* states "*Existing roads and bridges shall be improved as needed as each new extraction operation is developed. Cost sharing for the improvement of roads and bridges shall be negotiated between the permitting authorities and the Applicant*" (*emphasis ours*). The applicant makes no attempt to address or explain how their project complies with this policy. Presumably they were asked to address compliance with the Comprehensive Plan; instead they have made glaringly obvious to us that this proposal is seriously lacking in substance.

In summary. We see no possible justification for the County to accept this recent submittal of revised application materials as somehow completing Miles application or satisfying the settlement of the appeal. If there is no more than this to the "settlement", then the settlement is seriously flawed, and the Denial issued in April needs to stand. The applicant has manipulated and distorted the County's rules long enough in a blatant attempt to resurrect an invalid SEPA determination. Please do what should have been done over a year ago and require Miles to start the process over again with a new application, so that a proper SEPA process can be followed and the public can truly participate.

Finally, we feel it is past time for the community to get an explanation and update about what is happening with this process. And, we respectfully request a meeting with you and PDS staff to discuss our concerns prior to the department issuing a decision regarding further actions.

Thank you for your time and consideration.

Sincerely,

Martha Bray and John Day

cc. Lisa Janicki
Julie Nicoll
John Cooper

Email.

To: Parties, and Interested Persons:

Re: Miles Sand and Gravel v. Skagit County, PL18-0200

The Hearing Examiner's office has been advised that progress is being made in efforts to resolve this dispute and that the parties hope to have an agreement within the next month. Accordingly the Examiner hereby extends the continuance herein and sets September 17, 2018 as the date for next report on the status of the case.

Wick Dufford, Hearing Examiner
August 10, 2018

Stevee Kivi
Skagit County Public Disclosure/ Hearing Coordinator
700 S. Second Street, Room 100
Mount Vernon, WA 98273

Email.

To: Parties, and Interested Persons:

Re: Miles Sand and Gravel v. Skagit County, PL18-0200

The Hearing Examiner's office has been advised that progress is being made in efforts to resolve this dispute and that the parties hope to have an agreement within the next month. Accordingly the Examiner hereby extends the continuance herein and sets September 17, 2018 as the date for next report on the status of the case.

Wick Dufford, Hearing Examiner
August 10, 2018

Stevee Kivi
Skagit County Public Disclosure/ Hearing Coordinator
700 S. Second Street, Room 100
Mount Vernon, WA 98273

The Examiner enters the following order:

ORDER

The Motion to Intervene is denied, without prejudice to being renewed should settlement fail to be achieved within a reasonable time. The appeal is continued for 90 days from the date of this Order – to August 14, 2018. Prior to or on that date, the County shall advise the Hearing Examiner of the status of settlement discussions. An appropriate further Order will be entered by the Examiner on receipt of the County's report.

SO ORDERED, this 17th day of May, 2018.

Wick Dufford, Hearing Examiner

Re: Miles Sand and Gravel v. Skagit County, PL18-0200

The Hearing Examiner's office has been advised that progress is being made in efforts to resolve this dispute and that the parties hope to have an agreement within the next month. Accordingly the Examiner hereby extends the continuance herein and sets September 17, 2018 as the date for next report on the status of the case.

Wick Dufford, Hearing Examiner
August 10, 2018

4 March 2018

John Cooper
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, Washington 98273

Re: Miles Sand and Gravel proposed Grip Road gravel pit, PL160097

Dear Mr. Cooper
I read through the recent package Dan Cox (Miles) sent to the county for their required response, to maintain their permit application. My comments regard the inadequate, inconsistent, and poorly written response by Miles. The four items in the submittal that I am commenting on (I printed these off the County website) include:

1. Cover letter from Miles dated 23 February 2018
2. Grip Road Noise and Vibration Study, dated 20 February 2018
3. Amended Sand and Gravel General Permit
4. Amended Special Use Permit Form

Additionally, I am using the following report and letter for this response:

1. 8 February 2016 DN Preliminary Traffic Information
2. July 6, 2017 Letter from John Cooper to D. Cox, J. Semrau, and W. Lynn.

Re: The Cover letter.

- First paragraph insinuates Miles will do no additional traffic analysis, although the DN traffic study is "only" preliminary. A full traffic study needs to be completed by Miles, the applicant.
- Paragraph 2, Miles states the projected noise limits is "*well below both daytime and nighttime limits*". The term "well below" is a subjective and misleading term. Additionally, Miles states..."*expects no impacts from onsite mining operation*". There is no such thing as "no impacts".
- Paragraph 3, Miles states, "...*DN Traffic Consultants, which have previously been approved by Public Works*", is incorrect. The DN study is only preliminary and in one of their last paragraphs state: "*The above alternatives to intersection reconstruction are only offered as potential interim solutions until the County has sufficient funds to improve the sight distance at this location...*" In other words, there is no approved traffic plan.
- Paragraph 3, last sentence, Miles states, "*In addition, our recently completed Noise and Vibration Study Indicates no potential adverse effects from noise and vibration of haul truck traffic, therefore the initial County recommendation to limit the number of truck trips should be dropped*". This paragraph states "*no potential adverse effects...*" while the

paragraph above states "*no impacts…*" indicating Miles' inconsistency in their argument. Additionally, although noise is a concern regarding truck traffic, our concern also includes the number of trucks on Grip Road, the Prairie and Grip Road intersections, etc., the noise that will be generated, and safety issues (see my comments below regarding the Ramboll Noise Study). Therefore, Miles' argument here is not relevant.

- Paragraph 4, discusses the County's request to upgrade the internal road, which Miles is arguing against any upgrades to said road. Our contention is that there will be upgrades to the internal road due to widening for safety, and general maintenance from the increased truck traffic. Therefore, triggering the need to complete a Wetland, Fish and Wildlife Habitat Assessment of the entire pit site and access road (between the mine and Grip Road, and Grip Road).
- Paragraph 5 is irrelevant regarding, *…managing 17 of these permits…*"
- Paragraph 6 regards the land use intensity, moderate versus high, and the resultant buffer off the Samish River. Their argument is self-defeating when quoting the Skagit County code definition for high intensity land use…"*Land uses…some agricultural practices and commercial and residential land uses.*" Miles continues to state "*While at face, the subject dry mining activity appears to be a high intensity land use, GBA also considered the following elements…*" Miles confirms the proposed pit is "high intensity" but appears to be arguing for a buffer reduction, which is a different approach to permitting using the Skagit County CAO.

  In the GBA report, as bulleted by Miles, the rationale for their argument in land use intensity mentions the mine being greater than 200 horizontal feet from the OHWM of the Samish, separated by 90 vertical feet, a berm between the mine and the OHWM, the mine being 10 feet above the water table, the aggregate extraction will be maintained at a relatively low volume, the project will use existing interior roads, and the site will be reclaimed post pit use.

  The 200 horizontal feet is required for all medium intensity projects, but 300 horizontal feet is required for high intensity projects which a gravel mine is. Mentioning 90 vertical feet has some merit for protection of the river function however there has been no site plan prepared to date that illustrates this factor, or the distance from the river, so how are we to know what is stated here is accurate. Miles needs to have a site plan prepared by a Professional Land Surveyor indicating the slope, location of the river OHWM, location of any riverine wetlands, the 300-foot buffer and the 200-foot shoreline jurisdiction, and the location of the proposed mine, only then will we know what is actually and accurately being proposed. Furthermore, we need to see their reclamation plan.

  Regarding the contention mining will remain 10 feet above the water table; how will this be determined once mining has begun? Miles needs to

provide a performance standard to monitor the ground water elevation in many locations prior to removal of gravel. A mitigation plan to remediate the mine elevation if the bottom of the mine is closer to the 10-foot water table. Also, in all likelihood, the water table will be higher in elevation during the wet Spring season as compared to the dry Fall season, this fact needs to be determined and included in any monitoring and performance standard criteria.

Re: The Grip Road Noise and Vibration Study prepared by Ramboll US Corporation. Please note, I am not qualified to preform a "noise and vibration study" but have the following comments.

- The report lacks the authors names and credentials, these need to be provided.
- The introduction, second sentence states "The mine would be situated in the *middle* of 726 acres… This is not true. The proposed mine is on the extreme northern portion of the 726-acre parcel.
- The next sentence in the introduction states …"*The site is forested and most of the existing buffers would remain intact*". At this time, much of the 726 acres is being logged. Logging and resultant removal of the trees will affect the buffering capacity. Has this fact been factored into their noise analysis?
- Item 4 Operational Noise Impact, 4.1 states …"*The primary noise sources introduced by the proposal would be a front-end loader…*" However, in the Amended Special Use Permit Form, Item 12, Miles states "*Yes, standard minimum equipment such as front-end loader, dozer and excavator will be used*". This discrepancy needs to be addressed. Additionally, in the Amended Sand and Gravel General Permit, Item 2., Miles states, "*In addition to the above listed materials, equipment on site typically includes: Front End Loader(s), Dump Trucks, Excavator(s), and other miscellaneous mining equipment*. Other miscellaneous mining equipment needs to be defined and included in the noise study.
- There is no mention of equipment size in either Item 4.3 or in any other location within the study. There is only references to "front end loader". The actual type, size, model, etc. needs to be referenced.
- Further Items in 4.3 do not reference the number/quantity of front end loaders to be used. Will there be a single piece of equipment or many? Also, assumptions about the dBA at a distance of 100 feet needs clarification regarding the source of this information and as stated above, the number, sizes, and other types of equipment to be used.
- Regarding referencing haul trucks and their noise and vibration on Grip Road. Will said trucks be using a "jake or engine brake" when descending Grip Road? If so, was this factored into this study?
- In Section 6 Conclusion there is mention of "…"*less than 3BA during the vast majority of mining activities*." The term "vast majority" is not science based and needs clarification.

- Same section as above, "*Therefore, no impacts are expected from onsite mining operations*". There is no such thing as "no impacts". There are always project related impacts.

Re: The Amended Special Use Permit Form

- Item 3 references one to two full time employee's and truck drivers. Will there be bathrooms, a heated lunch room, electricity, a generator?
- Item 9. References to the February 8, 2016 DN Traffic report. This report is only preliminary and therefore should not be used nor referenced until a final report has been prepared. Also said report is based on incorrect data.
- Item 19, as referenced above. Because there will be at a minimum one full time employee, and truck drivers frequenting the mine, it is reasonable to assume a bathroom, lunchroom, heated space, work shack, and electricity will be required. These items need to be addressed and included in this amended form.

In conclusion, this latest response by Miles has not adequately responded to the requirements within your letter dated 6 July 2017. The only way to adequately address the impacts on the natural and physical environment, caused by the development of a gravel mine off Grip Road and the relationship of said mine on the people, is to complete an Environmental Impact Statement. I therefore recommend the county deny this permit application. I look forward to the scoping process for an EIS.



Jim Wiggins
21993 Grip Road
Sedro-Woolley, WA 98284

Cc: Hal Hart
Ryan Walters
Betsy Stevenson

John Cooper

From: Dan Cox <Dan.Cox@miles.rocks>
Sent: Monday, February 27, 2017 10:45 AM
To: John Cooper
Cc: 'shanew@co.skagit.wa.us'
Subject: RE: Grip road pit

John,

This is an issue that was fully discussed at the pre-app and later during the County's project review, and we had already come to agreement on how the internal road system must be managed. On August 11, 2016 I sent you an e-mail describing the existing Internal Private Forest Roads. As we've discussed, these parcels are in active forest management, and the road system is regulated by DNR under our Road Maintenance Plan Agreement. The Road Maintenance Abandonment Plan (RMAP) was submitted to the Washington State DNR for the Grip Road Property on July 8, 2002; the plan was accepted by the DNR on September 19, 2002, RMAP number R2800007L. I'll re-send that correspondence again by separate e-mail.

I'm copying Shane here to ensure he is aware of this agreement with DNR as it pertains to his comments regarding private road standards. There is nothing about the mining special use that precludes or changes our ability to use our own private forest road to transport minerals to the County Road. Further, the County has no requirement and there is certainly no benefit for the County to regulate this Private Road System that will continue to serve the forest plantation as well as the mine.

Thank you for confirming that Public Works is satisfied with the off-site portion of the traffic analysis and mitigation.

Feel free to give me a call to discuss.

Sincerely,

MILES
SAND & GRAVEL

DAN COX
LAND USE / ENVIRONMENTAL / SAFETY
Direct: 360.757.3121
Mobile: 360.770.0494
P.O. Box 280 • Mount Vernon, WA 98273-0280
WWW.MILES.ROCKS

From: John Cooper [mailto:johnc@co.skagit.wa.us]
Sent: Monday, February 27, 2017 8:04 AM
To: Dan Cox <Dan.Cox@miles.rocks>
Subject: FW: Grip road pit

Dan, this is the email I got from Shane concerning your internal service road system.

John Cooper, LG. LHg
Senior Natural Resource Planner/Geologist
Skagit County Planning and Development Services

1800 Continental Place
Mount Vernon, WA 98273
www.skagitcounty.net/planning
Ph 360-416-1334
johnc@co.skagit.wa.us

From: Shane W. Whitney
Sent: Thursday, February 09, 2017 8:49 AM
To: John Cooper
Subject: Grip road pit

John, we are good to go as far as traffic impacts and analysis for the offsite portion of the project. The internal service road will need to be widened to at least a private road standard. That would be a 20 foot wide driving surface. The bridge over the creek is a limiting factor, however because of a few other factors, the current bridge width will be sufficient.

The internal road improvements need to be made prior to the pit being open for business.

Shane Whitney
Engineering Technician
Skagit County Public Works
360-416-1428

MILES
SAND & GRAVEL

OFFICE: 360.757.3121
FAX: 360.757.5816

PO Box 280
Mount Vernon, WA 98273-0280

September 20, 2017

Via E-mail: Johnc@co.skagit.wa.us

Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
Attn: John Cooper, Planner/Geologist

RE: Replying to July 6, 2017 Skagit County Response (PL16-0097)

Dear Mr. Cooper,

Thank you for your July 6, 2017 letter requesting additional information in order to continue processing our application. I will respond in the order of the items listed in your letter.

1. With regard to the proposed hours of operation, we understand the County's recommendation was for Monday through Friday, 7:00 a.m. to 5:00 p.m. We presented our rational for unlimited hours in our application and in our July 6, 2017 letter. We are unclear what information the County relied on to recommend the Examiner restrict our hours from what is allowed by SCC 14.16.440(10)(i). Certainly the staff recommendations should be based on evidence and not unsupported public sentiment. Regardless, we are comfortable discussing the County's recommendation with the Hearing Examiner at the Public Hearing.

2. The County states our application fails to provide sufficient evidence to support the special use criteria of SCC 14.16.900(1)(b)(v). We find this confusing since the County had already found we meet this criteria, as documented in the September 12, 2016 Staff Report to the Hearing Examiner. You are now asking for a noise and vibration study. The site is very isolated and no processing is proposed. I am sure your research and experience confirm that the processing equipment is the biggest noise source at other mines. The activities here will be comparable to those at any site where construction earthwork is underway. What evidence is there to support a change in the County's position and request for a noise study?

3. With regard to truck trips, the County's letter does not accurately represent what we have proposed. Our proposal is clearly presented in the reports by DN Traffic Consultants, which again have previously been approved by Public Works and the conclusions of those approvals were conditions in the September 12, 2016 Staff Report to the Hearing Examiner. The County states "public concern" as the reason for the County to retain a third party traffic consultant. That is of course your discretion and requires no action on our part.

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4. We continue to disagree that the private road standards are appropriate for our project for reasons previously stated. We do however understand the County's need to ensure emergency vehicle access which of course we support. For that reason we are comfortable with a reasonable performance standard that requires the access road be maintained to private road standards (except as constrained by the existing approach and bridge over Swede Creek) as a condition of project approval.

5. I have enclosed an example of our Environmental Protection Plan, with Section 4 (starting at page 8) being the Spill Control Plan that would be implemented upon coverage under the Sand & Gravel General Permit through the Washington State Department of Ecology.

6. With regard to the appropriate land use intensity rating and buffer requirement, this issue has already been decided and approved by the County through its subject matter experts. The County has already issued a development permit associated with this application predicated on medium intensity use as described in our application and a 200' buffer. Public comment regarding the appropriate land use intensity can be presented to the Hearing Examiner, where we will have an opportunity to respond.

7. Please describe, specifically, the "numerous factual discrepancies" in our application so that we may correct them.

Finally, you state that after our response you will determine if our application is complete. If by complete you mean that you are comfortable re-scheduling the Public Hearing we'd prefer you use that language for clarity. As you know this application was deemed complete by the County on March 22, 2016.

We are looking forward to working with the County to move this project back to the Hearing Examiner so that a decision can be made. Please contact me to discuss any additional issues.

Sincerely,

Dan Cox

General Manger

encl:

Spill Control Plan

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May 15, 2017

Via E-mail: Johnc@co.skagit.wa.us

Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
Attn: John Cooper, Planner/Geologist

RE: March 14, 2017 Request for Additional Information (PL16-0097)

Dear Mr. Cooper,

Thank you for your March 14, 2017 letter request for additional information relative to the above noted application. We are providing answers to each of the questions below.

In the second paragraph of the letter you discuss conditions related to two significant issues that we will respond to. In both cases the County provides no rationale to support the arbitrary conditions suggested. Please consider our response below and revision of those proposed conditions.

The first is the maximum number of truck trips per day, in which you state that based on the information we provided, 46 truck trips per day is a reasonable limit. The information we provided describes 46 truck trips per day – on average – as being easily accommodated by the existing road system. This is not a limit but rather an average volume used by the Traffic Engineer to evaluate the existing road system's ability to function at the annual volumes we've proposed. As an average there are certainly days where this would be exceeded and others when the traffic would be lower. Any proposed traffic condition should refer to 46 trips per day as an average rather than as a limit. Attached is a November 30, 2016 Addendum by DN Traffic Consultants that further describes the capacity of the existing road system in terms of limits. Any traffic condition related to limits should reflect the trips proposed in this November 30, 2016 Addendum.

With regard to the second issue, you state operations will be limited to Monday through Friday, 7:00 a.m. to 5:00 p.m. (except holidays). The ability to limit hours of operation lies with the Hearing Examiner, but only in certain situations. As you are aware, SCC 14.16.440(10)(i) states: Hours of operation shall vary according to the locations on the site as stated below and may be shortened by the HE based on site-specific circumstances.

(i) Within designated natural resource lands, the hours of operation may be unlimited. 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, on any portion of the mining site where

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mining activity is proposed to occur less than 1/4 mile from existing Rural Intermediate, Rural Village, or Urban Growth Area designated lands;

Three significant facts are presented in this code section. First is that the Hearing Examiner is the authority charged with imposing hours limits. The staff is to make recommendations and act as the SEPA Official. There is no basis for a finding of a probable significant noise impact to support a condition. Second, in Natural Resource Lands, like the property here, hours of operation may be unlimited. That is the default standard. Third, the Hearing Examiner may consider limiting hours of operation on "any portion of the mine site where mining activity is less than ¼ mile from Rural Intermediate, Rural Village, or Urban Growth Area designated lands." Since our project is not within ¼ mile from any of those zones, our hours of operation may not be limited. We are, of course, required to comply with maximum allowable noise level per Chapter 173-60 which you'd previously described in your staff report and recommended as a condition of approval. That mitigation must be taken into account in the SEPA process.

For the remaining items, I will respond below in the same order of the bulleted items from your letter:

1. Based on comments received, the County requested a professional archaeological survey for the project area. Please see the attached March 9, 2017 Archaeological Survey by Cultural Resources Consultants which concludes that "no cultural resources were identified during the survey." This report should not be made available to the public because it contains information about archaeological sites, which are exempt from public disclosure requirements under state law (RCW 42.56.300). Please protect this document in your records as required by State law.

2. This second item deals with the County's request for our Forest Road to meet Skagit County Private Road Standards. "Forest Roads" are defined under WAC 222-16-010. Forest Road construction and maintenance is regulated through WAC 222-24. The Forest Road standards are "intended to assist landowners in proper road planning, construction and maintenance so as to protect public resources." The Skagit County Road Standards, International Building Code and International Fire Code referenced in the SCC are intended to address structures and residential lots. These standards apply to all building permits and the platting and land division regulations.

   The internal roadway is not a Private Road as described in the Skagit County Road Standards that will be open at all times to be traversed by the public. This Forest Road has been in continuous use and maintained for forest practice since before 1974 as defined in WAC 222-16-010. This is a gated internal roadway that will be used by professional drivers that will be in contact with their dispatch and each other by radio just the same as any emergency vehicle.

   This Forest Road is all that is necessary for the temporary extraction and transport of minerals to the County Road and the ongoing and future management and harvest of the timber resources. In Skagit County there are many miles of Forest Roads operated and managed by private, state and federal managers. These roadway systems are not required to be built to the Skagit County Road and development standards unless they serve structures and residences. No structures

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are proposed or required for this mine operation. IFC Appendix D103.2 Fire Department Vehicle Access Roads referenced in SCC 15.040 are defined by length of road and numbers of residential lots.

We assert that the Forest Road standards and existing roadway are sufficient and all that is necessary to transport the mine materials to the County Road and provide for adequate emergency response. In your letter you mention additional Critical Areas review for improvements to the haul road to County Road standards. The County should re-consider this approach and discourage any unnecessary impacts to critical areas. It is environmentally irresponsible to develop these roads to a greater standard than is necessary for the safe removal of the natural resources.

We are submitting for your review our Timber Management Plan dated November 9, 2009. This contains our Forest Road plan for this property. We can agree to maintain the Forest Road at an average 20 foot width and graveled surface under the Forest Road standards per WAC 222-16-010 which has already been approved for this road system. Maintaining the road to this standard will provide the necessary ingress and egress for emergency vehicle access to the proposed mine site as well as supporting the dominate land use of ongoing forest management on the remaining 650 acres of this approximate 730 acre ownership. Finally, as requested, we are submitting a memo from Jordan Janiki, PE certifying the bridge over Swede Creek at the required HS-25 rating.

3. This third bullet requests clarification as to whether a 2,000 gallon fuel tank may be stored on site and requests our spill control and countermeasure plan. All sand and gravel mines in Washington State are regulated by the Department of Ecology under the Sand And Gravel General Permit (SGGP) in compliance with the provisions of The State of Washington Water Pollution Control Law Chapter 90.48 Revised Code of Washington and The Federal Water Pollution Control Act (The Clean Water Act) Title 33 United States Code, Section 1251 et seq. (copy attached). That mitigation must be taken into account in the SEPA process. RCW 43.21C.240. Once local and state surface mining approvals have been obtained, coverage under the Sand And Gravel General Permit will be obtained prior to mining. Section S5 of the SGGP requires a Site Management Plan (SMP). The SMP consists of 4 main sections, including:
    a. Erosion and Sediment Control Plan (ESCP)
    b. Monitoring Plan
    c. Stormwater Pollution Prevention Plan (SWPPP)
    d. Spill Control Plan (SCP)

Section S8 SMP Section 3 of the SWPPP requires an inventory of materials stored on-site, including fuel, and has specific requirements for source control Best Management Practices in the event fuel will be stored on site. So to answer the questions posed in your letter, yes fuel "may" be stored on-site, and if it is it will be done in compliance with the Sand And Gravel

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General Permit which authorizes this activity and protects water quality. We will be happy to provide the County a copy of our site specific Site Management Plan, once completed, for your file. Although this requirement does not need to be restated by the County, we are certainly comfortable with the County conditioning the approval to require that coverage under the Sand And Gravel General Permit must be obtained prior to beginning mining operations on-site.

4. The fourth item is a request for clarification regarding screening or processing of material. We are not proposing either activity in this application.

5. The last item requests an update to the Fish & Wildlife / Wetland site assessment to address Threatened and Endangered Species and the appropriate width of the riparian buffer. The August 20, 2015 Site Assessment by Graham Bunting & Associates at Section 4.1, Threatened, Endangered and Sensitive Species, concludes that "No impacts to threatened, endangered or sensitive species above the existing baseline are anticipated, provided that the standard riparian buffer is applied." Even so, based on the County's request, GBA has provided the attached April 18, 2017 addendum which further addresses the issues raised during the public comment, including habitat requirements for the Oregon Spotted Frog, and concludes that the proposed critical area protections will provide the required protection. Finally, Section 5.2.2 Land Use Intensity of the August 20, 2015 Report fully describes the rational and justification for the moderate intensity land use and 200' buffer. Since this item is fully addressed in the existing Site Assessment, we have not asked our consultant to provide any update at this time.

Please contact me if you require any additional information or to discuss any of the items above.

Sincerely,

Dan Cox

Environmental, Land Use & Safety Manger

encls:

November 30, 2016 DN Traffic Consultants Addendum

November 5, 2009 Timber Management Plan

April 13, 2017 DCG Engineering Bridge Rating Letter

April 18, 2017 GBA Fish & Wildlife Addendum

March 9, 2017 Archaeological Survey by Cultural Resources Consultants

Washington State Department of Ecology Sand & Gravel General Permit

John Cooper

From: Dan Cox <Dan.Cox@miles.rocks>
Sent: Monday, February 27, 2017 10:48 AM
To: John Cooper
Subject: FW: Grip Road - Internal Private Forest Roads

John,

Re-sending our earlier correspondence regarding the Internal Private Forest Roads.

Thanks,

MILES SAND & GRAVEL

DAN COX
LAND USE / ENVIRONMENTAL / SAFETY
Direct: 360.757.3121
Mobile: 360.770.0494
P.O. Box 280 • Mount Vernon, WA 98273-0280
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From: Dan Cox
Sent: Thursday, August 11, 2016 3:53 PM
To: 'JohnCooper' <johnc@co.skagit.wa.us>
Subject: Grip Road - Internal Private Forest Roads

John,

The portions of our Grip Road ownership outside of the proposed mine area are managed as forest land. Below is an excerpt from our Forest Management Plan for the portion of the property outside of the mine area, which includes the internal forest road system.

Forest Roads: An extensive all-season forest road system services the property. The Forest Practices Act requires maintenance on all roads on forest land used for the transportation of forest products and that all roads under jurisdiction of forest practices rules be included in a road maintenance and abandonment plan submitted to the Department of Natural Resources. Further, the rules specify that all upgrades must be completed and new maintenance standards be applied to all roads used since 1974 by 2015. The Road Maintenance Abandonment Plan (RMAP) was submitted to the Washington State DNR for its Grip Road Property on July 8, 2002; the plan was accepted by the DNR on September 19, 2002, RMAP number R2800007L. All aspects of the plan have been implemented to date.

Road surface, turnouts, and shoulders should be graded and shaped as needed to provide a suitable travel surface and control water in an even, dispersed manner. Grading may be substituted with a lift of surface rock. Culverts should be inspected and cleaned routinely and immediately after any significant storm events. Culvert inlets should be armored and ditches should be kept clear of any debris. It is recommended that roadside vegetation be controlled every 2-years using the appropriate herbicides at manufacturers suggested rates, or every 2-3 years using mechanical brush control.

Thank you,

Dan Cox , Land Use/Environmental/Safety
Concrete Nor'West
P.O. Box 280, Mount Vernon, WA 98273
(360) 757.3121 x3046 Cell (360) 770.0494

CNW
CONCRETE NOR'WEST

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February 23, 2018

RECEIVED
FEB 23 2018

Via E-mail: Johnc@co.skagit.wa.us

Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
Attn: John Cooper, Planner/Geologist

RE: Replying to November 20, 2017 Meeting and November 21, 2017 Letter from Dan Cox to Dale Pernula PL16-0097)

Dear Mr. John Cooper,

Since our meeting and last correspondence, we have completed the Noise and Vibration Study and made additions to the Environmental Protection Plan. We are still looking forward to your third-party review of the traffic impacts. We would appreciate the opportunity to review and comment on that report once available. Following is our updated response.

1. With regard to the proposed hours of operation, we understand the County's recommendation was for Monday through Friday, 7:00 a.m. to 5:00 p.m. We presented our rationale for unlimited hours in our application and in our May 15, 2017 letter. Based on the results of our Noise and Vibration Study (described under Item 2 below), we continue to request "the hours of operation may be unlimited."

2. Our consultant, Ramboll US Corporation, completed a Noise and Vibration Study on February 20, 2018. In this study you will find that the model sound levels from the onsite mining and haul trucks are well below both the daytime and nighttime limits and expects no impacts from onsite mining operations. This study also considered the potential for vibration impacts from haul trucks traveling along Grip Road and Prairie road and found no impacts to residences from these trucks traveling to and from the mine site.

3. With regard to truck trips, the County letter from July 6, 2017 does not accurately represent what we have proposed. Our proposal is clearly presented in the reports by DN Traffic Consultants, which have previously been approved by Public Works; and the conclusions of those approvals were conditions in the September 12, 2016 Staff Report to the Hearing Examiner. In addition, our recently completed Noise and Vibration Study indicates no potential adverse effects from noise and vibration of haul truck traffic, therefore, the initial County recommendation to limit the number of truck trips should be dropped.

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4. We continue to disagree with the County defining our haul road as a "Private Road" as defined by the Skagit County Road Standards, Section 3.07, Private Roads. The proposed haul road will remain gated, private and is an internal haul road to be used by professional drivers. We do however understand the County's need to ensure emergency vehicle access which we support as we discussed in our November meeting. For these reasons we are comfortable with a reasonable performance standard of Section 3.08B, Emergency Vehicle Access Road, (except as constrained by the existing approach and bridge over Swede Creek) as a condition of approval.

5. We have made a couple of small additions to the Environmental Protection Plan as we discussed in our November 20, 2017 meeting. This division of Miles Sand and Gravel manages 17 of these permits for sites under the Sand & Gravel General Permit through the Washington State Department of Ecology.

6. With regard to the appropriate land use intensity rating and buffer requirement, this issue has already been decided and approved by the County through its subject matter experts. The County has already issued a development permit associated with this application predicated on medium intensity use, as described in our application, and a 200' buffer. This project started with a more conservative than required approach to determining ordinary high water mark and wetland edge. "Samish River (Ordinary High Water Mark/Wetland Edge)", letter report by Graham-Bunting Associates (GBA), May 18, 2015, proposed shoreline jurisdiction, 200 feet from the toe of the slope, when in fact the active channel varies between 50 feet and 300 feet from said toe location. GBA also characterized the subject proposal to be a "moderate land use intensity" in their report "Fish and Wildlife Site Assessment: Parcels 50155, 125644, 125645", August 20, 2015.

5.2.2 Land Use Intensity – Chapter 14.04 of the Skagit County Unified Development Code defines high intensity land uses as:

> *"Land uses which area associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium and high density residential (more than one home per five acres), multifamily residential, some agricultural practices and commercial and residential land uses."*

While at face, the subject dry mining activity appears to be a high intensity land use, GBA also considered the following elements of the subject proposal:

- The mine site is located greater than 200 horizontal feet landward of the OHWM
- The mine site is also separated vertically approximately 90 feet above the OHWM
- Mining activities will be separated from the OHWM by a protective berm
- The dry mine floor will maintain a maximum depth of 10 feet above the underlying water table
- All surface water will drain through the gravel floor of the mine site – no surface water will drain directly to the Samish River

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- The mine site is located in an area logged during the 1990s by a previous landowner
- No processing or industrial activity is proposed in conjunction with the project
- Aggregate extraction will be maintained at a relatively low volume level
- The project will utilize an existing interior road system
- The area contiguous to the berm will be mined first and reclaimed pursuant to a reclamation plan to be approved by the Washington State Department of Natural Resources. The goal of the reclamation plan will be to return the site to forest management or low density residential which are considered low and moderate land use intensities respectively.

Based on the elements of the project listed above, GBA would characterize the subject proposal as a moderate land use intensity. Moderate land use intensity is defined as:

> *" Land uses which are associated with moderate levels of human disturbance or substantial habitat impacts including, but not limited to, low density residential (no more than one home per five acres), active recreation, and moderate agricultural land uses."*

In short, the subject proposal is to utilize an existing mineral resource area by extracting relatively low volumes of aggregate with an excavator, loading the material into a dump truck and hauling the material to an authorized offsite processing facility.

The County has already issued a development permit associated with this application predicated on medium intensity use as described in our application and a 200' buffer. If the County is no longer concurring with the GBA characterization of a "moderate land use intensity" we need to know that and would like to see your rebuttal and reasons for this change.

Public comment regarding the appropriate land use intensity can be presented to the Hearing Examiner, where we will have an opportunity to respond.

7. In response to your request to update our application materials and our review of the applications, SEPA and project record, we found that the "Samish River (ordinary High Water Mark/Wetland Edge)" report by Graham-Bunting Associates, dated May 18, 2015, submitted to the County in June 2016 and referenced in SEPA checklist, has not been included in the record. We are including a copy of that memo with this letter.

   As we discussed in our meeting on November 20, 2017, we have also gone through the list of material discrepancies found on pages 4 and 5 of the letter from Jonathan K. Sitkin and Nolan F. Davidson to John Cooper, Skagit County Planning and Development Services, March 2, 2017.

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Traffic Figures:
February 8, 2016 traffic study was submitted with the MSUP application in March 7, 2017. The SEPA checklist also refers to the March 7, 2017 study. The MSUP application, Section A and Section B referenced the May 2015 report in three places on pages 9, 12 and 13. This has been corrected to reference the February 8, 2016 study and is attached for submittal.

Hours of Operation:
Proposal is for "unlimited" hours of operation as proposed in Section A, Item 2 of the application. "Normal" hours of operation would be 7:00 a.m. to 5:00 p.m., Monday through Friday as stated in Section A, Item 4 of the application.

Depth of Mine
The SEPA checklist, mine plan and mine cross-sections are based on survey information and work performed after the August 21, 2015 Hydrogeologic Site Assessment and bore hole exploration. Bore holes were plotted on the mine maps and the depth to ground water was converted to the survey map datum, NAVD88. The groundwater and bottom of the mine have been plotted on the cross sections and the separation of 10 feet is maintained. Hydrogeologic Site Assessment concludes the ground water is present "at an elevation of approximately 145 to 155 feet (msl)." There is no discrepancy between the "approximate" elevations in the Hydrogeologic report and the surveyed or rectified elevations in the SEPA and on the Mine Plans. The mine bottom will be a minimum 10 feet above the ground water table.

Amount of Gravel to be Removed
The SEPA Checklist, Special Use Permit and Staff Report all correctly report that 4.28 million cubic yards are proposed to be excavated over the life of the mine. The February 2016 traffic study uses 200,000 tons to be removed annually as an estimate for calculating the number of truck trips.

On Site Processing
No processing of gravel material is proposed on site as correctly stated in the MSU application and the Fish and Wildlife Site Assessment, August 20, 2015. Please disregard the reference to dry screening found in the Hydrogeologic Site Assessment, August 21, 2015.

Noise
A noise and vibration study has been completed and is being submitted for your review. The Staff Report can be revised to reflect the findings of the study.

Please include this document in the record and let us know if there are any further discrepancies in our application that need correction.

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We are looking forward to your review and our working with the County to move this project back to the Hearing Examiner so that a decision can be made. Please contact me to discuss any additional questions or issues.

Sincerely,

Dan Cox

General Manger

encl:

Noise and Vibration Study, February 20, 2018
Site Specific Spill Control Plan
Samish River (Ordinary High water Mark/Wetland Edge), May 18, 2015
MSUP application Section A and B

RECEIVED
FEB 23 2013
SKAGIT COUNTY
PDS

Section A

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

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

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

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

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

5. Will the employees be working on-site? Yes

If not, how many will be working off-site? None

6. Will there be signs indicating the operation? No

If so, where will they be placed and how big will they be? n/a

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

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

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

If development is phased please describe timelines. Once the mine is operating, mining and reclamation will proceed according to the phasing plan on the reclamation plan set (sheet C5). This schedule is driven by market demand for our product.

9. Describe the traffic impact of your operation on the County or State road system (such as the use of large trucks or constant vehicle traffic)? Traffic impacts and mitigation have been described in the attached February 8, 2016 Traffic Report by DN Traffic Consultants. Dump trucks will deliver sand and gravel to market via Grip Road, Prairie Road and Old Hwy 99 North Road.

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

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

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

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

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

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

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

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

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

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

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

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

19. If your operation will be using a building please describe the size, height and construction type. This building must be shown on the site plan.

No buildings are proposed at this time.

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

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

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

23. Address any fire flow issues. n/a

Section B

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

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

1. Describe how the proposed use is compatible with the neighboring properties. The mine site is bordered to the north by Ag-NRL and on the east, south and west by Rural Resource -NRL. Mining as described in this application is consistent and compatible with adjacent land uses typical of these zones.

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

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

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

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

6. What potential effects could your proposal have to the general public health, safety and general welfare?

No adverse effects to the general public health, safety and welfare are anticipated.

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

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

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

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

4. Describe the plan to minimize the impacts on these facilities? A traffic mitigation plan has been prepared and submitted as part of this application package (DN Traffic Consultants, February 8, 2016).

5. Describe any impact to those facilities. See attached report, DN Traffic Consultants, February 8, 2016. Impact and mitigation is provided for the Grip / Prairie Road intersection.

Please address Special Uses with Specific Criteria.

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

Provide the corresponding form for your application type.

See Forms A - K

John Cooper

From: website
Sent: Sunday, February 05, 2017 3:55 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Dennis Whitcomb
Address : 19117 Prairie Road
City : Burlington
State : WA
Zip : 98233
email : dennis.whitcomb@gmail.com
Phone : 360-399-1434
PermitProposal : PL16-0097 and PL16-0098
Comments : My family and I live and farm at the corner of Prairie Road and Highway 99, near the proposed mine. I have serious concerns about the proposal.

1. In the proposal documents, no guarantee is offered about how many trucks per day will transport materials through our community. If the gravel pit comes into being, what is to stop its owners from running hundreds of trucks per day through the area? What is to stop them from running trucks 24 hours per day, waking up the neighboorhood at all hours? With hundreds of trucks, or even far fewer than that, the entire character of our neighborhood will be changed. Instead of being a residential farming community, it will become an industrial throughfare. We should use especially careful scrutiny when proposals can fundamentally change our community in this way. The community and its character matters.

2. In addition to transforming our community's character, the proposal also threatens public safety. We frequently see near-crashes, and real crashes, where we live at the corner of Prairie and Highway 99. (Please feel free to look up the number of times just we ourselves have had to call 911 to report crashes at this intersection). If there is a large increase in the number of heavy trucks moving through this intersection, I have no doubt that there will be an increase in crashes and, yes, eventually a number of deaths.

3. The proposal also brings with it potential threats to local businesses. As well as living in the area, my family operates a commercial farm here. From this farm operation we sell a large number of free range eggs and vegetables. Clean water is essential. Without it, we will not be in business. What this fact illustrates is that the risks of the project do not merely redound to the local community in their private lives. They also redound to local business, including (at least) our local business. What guarantees do we have that our water, and thus our farming operation, will not be harmed by the proposed gravel pit?

4. In addition to the potential adverse economic impact of water pollution on our farming operation, there is also a potential adverse impact to our very ability to live in our home. Like the rest of the local community, we depend on wells for our water. What guarantees do we have that this water, and thus our way of life, will remain safe?

From Host Address: 24.113.254.134

Date and time received: 2/5/2017 3:53:18 PM

John Cooper

From: PDS comments
Sent: Monday, February 06, 2017 1:35 PM
To: John Cooper
Subject: FW: Miles Sand & Gravel Grip Road Pit

From: Joe Prince [mailto:slumpmonkey@gmail.com]
Sent: Monday, February 06, 2017 1:11 PM
To: PDS comments
Subject: Miles Sand & Gravel Grip Road Pit

Greetings,

I believe the proposed Grip Road pit is not in the best interest of those who live on Grip Road and the general vicinity.

While the number of truckloads per day seems relatively minor, there is no edge striping or markers on the outsides of lanes on Grip Road. Skagit County Public Works stated at the time we requested they be installed on the corners going eastbound from Prairie Rd that the lanes were to narrow to be so striped. If this is so, then I am concerned that putting 45-46 trucks per work day up and down that road will result in significant collisions and potential injury to motorists.

Further, there is the bridge across the Samish River near the intersection of Grip Rd and Prairie Rd. Adding significant, sustained traffic of fully loaded trucks is not going to be conducive to the life of that structure. Considering the state of other structures and roadways in the county, it is not clear that this structure will be suitably upgraded before it is ruined and declared deficient.

Finally, there is the intersection of Prairie and Grip Roads. The speed limit on Prairie Rd approaching Grip is now 40 MPH. However, practically speaking, there are vehicles moving very quickly around the corner from westbound Prairie. This has been the cause of countless near misses between vehicles turning left from Grip onto Prairie and those proceeding westbound on Prairie. This will be even greater of a problem when the turning traffic consists of 105,500 lbs of Mack truck and pit run.

At a minimum before this pit is granted permit, the county should mandate developer fees to widen Grip Rd to be suitable for the increased volume of truck traffic, as well as a significant contribution to reconstruction of the Samish River bridge. Finally, a three-way stop should be established at the corner of Prairie Rd and Grip Rd.

Most Respectfully,

Joe Prince
22047 Grip Rd

--
Joe Prince
(360) 421-1745 (cell)

John Cooper

From: website
Sent: Tuesday, February 07, 2017 4:35 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Lynn Lambert
Address : 5474 Parkridge Place
City : Sedro Woolley
State : WA
Zip : 98284
email : Lambert.lynn78@gmail.com
Phone : 360-724-0566
PermitProposal : PL16-0097, Pl16-0098
Comments : I moved here 12 years ago with the understanding that properties were designated for- what I term -gentleman's farms, and a ride through our neighborhoods justifies that designation. We are not a city, we are not an industrial area, we are a unique collection of beautiful rural neighborhoods.

Although the pit/mine itself will not (allegedly) create noise to affect the surrounding neighborhoods, please consider that the noise and congestion of a constant trail of trucks operating whenever they wish- certainly will.

Is there a guarantee that loose gravel will not effect homes and farms that border the area or cars sharing these roadways? Also, has consideration of roads for recreation during warmer months, (bikes, equines, children, and runners) affected any decision making?

Currently, operators can simply abandon pits without reclaiming the ecological devastation they create. A hole surrounded by cliffs, lacking nutrients, does not reclaim, it negates wildlife and natural vegetation. Therefor, I would like to be assured that land reclamation is well planned and enforced via a bond.

We are only allowed one house per 5 acres, but we cherish the acreage and the quality of life that exists in this area. We pay heavily for the privilege in the form of property maintenance and taxes and don't wish our earnings to extend to maintenance fees for industrial purposes, nor do we wish our property values to crumble with the rock….due to noise, safety issues, and the destruction of our neighborhoods.

From Host Address: 172.76.133.156

Date and time received: 2/7/2017 4:34:57 PM

GORDON THOMAS HONEYWELL

William T. Lynn
Direct: (253) 620-6416
E-mail: blynn@gth-law.com

February 7, 2017

John Cooper, LG. LHg
Senior Natural Resource Planner/Geologist
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Concrete Nor'west - Application for Mining Special Use Permit PL 16-0097

Dear Mr. Cooper:

We are writing on behalf of Concrete Nor'west regarding the above-referenced application. We are requesting that the matter be set for hearing before the Hearing Examiner at the earliest possible date that is convenient for the County, the applicant and its representatives.

As you know, this proposal was the subject of a complete environmental review that included traffic analysis, fish and wildlife site assessment and wetland review among other things. It has also been the subject of extensive public and agency comment. The SEPA process was completed and the matter set for hearing.

Unfortunately, the County failed to give all of the required notice, and so the Hearing Examiner allowed the members of the public present on the initial hearing date to testify and then continued the hearing to a date to be set following additional notice. The matter is now pending before the Hearing Examiner; the only planning staff functions at this point are to give proper notice and set the hearing. Despite the fact that this matter is pending before the Hearing Examiner the staff has continued to receive public comments. That, in and of itself, is not troublesome. The appropriate thing to do is to pass those comments along to the Hearing Examiner as if they had been submitted at the public hearing. Despite the staff's limited role at this point (and the pendency of this matter before the Examiner) the County staff has suggested that it may continue to impose requirements for archeological surveys and traffic analysis. Given that SEPA analysis and determination of non-significance have been completed and that the matter is before the Examiner, this is not a proper procedure. The procedural status at the present time is no different than it would be if these same comments had been made during the hearing. In accordance with normal

procedures and the Examiner's jurisdiction, the staff can make recommendations on these matters, but the significance of any public comments and the necessity of a response by the applicant are within the jurisdiction of the Examiner.

The applicant fully understands that this project has some controversy associated with it and we will come to the hearing prepared to address all public comments, and potentially to suggest some additional conditions of approval. It is not appropriate for the staff to set up additional procedural hurdles for the applicant between now and time of the public hearing.

We are providing a copy of this letter to the Hearing Examiner. If necessary, we would be happy to set up a pre-hearing conference call with the Examiner, the staff, and the applicant to address the procedure. Otherwise, we look forward to having the hearing set at the earliest available and convenient date.

Very truly yours,

William T. Lynn

WTL:lb
cc: Hearing Examiner
Concrete Nor'west

[4847-2499-3602]

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Thursday, February 09, 2017 2:18 PM
To: John Cooper
Subject: FW: PDS Comments

From Dept Email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Thursday, February 09, 2017 1:15 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Donna Schoonover
Address : PO Box 207
City : Bow
State : WA
Zip : 98232
email : donnawh@earthlink.net
Phone : 360 724-3064
PermitProposal : PL16-0097
Comments : I have concerns about the traffic hazards posed by this mining operation. The intersection of Grip and Prairie Roads is already dangerous with limited visibility and speeding. I do not feel a traffic loop activated flashing beacon system will be adequate to prevent crashes there. I am also worried about the travel on Prairie Road through Jarman Prairie where we live. There is a lot of speeding on this straight stretch of road. With so many slower gravel trucks, I am feeling that people are going to be passing them unsafely and tragedy could occur. I am thinking it will be unsafe for us to pull out of our driveway onto Prairie Road for the same reason. Finally, I already have to travel behind gravel trucks on Old Highway 99 and have had several windshields cracked by loose rocks from their trucks. Not only is this an expense, it is also a safety hazard. I hope you will consider these issues and rectify them before permitting this operation.

From Host Address: 24.113.136.26

Date and time received: 2/9/2017 1:12:38 PM

GORDON THOMAS HONEYWELL

William T. Lynn
Direct: (253) 620-6416
E-mail: blynn@gth-law.com

February 7, 2017

John Cooper, LG. LHg
Senior Natural Resource Planner/Geologist
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Concrete Nor'west - Application for Mining Special Use Permit PL 16-0097

Dear Mr. Cooper:

We are writing on behalf of Concrete Nor'west regarding the above-referenced application. We are requesting that the matter be set for hearing before the Hearing Examiner at the earliest possible date that is convenient for the County, the applicant and its representatives.

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procedures and the Examiner's jurisdiction, the staff can make recommendations on these matters, but the significance of any public comments and the necessity of a response by the applicant are within the jurisdiction of the Examiner.

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Very truly yours,

William T. Lynn

WTL:lb
cc: Hearing Examiner
Concrete Nor'west

[4847-2499-3602]

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Monday, February 13, 2017 10:38 AM
To: John Cooper
Subject: FW: PDS Comments

From Dept Email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Sunday, February 12, 2017 2:05 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Renee Kenady
Address : 5319 Cedar Ridge Place
City : Sedro Woolley
State : WA
Zip : 98284
email : rkenady44@gmail.com
Phone : (360) 661-1272
PermitProposal : Concrete Nor'West Special Use Permit Application PL16-0097
Comments : Re: Concrete Nor'West Special Use Permit Application PL16-0097

My husband and I bought, developed and built our dream home on 5 acres which is the third parcel from the eastern border of the proposed gravel mine. Again, I would like to emphasize that we did not choose to build our dream home by a gravel site that would create safety issues, possible damage to our water supply, property value drop and noise pollution! I tried to attach several photos of the view from our property but this format wouldn't allow it. To be sitting on our bluff, looking at our beautiful view and experience the constant beeping of trucks as they move around and other noise related to this is unacceptable. Please understand that this is about more than income for Lisa, Inc,, Miles Sand and Gravel and Concrete Nor'west. It is about the quality and investments of many lives.
I will bring photos to the hearing if I cannot get them to you in this manner.

From Host Address: 50.34.100.190

Date and time received: 2/12/2017 2:03:32 PM

— CHMELIK SITKIN & DAVIS P.S.
ATTORNEYS AT LAW

Jonathan K. Sitkin
ATTORNEY
e] jsitkin@chmelik.com

February 22, 2017

VIA REGULAR U.S. MAIL AND E-MAIL

Skagit County Hearing Examiner
c/o Betta Spinelli, Coordinator
1800 Continental Place
Mount Vernon, WA 98273
bettas@co.skagit.wa.us

John Cooper
Skagit County Planning and Development
1800 Continental Place
Mount Vernon, WA 98273
johnc@co.skagit.wa.us

RE: NOTICE OF UNAVAILABILITY
SPECIAL USE PERMIT APPLICATION NO. PL 16-0097
APPLICANT: CONCRETE NOR'WEST

Dear Ms. Spinelli and Mr. Cooper:

Our firm represents a group of concerned citizen neighbors with regard to the above-referenced permit application. Please take notice that I will not be unavailable on the following dates:

March 1, 8, 10, 15, 22-25, 31

April 1-7, 12, 21, 26

May 3, 7-10, 17-19, 24-25

I respectfully request that no hearings or any and all activity requiring a response be filed within these timeframes.

Sincerely,

CHMELIK SITKIN & DAVIS P.S.

Jonathan K. Sitkin

JKS/rsv
cc: Clients

1500 Railroad Avenue
Bellingham, WA 98225
p] 360.671.1796
f] 360.671.3781
www.chmelik.com

— CHMELIK SITKIN & DAVIS P.S.
ATTORNEYS AT LAW

Jonathan K. Sitkin
ATTORNEY
e] jsitkin@chmelik.com

RECEIVED
FEB 27 2017
SKAGIT COUNTY
PDS

February 24, 2017

VIA REGULAR U.S. MAIL AND E-MAIL

Skagit County Hearing Examiner
c/o Betta Spinelli, Coordinator
1800 Continental Place
Mount Vernon, WA 98273
bettas@co.skagit.wa.us

John Cooper
Skagit County Planning and Development
1800 Continental Place
Mount Vernon, WA 98273
johnc@co.skagit.wa.us

RE: CORRECTED - NOTICE OF UNAVAILABILITY
SPECIAL USE PERMIT APPLICATION NO. PL 16-0097
APPLICANT: CONCRETE NOR'WEST

Dear Ms. Spinelli and Mr. Cooper:

Our firm represents a group of concerned citizen neighbors with regard to the above-referenced permit application. Please take notice that I will not be ~~un~~available on the following dates:

March 1, 8, 10, 15, 22-25, 31

April 1-7, 12, 21, 26

May 3, 7-10, 17-19, 24-25

I respectfully request that no hearings or any and all activity requiring a response be filed within these timeframes.

Sincerely,

CHMELIK SITKIN & DAVIS P.S.

Sent without signature to avoid delay.

Jonathan K. Sitkin

JKS/rsv
cc: Client

1500 Railroad Avenue
Bellingham, WA 98225
p] 360.671.1796
f] 360.671.3781
www.chmelik.com

John Cooper

From: PDS comments
Sent: Friday, February 24, 2017 7:42 AM
To: John Cooper
Subject: FW: Concrete Nor'West Special Use Permit Application PL16-0097
Attachments: Rainbow.JPG; valley view.jpg; Winter scene.jpg

From: Renee Kenady [mailto:rkenady44@gmail.com]
Sent: Friday, February 24, 2017 7:28 AM
To: PDS comments
Subject: Concrete Nor'West Special Use Permit Application PL16-0097

Attached are photos I referred to in my comment posted on the comment section of the county site. The comment is below as well.
My husband and I bought, developed and built our dream home on 5 acres which is the third parcel from the eastern border of the proposed gravel mine. Again, I would like to emphasize that we did not choose to build our dream home by a gravel site that would create safety issues, possible damage to our water supply, property value drop and noise pollution! I tried to attach several photos of the view from our property but this format wouldn't allow it. To be sitting on our bluff, looking at our beautiful view and experience the constant beeping of trucks as they move around and other noise related to this is unacceptable. Please understand that this is about more than income for Lisa, Inc,, Miles Sand and Gravel and Concrete Nor'west. It is about the quality and investments of many lives.
I will bring photos to the hearing if I cannot get them to you in this manner.

007097

007098

007099

CHMELIK SITKIN & DAVIS P.S.
ATTORNEYS AT LAW

RECEIVED
MAR 06 2017
SKAGIT COUNTY
PDS

Jonathan K. Sitkin
ATTORNEY
e] jsitkin@chmelik.com

March 2, 2017

VIA REGULAR U.S. MAIL AND E-MAIL
johnc@co.skagit.wa.us

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

RE: SPECIAL USE PERMIT APPLICATION NO. PL 16-0097
PROPOSED PROJECT: CONCRETE NOR'WEST GRAVEL MINE
APPLICANT: CONCRETE NOR'WEST

Dear Mr. Cooper:

As I have mentioned in my previous correspondence to you, we represent a group of citizens who live near the above-referenced proposed project. Our clients have a number of concerns with both the project and the direct, indirect, and cumulative significant impacts of the project, the lack of consistency of the project with the comprehensive plan policy and goals, and the errors in the County processing of the application, which have effectively denied our clients' ability to meaningfully participate in the SEPA process which resulted in a lack of disclosure of the project impacts and potential mitigation contrary to SEPA and the County's SEPA rules. This letter is intended to be the first in a series of installments outlining our concerns and objections. One of the reasons for the installment responses is due to the County's installment responses to our public records request. We have just recently received the 2nd and 3rd installment responses, but we have not been advised if these are the final installments or if additional responses are anticipated.

I have attempted to reach you by telephone a few times over the past week or so to discuss the project and our clients' concerns. I understand that you were out of the office on vacation during part of this time. Previously, I sent a letter to your office asking for notice of any matters that arise with regard to the project. Earlier this week, I sent to your office and the Hearing Examiner's office a Notice of Unavailability to assure that any pre-hearing conferences, scheduling of matters such as pre-hearing discovery, briefing, and the hearing are coordinated with my schedule. At the conclusion of this letter, you will find an invitation for County staff and the applicant to attend a community meeting regarding the project. We will arrange a suitable location and a facilitator for the meeting to ensure there's a constructive dialogue so that you and the applicant can hear the community's concerns and address potential solutions.

1500 Railroad Avenue
Bellingham, WA 98225
p] 360.671.1796
f] 360.671.3781
www.chmelik.com

We also request that you outline what anticipated actions by the County are forthcoming, such as the timing for deciding whether to withdraw the MDNS, when a new threshold determination would be made, when a hearing schedule will be proposed, and other key decision points. We request that you keep our firm advised in advance of all such actions.

We ask that you forward to my attention all communication from the applicant or any agency or tribe, as well as all documents received by the County provided by the applicant or their representatives in response to those other agencies or tribes.

DEFECTIVE SEPA PROCESS

For the initial reasons outlined herein, the County is requested to immediately withdraw the SEPA Threshold Determination of a Mitigated Non-Significance due to the lack of compliance with notice requirements, the effective violation of the fundamental disclosure and notice requirements of SEPA, and the resulting violation of our clients' procedural due process rights. When properly noticed, such a comment hearing assures that the County has provided the public with a reasonable and meaningful opportunity to provide comments regarding the project and the SEPA Checklist when conducting its threshold determination under SEPA. When proper notice is not provided, then the public is denied this opportunity.

DEFECTIVE NOTICE UNDER COUNTY CODE AND SEPA RULES

As you know, the original Notice of Application was issued in error in March 2016, due to the failure to provide mail of the notice to the proper parties.[1] The Skagit County Code requires that the Notice of Application be sent to the property owners surrounding the boundaries of the adjacent properties owned by the applicant—but it was not. The failure to mail the Notice of Application to the correct parties was a material nondisclosure and a failure to comply with disclosure requirements. This resulted in the cancellation of the public hearing scheduled for last fall and the re-issuance of the Notice of Application in December of 2016. However, SEPA, the County Code, and procedural due process requirements require that the Notice of Application be properly issued in advance of the SEPA determination and SEPA comment period. Proper issuance of the Notice of Application is fundamental to the required SEPA notice process. SEPA is fundamentally a public notice and public disclosure statute.[2]

The defective Notice of Application in March of 2016 infected the SEPA threshold determination process and the SEPA MDNS itself. The defective Notice of Application resulted in a denial of an opportunity to timely comment on the SEPA Checklist, depriving our clients of their rights and

[1] SCC 14.06.150(2) requires that a Notice of Application be mailed to all physical addresses and all owners of real property within 300 feet of any portion of the boundaries of such adjacent properties owned by the applicant. *See* SCC 14.06.150(2)(d)(iii). The County's Notice of Application issued in March of 2016 did not comply with this requirement.

[2] "[T]he procedural provisions of SEPA constitute an environmental full disclosure law." *Norway Hill Pres. & Prot. Ass'n v. King Cty Council*, 87 Wn.2d 267, 272, 552 P.2d 674, 677 (1976). "The act's procedures promote the policy of fully informed decision making by government bodies when undertaking 'major actions significantly affecting the quality of the environment.'" *Id.* (quoting RCW 43.21C.010; RCW 43.21C.030).

prejudicing our clients. Because the notice was defective, our clients were denied their ability to participate in the SEPA process. This is significant, substantial, and sufficient prejudice and harm to our clients that if the County were not to withdraw the MDNS immediately, we would anticipate that the Hearing Examiner or Court would require that a permit and a MDNS be invalidated with a requirement that the County re-commence the SEPA process.

As the Court of Appeals noted, "[o]ne purpose of specific statutory requirements for public notice of an impending land use decision is to ensure that the decision makers receive enough information from those who may be affected by the action to make an intelligent decision" and "defective notice undermines the information-gathering process." *Prosser Hill Coal. v. Cty. of Spokane*, 176 Wn. App. 280, 291, 309 P.3d 1202, 1208 (2013).

The lead agency is required to consider the timely comments from the general public regarding a threshold determination. WAC 197-11-340(2)(c) and (f).[3] Recognizing the importance of the Notice of Application and the ability of the public to meaningfully comment on the SEPA Checklist and threshold determination, Skagit County has integrated the SEPA review process with the Notice of Application.[4]

The SEPA Rules (WAC 197-11) contemplate a situation where DNS was issued are a result of a misrepresentation or a lack of material disclosure, as is the case here, due to the failure to properly issue the Notice of Application. In such instances, the lead agency has no choice but to withdraw the DNS. And, in this case, the County or its consultant must prepare the SEPA Checklist at the expense of the applicant. WAC 197-11-340(3)(a) provides, in part, (emphasis added):

> The lead agency shall withdraw a DNS if:
>
> ...
>
> (iii) The DNS was procured by misrepresentation or lack of material disclosure; if such DNS resulted from the actions of an applicant, **any subsequent environmental checklist on the proposal shall be prepared directly by the lead agency or its consultant at the expense of the applicant**.

State agencies have also complained to the County regarding the lack of proper notice of the application and of the SEPA threshold determination. For example, the Department of Archaeology and Historic Preservation ("DAHP") informed the County that "[w]e were not notified of the project in order to provide timely comments. One of our tribal partners notified us and we share his concerns that cultural resources may be damaged by this project."

---

[3] SCC 16.12.070 adopts WAC 197-11-340.

[4] *See* SCC 14.06.070(2)(c). The Skagit County Code allows a SEPA threshold determination notice to be issued with the Notice of Application, provided that a determination of non-significance may not be issued until after the expiration of the comment period. The County's SEPA ordinance requires that if a SEPA document is issued with the Notice of Application, the public notice requirements for the Notice of Application suffice to meet the SEPA notice requirements. SCC 16.12.160 (2)(c). *See, also,* SCC 16.12.160(3).

Due to the lack of proper disclosure of the adjacent property owners and state agencies, and potentially others, as required by Skagit County Code, Skagit County is obligated to withdraw the MDNS.

MATERIAL DISCREPANCIES IN THE APPLICATION

In addition to the above procedural defects in the SEPA process, there are material discrepancies regarding the project description and its impact between the special use permit application, the SEPA Checklist prepared by the applicant, and other material submitted regarding the application. These discrepancies are so significant that one cannot discern what is proposed, other than it is a gravel mine at a particular location. The following is a summary of these discrepancies:

- Traffic Figures: A May 2015 traffic study presumed 25,000 tons of gravel would be removed from the mine each year, and used this figure to calculate that there would be an average of 6 truck trips per day. The same traffic study was apparently reissued in February 2016 with new figures—200,000 tons of gravel to be removed annually, and 46 truck trips per day—but no new conclusions. Both traffic studies were identified by the author as "preliminary" and stated that "additional traffic analysis will be required," which was never undertaken. The applicant's Special Use Permit Application, which was filed with the County on March 7, 2016, refers only to the earlier May 2015 study. However, the applicant's SEPA Checklist refers to the later February 2016 study. The Staff Report issued by Skagit County Planning & Development doesn't specify which study it relies upon but uses the later February 2016 figures (and contemplates a theoretical maximum of 720 truck trips per day).

- Hours of Operation: The Special Use Permit Application proposes that the mine's hours of operation will be "unlimited." The applicant then suggests that "normal" hours of operation would be 7:00 a.m. to 5:00 p.m., Monday through Friday. Elsewhere in the application, the applicant suggests these "normal" hours would actually be Monday through Saturday. An email from the applicant to the County explains that the mine would operate "in general" from 6:00 a.m. to 6:00 p.m., Monday through Saturday, but the applicant reserved the right to work through the night "without restriction." The Staff Report lists the hours of operation as "Monday through Saturday, dawn to dusk," with expanded hours depending on "market conditions" and "seasonal demands."

- Hazardous Substances: The Special Use Permit Application states that hazardous substances will be stored on site, including a 2,000-gallon diesel fuel tank. The Staff Report contradicts the application, stating that "no hazardous materials or fuels are proposed to be stored on site." The Staff Report, then, contradicts *itself*, stating that "relatively minor" amounts of fuel will be stored on site.

- Depth of the Mine: The SEPA Checklist and Staff Report both state a proposed depth of 154 to 163 feet above mean sea level ("msl"), which is purportedly "ten feet above the water table." However, the hydrogeological site assessment performed by Associated

Earth Sciences states that the water table ranges from 145 to 155 feet above msl. If the applicant mines to a depth of 154 feet msl, as proposed, the mine could be below the water table, not ten feet above it.

- Amount of Gravel to be Removed: The SEPA Checklist, Special Use Permit Application, and Staff Report all say 4.28 million cubic yards of gravel are proposed to be excavated over the life of the mine. But, the traffic studies relied upon figures of 25,000 tons (earlier May 2015 study) and 200,000 tons (later February 2016 study) to be removed annually. There is no explanation of how those figures were calculated in reference to the cubic yards of excavation, or why the figure was apparently off by a factor of ten in the earlier study.

- On Site Processing: The fish and wildlife site assessment conducted by Graham-Bunting Associates states that "[n]o processing or industrial activity will occur on site." However, the hydrogeological report states that certain processing—including stockpiling and dry screening—will be performed on site. The MDNS and the Staff Report both state that no on site processing is proposed "at this time," suggesting that on site processing is contemplated in the future.

- Noise: In the Special Use Permit Application, the applicant cites unspecified personal experience for the assertion that there will be no effect from noise, vibration, or dust. The Staff Report gives three contradictory assessments of noise. First, it states that "[t]he applicant has indicated that the proposal would not result in noise or vibration impact beyond the site boundaries." The Staff Report then states that "[t]he applicant has indicated the noise at receiving properties is expected to be relatively low" and identifies certain noise mitigation measures. Elsewhere, the Staff Report states that "[p]otential impacts from noise, dust and traffic to surrounding, existing or potential dwelling units from the proposed operation are possible and exceed those currently experienced in the area."

The inconsistent project descriptions and analysis identified above is effectively material nondisclosure and misrepresentation requiring withdrawal of the MDNS. *See WAC 197-11-340(3)(a)(iii), discussed above.* The applicant has not disclosed an accurate, consistent project description capable of environmental review. The inconsistencies are significant and functionally a material misrepresentation of the project because the actual project and its potential impacts cannot be readily discerned. This misrepresentation undermines and defeats the public's ability to review and comment upon the SEPA environmental review process. Because the MDNS was procured due to such misrepresentation resulting from inconsistent project information, Skagit County is obligated to withdraw the MDNS and require the applicant to provide a specific and detailed project description in one definitive document.

WAC 197-11-340, cited in part above, also requires that the lead agency shall withdraw an MDNS where there are substantial changes to the proposal, or significant new information indicating probable significant adverse impact. *See WAC 197-11-340 (3)(a)(ii).* The application itself is sufficiently unclear and inconsistent with other submissions by the applicant that there are either substantial changes to the proposal since the SEPA Checklist was submitted or the

more recent submissions that expand the scope and potential impact of the project requiring withdrawal of the MDNS by Skagit County.

AGENCY COMMENTS

We also note from our initial cursory review of the County's installments provided in response to our records request, that an archeological review has been required since the SEPA MDNS was issued, and the Department of Ecology has questioned the moderate use intensity evaluation of the wetland by the applicant's consultant. These two comments alone warrant and require withdrawal of the MDNS by the County under WAC 197-11-340(3)(a). Indeed, the Skagit County Code encourages withdrawal when a mitigation measure is not included in an MDNS, such as the requirement to conduct an archeological study. *See SCC 16.12.110(8).* In addition, as to the wetland report, initially it does not appear that a wetland delineation and assessment occurred. Rather, the applicant sought the bare minimum reconnaissance review which, not surprisingly, limits the scope and detail review that the consultant could perform, and results in material questions as to whether the assessment was accurate as noted by the Department of Ecology. The County should require a full wetland delineation and assessment as part of the full disclosure associated with a SEPA review.

WAC 197-11-350(2)

It is noted that the MDNS indicates that it was issued pursuant to WAC 197-11-350(2). This provision of the SEPA Rules allows an applicant to seek early notice of whether a Determination of Significance is likely, and that the applicant may change the project and submit a revised SEPA Checklist to bring the project below the level of significance. There is no indication in the MDNS that a revised SEPA Checklist was submitted. Perhaps when we have a complete record from Skagit County we will receive a copy of the revised SEPA Checklist. If not, then this is a procedural error in the environmental review process and/or the issuance of the MDNS itself necessitating withdrawal of the MDNS and requiring a revised SEPA Checklist to be submitted, or re-issuing the MDNS under a correct provision of the SEPA Rules.

The forgoing are our initial comments on the SEPA procedural errors and defects. We anticipate further substantive comments on the application and the SEPA process once we have received the complete record and any additional reports submitted by the applicant.

INVITATION

To date, neither the applicant nor the County has directly and meaningfully engaged the adjacent property owners regarding the proposed project. We are arranging for a community/neighborhood meeting where the County Planning Staff, Public Works staff, and the applicant will be invited to discuss the neighborhood's concern with the project. We are working to retain an independent facilitator for such a meeting. The time and place for such a meeting is forthcoming. I am happy to speak with Tim Holloran, Dale Pernula, or others, as necessary to ensure the County's involvement.

I look forward to an opportunity to discuss these concerns with you.

Sincerely,

CHMELIK SITKIN & DAVIS P.S.

Jonathan K. Sitkin
Nolan F. Davidson

JKS/NFD/rsv
cc: Clients

John Cooper

From: website
Sent: Monday, March 06, 2017 7:00 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Linda Walsh
Address : 21710 Prairie Road
City : Sedro Woolley
State : WA
Zip : 98284
email : walshl2006@hotmail.com
Phone : 360 708 7736
PermitProposal : PL16-0097 CNW special use
Comments : (Due to limitation of size for comments - this letter is part 1 of 2)
February 15, 2017
Linda Walsh
21710 Prairie Road
Sedro Woolley WA 98284
Owners Robert & Linda Walsh of P50099, P50100, P50105 - Adjacent to the proposed Mining parcels
Attention: Planning & Development Services
Hearing Examiner & Commissioners
RE: PL#16-0097 - Special Use permit application - Concrete Nor'West
Please accept this submittal and include this comment letter in the record for the Hearing Examiner and Commissioners.
To Whom it May Concern:
In regards to the comment entered into the record by the Applicant's representative, Dan Cox, regarding his comment that I had prior knowledge of natural resource activities.
The NRL zoning on the form at the time of signing was checked as - X- Agriculture, I did not have prior knowledge or an understanding that such an industry like an Open Pit Gravel Mine was allowed on Agriculture-NRL lands. It is still unclear to me why or even if the particular form I signed would apply to mining since there is only Agricultural checked. I read the form as including a description of ALL types of industries and the issues that would concern us were only Agriculture, since that is what was already checked.
I would like to bring to your attention the facts surrounding the signing of Title Notification - Developmental activities on or adjacent to designated natural resource land form.
The Title Notification document he attached to his comment letter was presented to me by the County as part of our permitting process we began in February 2015 to build a garage on our land, which, at that time we had already owned our home and property 25 years. Months later, in late April 2015, near the end of the permit process, I was told the county was just updating landowner records via the permit process for landowners who were seeking current permits and we needed to sign the document, it was just part of the permit process to get records updated. I was unaware of the zoning of surrounding properties or what it really meant. We wanted the permit so I signed the form.
Notice the date on the signed document is April 28, 2015 and our permit was approved/issued on April 29, 2015.
In reference to the form itself:

John Cooper

From: website
Sent: Monday, March 06, 2017 7:10 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Linda Walsh
Address : 21710 Prairie Road
City : Sedro Woolley
State : WA
Zip : 98284
email : walshl2006@hotmail.com
Phone : 360 708 7736
PermitProposal : PL16-0097 CNW special use permit
Comments : (Due to limitation of size for comments - this letter continued and is part 2 of 2)
February 15, 2017
Linda Walsh
21710 Prairie Road
Sedro Woolley WA 98284
Owners Robert & Linda Walsh of P50099, P50100, P50105 - Adjacent to the proposed Mining parcels
Attention: Planning & Development Services
Hearing Examiner & Commissioners
RE: PL#16-0097 - Special Use permit application - Concrete Nor'West
Please accept this submittal and include this comment letter in the record for the Hearing Examiner and Commissioners.
(CONTINUED Part 2 of 2)
Since our rural residential density numbers are few in comparison to towns and cities I feel our rights to Safely use public roads, peace and quiet at our homes and the serious negative impacts a mining operation can have on our lives,our property and the environment are all just considered nonsignificant factors. It seems considered --
just the 'Cost of doing Business' at our expense. The planners do have a very difficult job trying to balance growth and still protect the private property owners' rights and keep the public safe, but it sure seems the rights of business operations,which are known to have negative impacts, are protected much more than our rights a property owners and residents.
Our rights are weighed against the value of a natural resource and a business owner's desire to operate for a profit. In this case if the roads are improved what other businesses will benefit? It is not an area where multiple businesses will seek to operate and therefore they might benefit from the road improvements that will need to be done in order for truck & trailers to safely use the roads. If others landowners have thoughts of developing existing lands surrounding the Mine into residential areas they will certainly experience property value decline just as we will if the mine is approved.
We rely on our government to require Applicants for commercial projects to clearly define their projects and to provide thorough, accurate and complete studies and reports on all aspects, especially when human safety and negative environmental factors are concerns.
This proposal is not just going to cause impacts from a construction site that will be finished in a few months --It is a 25 YEAR project, possibly given unlimited hours for operating. A project proposal producing an Irreversible, permanent 51 acre giant hole in the ground, up to 50 to 75

feet deep(unclear to me how deep possibly 90 feet?) as proposed only 200 feet feet away from the sensitive Samish River and a mere 100 feet away from our backyard and 100' from my neighbors' properties backyards. Can you imagine 100 feet from your property line having a 51 acre hole, thousands of feet long and wide and 50 to possibly 90 feet deep with equipment and trucks operating, impacting you and the environment with Noise, Dust & Vibrations and other unevaluated factors-- possibly Unlimited hours and days?
Per SEPA and the Mining Special Use Permit the Short and LONG term impacts must be thoroughly evaluated and documented and the Burden of proof is on the Applicant. It is in all our best interests to make sure that is done since this Mine's impacts are Irreversible and will affect not only us but our future generations.
It seems obvious by the number of concerned comment letters from Skagit County residents and Neighbors of these CNW properties, since December 7th, people were simply unaware of these types of proposals in our area and have many valid concerns.
Thank you for taking the time to review this letter.
Linda Walsh

From Host Address: 24.113.239.132

Date and time received: 3/6/2017 7:05:01 AM

John Cooper

From: PDS comments
Sent: Thursday, January 05, 2017 6:45 AM
To: John Cooper
Subject: FW: Concrete Norwest File # PL16-0097 comments

From: Beckie Sitton [mailto:beckiesitton@gmail.com]
Sent: Friday, December 30, 2016 5:21 PM
To: PDS comments
Subject: Concrete Norwest File # PL16-0097 comments

As a resident near the proposed gravel mine on Grip Rd I have several concerns. My primary concern is the very high limit on gravel trucks per day (720) and no limit set for operating hours and days. I travel these roads daily as a pedestrian and as both a private and professional driver. Grip and Prairie Rd have very little to no shoulder and make for hazardous conditions under heavy traffic. The intersections that these trucks would have to traverse are busy and often difficult to cross. As a pedestrian I often have to step into the ditch to avoid Concrete Nor'West gravel trucks as they travel down Kheller Rd. An increase in this traffic along all the other roads near my house is very worrisome.

Gravel trucks are already causing major impacts to local residents, frequently throwing rocks at oncoming traffic and damaging windshields and vehicles. There seems to be no recourse when a person gets their windshield or vehicle damaged. Increasing truck traffic hauling gravels will in turn increase impacts of noise, dust, vibration, vehicle damage and risk of injury to area residences without providing a benefit. This proposal should only be approved if strict limits on hours and number of trucks are put in place and residents are given a way to be compensated for damages.

My other concern is environmental. I live in the Samish Watershed, near the Samish River and the health of this ecosystem is very important to us all. This project needs a more complete environmental review to ensure no further damage is done.

Thank you for your time and please include me in future notifications and updates about this project.

Sincerely,

Rebecca Sitton
18712 Fishermans Loop
Burlington, WA 98233

John Cooper

From: PDS comments
Sent: Tuesday, January 17, 2017 6:39 AM
To: John Cooper
Cc: Ryan Walters
Subject: FW: Gravel Pit on Grip Rd.
Attachments: Concrete Nor West.docx

From: Rickeleazer@aol.com [mailto:Rickeleazer@aol.com]
Sent: Saturday, January 14, 2017 9:30 AM
To: PDS comments
Subject: Gravel Pit on Grip Rd.

Trying to find out when the meeting is at city hall.
Also. We as a community are very concerned about this gravel pit. Public Safety. Structural Design of the roads and Bridges. Storm Water Pollution Run Off. Traffic. Water Table being Drawn Done due to Mining. Hazardness Imported Materials. On-Site Pollution. (oils-anti-freeze-Hyd. oils-noise)
I have been in the construction Business for all my life. Over 30 years. Heavy Civil. State--County--City. I have seen a lot that, that others have not. I have other concerns as well.
Out dated Traffic Report Analysis. Behest Report Made Directly for CNW / Miles for this Gravel Pit.
The Grip Road is no way Heavy Traffic Rated. Its not wide enough. The R/W and Easements would all have to be changed. Power Poles would have to be moved back. New storm water ditches, shoulders for pedestrians access.
A blinking light on Prairie Rd. Come On. That's a Blind corner coming off Grip onto Prairie Rd. Accidents all the time. I know. I was with the Fire Dept. for years. Prairie / Hickson. Dist. 8.
You would have to cut the Hill Side Down for one, or put a Traffic Light There.
I think you would also be putting a big Liability on the County. If you approved a blinking light. If somebody got seriously hurt or died.
I think the County needs to get a updated Traffic Analyses Report. A New Structural Design Report on the Roads and Bridges. CEPA Review. Storm Water Review. Water Shed Review.
Please take this ""Seriously"" The Community does.
RE



Just found out that Concrete Nor' West wants to open a Gravel Pit on the Grip Rd, just off Prairie Rd. Which is located on the 1000 Block of Grip Road. Just above Swede Creek & the Samish River.

The Proposed Site is on the windy hill side heading off of Prairie Rd on Grip Rd. There is a yellow locked gate approx. ¾ mile to the NE side of Rd from Prairie, on Grip, to the site.

I live in this neighborhood. My concern for the Watershed, and our Natures Animals to this area. Then of Course, Pollution Run off from 46 dump trucks 6--Days a week, or more. Then to add in Sub-Contractors or Rental Dump Trucks. All the pollutants from them, will run into the ditches, which dumps into the Creeks and Rivers downstream. This will affectively in time, kill off any water migrating animals and wildlife that drink that water.

I work in heavy construction. Dump Trucks and Equipment break down. They spill Hydraulic Oil, Engine Oils, Diesel, and Anti-Freeze. They're called accidents, or Mechanical Breakdowns

Then combine this with Pedestrian and Traffic Safety, along with the Integrity of the Road. There hasn't been any "" Notice Signs"" posted on the road stating "" Proposed land Use" . There is one posting hidden off the roadway, on the proposed gravel access road to the site.

Another concern about is the structural integrity of the oil mat roadway breaking up. It's not designed for Heavy Truck Traffic. Then after repairing the oil mat roads, adding more pollutants into the waters, and storm runoff ditches, to the surrounding the areas.

The one of many concerns is for the Swede Creek Bridge. Is it designed for all that weight? Day after day. Is it Structurally Sound? Traffic Congestion at Prairie Rd & Grip intersection? ""Blind Corner"", Accidents are there all the time, poor planning. A flashing light that Concrete Nor'West is proposing to install for "caution", is ludicrous. On Grip or Prairie is horrible for us that drive that on a daily basis.

This road is not designed for heavy traffic. It's intention is for light traffic. There is no way you can have two trucks and trailers going up and down this windy road, side by side, at one time. Their trailers will swing into each other. This road is not wide enough for pedestrians, bicycles, traffic & dump trucks. It's a rural road, meant for normal residential traffic & school buses.

This project has been secretly done, with no input from the Community, or Neighborhoods. No Meeting. No effort to inform the public.

All I have heard is there is a meeting in January 2017, from King 5 News. Seattle. This is how I found out about this proposed Strip Mining and Proposed New Gravel Pit.

Please Call or Write. Skagit Co. Commissioners.-- Sedro Woolley Mayor/ Commissioners —Dept. of Ecology—Dept. of Fish and Wildlife—Governors—State Senators—Etc.

Very Concerned.

I am not excited to have a gravel pit in my back yard but I understand that we all need gravel. Concrete Nor'west needs to be a good neighbor and Skagit County needs to ensure our roads are safe.

I am concerned about equipment noise and dust. Per the permit application, there are no restrictions on hours of operation. Concrete Nor'west will operate the hours that suit them. This is not the correct answer. We need defined and permitted hours of operation.

In the future, if Concrete Nor'west decides to change their operations plan as it is outlined in their permit application, is county approval required? If county approval is required, will there be public notification and comment? The answer to both questions should be yes.

Road safety is my biggest concern. Below is a table of traffic incidents reported (Data from Skagit County IMap) from 2014 through 2016 from the pit entrance on Grip road to Concrete Nor'west on Old 99.

Average Incidents 2014, 2015, 2016

Proposed Route Only

Sum of Average	Column Labels		
Row Labels	Intersection	Not an Intersection	Grand Total
Proposed			
Old 99		**27.00**	**27.00**
Accident		5.33	5.33
Animal		3.33	3.33
DUI		1.00	1.00
Hazard		2.33	2.33
Traffic Enforcement		15.00	15.00
Prairie	**52.17**	**6.50**	**58.67**
Accident	8.00	2.50	10.50
Animal	4.50	1.00	5.50
DUI	2.00		2.00
Hazard	13.67	1.00	14.67
Traffic Enforcement	24.00	2.00	26.00
Grip		**7.33**	**7.33**
Accident		2.00	2.00
Animal		2.33	2.33
DUI		1.00	1.00
Hazard		1.00	1.00
Traffic Enforcement		1.00	1.00
Grand Total	**52.17**	**40.83**	**93.00**

Only intersections separated are intersections with Prairie Road

As you can see, we have there are numerous incidents on the proposed routes without the additional dump truck traffic.

Below is a table of road safety concerns on the proposed route:

Issue	Additional Details
Intersection of Grip Road and Prairie Road	Trucks making left hand turn (West) on Prairie Road. West bound traffic cannot see truck until they are in the corner. Trucks will be slower than normal through this intersection because they starting on a hill. The "Loop" system doesn't sound adequate. Need to excavate some of the hill at the corner so trucks at this intersection can see approaching west bound traffic.
Intersection of Prairie Road and Old Highway 99	This intersection is already an issue. Accidents happen on a regular basis. There will be a significant traffic increase when construction starts on the Old 99 overpass near Cook Road. This intersection needs a light with left hand turn lanes.
Width of Prairie Road	Needs to be wider and smoother to accommodate trucks.
How does the truck traffic allow for pedestrian and bicycle traffic?	The road and shoulder are already challenged by pedestrian and bicycle traffic. Adding regular truck traffic will make it impossible.
90 Degree curves on Prairie Road	At least one curve is a bit tight for regular truck / trailer traffic.
Ditch that overflows regular on Prairie Road @ Park Ridge Lane	How does the water saturation affect the road stability with truck traffic?
Bridge over Samish River (Grip Road)	Can it handle the truck traffic?
Bridge over Friday Creek (Prairie Road)	Can it handle the truck traffic?
Bridge over Samish River on Old Highway 99	Bridge is not in good shape. Can it handle additional truck traffic?
Grip Road - Hill	Not adequate for regular truck traffic. Has been sluffing for years (over 40 that I know of)
Width of Grip Road	Needs to be wider and smoother to accommodate trucks.
Allowed to travel East on Grip Road?	Regular traffic? Need to know approved routes other than West on Grip Road.
Allowed to travel East on Prairie Road?	Regular traffic? Need to know approved routes other than West on Prairie Road.
Will loads be covered	Don't need additional gravel on the road to break more windows
Road weight limits	Freeze thaw cycles will close the roads at times - considered?

John Cooper

From: Brian Bowser <cmsinc@myfrontiermail.com>
Sent: Tuesday, January 17, 2017 8:35 PM
To: John Cooper
Cc: Susan Bowser
Subject: PL16-0097 - Road Concerns

Dear Mr. Cooper,
I have had some time to look through the documents concerning PL16-0097. Below are some of the concerns I have with the transportation plan as listed in the documentation:

DN Traffic Consultants

Grip Road Intersection

1. Decisions about the Grip Road intersection are being made with information from 2013. I did not see that 2.5% of increased traffic per year was considered when calculating the data (As described in the "2013 Skagit County Road Segment & Intersection Concurrency" report).
2. Intersection has "sub-standard observed distance for both stopping and entering sight distance in southbound direction whereas the Grip Road/Site Access has a sub-standard value for entering sight distance in the eastbound direction." DN Traffic Consultants believe the permanent fix for this intersection costs too much although no cost estimate was completed.
3. The recommended solution--advanced warning signs with flashing beacons--was listed as a "potential interim" solution. Neither the Staff Report or the Hearing Examiner Report recognized this as an interim solution. Neither report listed a timeline for the Skagit County to develop a permanent solution.

Additional Studies

1. DN Traffic Consultants expected additional traffic analysis would be required as the proposed gravel pit operation was defined. This analysis has not been required by Skagit County nor offered by Concrete Nor'west.

Other Crucial Issues Not Addressed

1. The report did not address whether the truck counts were Concrete Nor'West trucks only or if they would allow additional independent operators to purchase from the pit on Grip road, thus generating additional traffic.
2. Traffic East bound on Prairie Road is allowed to pass before they reach Park Ridge Lane. This was fixed previously, but after the recent chip sealing was completed, the striping allowed for passing prior to Park Ridge Lane.
3. The F & S Grade Road intersection was not evaluated. It is also a limited site intersection and has had a significant number of accidents at the intersection.
4. Grip Road has a 40 foot right of way. Concrete Nor'West trucks will not be able to pass each other in opposite directions on several portions of Grip Road because they cannot navigate the corners and stay in their lane simultaneously.
5. Per "Skagit County Road Standards Version 5.2 May 26, 2000 section 3.13," a right of way of less than 60' can lead to additional requirements. No studies have been completed to assess the areas "road network circulation".
6. It is doubtful that a dump truck and trailer traveling East on Prairie Road can stay in its lane through the final 90-degree corner.

7. The permit describes the Grip to Prairie to Old Highway 99 North as the "haul route". Does that mean only the loaded trucks must follow this route? Empty trucks can take an alternative route? If so, what is the alternative route?
8. Prairie Road and Grip Road have insufficient "Clear Zone". The Clear Zone is "the total roadside border area, starting at the edge of traveled way, available for safe use by errant vehicles. This area may consist of a shoulder, a recoverable slope, a nonrecoverable slope, and/or a clear run-out area. The desired width is dependent upon the traffic volumes, speeds, and the roadside geometry." Per "Skagit County Road Standards Version 5.2 May 26, 2000."
9. A pedestrian was hit by a logging truck while walking several years ago. He went to a nursing home to recover but never did make it back home. This accident is an example of what happens when you have insufficient clear zone.
10. Dump trucks will be operating during early morning hours when kids are waiting for the bus in the dark with insufficient clear zone.
11. Sedro Woolley School District has a bus turn-around area just west of the mine access at Grip Road that would be negatively impacted by heavy truck traffic coming down the hill.
12. There will be increased incidents due to West Bound Prairie Road traffic passing dump trucks just past the F&S Grade Road intersection.
13. There will be increased incidents due to East Bound Prairie Road traffic passing dump trucks near the Park Ridge Lane intersection.
14. Many clubs (bicycle, motorcycle, car) and organized athletic events use Prairie Road as part of their routes for events. Dump truck traffic, with current road design, is incompatible with this type of use. The permitting process has ignored this type of use.
15. Many people living in the area use our local roads to walk, run, or bike. Dump truck traffic, with current road design, is incompatible with this type of use. The permitting process has ignored this type of use.
16. The language in the "Skagit County Planning and Development Services Findings of Fact" is specific: "Truck trips shall not exceed an average of 46 truck trips per day or exceed 30 truck trips per hour." This combined with no restrictions on hours of operations means that Concrete Nor'West would be within their permit to operate 24 hours per day, 30 trucks per hour, for 23.3 days and shut down for the remainder of the year. I don't expect this, but my point is that none of the traffic studies determine any upper limits on trucking, hours of operation, impact to the roads and intersections. All the decisions were based on a preliminary traffic study on two intersections and an email from Dan Cox to John Copper. The email stated traffic engineer, Gary Norris, indicated that both intersections evaluated could function within level of service requirements up to 100 trucks per hour during non-peak hours. As a result, Mr.Cox limited the trucks to 30 trucks per hour during non-peak time. This number is not a limit in the permit, nor is it based on anything more than one person's opinion.
17. Actual truck trips per hour and per year appears to be on the honor system. No system of verification is discussed.
18. I did not see that trucks will be weighted prior to leaving the gravel pit. How will Concrete Nor'West verify the trucks are not overloaded prior to leaving the Grip Road gravel pit?
19. Dump Trucks have the highest fatality rate of any type of commercial truck: Per 100 million miles traveled (MMT), 5.96 fatalities.
20. How will the Bow Hill Road Reconstruction Project impact the intersection at Old 99 and Prairie Road? Project execution appears to overlap with the Burlington Northern Overpass Project.
21. How will the Burlington Northern Overpass Project impact the intersection at Old 99 and Prairie Road? Project execution appears to overlap with the Bow Hill Road Reconstruction Project.
22. How will the Samish River Bridge Repair (Old Highway 99 N.) impact the trucking route for Concrete Nor'West from the Grip Road pit to the Old 99 pit or will gravel be hauled to a different location?
23. "Skagit County Planning and Development Services Findings of Fact" states Concrete Nor'West can take product direct to market or to existing Concrete Nor'West site for processing. Trucks may go any direction

from the gravel pit yet only two intersections were reviewed. The proposal submitted indicates Concrete Nor'West will take the bulk of the product from Grip Road to the gravel pit at 8198 Old Highway 99 North Road, not an existing Concrete Nor'West site. Taking it to another location is a change to the permit. Concrete Nor'West needs to complete a traffic analysis on all potential routes from the mine on Grip Road.

With all the above issues, I believe a traffic impact analysis should be completed before the permit to mine is approved. In determining what level of traffic analysis is needed, the peak allowable truck traffic allowed per the permit should be used, not an average number of trucks for a given year. The report should address route clear space, geometrics, and hazards. I also recommend accident data be included in the study based on the following information from the public data available on the Skagit County website:

> On Prairie Road alone, from 2010 to 2016, 93 vehicles were abandoned, 182 traffic hazards were reported, 240 vehicle accidents were reported, and 354 traffic citations were issued.

There appears to be a safety issue on Prairie Road before we add dump trucks to the mix. The report should also address route geometrics and hazards.

To help you visualize some of our concerns, here is a picture on Prairie Road, north of Grip Road. The pavement width in the picture (20') is typical of Prairie Road and Grip Road.



Brian Bowser
21110 Parson Creek Road
Sedro Woolley, WA 9828

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Thursday, January 19, 2017 8:55 AM
To: John Cooper
Subject: FW: PDS Comments

From Dept Email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Saturday, January 14, 2017 9:20 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Rick & Joni Eleazer
Address : 22134 Grip Rd.
City : Sedro Woolley
State : WA.
Zip : 98284
email : rickeleazer@aol.com
Phone : 360-854-7962
PermitProposal : Hoogdale Gravel Pit. Grip Rd.
Comments : Trying to find out when the meeting is at city hall.
Also. We as a community are very concerned about this gravel pit. Public Safety. Structural Design of the roads and Bridges. Storm Water Pollution Run Off. Traffic. Water Table being Drawn Done due to Mining. Haphazardness Imported Materials. On-Site Pollution. (oils-anti-freeze-Hyd. oils-noise)
I have been in the construction Business for all my life. Over 30 years. Heavy Civil. State--County--City. I have seen it a lot that, others have not seen. I have other concerns as well.
Out dated Traffic Report Analysis. Behest Report Made Directly for CNW / Miles.
The Grip Road is no way Heavy Traffic Rated. Its not wide enough. The R/W and Easements would all have to be changed. Power Poles would have to be moved.
A blinking light on Prairie Rd. Come On. That's a Blind corner coming off Grip onto Prairie Rd. Accidents all the time. I know. I was with the Fire Dept. for years. Prairie / Hickson. Dist. 8.
You would have to cut the Hill Side Down for one,
Or put a Traffic Light There.
I think you would also be putting a big Liability on the County if you approved a blinking light. If somebody got seriously hurt or died.
Please take this seriously. The Community does.
RE

From Host Address: 24.113.5.176

Date and time received: 1/14/2017 9:17:05 AM

John Cooper

From: website
Sent: Monday, January 23, 2017 7:55 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Frank L Phillips
Address : 22461 Prairie RdConcrete Nor
City : Sedro Woolley
State : WA
Zip : 98284
email : fphillips67@gmail.com
Phone : 3608561637
PermitProposal : PL16-0097
Comments : I'm deeply concerned about the proposed Grip road gravel mine project by Miles sand and gravel. My first concern is the safety of travel along Prairie road at the intersection with Grip road. This is a blind corner with vehicles traveling at speeds up to 50 mph. This is already a dangerous corner and having slow moving truck and trailer rigs entering the intersection compounds the danger. I feel that a flashing light is not a proper means of traffic control. I feel that the total area should be reconstructed to provide a safe environment for people using Prairie road and Grip road. Grip road is also not up to a safe standard and would need to be reconstructed in both directions, as independent haulers may use Grip road to the east. These upgrades should be provided by Miles.
My other concerns are about environment issues. These concerns are about nesting Bald eagles in the area, Samish river water quality, and any wet landson the property.
I also think the proposal needs to be more specific as there is alot of wording, such as, at this time, that leaves questions as to the extent of the proposal.

Thank you
Frank Phillips

From Host Address: 24.113.225.148

Date and time received: 1/23/2017 7:53:42 AM

John Cooper

From: website
Sent: Monday, January 23, 2017 7:05 AM
To: Planning & Development Services
Subject: PDS Comments

Name : David Miller
Address : 5493 Hoogdal Branch Rd
City : Sedro Woolley
State : WA
Zip : 98284
email : davidmiller8080@hotmail.com
Phone : 3603332616
PermitProposal : Grip Rd Gravel mined
Comments : To whom this concerns,
I'm writing to voice my concerns about the proposed gravel site listed above. I will pinpoint my concerns and elaborated on them if needed.

-Road not wide enough to handle the proposed truck traffic and current traffic and recreation use. I currently run three that area and have almost been hit several times As there is not enough room on road for me and traffic. I can only imagine the nightmare that will be presented if the proposed
Amount of truck travel these Rd with current vehicle and recreational traffic.
-Intersection of prairie Rd and grip Rd. This intersection is a bad accident waiting to happen. As I travel thru this intersection (merging for grip onto prairie west bound) I have many of times pulled out and had to slam the acceleration to void being depmtrunck from a vehicle and I didn't see coming around the prairie corner westbound. I have now resorted, in the hours of darkness, as I stop at the intersection waiting to merge on to prairie to turn my lights off in hopes of seeing advancing headlights coming around the corner. I have had several close calls with this intersection and KNOW that if the proposed truck traffic begins traveling through this intersection and serious if not fatal accident will eventually occur.
- I highly urge the elected officials that have been voted in to represent the public body to put the public body first and seek out their best interests!

Thanks,
David Miller

From Host Address: 70.199.128.150

Date and time received: 1/23/2017 7:03:22 AM

John Cooper

From: PDS comments
Sent: Monday, January 23, 2017 6:39 AM
To: John Cooper
Subject: FW: Gravel Pit

From PDS Comments Inbox:

-----Original Message-----
From: David Goehring [mailto:davidgoehring@gmail.com]
Sent: Sunday, January 22, 2017 1:22 PM
To: PDS comments
Subject: Gravel Pit

The current proposal for approximately 50 trucks and trailers hauling gravel to exit the mine via the steep, narrow, winding section of Grip Road, and then through the blind intersection of Grip and Prairie Roads will put every one of us who use those roads at risk of bodily injury or worse.

I do not use Grip Road often, so will leave the wisdom of using it for heavy truck traffic to those who do, but I use Prairie Road almost daily, and have for the last 25 years. First of all, the section of Prairie from the Grip Road intersection to Highway 99 is in no shape to accommodate that much more heavy traffic. It has extremely narrow shoulders, and most of the shoulders it does have are unstable, as the road crews have widened them somewhat over the years by just brushing gravel over the edges. In some stretches there are literally no shoulders whatsoever. There are steep drop offs down into a creek a person could drown in, with no guard rails for protection.

The intersection of Grip and Prairie is already extremely dangerous, and should have been addressed long before now. I have always been amazed that there aren't more serious injuries there. If I happen to be riding with someone else I always ask them to slow down before rounding that curve. If a vehicle is just entering Prairie from Grip there is nowhere to go. The idea of having yellow warning lights on each side of the curve is a bad joke. Most drivers will heed them, but you know many won't, especially over time.

I still haven't quite gotten over reading the comment from the planning department that if the yellow lights turn out to be inadequate, that further measures such as flaggers and spotters would be considered. How many injuries or fatalities would have to happen before something was done? And seriously, permanent flaggers for the life of the project? It sure sounds to me like your planning department is playing fast and loose with lives of the drivers using this route, and I am not exaggerating the dangers one iota. You have only tenths of a second to react when coming around that corner from the east.

I find it curious that the department found it "obvious" that the mine owners would not be able to pay for extensive road improvements. Isn't this the same company that built an elevated roadway all the way from Highway 99 over to and underneath I-5 to access the Belleville pit? Why is the county assuming that the company can't pay? I would hope that the county would put the safety of it's citizens first, not the bottom line of some gravel miner from Puyallup.

David Goehring
20002 Double Creek Lane
Sedro Woolley

360-661-0818

John Cooper

From: website
Sent: Wednesday, December 21, 2016 2:40 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Andrew & Wendi Prince
Address : 22047 Grip Rd.
City : Sedro-Woolley
State : WA
Zip : 98284
email : sitnbull@wavecable.com
Phone : 360-856-9111
PermitProposal : Concrete Nor'West #PL16-0097
Comments : We would like to be involved in this process & be notified of any public meetings regarding this plan

From Host Address: 24.113.237.6

Date and time received: 12/21/2016 2:37:30 PM

John Cooper

From: website
Sent: Wednesday, December 21, 2016 11:50 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Vanoy Smith
Address : 10873 Peter Anderson Rd
City : Burlington
State : WA
Zip : 98233
email : docsmith1@frontier.com
Phone : 360 757 0886
PermitProposal : Grip and Prarie Rd Gravel Mine
Comments : I am a bicycle rider from Burlington who frequently rides on Prairie and Grip Rd. Someone will die biking on that road with the heavy truck traffic. It is bad enough now, with no shoulder and the occasional bike hater who drives by. Please, I assume the permit will pass, and I have no objection to the land use. But please, as a requirement for the operation, put in a decent protective shoulder for hikers and bikers.
I have seen bike accident victims in the ER and they are not pretty!
Vanoy Smith MD
PS I was ER physician at UGH several times when there were train accidents at Cook and #99. I screamed for lights and bars and wrote letters. Finally when enough injuries and deaths occurred something was done. Please act responsibly.

Vanoy Smith MD

From Host Address: 104.235.183.16

Date and time received: 12/21/2016 11:47:41 AM

John Cooper

From: website
Sent: Tuesday, December 20, 2016 10:05 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Jason Haugland
Address : 21422 Prairie rd
City : Sedro-Woolley
State : Wa
Zip : 98284
email : Jhaugland3@gmail.com
Phone : 3607245006
PermitProposal : PL16-0097
Comments : Regarding the proposed mine with concrete Nor'West and Skagit County. This is a very dangerous road route there is going to be a high amount of traffick added to two of the most dangerous parts of these roads with very little to no shoulder. These roads have not been widened or upgraded for over 20 years! Can you honestly tell me that a truck and trailer combo can make the hair pin 15mph S corners at the end of Grip and/or Prairie rd even once without encroaching oncoming traffick or over the outside of the fog line Let alone 40+ of that at least each day with how many different drivers? Not to mention the school bus routes schedule and safety of the children waiting for the bus, bicyclists, or pedestrians? There is literally no shoulder along this whole route and hair pin corners on both Prairie and Grip that can't possibly be navigated by a pedestrian bicyclists or distressed motorist and two truck trailer combos going opposite directions. A yellow blinking light is your proposed answer for this. We need more time to mitigate this please?? We have a director of this project that we can not contact and a date encroaching that seems very unreasonable. This mine borders my property and you have advertised this proposal as a Grip rd site. It should be restated as a Samish River Valley Mine as this will effect the whole Samish river valley. I would like more time to review your environmental studies and the credentials of who decided there is no negative impact on fish and wildlife as well as the water table that my well draws from.

From Host Address: 24.113.224.122

Date and time received: 12/20/2016 10:01:33 PM

John Cooper

From: website
Sent: Wednesday, December 21, 2016 12:25 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Jon Kvernmo
Address : 754 Humphrey Place
City : Burlington
State : WA
Zip : 98233
email : jon.kvernmo@gmail.com
Phone : 360-333-1212
PermitProposal : Concrete NW Mining Proposal
Comments : The matter of the Concrete NW Mining Proposal as it impacts Grip Road and Prairie Road came to my attention recently. I bicycle those roads regularly, and enjoy the scenery and relatively low vehicular traffic volume. I'm a proponent of private enterprise, as it's the engine that drives our economy. However, as in any such matter where interests that could compete intersect, there should be careful consideration given to both sides. Bicyclists are the more vulnerable when it comes to the use of our county roads. I have personally had occasion to fear the prospect of personal injury when drivers are heedless, or worse, antagonistic, towards their neighbors who happen to be on the road, on a bicycle.

Paved shoulders of sufficient width to allow bicyclists and truckers to share the road safely should be required as a condition of issuing the mining and hauling permit(s). That way CNW can make money, and the bicycling community can continue to enjoy the safe use of what has been a pleasant part of our countryside.

From Host Address: 50.34.155.212

Date and time received: 12/21/2016 12:24:53 PM

John Cooper

From: website
Sent: Wednesday, December 21, 2016 10:35 AM
To: Planning & Development Services
Subject: PDS Comments

Name : James Douglas Koehn
Address : 21341 Prairie rd
City : Sedro Woolley
State : Wa
Zip : 98284
email : DND906@frontier.com
Phone : 3606611591
PermitProposal : 68 acre gravel pit mine on prairie rd. s.w.
Comments : I wish to reguest an extension on the Dec. 30 th comment period

From Host Address: 50.34.126.63

Date and time received: 12/21/2016 10:30:09 AM

John Cooper

From: Nancy Swalling <swalling@wavecable.com>
Sent: Monday, January 23, 2017 1:16 PM
To: John Cooper
Subject: #PL16-0097 Concrete Nor West Grip Road Gravel Pit

I am concerned ab out the impact of the Gravel Pit operation on Grip Road. Actually I have many concerns which are being addressed by so many of my neighbors.

I am currently researching the water table level. I see a danger in the possible negative and irreversible effect to our local wells.

1. How will they determine how far they can dig at any particular location before hitting the water table?
2. Should the wells be damaged, how will they be held accountable?

And there are a couple other issues which come to mind:

In upgrading the access road, how will they protect the creek? Who will be monitoring this operation?

The warning lights at the intersection of Grip and Prairie Roads are tol be temporary. What will change to make these lights unnecessary?

I would like to see these issues addressed.

Thank you.

Nancy Swalling
(360) 856-6549

John Cooper

From: PDS comments
Sent: Tuesday, January 24, 2017 6:38 AM
To: John Cooper
Subject: FW: REVIEW OF NEEDED PERMITS. PL16-0097. GRIP RD GRAVEL PIT

From the PDS Comments inbox:

From: Rickeleazer@aol.com [mailto:Rickeleazer@aol.com]
Sent: Monday, January 23, 2017 6:16 PM
To: PDS comments
Cc: walshl2006@hotmail.com
Subject: REVIEW OF NEEDED PERMITS. PL16-0097. GRIP RD GRAVEL PIT

To Whom It may Concern:
Have you seen these permits for the above proposed land use.
Approved as of 2016 land use Laws & Rules
We the community of Hoogdal, are very concerned about the proposed land use.

Land Use Applications: Forms

- Boundary Line Adjustment. Set Backs
- Critical Areas
- Grading and Storm water Management.
- Right-of-Way Use.
- TDR Conservation Easement
- SFDU Submittal
- State Environmental Policy Act (SEPA) Checklist
- Zoning Code Variance (Supplement)
- Landscape Plan Submittal Checklist
- Tree Canopy Ordinance
- Land Use Permit Submittal Checklist
- Supplemental - Off-Road Vehicle Use
- Supplemental - Excavation and Processing of Minerals
- Sight Clearance and Intersections
- Traffic Design
- Public Safety

John Cooper

From: website
Sent: Wednesday, January 25, 2017 1:25 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Indra Pernell
Address : 4505 Prairie Lane
City : Sedro Woolley
State : WA
Zip : 98284
email : ipernell72@gmail.com
Phone : (360) 399-1621
PermitProposal : PL16-0097 & PL16-0098
Comments : Thank you for extending the comment period!!!

When we bought our place on Prairie Lane, the lovely quiet curving road to it was one of the great selling points! I am so distressed about it becoming an industrial and high traffic rd, instead of quiet and pastoral. Up to 30 trucks per hour?!! NO.

Here are some other concerns:

1. Who guarantees the safety of our water table? We depend on our well water. They plan to fuel trucks there. Local families need that water safe. FUEL OFFSITE, where there is no risk to well water.

2. Water table depth SHOULD BE ASSESSED THROUGHOUT the property to be mined. If water table is punctured all locals lose well water. Assessment should be done by an agency who has people's welfare in mind. Not done by the gravel co.

3. The number of trucks allowed per hour should be limited to a more reasonable number! How about 5 TRUCKS PER HOUR. 30/hr is not reasonable.

4. Hours of operation should not be during kids bus rides. School bus stops on blind corners, and heavy trucks DO NOT MIX! Lets NOT wait for a tragedy.

5. Hours of operation should not be all night. We live here because it is quiet! Property values and quality of life are at stake. DAYTIME HOURS OF OPERATION. Sound travels in a quiet valley.

Let us not be another Flint Michigan. We matter. We require water. Our water should be safe and protected. The quality of our life matters. The land that we inhabit is our habitat. Protect our quiet, safe, healthy, enjoyable habitat.

.. and while we're at it:
6. An assessment of the impact on animal habitats should be done. WHY WAS THIS NOT DONE?

I trust that the comments submitted will be valued and considered. Thank you for your time today.

From Host Address: 24.113.133.82

John Cooper

From: website
Sent: Wednesday, January 25, 2017 3:00 PM
To: Planning & Development Services
Subject: PDS Comments

Name : J. Michael Newlight
Address : 897 Chuckanut Shore RD
City : Bellingham
State : WA
Zip : 98227
email : jmnewlight@comcast.net
Phone : 360-734-5890
PermitProposal : PL16-0097 & PL16-0098
Comments : I am lienholder on one of the five-acre parcels on Prairie Lane, where my daughter and her family have made a home. Thus maintaining quality of life and property value is important to us. I strongly object to the creation of a working gravel pit near this property. The entire Samish River watershed, particularly between Highway 9 and Old 99, no longer qualifies as a wilderness resource extraction area, but has become an increasingly populated residential extension of Sedro-Woolley. It is no longer reasonable to zone acreage for a gravel pit in the center of it – destruction of fish and wildlife habitat, threat to water quality, traffic, noise pollution and all the rest. The days in which such an intrusive and environmentally threatening use of this property would be appropriate are long past.

From Host Address: 98.247.180.61

Date and time received: 1/25/2017 2:59:12 PM

SKAGIT COUNTY
RECEIVED
FEB 0 1 2017
COMMISSIONERS

January 25, 2017

Skagit Board of County Commissioners

The (Miles Sand & Gravel, LISA Inc.) {Permit #.s PL 16-0093, PL 16-0097 & PL 16-0098} proposed gravel mining along the Samish River. The 3 parcel #s involved are as follows; p125644, p125645, & p50155. Skagit County, [SECTION 27, TOWNSHIP 36, Range 4 EAST]. The Samish is under fecal coliform pollution and low water flow watch & has enough problems supporting salmon spawning and shellfish in the watershed. To be subject to the potential of further jeopardy is a great concern. Commerce is important to the county but so is the environment, What steps have been or will be taken to guarantee there will be no runoff of mud or leaching of machine fuel and oil into the Samish River? The County Health Department has gone to great lengths to inform locals of the hydraulic effects on the River of septic systems and even the effect of our pets pottying on our land. What is good for the Goose is also good for the Caterpillar? Good analogy. Right?

Noise and air pollution also concerns me. There are large numbers of rural homes east of the site and because of the elevation and adjacent hill long hours of operation (24-7) will become noise disruptive. We can hear the SKAGIT Speedway and it is almost twice as far away One night a week in the summer is a far cry from digging, washing, sorting, loading and hauling potentially 24/7.

What does the Skagit Health Dept. say in response to this proposal and the Samish Low Flow concern for shell fisheries in Samish Bay.

Thank you

Kathy Arentzen

007133

Kathleen Arentzen
4808 State Route 9
Sedro Woolley WA 98284-7858

SEATTLE WA 980
30 JAN 2017 PM 4 L



Skagit County Board of Commissioners
1800 Continental Place Suite 100
Mt. Vernon WA 98273

98273-562500

John Cooper

From: website
Sent: Thursday, January 26, 2017 7:20 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Dan VerMulm
Address : 491 N Burlington Blvd.
City : Burlington
State : WASHINGTON
Zip : 98233
email : dvermulm@be.wednet.edu
Phone : 360-757-3386
PermitProposal : PL16-0097
Comments : Thank you for your consideration for all traffic safety.
Burlington Edison SD Buses travel Prairie Road from Parson Creek Rd to Hwy 99. The 2 mile stretch of Prairie Road from Grip to Hwy 99 that this effects is where BESD currently has one bus travel 4 different times of day, 6:45 AM, 8:05 AM, 3:15 PM and 4:15 PM. Situations that would increase our exposure would be if pre-school students or special needs students in the area that would require a special bus. Transportation Supervisor BESD

From Host Address: 152.157.10.103

Date and time received: 1/26/2017 7:15:12 AM

CHMELIK SITKIN & DAVIS P.S.
ATTORNEYS AT LAW

Jonathan K. Sitkin
ATTORNEY
e| jsitkin@chmelik.com

RECEIVED
JAN 30 2017
SKAGIT COUNTY
PDS

January 27, 2016

VIA REGULAR U.S. MAIL AND E-MAIL
johnc@co.skagit.wa.us

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

RE: SPECIAL USE PERMIT APPLICATION NO. PL 16-0097

Dear Mr. Cooper:

Our firm represents a group of concerned citizens who live near the proposed Concrete Nor'West gravel mine that is the subject of the above-referenced permit application. We understand that you are the point of contact for this permit.

We request that notice of any action, including without limitation actions taken under SEPA, notice permit hearing, and the issuance of any staff reports, including supplemental or revised staff reports, be forwarded to our office. We further request that our office be kept abreast of developments, including revised proposals by the applicant in this matter.

Thank you, and please don't hesitate to contact us with any questions.

Sincerely,

CHMELIK SITKIN & DAVIS P.S.

Jonathan K. Sitkin
Nolan F. Davidson

JKS/NFD/hn
cc: Client

1500 Railroad Avenue
Bellingham, WA 98225
p| 360.671.1796
f| 360.671.3781
www.chmelik.com

January 29, 2017

Dear Mr. Cooper,

This letter is concerning PL16-0097. I took a closer look at Grip Road itself and the F&S Grade Road intersection with Prairie Road.

Here are a few examples of typical geometrics and hazards on Grip Road:



This picture is taken looking West on Grip Road to the East of the Samish River and Swede Creek.

The narrowest point is at Swede Creek (nearest sign on the right).

Notice there is not a fog line.



This picture is taken looking East on Grip Road to the East of the Samish River and Swede Creek.

No fog lines in this direction either.

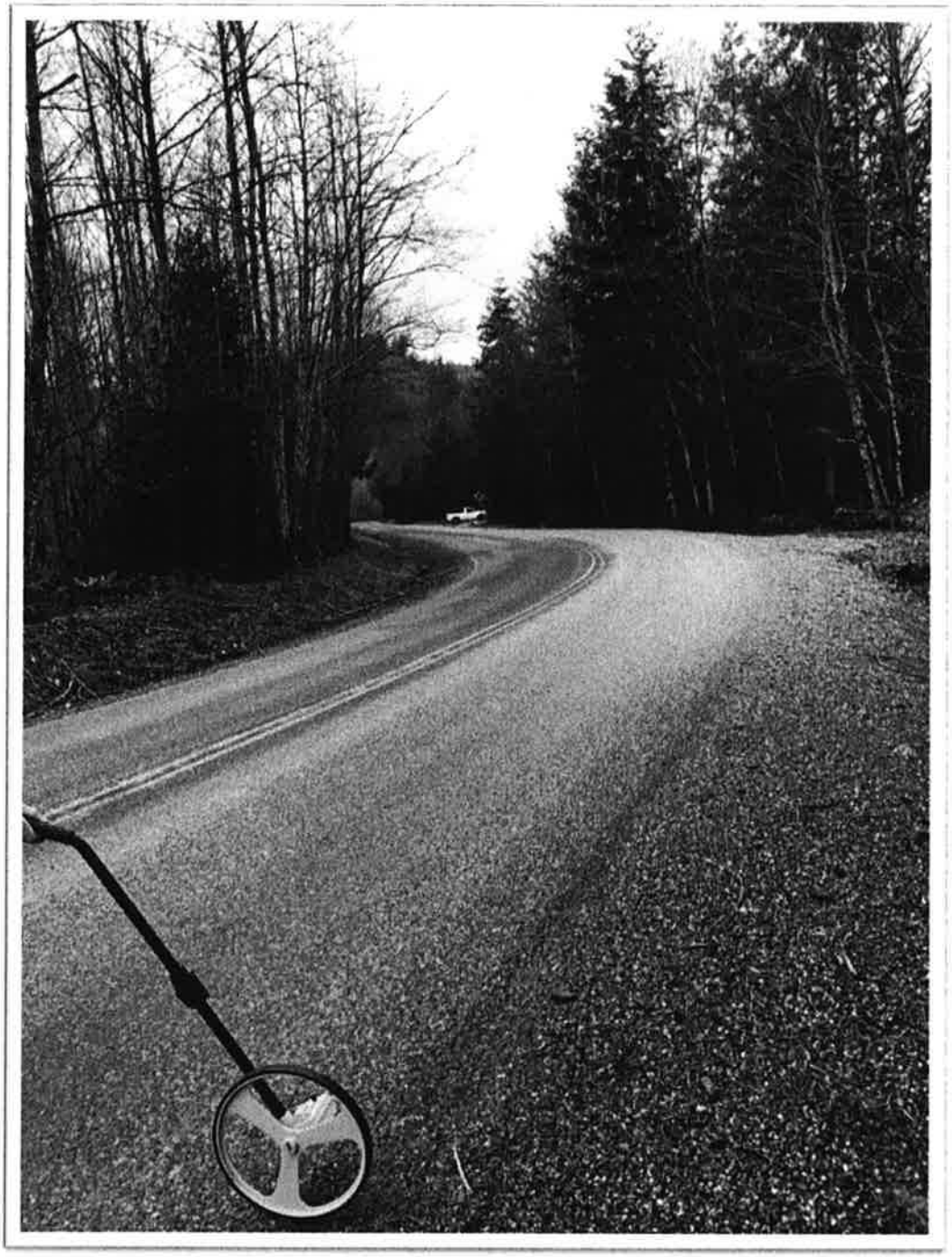
Very abrubt lane edge on the left side of the picture.



This a closer look at the abrupt lane edge.

Notice the pole in the middle of the ditch. I assume this is due to only having a 40' right of way.

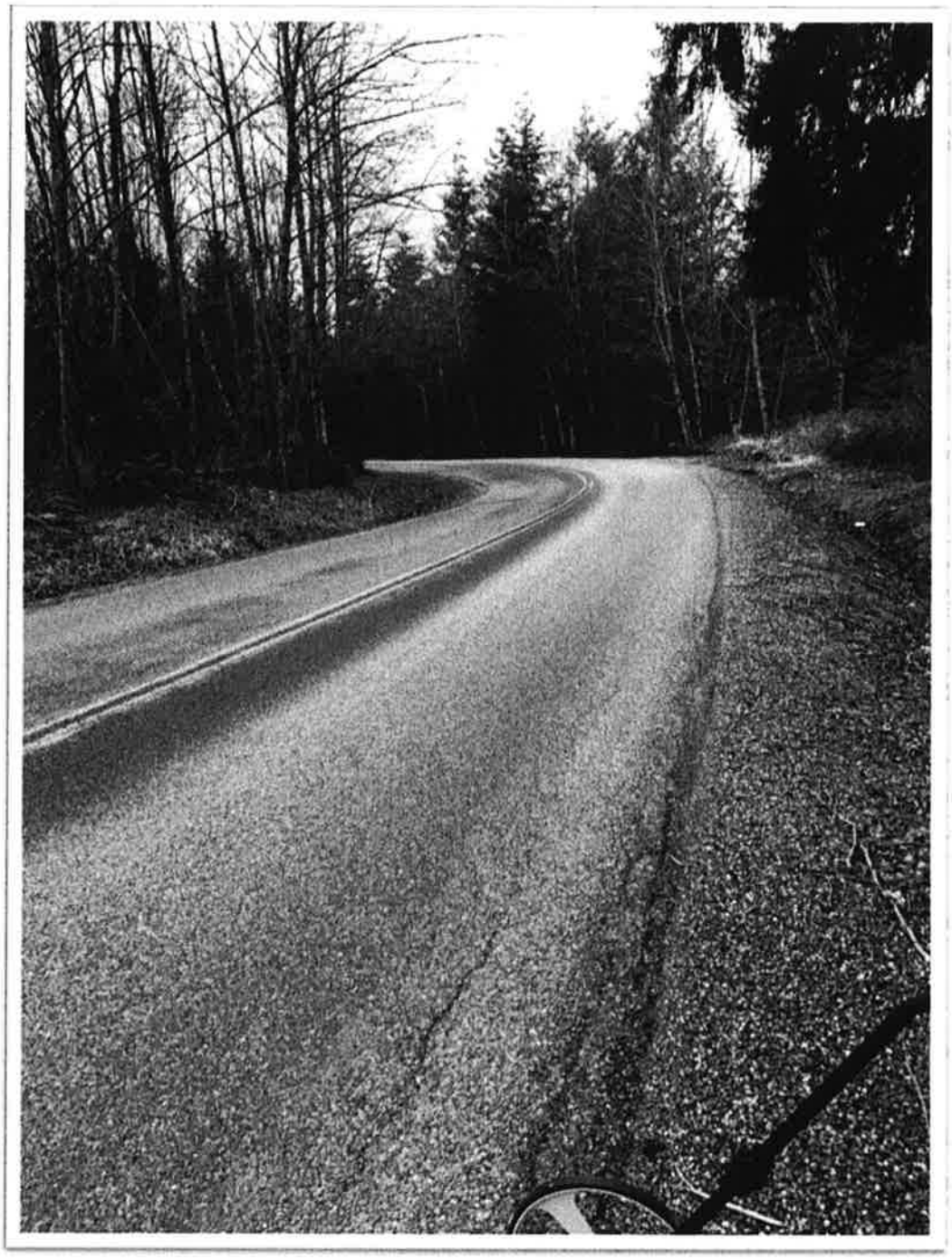
The following two pictures are of the Grip Road entrance to the proposed gravel pit:



This picture is looking West on Grip Road.

The white truck is parked in the entrance to the proposed gravel pit. This picture was taken 374' from the entrance.

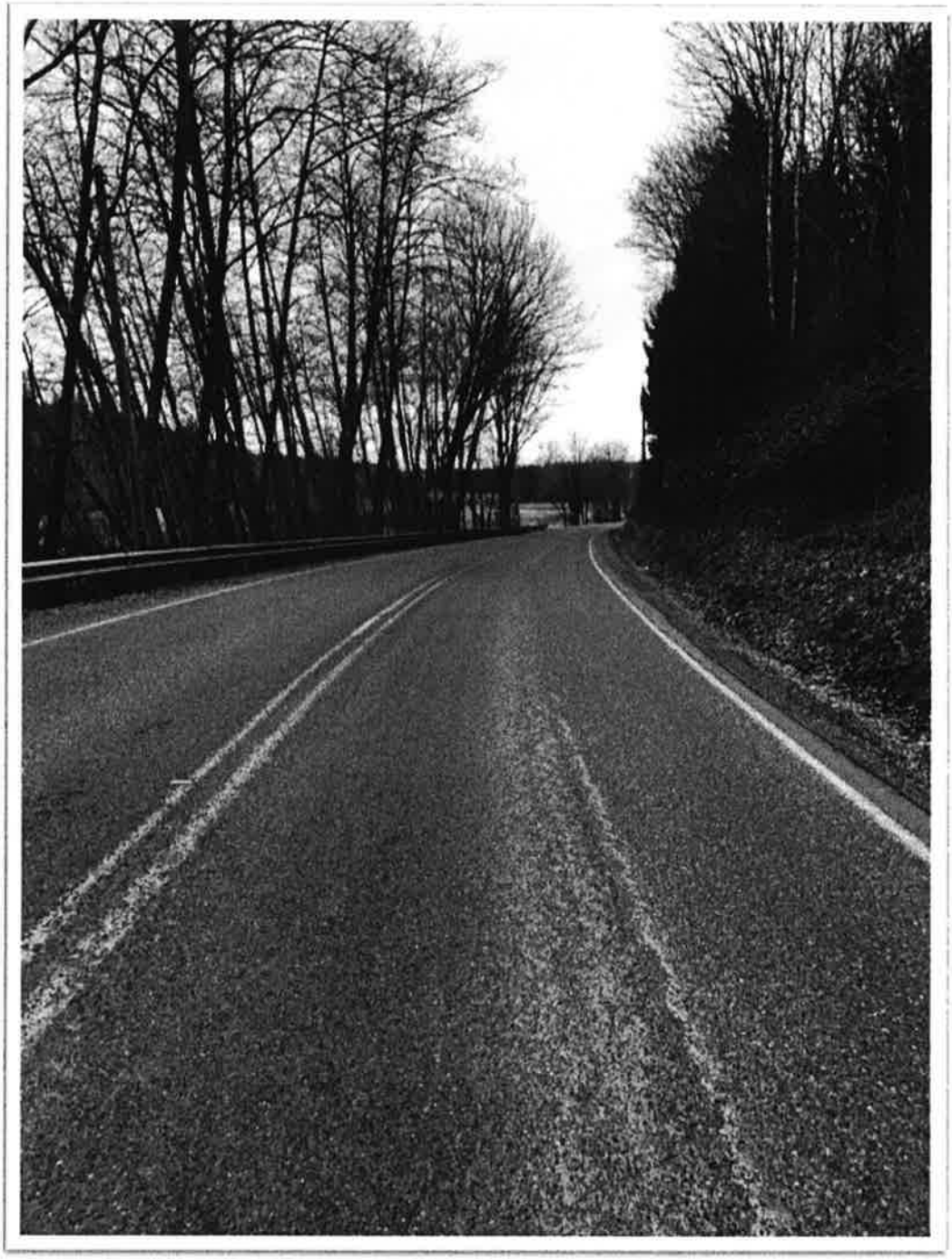
Notice the absence of fog lines in this section of road, as well.



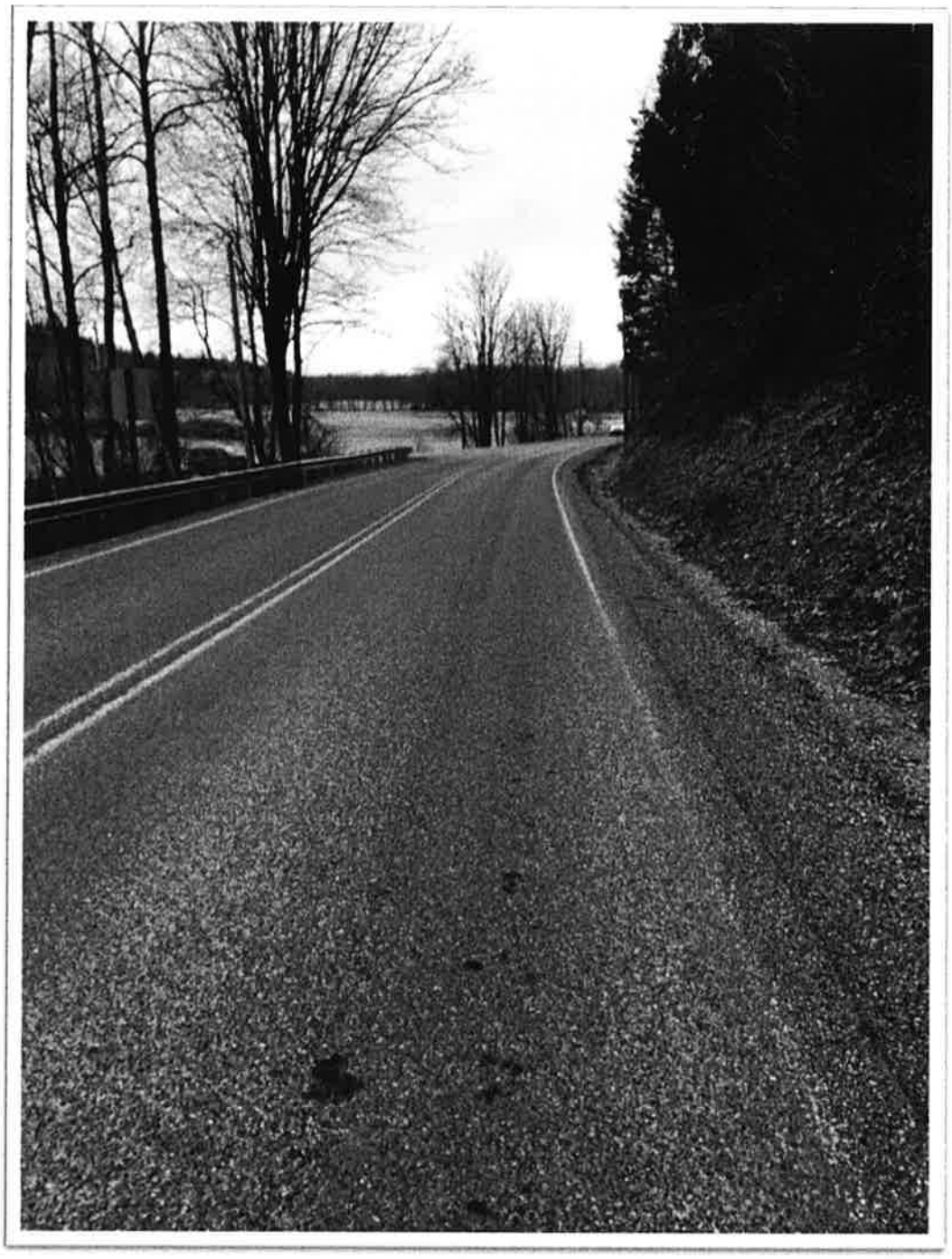
This picture is looking West on Grip Road, 445' from the entrance to the proposed gravel pit. The white truck is no longer visible.

Based on the requirements stated in the DN Traffic Consultants report, the entrance from the gravel pit onto Grip Road has a sub-standard value for sight distance in the westbound direction.

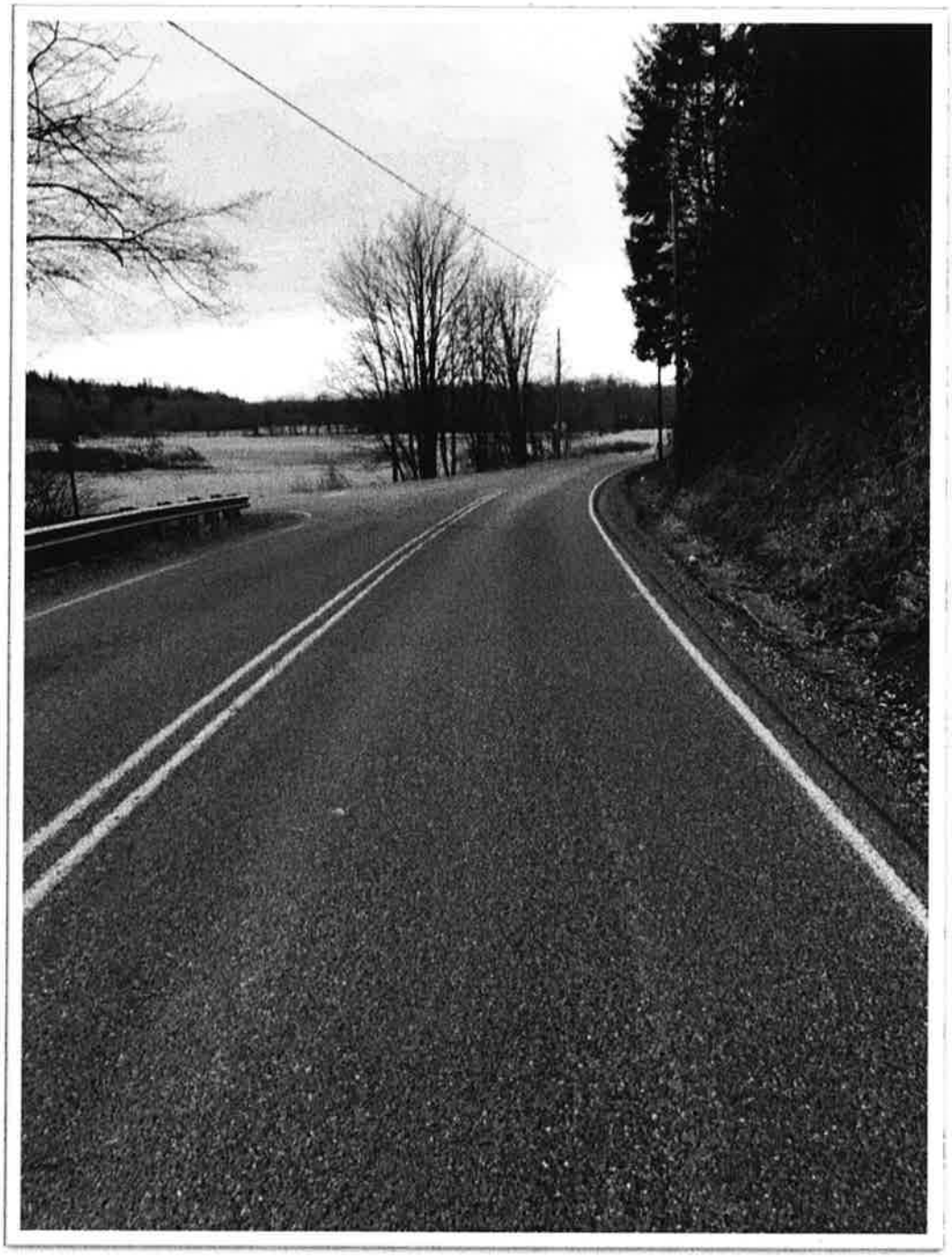
The five pictures below are of the intersection of F&S Grade Road and Prairie Road, focusing on westbound Prairie Road traffic.



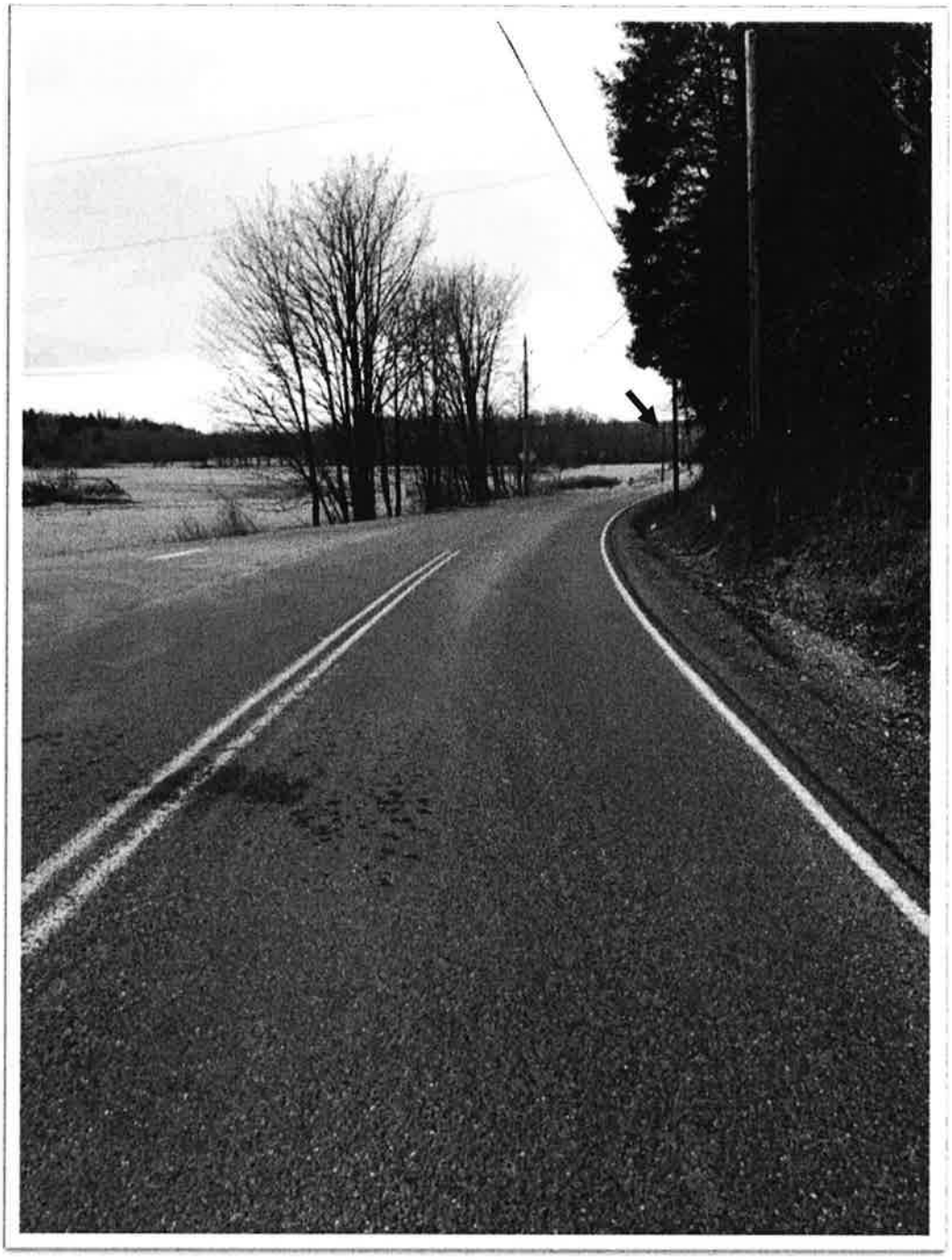
This is the view of the F&S Grade Road intersection from westbound Prairie Road at 445'.



This is the view of the F&S Grade Road intersection from westbound Prairie Road at 200'.

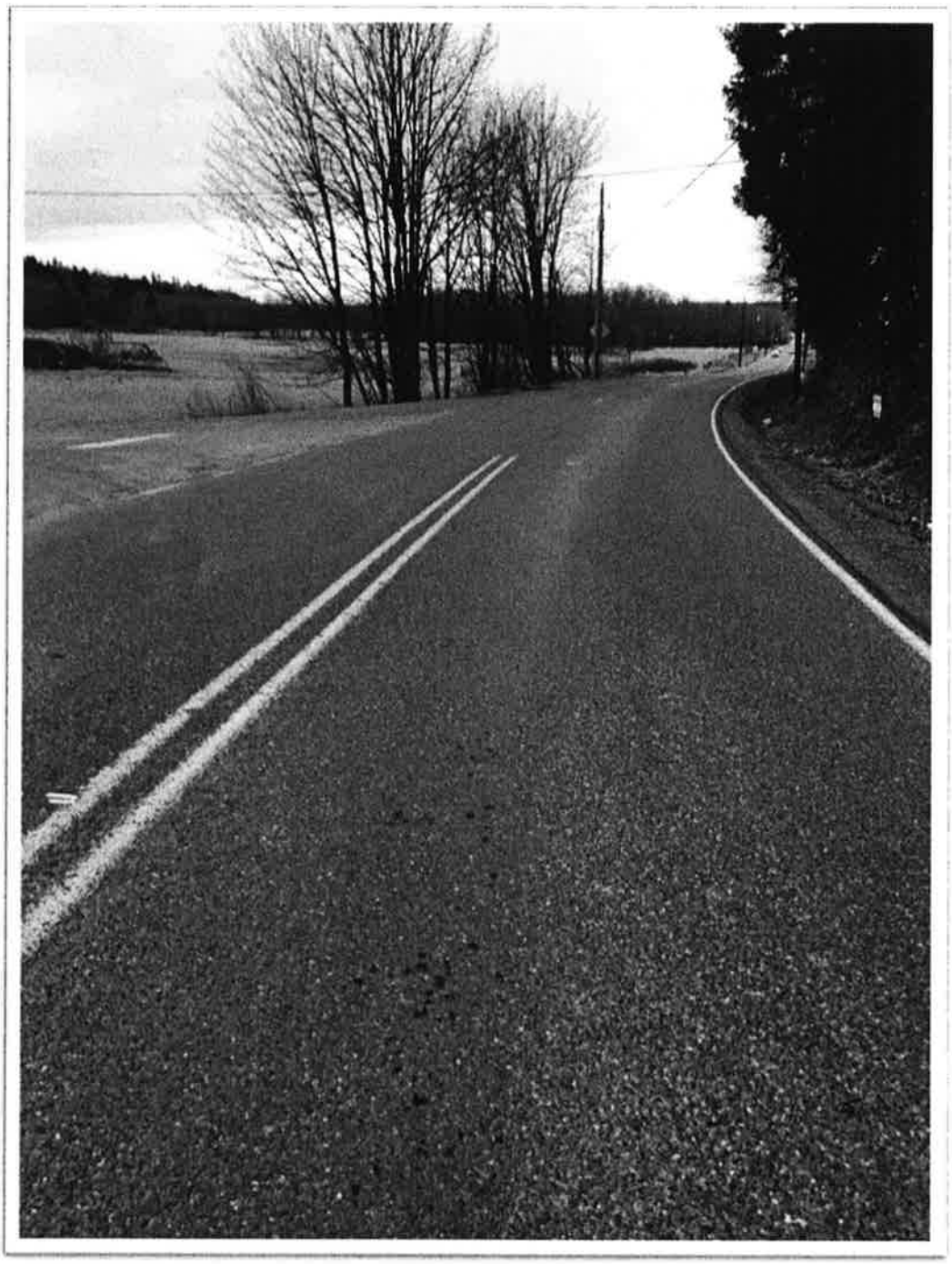


This is the view of the F&S Grade Road intersection from westbound Prairie Road at 100'.



This is the view of the F&S Grade Road intersection from westbound Prairie Road at 50'.

The pole in the distance with the arrow pointing at it is approximately 445' from the intersection



This is the view of the F&S Grade Road intersection from westbound Prairie Road at 25'.

Per information in the DN Traffic Consultants report, Westbound Prairie Road traffic making a left on F&S Grade Road has an extremely sub-standard value for sight distance.

Westbound Prairie Road traffic making a left turn on Grip Road has a very similar (possibly worse) sight distance issue. I did not include pictures of the intersection because I did not feel I could take them safely.

Brian Bowser
21110 Parson Creek Road
Sedro Woolley, WA 9828

January 30, 2017

Dear Mr. Cooper,

This letter is concerning PL16-0097 and is specifically addressing the hours of operation as stated throughout Concrete Nor'West's permit application and supporting documents.

Job Site Hours

Concrete Nor'West has requested unlimited operating hours at the proposed gravel mine located off Grip Road. This is possible per SSC 14.16.440 (10)(i)(i) where it states the operating hours "may be unlimited". Concrete Nor'West has also described the "typical operating hours" in multiple documents turned in to Skagit County but has not been consistent in its statements:

1. "Concrete Nor'West Grip Road Special Use Narrative" dated March 7, 2016 by Skagit County stated the typical operating hours would be Monday through Saturday 7am to 5pm. Section A of the same document states "normal hours would be 7:00 a.m. to 5:00 p.m., Monday through Friday.
2. Email from Dan Cox to John Cooper dated 8/11/16 states that normal operating hours will be Monday through Saturday 6am to 6pm.
3. Staff report states the hours of operation "will generally be limited to Monday through Saturday, from dawn till dusk. The applicant proposes that the hours of operation may be expanded based on market conditions and seasonal demands."

I would like additional details from Concrete Nor'West to help me understand what "typical operating hours" are. What are the real "typical operating hours"? Do the operating hours only apply only to mining on-site or do they extend to hauling the gravel off-site also? What does "typical" mean? How many "typical" days are there in a year? Is "typical" in June the same as "typical" in December?

Will there be any notification requirements to county, school districts, fire departments, the public, etc. when Concrete Nor'West extends their operating hours?

I would also expect this information to be important to the Hearing Examiner in order to understand if Concrete Nor'West's operation will create "significant adverse impacts to existing adjacent land uses" as called out in SSC 14.16.440 (10)(i)(i). This is the criteria that the Hearing Examiner may use to limit operating hours at the site.

I am quite confident residences near the mining operation and/or along the haul route to Grip Road will be adversely impacted by extended operating hours. Additionally, residences along the haul route will also be adversely impacted by extended operating hours.

Brian Bowser
21110 Parson Creek Road
Sedro Woolley, WA 9828

John Cooper

From: PDS comments
Sent: Monday, January 30, 2017 7:31 AM
To: John Cooper
Subject: FW: Special Use Permit Application PL16-0097 public comment

From: Nicole Petersen [mailto:ThePetersenRanch@hotmail.com]
Sent: Saturday, January 28, 2017 4:43 PM
To: PDS comments
Subject: Special Use Permit Application PL16-0097 public comment

This comment is in regards to **Special Use Permit Application PL16-0097** Concrete Nor'west Gravel Operation Near Grip Road

I am a concerned resident of the area. I currently live on F & S Grade Rd but grew up on Prairie Road. This large-scale mining operation proposed in that area is disheartening at best. The information provided in the many different forms is vague and open ended in many instances.

When the proposed site operation hours are discussed they mention being able to have unlimited hours. However, they do state typical hours to be 7am to 5pm Monday through Friday but open to change as market demands. Their traffic report however only recommends they operate from 9am to 3pm to avoid peak hours for traffic safety.

Also, stated in the traffic report is "it is expected that additional traffic analysis will be required as proposed gravel pit is defined" and this as far as I can tell from the information available has not been required of them. The traffic report they did have done has minimal information and only focuses on two intersections, the one from the site to Grip, and the one from Grip to Prairie. They left out any considerations of the road quality, shoulder and lane width, other hazardous sharp corners on the route. No consideration of the high traffic intersection of Prairie and Old Hwy 99 was given even though a left turn onto Old 99 would need to be taken to head to their proposed processing plant. And the report also failed to mention any of the alternate routes available to the private truck drivers coming to and from the mine.

In the paperwork, they state an average of 8 trucks an hour on that route, that is a truck every 7.5 minutes at those intersections. That is heavy traffic on roads that were not built for it. They have zero mitigation proposals for improving nor even maintaining the roads with their increased use. It should not be the taxpayer's money going towards these repairs and improvements, we receive absolutely zero benefit from the mining of that land and the resulting trucks.

The one mitigation they propose for traffic concerns is a flashing light at the intersection of Grip and Prairie to alert motorists to merging trucks. This is a laughable precaution and doesn't do anything to actually solve the substandard sight line problems in that area. The light was even said to be considered a temporary measure until the county pays for improvements or the gravel pit justifies the cost of the improvements needed. If Concrete Nor'West isn't going to be initially required to make the improvements I highly doubt that they will be willing to shell out the money to do so later, and the tax payers should not have to since it is not their mining operation that would be affecting the traffic safety and road quality.

In the traffic report the intersection of the mine's site to Grip road is also mentioned as being a substandard sight distance, but no mitigating precautions are even proposed for it.

Also, I have not seen any information regarding the closure of Old Hwy 99's overpass in the near future until 2018 and what that might mean for truck traffic on those inadequate side roads.

Looking at the environmental reports I have some concerns too. Starting with its designation of relative to moderate intensity land use. I do not understand how this scale of operation, removing 4.3 million cubic yards on 51 acres is considered to have "activity limited to relatively low volumes". This size of mine requiring the stripping of 50+ acres digging up to 90 feet should be designated as high intensity and given the restrictions due in that category of land use. Their own highest estimate put the possibility of 720 trucks a day in and out of the mine. That does not seem to be in any way "relatively low volume".

The environmental reports I read also fail to address any of the private gravel road and surrounding land that they cross. No impact information was given for the bridge crossing Swede creek that leads to Samish River. They talk about watering down the roadways during the dry season for dust reduction and I would reasonably suspect that some of those hundreds of gallons of water sprayed onto the gravel road and the dirt and pollutants it washes away with it, would make its way into the creek and therefore Samish River.

I believe the effect on property values and continued quality of rural life of the surrounding area needs to be taken into consideration, too. For the most part these are landowners who own multiple acres purposefully separating themselves from their neighbors. A mine of this proposed size would become the worst kind of neighbor. They would affect the quiet with loud beeping and engine noise of the machinery echoing from the mine, the crash and bang of the loading of trucks, the noise and vibrations of those trucks driving by the homes on the route every few minutes. Not to mention the displacement of the wildlife in the area therefore affecting the serene nature of living rurally.

Thank you for your time,
Nicole Petersen
528 F and S Grade Rd
Sedro Woolley, WA 98284

RE: Comment on #PL16-0097 Special Use permit

linda wa

Fri 12/30/2016 1:51 PM

To:pdscomments@co.skagit.wa.us <pdscomments@co.skagit.wa.us>;

Cc:bettas@co.skagit.wa.us <bettas@co.skagit.wa.us>;

RECEIVED
DEC 30 2016
SKAGIT COUNTY
PDS

December 30, 2016

Linda & Robert Walsh
21710 Prairie Road
Sedro Woolley WA 98284
Owners of Parcels #50099, #P50100 & P50105- Adjacent to the Mine

RE: #PL16-0097 Special Use Permit Application
Attention: Hearing Examiner
Skagit County Planning & Developing Services
Commissioners

We have many concerns and questions regarding the permitting of a 68 Acre Gravel Mine in our own backyard, as the actual mining operations will border our property in our quiet rural community. The only positive impact we can see is for Concrete Nor"West(Miles Sand & Gravel, Lisa Inc) and associated business partners. This open pit gravel mine does not benefit the greater good of the public. There are numerous existing gravel mines. The list of 'negative benefits' that will be incurred, should the permit be approved, are very legitimate and serious and will have permanent lifestyle changing effects on all us who live within miles of the proposed location, not just within 300 feet.. It is unfortunate that the public was not properly notified from the beginning back in March 2016, because there has been a huge amount of concern and input just since the Hearing on Dec7th, when the word began to circulate about the gravel pit. I can only imagine how the response would have been if more residents would have been informed months ago. It shows that when informed, the residents in our community are indeed concerned and have strong opinions and lots of questions about this proposed mine, To my knowledge the county notified only 8 residents back in March . I have the current list and the County has now notified only 43 parcel owners (within 300 feet of the applicants contiguous several hundred acre properties) for the comment period ending December 30th. The notice given seems to understate the potential truck and trailer trips, stating '46 truck trips per day'. and the wording implies a much smaller scale of operation.
I have to ask any of you if you were to read a notice that stated ...average of 46 truck and trailer trips per day would you be as likely to get involved and respond as say, versus a notice which stated the truck and trailer traffic to be ... up to 30 per hour , 720 per day? The notice says nothing about proposed hours of operation which is open ended, Dawn till Dusk -Monday -Saturday, More if needed. To us, left with this wording, this business could operate 24 hours a day 7 days a week, I am positive this information would receive much more inquiries than the

current notice which simply states...46 truck and trailer trips per day. There are many 'open ended' allowances in all areas of operation in the Findings of Fact report. When we say this we mean the numerous statements throughout the report which end in... 'not at this time, if any, shall be negotiated.. not proposed at this time. It seems it should be more concise and finite. I would like information on what agencies regulates specific mining activities.

A 68 acre Open Pit Gravel Mine is anything but NONSIGNIFICANT and I think a letter notifying 43 parcels, (less than 43 residences), since many of us own more than 1 parcel, is hardy adequate when the proposed business will present a huge Safety concern for anyone in our area using the public road systems. Certainly the traffic and noise, dust impacts will be well beyond the 300 feet. This is not a typical business where there will be just increased car traffic, we are talking about Truck and Trailer combos that can have up to 105,000 pounds GVW loads, traveling down steep, sharp, narrow Grip road and entering Prairie Road at a blind corner, day and night. It makes no mention of mitigating the safety issue of F & S Grade left turns just hundreds of feet beyond where they enter Prairie Road from Grip and then within a couple of miles they must again make a left turn onto very busy Old hwy 99. In the Findings of Fact report, it states a temporary disruption of our quiet rural lifestyle but how is 25 years of this type of activity for 25 years considered temporary?

I see that some of the reporting agencies did their reviews well over a year ago. How long are these reports considered valid, since circumstances can change. What information was supplied to the agencies to make their decisions, such as truck volume, duration of hours of operation that expose residents and the local wildlife, and environment, the Samish watershed etc., ? Seems if a greater number of trucks and trailers and extended hours of operation were evaluated it would be looked at more closely since it would create More Noise, Dust, Vibrations, Exhaust fumes, Road Damage, Traffic Safety Concerns, Erosion on Haul road, more use of water onsite and Grip road to keep dust levels down, water that will drain into the ditches along the road and travel into Swede Creek and possibly the Samish River, more chance spillage of fuel & other hazardous products used in equipment each day. Basically more loads mean more impact on all factors of operating a gravel pit mine.

I think you will find the other gravel pits in Skagit County have hours of operations and other restrictions placed on them.

Many of us have owned our properties for decades and moved into the area to enjoy the quiet rural way of life. Since we are not large in numbers it seems as though our right to peace and quiet and our current lifestyle is not as important as higher density areas. I know for us we did not realize a mining operation would be allowed within a few hundred feet of our backyard, especially this close to the Samish River. Until receiving the November notice of the Hearing Dec 7th, we thought since we had not received any reports or notices since March 2016 it was not going to happen. It is obvious that we were quite surprised since on Dec 7th we immediately gathered with a group of residents and set out to notify the public. I would have notified people so much earlier had I realized the project was getting approvals from the various departments. This whole process is new to us and we did not realize how things would proceed.

Regardless of any mitigations the Noise, Vibration and Dust will travel beyond their parcels at disruptive volumes and will have a very negative impact on our current quality of quiet rural life. We spend numerous hours outside in our backyard with family and friends. Our peaceful, park like property along the Samish River is not just a piece land it is a huge part of our daily lives and give us a quiet place to share with our family and friends. It is an important part of our daily way of life. Our children, our grandchildren and friends come here to share the quietness, the beauty and the solitude of being out in the country. Watching Eagles, Deer and other wildlife make this a very special, peaceful place. The operations of a Open Pit Gravel Mine will have a very negative impact on our family's quality of life and our neighbors as well. We also want to bring up the fact that the spring and summer construction season when the demand for gravel is higher , it is also the busiest time of year for people traveling the roadways and enjoy the outdoors. So not only will our roads see a huge increase in regular traffic, bicyclists, pedestrians & motorcyclists but at this same time of year the truck and trailer volumes will most likely be at their highest volumes, a combination that could be deadly on our narrow, windy roads.

Traffic Safety should be addressed for all routes entering and leaving the Mine access road on Grip Road. Trucks and trailers from other companies may not be using the Grip to Prairie, Prairie to Old highway 99 route. Other routes should be evaluated and I did not see anything about this in the Findings of Fact report.
Skagit County taxpayers should not have to pay for road improvements or additional maintenance due to the heavy truck and trailer use for a single company to run its operations.

The Haul road from the Open pit up to Grip Road: The haul road must be close to 2 miles of an old gravel road with several culverts and it appears to cross at least a dozen other parcels of land before exiting onto Grip. When was it or when will it be improved to withstand the volume of fully loaded trucks and trailers which are proposed? Due to the volume of potential trucks and trailers using the road it seems like the other parcels the road travels over would need to be evaluated for environmental impacts as well?
I would think the standard residential 200' buffer zone from water would have to be much greater given the scope *of this project. The impact of the length of daily exposure due to all the mining operations and the 50 acre size* seems like it would be evaluated on a commercial basis. We are no experts but the effects of the 50 acres which will be stripped of all vegetation, all timber and all top soil in order to mine the gravel will NOT be Self-contained among the 3 mined parcels and it will certainly will have a SIGNIFICANT IMPACT on all of us. How are all the parcels the road travels over evaluated? What will occur and what impact could it have on the Samish watershed, Swede creek and our adjacent property? Who protects our property and the waters if un-evaluated or unforeseen problems arise?

Reclamation: If allowed to mine who will hold the applicant accountable in the years to come to properly reclamate the land? They should be required to carry a Bond to insure there will always be funds available to do proper reclamation. There have been gravel pits left abandoned with No reclamation, ugly and quite dangerous, as drownings can occur in them. What measures are in place to prevent this all these things from happening? What happens if the current applicant is no longer a valid entity or goes out of business, there should be very detailed reclamation requirements and the funds available, regardless of the current applicant state of business.
During the Mine's regular operations there will be extremely loud noises from excavating, pounding the earth, loading gravel into idling trucks, exhaust, backup alarms and engines roaring constantly, unsafe traffic volumes so how with such little evaluation and public input did the project get a (MDNS) MITIGATED DETERMINATION of NONSIGNIFICANCE statement. Impact on our quiet rural life and environment will be Very SIGNIFICANT. The MDNS statement in the permit folder has parcel #P123644 not #P125644 so how can the statement that is so Important be issued with a different parcel number than the parcel which was on the permit application?

The actual mining operation will be only a few hundred feet from our backyard. Our backyard where my grandchildren play, where we enjoy numerous family gatherings, and is within hundreds of feet of the backyards of my neighbors and the Samish River. If allowed this project will have a Very SIGNIFICANT impact on us and the surrounding areas. How is an Open Pit Gravel Mine in full operation NONSIGNIFICANT to our quality of life? How NONSIGNIFICANT of an impact will it be on people, the abundant wildlife and the Samish Watershed over the next 25 years?

We appreciate your attention to the issues and questions brought up in this letter. If other notices, reports, documents and Findings of Facts have been generated since the December 7th Hearing,we, as land owners within the 300' foot zone, would like to receive copies of all the documents, via email walshl2006@hotmail.com , with cc bettas@co.skagit.wa.us or we can pick them up at the Planning Department if you call us at (360) 708 7736.

We had asked for an extension on the comment period due to the lack of notification and the holiday season, when so many people are out of town, but it was not given. There are still hundreds and hundreds of residents who do not know anything about this Special use permit. These people will be directly impacted by traffic and other factors in regards to the mining operation and they are completely Unaware of this project's location or proposed volume of business, due to the limited notification process. They have no idea there will be a 68 Acre Gravel Mine in their community.

If any facts/ reports have changed we request to be granted enough time to review the information, inform people in the community and be given another comment period before a hearing date is set.

Sincerely,

Linda & Robert Walsh
21710 Prairie Road
Sedro Woolley WA 98284
(360) 708 7736
walshl2006@hotmail.com
or walshrob1@hotmail.com
cc bettas@co.skagit.wa.us
(I will deliver a copy of this letter to the planning department as well since I am having some computer issues)

John Cooper

From: website
Sent: Friday, December 30, 2016 3:25 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Nicole Nickelson
Address : 20636 Prairie Rd
City : Sedro Woolley
State : Wa
Zip : 98284
email : nicnick31@msn.com
Phone : 360-362-9174
PermitProposal : PL16-0097
Comments : As residents on Prairie Rd we have many concerns about the proposed gravel mine site.
The county Finding of Facts and proposal allows for up to 720 gravel trucks a day to travel the roads, with no limits on operational hours and no required improvements beyond a flashing light. The "study" about the increased traffic was insufficient and did not address the full length of the roads. It is impossible to believe this traffic will not impact the safety of pedestrians, bicyclists, drivers and residents on these roads. The roads they would travel have minimal to no shoulder and provide nowhere for someone to escape these large trucks. Of course, all types of traffic travel these roads now, but the proposed increase in large trucks would increase the risk of danger exponentially. In addition gravel trucks cause vibrations, dust and sound that travels into yards and homes. The impact from these trucks would result in a reduction to the quality of life of residents and their property values. Strict limitations on quantity of trips and operating hours need to be put into place. A plan for road improvements, for both now and in the future, needs to be established. This should include money set aside by Miles Sand and Gravel to pay for dust control, damage to private property and damage to public roads due to the heavy truck traffic.
The application from Concrete Nor'West received March 2016 states "The mine site will not have a defined road system per se, as the mine floor and elevation will be constantly changing as the mining progresses." In truth, the contiguous parcels that lead from Grip Rd to the mine itself have a primitive road that is quite long and will not be included in the mine floor nor has it had critical areas review.
The applicant indicated in other paperwork that no road improvements are needed on the the private existing road that would serve as haul road for the gravel trucks. This appears to be an error and should be addressed. The road would clearly would have changes in type of use and an increase in use intensity and is insufficient to serve for 25 years of heavy truck traffic as is. Therefore, the parcels that contain the road should all be included in critical areas review requirements and have wetland delineated. This is especially important considering the road crosses Swede Creek which is a salmon bearing stream and tributary to the Samish River and Samish Watershed.
The land use changes proposal should have been evaluated from the start as high impact, not medium impact, since it is for an industrial mine, not a single family residence. The assumption that there will be no noise impact to residents is simply that, an assumption or opinion. Proof has not been provided. If the mine is approved, increased buffers must be required between the mine site and residents. If the land use was determined to be high impact, buffers would be extended to 300 feet at minimum rather that the 200 feet currently recommended.
Safety of all county residents is a big concern. However, the traffic analysis that was done did not take into account the fact that the applicant indicated they would travel a variety of routes depending on third party destinations. Only the route from Grip Rd to Prairie Rd to Highway 99 was evaluated. Further evaluation needs to be completed.

The planner stated he did not foresee that many residents would have an interest in the project and only required notification to parcels within 300 feet of proposed mine. If he had determined ahead of time that this would be of high interest he could have notified parcels within 500 feet of the proposed mine. Unfortunately the planner has refused to modify this level of notification and it was left to concerned residents to spread the word. Initially, this spring, only 8 parcels were notified by the county and then in December of this year a total of 43 parcels were notified. As we talked to neighbors and community members, it became clear that most people had not heard of the project but do have concerns about this mine and potential impacts on their quality of life. They should have had the opportunity to learn about it from the county in a timely manner that allowed for them to educate themselves and respond appropriately. Skagit County Code 14.06.150 (2)(d)(iii) states "Notice of development application shall be mailed to all physical addresses and owners of record located within 300 feet of all subject property lines". It does not state "only within these borders" or "and not beyond" so it appears to be a minimum requirement and does not specify a limit to prevent notification of further residents. It is unfortunate that project notification wasn't increased once it became apparent that more residents had interest in the project.

In all it doesn't appear this proposed mining special use permit has been given the appropriate level of scrutiny considering the broad and open ended scope of the project. Studies provided have been vague and insufficient and many assumptions have been made. The applicant should be required to prove beyond a doubt that all resident concerns are being addressed. This proposal should be re-evaluated as high impact and all parcels should have critical areas reviewed. If approved, strict guidelines have to be put in place to best maintain the quality of life currently experienced by residents. Thank you for hearing these concerns. Please add our names to the list of people notified when there are updates on this proposal.

Sincerely,

Nick and Nicole Nickelson
20636 Prairie Rd
Sedro Woolley, Wa

From Host Address: 24.113.137.171

Date and time received: 12/30/2016 3:22:11 PM

John Cooper

From: website
Sent: Friday, December 30, 2016 3:10 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Nancy K. Taylor
Address : 21441 Prairie Rd.
City : Sedro Woolley
State : Wa
Zip : 98284
email : nancyktaylor45@hotmail.com
Phone : 360-399-1969
PermitProposal : #PL16-0097 Concrete Nor'West (addendum)
Comments : (Addendum)- Ongoing concerns for public safety are obviously at the top of an already neglected issue. Skagit County has scoffed at residents on Prairie Rd for the last 2 decades. Some of these concerns going back to Jerry & Donna Marlow raising these very same concerns and issues. The public safety issues continue to include the joggers and their clubs, the bicyclists and their clubs, the cars and their clubs, the farmers and their equipment, the drunks from the casino and the speedway, the seasonal flooding over the roadways and high sun causing blindness for travelers going West as well as East, residents and their children and the many elderly living on these roads. These issues and concerns have been ongoing ever since we have lived here. These issues have been so concerning we added a round about driveway and still encounter dangerous encounters on a daily basis in front of our home. The County has neglected for years to get a handle on the speeding vehicles in our area. Many reaching speeds of 70-100 miles/hour right in front of our home. Several examples of recent incidents: As I was coming home from work turning East on Prairie Rd. a car was behind me, I slowed down approx. 3 houses from my home on and off the brake peddle, and using my blinker as I was pulling in to our shop driveway a girl hit me from behind. No injury's just slight damage. Another incident, My husband was sitting in our driveway and car heading west during harvest time a slow farming vehicle heading East this car proceeds to pass a slow car in front of her going to slow she passes thru our next door neighbors driveway and her lawn (@ the 3 handed Ranch), then over our driveway at the shop then over our lawn. Heading right for our car sitting in the driveway my husband slams the car in reverse to have this woman avoid hitting him. Just last week someone hit the fence where the Christmas tree farm is across the street, 2 summers ago a young man hit Dave's mailbox across the street and just missed the apple trees. All of this is just in front of our home. We have vehicles hitting poles, fences, mailboxes, just to mention a few. Just the speeding issues alone are a great concern with the motorcycles traveling 100/hr, full logging trucks, milk trucks, school busses (yes even school busses) etc. etc. Not only do we have to consider public safety issues here but now in the balance we have to now tolerate loaded concrete trucks, the ongoing added noise, dust, vibrations from mining and off site trucking, increased damage to our already beat up roads shoulders and old small bridges, an impact on our water supply, natural springs and aquaphor, the Samish River and wildlife and our property values. Since public safety has been severely neglected already will you be addressing ALL of these concerns and issues with Concrete Nor'west and Skagit Planning and Development? Not only do we have these concerns just here on Prairie Rd, We have scale jumpers constantly getting off on the Alger exit and skipping the scales. Im sure that the concrete trucks as well will be cutting corners speeding down the roads to make up time just like everyone else. Lets NOT fool ourselves. Skagit County has very much neglected our roadways, byways and highways. How can we really express ALL of our concerns this gravel pit will only add to the already much neglected concerns to the community.

From Host Address: 104.129.192.110

John Cooper

From: website
Sent: Friday, December 30, 2016 3:00 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Neil C McLeod
Address : 21454 Grip Road
City : Sedro Woolley
State : Wa
Zip : 98284
email : quickblackie@gmail.com
Phone : 360-303-4831
PermitProposal : Pl16-0097
Comments : I'm sending my comments to voice my concerns over the gravel pit going in on Grip Road. Areas of concern are Stop light needed on Highway 99 to help with the flow of traffic. Straiten Prairie Road at intersection of Grip and Prairie and widen Grip Road around the steep curvy hill. There also needs to be a limit on amount of trucks permitted each day and also hours and days of operation.

From Host Address: 208.74.159.222

Date and time received: 12/30/2016 2:57:44 PM

John Cooper

From: website
Sent: Friday, December 30, 2016 2:25 PM
To: Planning & Development Services
Subject: PDS Comments

Name : John Guettler
Address : 5324 Cedar Ridge Pl
City : Sedro-Woolley
State : WA
Zip : 98284
email : jfguettler@gmail.com
Phone : 360-856-1045
PermitProposal : PL16-0097
Comments : Comments Regarding the Proposed Concrete Nor'West Gravel Mine Operation Near Grip Road Special Use Permit Application PL16-0097

Skagit County Planning and Development Services
Attn: John Cooper, Planner/Geologist
1800 Continental Place
Mount Vernon, WA 98273
360-336-9410

We the undersigned, as residents of the area adjacent to the proposed gravel mining operation and residents near Grip and Prairie Road, want to express our grave and serious concerns regarding the approval of Application PL16-0097 allowing Concrete Nor'West to operate a gravel mining operation in the proposed area and the transport of gravel and other substances along Grip Road and Prairie Road. We believe that this operation, if approved, will result in significant endangerment to the public safety. Our concerns are based on a review and/or discussion regarding all of the documents available to us as sent by the Skagit County Planning and Development Services office including:

- Notice of Development Application (published December 15, 2016)
- Planning & Development Services Staff Report (September 12, 2016)
- Letter from WA State Department of Ecology (June 1, 2016)
- SEPA Mitigated Determination of Non-Significance (May 26, 2016)
- Special Use Permit Application PL16-0097 (March 7, 2016)
- Graham-Bunting Associated Fish and Wildlife Site Assessment (August 20, 2015)

In summary our concerns include but are not limited to:
The lack of an environmental impact study by the appropriate agency rather than the completion of a "checklist".
Traffic hazards caused by Nor'West trucks travelling along Grip Road, a narrow, winding county road. It is projected that the trucks will make 46-720 trips per day. Accidents involving these trucks added to normal traffic (cars, pick-ups, school busses, etc) will result in the endangerment to and potential loss of life to those travelling in this area. Gravel trucks are between 9'6" to 11'4'' in width (and may be wider) and weigh several tons. Grip Road measures 20 feet in some areas with no shoulders. Cars, school busses, and/or trucks approaching a gravel truck will have little to no room to pass. This is especially dangerous around curves on Grip Road. Two gravel trucks approaching will have no room to pass. We urge you to come and see for yourself.
The intersection of Prairie Rd and Grip Rd is already a very dangerous intersection. Adding trucks loaded with

gravel to the mix of existing traffic has the very real potential of serious accidents, endangerment to and possible loss of life to those using this intersection. Blinking lights to be installed do not represent a viable solution in our opinion. We urge you to come and see for yourself.
We question the structural adequacy to the bridge over the Samish River which would experience an increase of 46-720 gravel trucks crossing this bridge on a daily basis. This bridge measures 25 feet in width allowing for a 1 foot guard rail clearance. This does not allow for any vehicle approaching a gravel truck to travel safely across the bridge.
Based on the above we request the following: the width of Grip road and the bridge matched against code; a structural cross section of this section of Grip Road and the bridge over the Samish River matched against code; and traffic counts & speed along this route.
Language regarding noise level is ambiguous. Will they use blasting? Yes or no? Also noise from truck back up warning devices, noise from mining machinery and motorized vehicles, and other noise from mining operations all contribute to the potential noise problem in surrounding residential areas. Language in the SEPA Mitigated Determination of Non-Significance regarding noise is inconsistent, vague and ambiguous. It was stated that no blasting will be used, and then it states that blasting is a possibility and that the only restriction is that neighbors be notified. It seems as if most noise producing activities are exempt and there are no real controls.
Proposed hours of operation from dawn to dusk six days a week is totally unacceptable and will greatly diminish the quality of life in surrounding areas. Also the Project description states no processing is proposed at this site. Policy 40 2-2 allows washing, crushing, asphalt, etc. What is the truth?
Additional environmental concerns at the mining site include:
? How will the berm creation interact with the river and its flood plain?
? How will they vegetate the berm? If not it could become a significant weed source through the life of the project. What is the plan for noxious weed control?
? If revegetation is actually attempted how do they expect anything to grow on the ground seriously damaged by mining operations?
? What studies have been done regarding cultural resources? Have state tribal historic offices been contacted?
Other concerns include but are not limited to spills of oil and other hazardous material, environmental problems to rivers and creeks in the area, the impact on housing and property values, damage to roads, etc. Consideration of neighbors as a "goal" offers no assurance of protection of neighbors' quality of life. Consideration of neighbors should be mandatory.
We believe this type of operation in this area and the transport of gravel on roads intended for residential use are totally unacceptable and we request that this permit be denied as written or until the applicant can present alternatives that will not result in public, structural and environmental endangerment as outlined above. And until residents can be assured that the quality of life will not be comprised.

Submitted by: John and Sally Guettler 12-30-2016 5324 Cedar Ridge Pl, Sedro-Woolley, WA 98284

From Host Address: 50.34.106.42

Date and time received: 12/30/2016 2:20:29 PM

John Cooper

From: website
Sent: Friday, December 30, 2016 2:15 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Brian Andrew Bowser
Address : 21110 Parson Creek Road
City : Sedro Woolley
State : WA
Zip : 98284
email : cmsinc@myfrontiermail.com
Phone : 3607244046
PermitProposal : PL16-0097
Comments :
I am not excited to have a gravel pit in my back yard but I understand that we all need gravel. Concrete Nor'west needs to be a good neighbor and Skagit County needs to ensure our roads are safe.
I am concerned about equipment noise and dust. Per the permit application, there are no restrictions on hours of operation. Concrete Nor'west will operate the hours that suit them. This is not the correct answer. We need defined and permitted hours of operation.
In the future, if Concrete Nor'west decides to change their operations plan as it is outlined in their permit application, is county approval required? If county approval is required, will there be public notification and comment? The answer to both questions should be yes.
Road safety is my biggest concern. Below is a table of traffic incidents reported (Data from Skagit County IMap) from 2014 through 2016 from the pit entrance on Grip road to Concrete Nor'west on Old 99.

As you can see, we have there are numerous incidents on the proposed routes without the additional dump truck traffic.

Below is a table of road safety concerns on the proposed route:
Issue Additional Details
Intersection of Grip Road and Prairie Road Trucks making left hand turn (West) on Prairie Road. West bound traffic cannot see truck until they are in the corner. Trucks will be slower than normal through this intersection because they starting on a hill. The "Loop" system doesn't sound adequate. Need to excavate some of the hill at the corner so trucks at this intersection can see approaching west bound traffic.
Intersection of Prairie Road and Old Highway 99 This intersection is already an issue. Accidents happen on a regular basis. There will be a significant traffic increase when construction starts on the Old 99 overpass near Cook Road. This intersection needs a light with left hand turn lanes.
Width of Prairie Road Needs to be wider and smoother to accommodate trucks.
How does the truck traffic allow for pedestrian and bicycle traffic? The road and shoulder are already challenged by pedestrian and bicycle traffic. Adding regular truck traffic will make it impossible.
90 Degree curves on Prairie Road At least one curve is a bit tight for regular truck / trailer traffic.
Ditch that overflows regular on Prairie Road @ Park Ridge Lane How does the water saturation affect the road stability with truck traffic?
Bridge over Samish River (Grip Road) Can it handle the truck traffic?
Bridge over Friday Creek (Prairie Road) Can it handle the truck traffic?
Bridge over Samish River on Old Highway 99 Bridge is not in good shape. Can it handle additional truck traffic?

Grip Road - Hill Not adequate for regular truck traffic. Has been sluffing for years (over 40 that I know of)
Width of Grip Road Needs to be wider and smoother to accommodate trucks.
Allowed to travel East on Grip Road? Regular traffic? Need to know approved routes other than West on Grip Road.
Allowed to travel East on Prairie Road? Regular traffic? Need to know approved routes other than West on Prairie Road.
Will loads be covered Don't need additional gravel on the road to break more windows
Road weight limits Freeze thaw cycles will close the roads at times - considered?

*This form did not paste all the data or the formatting. I will send a properly formatted copy to John Cooper.

From Host Address: 50.34.149.56

Date and time received: 12/30/2016 2:14:16 PM

John Cooper

From: website
Sent: Friday, December 30, 2016 3:10 PM
To: Planning & Development Services
Subject: PDS Comments

Name : David L Day Attorney at Law
Address : P O Box 526
City : Burlington
State : WA
Zip : 98233
email : office@fairhavenlegal.com
Phone : 360-755-0611
PermitProposal : Gravel Pit PL# 16-097
Comments : Letter addressed to:
John Cooper
Skagit County Planning and Development Services
!800 Continental Place
Mount Vernon, WA 98273

This form does not allow sufficient space for adequate comment nor for attachments/exhibits!

From Host Address: 50.125.150.190

Date and time received: 12/30/2016 3:05:04 PM

John Cooper

From: website
Sent: Friday, December 30, 2016 2:40 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Stephen M. Kenady
Address : 5319 Cedar Ridge Place
City : Sedro Woolley
State : WA
Zip : 98284
email : smkenady@gmail.com
Phone : 360 661 1161
PermitProposal : Special Use Permit Application PL16-0097
Comments : I live on the eastern border of this proposed site and I have many concerns regarding this development which are listed below.
• The intersection of Grip Road and Prairie Road is very dangerous already. According to the county 2016 traffic volumes report 572 vehicles enter the intersection from Grip Road daily and 1466 vehicles enter from the east on Prairie Road. It is a blind corner entry from Prairie. Heavy trucks with trailers will be slow to clear the intersection and collisions from the east are likely.
• The section of Grip road between The proposed project and Prairie Road is narrow, steep, and winding with no guard rails and no shoulder in places. Gravel truck traffic will reduce Grip to a one lane road in many places with no turn outs.

Both of the above will restrict fire and emergency vehicles access to my home. This is unacceptable.

• In addition to obvious concerns for fish and wildlife protection. As a professional archaeologist I can say that there is a moderate to high probability that cultural and archaeological resources exist in the project area. They should be identified and protected under state and federal law.
• Other concerns include but are not limited to noise, spills of oil and other hazardous material causing environmental impacts to rivers, creeks and wildlife in the area as well as the impact on housing and property values, damage to roads, etc.

It is outrageous to me that the MDNS checklist has ignored these issues.

From Host Address: 172.76.140.139

Date and time received: 12/30/2016 2:39:04 PM

John Cooper

From: website
Sent: Friday, December 30, 2016 2:15 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Renee Kenady
Address : 5319 CEDAR RIDGE PL
City : SEDRO WOOLLEY
State : WA
Zip : 98284
email : rkenady44@gmail.com
Phone : 3608547780
PermitProposal : PL16-0097
Comments : I would like to add additional comments regarding the proposed gravel pit by Lisa, Inc., Miles Sand & Gravel, Concrete Nor'West.

First of all, the many properties on the eastern border of this pit are 5 acre lots and primarily residential even though they are zoned Rural Reserve and Agricultural - Natural Resource Lands. We bought this property because it offered us peace, quiet and beauty. We did not choose to build around a gravel pit.

Secondly, Parcel P50087, owned by Lisa, Inc. was appraised at $88,800 but was adjusted by $85,800 for it's use making the assessed value at 3,300. All of the other parcels I looked at, P125634,P125635,P125636, P125637,P125638, P125639, P125640, P125641 P125642 and P125643 are all assessed at 3,300.00 which means they are paying little or no taxes. Another parcel, #P50702 says it is owned by a Juanita James but the appraised value is like that of Lisa, Inc. and I believe the other day I saw it listed as being owned by Lisa, Inc. I would like to have that clarified.

Third, I have commuted Grip to Prairie to I-5 for the last 5 years to work. In that time I have watched the amount of traffic commuting this route and on Prairie increase dramatically. Turning onto Prairie off of Griip is very dangerous and there are many near miss accidents as it is. I feel that the addition of 700+ gravel trucks a day would be a grave safety issue.

I am highly concerned about the safety and quality of life changes that will be brought about by this development.

From Host Address: 172.76.140.139

Date and time received: 12/30/2016 2:14:17 PM

John Cooper

From: website
Sent: Friday, December 30, 2016 1:30 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Jeannine McLeod
Address : 21454 Grip Road
City : Sedro Woolley
State : Wa
Zip : 98284
email : figetwiget@gmail.com
Phone : 360-319-5879
PermitProposal : PL16-0097
Comments : I am very very concerned over the gravel pit as we are right across the road. You have no hour limit or weekend limits. The amount of trucks on the road is going to endanger drivers , pets, bicycle riders. The road is curvy and narrow. I'm am shock that you would allow it on such a road especially with no limits or enlarging and making it safe. If you allow this you know that you are responsible for any accidents and safety of the people that live around the area. You will cause such a back up of people leaving and coming home from work and errands that it will be miserable to live there, which you will be responsible for also. Thank you for reading this and please consider what you are doing and if it needs to go through limit times and days and hours fix the roads and consider people safety and time.

From Host Address: 208.74.159.222

Date and time received: 12/30/2016 1:27:49 PM

John Cooper

From: website
Sent: Friday, December 30, 2016 8:25 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Andrew J. Rice
Address : 22356 Prairie Rd
City : Sedro-Woolley
State : WA
Zip : 98284
email : academicsandadventures@hotmail.com
Phone : 360-708-3286
PermitProposal : #PL16-0097
Comments : We have serious concerns regarding the significant mining development proposed between Grip and Prairie Rd.

1) Safety - the volume of traffic and size of proposed vehicles is incompatible with the Prairie/Grip rd. intersection. A blind corner from both directions. A blinking light is inadequate.

2) Truck Traffic and safety of other users - no shoulder present (unlike highway 99 with adequate shoulder). There is already significant logging truck activity on these roads.

3) Noise of operation - we moved here for peace and quiet. We've already noticed heavy equipment being used from our front porch on the site. It would be similar to the hum of I-5 living in close proximity.

4) Wildlife corridor disruption - this area is a significant habitat for coyote, bobcat, deer, beaver, and other wildlife. Several significant wetlands exist on the property.

5) Samish River Proximity - There has been a huge county effort through CSI - Clean Samish Initiative, that seems to be negated by this proposal for development.

6) Water Quality/Water Table disruptions - it is well known that underground aquifers are often disrupted by mining activity. Local friends had a steep decline in water quality when the mine for sale on Old 99 was activated - has improved since mine fell into disuse.

Thank-you for your consideration.

Sincerely,

Andrew J. Rice

From Host Address: 24.113.225.181

Date and time received: 12/30/2016 8:21:29 AM

John Cooper

From: website
Sent: Friday, December 30, 2016 11:50 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Monty McIntyre
Address : 22243 Grip Rd
City : Bellingham
State : WA
Zip : 98284
email : mont137@msn.com
Phone : 360 927 8771
PermitProposal : PL16-0097
Comments : The impacts of removing so much stone are huge. Not only to the immediate environment and current times, but also to everywhere this is trucked off to and well into the future.
How much of this gravel will be crushed causing dust and noise in other places? What are those places?
Local citizens/drivers concerned about safety will seek alternate routes to avoid the dangerous traffic generated , road debris, headlight glare from above car level trucks, and the stink of diesel hauling a heavy load. Traffic will surely increase everywhere these haulers go - please list all destinations they will impact.
What amount of this gravel will become impervious surface as concrete? Paving over Skagit County is a contentious issue. Gravel that salmon used thousand of years ago to survive to this day, may well become an enemy to salmon, as a new concrete driveway in LaConner, or elsewhere, that ultimately allows leaking synthetic transmission fluid to flow onto the slough, perhaps during a fall chum run up the mighty Skagit. Is this progress - and for whom?
Please address these long term issues that are not far fetched but are continuity in a chain. Rock exists much longer than flesh and so it's placement must be considered with much weight.
Each load of gravel extracted will have a different destiny. How far will some it be hauled and how much fuel will be burned to take it there over a 25 year period? What amount of unpreventable petroleum spillage will occur over a 25 year period? In what places?There is apparently no limit to the amount of trucks driving on Grip Road on this permit application - how can the impacts be truly measured without that? Why is there no limit? This whole process is somewhat irrelevant without a definite number of daily extractions determined.
What are the long term benefits to local residents who will be confronted all day long, for 25 years, by oversize trucks with blinding lights on corners and grades, with rock chips flying? Can a guy go to the pit and get a pickup load of gravel for his weekend project?
My last weeks drive along the Grip road included a very sudden stop for three deer abruptly racing across the road before me. I was able to stop but everything in my car flew forward. What if I had been followed by a tandem dump truck going downhill on the Grip Road? The twisting corners on the hill are dangerous - especially in winter , with a steep incline and poor visibility. Do the uncountable trucks plan on ascending/ descending their tandems singularly, by communicating over a company radio so they do not cross over into opposing lanes, on the run up and down that hill ? What is the percentage of accidents caused by CDL holders causing accidents using cellphones? What do we know about using a transmitter radio as a distraction to driving? Is it lesser than using a cellphone - and how much so?
My concerns are coming spontaneously and at the last minute - I have received short notice of this proposal and am ill prepared to spend my day on a computer looking at keys as a non- typist trying to contribute to a civil society.
What number big trucks and loaders will be stationed in the Swede creek and Samish river watersheds? This must be limited to a reasonable number of trucks that protect the safety of the current residents over the desires

of the applicants?
The operation of extraction equipment in watersheds does cause pollution to adjacent waterbodies by chemical and petroleum runoff. This is inarguable - it is only a matter of how much and when.
Antifreeze , engine oil , power steering fluid , hydraulic fluid, grease, engine exhaust on cold start ups coming down with the rain, wash-down water etc. Much of this is will be 'unavoidable' due to accident, weather and incompetence. If this permit is given we will see over time that vigilance concerning runoff and prevention will wither to conform to a profitable business model for the proponents. Remember Samish river is home to several specie of salmon - one that benefits the citizens of all of WA state. And the waters themselves are a community resource by law meant to benefit all.
A declining quality of life for taxpayers in the affected areas could very well become 'just the cost of doing business'. As sometimes happens, neighbors and concerned citizens try to accept wrong decisions. Some will move or die aggravated - this is also a reality that must be acknowledged and may have tremendous social and economic impacts for those families involved.
On the average what is the frequency of a traffic death for X number of gravel truck miles - is it one in 5 million miles, one in 25 million miles? How many miles will these uncountable trucks travel in 25 years? And what are the projections for accidents, injuries and death? The threat to public safety must be examined and quantified. Please do so in your capacity.
Extreme rain events due to the landfall of pacific storms, against the shoulder of the cascade mountains beginning in this valley compound the frequency of road borne pollutants entering our watercourses. Swede Creek flooding along the grip road immediately across Samish river bridge is frequent these last few rainy seasons. This ultimately carries surface contaminants from Grip Road into the Samish River. How much brake dust, in pounds per week, will accumulate after these countless trucks brake their heavy load down the hill onto the stretch leading to our small bridge over the Sammish? How does brake dust in rivers affect the salmon of WA state? Will the two houses at the immediate bottom of the hill , which are very close to the Grip Road , ultimately be in airborne sea of brake dust after a few years of severe braking due to this new activity?
I hope you will consider the future health and safety of the citizens of Skagit County and include these questions in your examination of this exploitive proposal.

From Host Address: 97.113.212.26

Date and time received: 12/30/2016 11:47:55 AM

John Cooper

From: website
Sent: Friday, December 30, 2016 8:05 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Laurel Peak
Address : 22841 Nature View Dr
City : Sedro Woolley
State : WA
Zip : 98284
email : laurelpeak@gmail.com
Phone : 2034702710
PermitProposal : #PL16-0097
Comments : I am very concerned about the proposed Concrete Nor'West Gravel Mine on Grip Rd for the following reasons:

1. Environmental Impact: I live above the Samish River, and I am fortunate to witness the diverse and fragile wildlife that live in the Samish Watershed. While this gravel pit will be at least 200 feet from the Samish, I am really concerned about the broader impact of the mine on the river.

Here are some unanswered environmental questions:
- What if there is an accident?
- What about displaced wildlife?
- What about noise impacts on wildlife?
- What about the trees that provide important habitat and shade for the river?
- What will be the restoration of the site after they are finished mining?

I would really like to see a FULL environmental impact study done of the area before any major construction/digging occurs. The environment impact of this mine is way broader than just this 68 acre property.

2. Road Impact: Grip Rd is a tiny road with a major hill. All of the proposed traffic will impact this road. I bike on this road, and already it is dangerous.

3. Noise Impact: This is a super quiet area, and the construction and mining of this property will add noise to our peaceful community.

From Host Address: 50.35.39.17

Date and time received: 12/30/2016 8:01:46 AM

John Cooper

From: website
Sent: Friday, December 30, 2016 8:25 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Andrew J. Rice
Address : 22356 Prairie Rd
City : Sedro-Woolley
State : WA
Zip : 98284
email : academicsandadventures@hotmail.com
Phone : 360-708-3286
PermitProposal : #PL16-0097
Comments : We have serious concerns regarding the significant mining development proposed between Grip and Prairie Rd.

1) Safety - the volume of traffic and size of proposed vehicles is incompatible with the Prairie/Grip rd. intersection. A blind corner from both directions. A blinking light is inadequate.

2) Truck Traffic and safety of other users - no shoulder present (unlike highway 99 with adequate shoulder). There is already significant logging truck activity on these roads.

3) Noise of operation - we moved here for peace and quiet. We've already noticed heavy equipment being used from our front porch on the site. It would be similar to the hum of I-5 living in close proximity.

4) Wildlife corridor disruption - this area is a significant habitat for coyote, bobcat, deer, beaver, and other wildlife. Several significant wetlands exist on the property.

5) Samish River Proximity - There has been a huge county effort through CSI - Clean Samish Initiative, that seems to be negated by this proposal for development.

6) Water Quality/Water Table disruptions - it is well known that underground aquifers are often disrupted by mining activity. Local friends had a steep decline in water quality when the mine for sale on Old 99 was activated - has improved since mine fell into disuse.

Thank-you for your consideration.

Sincerely,

Andrew J. Rice

From Host Address: 24.113.225.181

Date and time received: 12/30/2016 8:21:29 AM

John Cooper

From: website
Sent: Friday, December 30, 2016 7:20 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Frederic E Alllen
Address : 22018 Grip Road
City : Sedro-Woolley
State : WA
Zip : 98284
email : rik@rikallen.com
Phone : 360-202-1063
PermitProposal : PL16-0097
Comments : I am concerned about the impact this proposed landuse project will impact our road, both Grip and Prairie. The amount of trucks being proposed seems unsustainable with the current road size, intersection configurations and longevity of the road base. This project, as proposed seems an obvious threat to safety. I am also concerned about the noise level this project and it's impact on the areas very quiet setting. Any impact on that would greatly reduce the area's quality of life. Area residence must be assured that this project will, in no way, impact the local environment, and it's ecosystem, including the Samish river and Swede Creek. Assurances should be made that the scale of operation are limited to adhere to the concerns stated above. Thank you

From Host Address: 24.113.254.11

Date and time received: 12/30/2016 7:14:58 AM

John Cooper

From: Anthony and Randelle <triengel@frontier.com>
Sent: Friday, December 30, 2016 6:09 PM
To: John Cooper
Subject: Re: Information Request: Concrete Nor'west Gravel Operation Near Grip Road Special Use Permit Application PL16-0097

Mr. Cooper,

I have uploaded the following comments to the web page. I have also attached them to this email. Thank you for considering them.

The following are comments regarding the Concrete Nor'west Gravel Operation Near Grip Road, Special Use Permit Application PL16-0097.

The comment period for this permit was open between December 15 and December 30, 2016. The comment period was scheduled during a busy holiday period when people are commonly off work or away from home. This was true for county employees responsible for communication regarding this project as well. The county should consider extending the comment period in order to obtain reasonable public comment.

Impacts to fish and shell fish habitat in the Samish River System were not adequately analyzed. The Samish River is critical to maintaining T&E species, commercial, sport and tribal fisheries. The mine is sited on the Samish River and has the potential to contribute to cumulative effects on the productivity of the Samish River watershed during the planned 25 year operation. The project should be analyzed for its potential effects over that time. The cumulative effect of mining operations should be considered along with population growth, climate impacts and other activities along the river. The long term impact of a 25 year mining operation sited on the Samish River to T&E species, commercial, sport and tribal fisheries habitat should be evaluated though an EIS.

No analysis was used to determine the impacts of critical habitat fragmentation over 25 year mining operation. The long term impact to fish and wildlife habitat and wildlife connectivity resulting from a mine sited on the Samish River should be evaluated in an EIS.

There was no analysis of impacts to wetlands or fish and wildlife at the proposed mine site or the road system from the proposed mine site to Grip Road. The Fish and Wildlife Assessment, dated August 20, 2015, completed by Graham-Bunting Associates was limited to effects to the Samish River immediately adjacent to proposed mine site. The existing road system was permitted and designed for short term, intermittent use as a logging road. Improvements to the road system and the crossing at Swede Creek will need to be permitted and completed to support the proposed truck traffic. Analysis of impacts to wetlands and fish and wildlife habitat of the entire project should be completed as part of an EIS.

Public interests, such as recreational bicycle use on Prairie and Grip roads, were not adequately analyzed. Recreational cycling on Prairie and Grip Roads has increase dramatically and will continue to do so as population increases in the region. The roads impacted by this project are currently identified as bike routes by the Skagit County Physical Activity Coalition and are among the only remaining low traffic routes that lead to Sedro Woolley and the upper valley from the I-5 corridor. Data on recreational use of Highway 99, Prairie and Grip roads was not analyzed and mitigations were not considered. The impact to current and future public interests should be analyzed through the EIS process.

Traffic safety effects were not adequately analyzed. The Skagit County Comprehensive Plan (2016-2036), states: Potential effects of truck traffic from mining operations shall be reviewed as part of the permitting process. The Preliminary Traffic Information memo completed by DN Traffic Consultants, dated May 15, 2015, was based on an estimate of 6 truck loads per day. The permit from Concrete Nor'West (Lisa Inc.) identifies 46 truck loads per day with the potential of up to 30 trucks per hour and the right to work extended hours. The MDNS mitigations (warning lights and notifying the public) are based on the inaccurate data from DN Traffic Consultants. The proposed haul route on Grip Road and the intersection of Grip and Prairie Road are substandard. Traffic control at the Prairie and Hwy 99 intersection is also substandard for industrial traffic and was not analyzed. The traffic safety mitigations are inadequate for the level industrial use proposed by Concrete Nor'West (Lisa Inc.) and the MDNS. The Lead Agency should complete an EIS to analyze the data and the impacts to public safety to determine appropriate mitigations for the proposed industrial use.

Impacts to roads and bridges were not adequately analyzed. The Skagit County Comprehensive Plan (2016-2036) states: Existing roads and bridges shall be improved as needed as each new extraction operation is developed. Cost sharing for the improvement of roads and bridges shall be negotiated between the permitting authorities and the applicant. Data from DN Traffic Consultants, dated May 15, did not accurately analyze impacts to roads and bridges of the proposed use by Concrete Nor'West (Lisa Inc.). Prairie and Grip Roads were not designed to meet current standards for the proposed industrial use. The Lead Agency should complete an EIS to analyze the actual engineering data and actual impacts to roads and bridges to determine appropriate mitigations consistent with Skagit County Comprehensive Plan.

Thank you,

Anthony Engel

22965 Nature View Dr

Sedro Woolley, WA 98284

On Dec 28, 2016, at 11:58 PM, John Cooper <johnc@co.skagit.wa.us> wrote:

John Cooper

From: Donald Butterfield <acupuncturedoeswork@gmail.com>
Sent: Friday, December 30, 2016 6:45 PM
To: John Cooper
Subject: gravel pit grip rd

Adding some comments about the proposed gravel pit.One had to remember about the noise this is a rural area and sound carries a long way and is more disturbing because people who move to rural areas do with the knowledge they are in places of quiet. It is something we protect really strongly and will cause the value of out properties to decline. They may say they will be in the required noise level but this in not appropriate for this rural area and will cause landowners next to the site to have stress related problems.The next problem with this site is the quantity of trucks traveling these roads. This puts an undue stress on all who use these roads. Even with the upgrades to Prairie Rd these will not be enough to fully mitigate the quantity of trucks traveling on these roads.There will be fatalities where Grip Rd meets Prairie Rd it is a blind curve . Many motorcyclists use this road.
Right now at Cook Rd and Hwy 99 has the largest accidents in the county. This is caused by having the railroad tracks so close to the light. Even though this is a approved road but has caused many accidents. How can we be assured just by including the turn lane that this will not increase accidents. Brian Stiles wife was killed on FS grade several years ago they think by a truck. There are no decent shoulders anybody walking on these roads are at risk for injury.

Donald Butterfield
4380 Blank Rd
Sedro Woolley WA
360 856 4497

30 December 2016

John Cooper, Planner/Geologist
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west application mining special use permit, PL 16-0097

Dear Mr. Cooper
We would like to supplement our letter written on the 15th of December, regarding the above referenced project.

We request the county require a biological assessment of the entire project area. The entire project area includes all of the 63 acre proposed pit site and the access road; extending from Grip Road to the pit site. We make this request because wetlands, drainages or regulated habitat, are likely in the greater review area (pit and road) and the likelihood work on said access road, will be required by the project. Although the Graham Bunting Associates (GBA) Fish and Wildlife Habitat Site Assessment report states the greater 63 acre site review was completed in July 2015 the report does not include descriptions or data of this area, nor the access road and focuses only on the Samish River and adjacent wetlands.

Also, an Oregon Spotted Frog population is known to be present in the upper Samish River and the riparian habitat on the project site should be assessed in the aforementioned report.

Respectfully

Jim Wiggins Abbe Rolnick

21993 Grip Road
Sedro-Woolley, WA 98284

Matt Mahaffie
22031 Grip Road
Sedro Woolley, WA 98284

December 30, 2016

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

RECEIVED
DEC 30 2016
SKAGIT COUNTY
PDS

RE: PL16-0097

Dear Mr. Cooper,

I am writing in comment to the special use permit application PL16-0097, a proposed operation of a gravel mine by Concrete Nor'West. I am supportive of the need of the company to have a reliable source of their base material going into the future, a need that also in many cases has a public benefit, but have serious concerns about the proposal as presented which will place undo burden upon the local community's quality of life, safety, and environment without any meaningful mitigating measures volunteered by Concrete Nor'West nor Skagit County.

I am very familiar with this property, having spent over 20 years traversing all portions of the property when it was open for public access (previous owners) as well as reviewing it professionally as a wetland/critical areas specialist under other development proposals. I am also a nearby resident of the community who also spent many years as a CDL licensed driver of the types of trucks proposed to be utilized with this endeavor. Specific concerns are as follows:

Critical Areas Review

I personally have the utmost respect for Graham-Bunting Associates and Skagit County Planning staff, but will respectfully disagree with a few key findings presented with their report and/or the scope of work that should have been specified by Skagit County.

- The singular wetland rating put forth appears accurate. However, the land use intensity (moderate) put forth in no way conforms to the land use intensity description put forth in Appendix 8C of WA DOE Publication No. 05-06-008 as required if using the alternative buffers in SCC 14.24.230(1)(b). This is not just my personal opinion; it is my opinion as a Natural Resource Planner and staff biologist for a local government, trained by the Department of Ecology in the use of their rating system. It was also the consistent opinion every wetland scientist and agency reviewer that I inquired with, including the Department of Ecology (Doug Gresham, DOE, personal conversation 12/23/16), the authors of the said

referenced publication. The land use intensity for a full time gravel mining operation is unquestionably **high**. A high habitat score (as put forth by the supplied wetland rating) requires a 300ft wetland buffer per SCC 14.24.230, not 200ft as proposed (300 also being the standard buffer).

- The review/assessment also neglected SCC 14.24.230(2), where in general, buffers are to extend 25 feet past the top of sloping areas that are 25% or greater. The site plan as indicated shows areas where this provision is applicable. Regardless of the aforementioned land use intensity issue, the buffer likely should still extend past the line indicated in areas unless there is a rational reason put forth not to, which does not appear to have been done specific to this.

- A wetland assessment is required for this project as proposed (regardless of the land use intensity) per SCC 14.24.220. A wetland assessment has not been submitted for this project even though the Fish & Wildlife Assessment made it clear that a wetland was present. The wetland assessment should include a wetland delineation which was also requested to be completed by WA DOE during the initial SEPA comment period. It is unclear why this portion of Skagit County Code was ignored, as were all of the SEPA comments submitted by the singular state agency most relevant to the issue.

- Critical area review, and to a lesser extent SEPA, was limited to the proposed mine site only. However, Skagit County staff has consistently maintained that changing the use of forest roads to new uses was tantamount to a new impact, needing at a minimum assessment, and potentially mitigation. The haul road is most certainly a change of use by a drastic degree. Going from an access only used infrequently for forestry purposes to a road that could have hundreds of truck trips per day essentially in perpetuity will most certainly be an impact to the environment in numerous areas. This will be a distinct habitat break in what is presently one of the largest undeveloped tracts of left in lowland Skagit County, home to deer, bear, cougar, and elk as well as many avian and small mammal species. Heavily trafficked corridors are well known to affect the habits of such species. The haul road also drains to a salmon stream that has serious turbidity problems, and it seems inconceivable that the increased road traffic and maintenance/improvements without stormwater control will not affect this riparian area.

  The road crosses one of the most productive tributaries in the Samish River basin as well as being within the buffer of likely Category I wetlands. The road is already being improved, and it would be ridiculous to think that significant improvements (grading, surfacing, and vegetation clearing) will not be forthcoming after the special use permit is granted. It is unclear from the available documentation why Concrete Nor'West is not being held to the same standards as numerous clients of mine (professionally) building simple single family homes have been; addressing the clear intensification of impacts when transferring the use of a logging road to another use.

- No meaningful protective measures have been assessed to the buffer of the critical area adjacent to the mine operations. While recording of a Protected Critical Area (PCA) site plan is standard and generally adequate for a single family home, a commercial operation with employees on heavy equipment, no oversight, and no vested interest in the observation of the buffer is a recipe for disregard of said buffer. Glaringly as well, there is no reference on the ground for the buffer. If there is no survey or mapping, how will anyone know where the buffer is? The buffer should be required to be demarcated in the field, an absolute standard practice, and in reality should be fenced as well.

Noise

The applicants have stated that their project will have no noise concerns to the neighborhood. This is blatantly false. A raised voice can be heard on neighboring properties to the north (known from personal past observation) from the area proposed to be mined. How would heavy equipment not be heard? An excavator bucket hitting the side of a dump truck is as loud as a small caliber rifle shot, and such hits and bucket shaking will take place many times a day. All of the neighboring properties will be subject to such noise. On the upslope side (where I live), any use of the onsite road system by even a diesel pickup truck can be clearly heard outside on a clear day, heavy equipment use can be heard inside. There is absolutely no way mining operations will be fully self contained in regards to noise. Operations during standard business hours would be one thing, but evening and weekend operations would result in a seriously degraded quality of life in this regard. While it can be noted that the area is in a mineral resource overlay (zoning), the overlay was added after many of us moved into the area.

Also lacking in analysis is the road noise. While the traffic and safety issue has been noted by many and supposedly reviewed, the documentation does not address road noise. We live on a small country road, and the majority of the homes are close to the road. When the infrequent gravel truck and trailer passes by, the entire house shakes, both from the noise of the truck/engine, and the constantly used exhaust brake. The noise has been so loud that objects have fallen off of walls, children wake from naps, and any sense of peace and quite country living is shattered. We knew the conditions when we bought property in the area, and were accepting, but a constant and potentially hundredfold increase in daily gravel truck traffic would be unacceptable, especially in light of the fact that Skagit County Planning staff required that my home be built abutting the road rather than the several hundred feet back that I desired to address such issues. These trucks will pass many homes, and again, regular business hour operations would be one thing, but the open ended nights and weekends requested by the applicant would likely cause significant duress for many residents.

Traffic Safety

As an experienced driver of the types of trucks in question (still hold Class A CDL), yes, a dump truck and pup trailer can technically traverse Grip Road from the property to

Prairie Road. Reality, however, is far different. Virtually no truck driver is going to consistently traverse this road section safely. Center lines will be crossed and shoulders will be driven upon, it is a given. This creates an issue for taxpayers who will have to repair the road, for the environment that will be degraded by the continual influx of sediment from damage to the shoulder/ditch, and the public safety. There will be no place to safely walk or ride a bike on this stretch of road with trucks and trailers cutting corners. Families walk in the area, ride bikes, and commute on this road (as well as Prairie Road). Also present are hundreds of bicyclists throughout the warmer months with numerous planned rides/races using this area as one of the "safer" routes.

In over 30 years of living in the area, I have noted numerous very serious accidents at the intersection of Grip and Prairie Roads, one of the worst blind corners in the County. Lowering of the speed limit has helped some, but having trucks and trailers essentially blocking the intersection throughout the day will lead to disaster, regardless of a blinking warning light (that the drivers will assuredly become numb too).

While Grip Road can technically be argued to be traversable from the property in question to Prairie Road, it absolutely cannot the other way (east). The two 90 degree corners immediately west cannot physically be traversed by a truck and trailer within the bounds of their assigned lanes. Presently, when a truck meets another vehicle, one must stop as the truck must cross into another lane to traverse the corner. It is unclear why traffic analysis did not address this when application materials clearly left open the possibility and likelihood of routing this way (and why the County has only noticed the project with truck traffic going west).

Future Plans

It is the stated purpose of the applicants and the County that Concrete Nor'West that this project is to haul gravel to haul to their other facilities for processing. However, onsite sales are also mentioned in some documentation, as is residential development. Concrete Nor'West also states their need as the existing pits in their portfolio are being depleted. That begs the question of why would they continue to haul to other pits for processing? It would seem to be much more practical to bring their processing to this site. The issuing of this special use permit with the presently recommended conditions would simply lead to further intensification of the site and all that would entail (onsite processing, retail sales, batch plant construction?). Honesty and consistency on the part of the applicant with proper conditioning of the permit is a must, with an MDNS issued that applies concrete terms, not generalities; to be applied to any issued permits as well. Concrete Nor'West has not been a good neighbor here, or on other properties, and there is no reason to think that would change.

The County has consistently put forth ~46 truck trips per day onto the site. The applicants have clearly indicated not wishing to be bound by this number. Using it without any actual limitation or conditions is quite

Conclusions

Whether I am sure that it was not intentional, the permitting review of this project by outsiders seems quite preferential to the applicants and has created a high level of distrust with Skagit County in the local community, and I find that quite unfortunate. It is understood that as a company that supplies materials derived from mining operations that a reliable supply going forward would be a business necessity. However, unlike the other gravel pits in the Concrete Nor'West portfolio, they are not acquiring an existing pit in a neighborhood, but creating a new one in an existing, long established neighborhood. There will be notable environmental, quality of life, and safety impacts with no notable or worthwhile mitigating conditions placed upon the applicants.

A cursory exercise in the finances of the project shows that there will be in excess of $100,000,000 of material sold, this is of course before costs and using an average sale price (~$25/cy as typical for 5/8 minus), but reflects the sheer volume of money involved and the resources Concrete Nor'West should be willing and able to mitigate the impacts that they will create. While at this time I do not support the project as proposed, the following recommendations/conditions would make it much more palatable and supportable.

- Operations should be limited to normal business hours only.
- No expansion of onsite infrastructure should be allowed during the lifetime of the special use permit.
- A definite limit on daily trips to and from the site is imperative.
- Grip Road should be improved as necessary to the intersection of Prairie Road by widening to modern standards. The blind corner on Prairie Road should be eliminated (these would have a public benefit nexus, a public/private partnership could be considered).
- Access to the site should only be allowed from the west unless the road issues are addressed to the east as well.
- Onsite sales or haulout by any others (companies/individuals) other than the applicant should be prohibited by the conditions of any issued permit.
- As required by Skagit County Code and previously requested by WA DOE, a wetland assessment should be prepared at the applicants' expense. Wetland buffer/land use intensity should be as noted by WA DOE guidance or Skagit County Code.
- Environmental impacts should be addressed for the haul road per CAO standards. Impacts identified should be mitigated for.

Thank you for your time and consideration on this matter.

Respectfully,



Matt Mahaffie

December 30,2016 Hand Delivered On This Day

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

RECEIVED
DEC 30 2016
SKAGIT COUNTY
PDS

Attention: John Cooper, Planner/Geologist

Reference: Concrete Nor'West
File # PL16-0097

Subject: Grip Road Gravel Pit

Dear Mr. Cooper,

Haven't had a lot of time to prepare to comment on the sizeable scale of this project, it is apparent the neighboring entities will bare the brunt of issues once in place.

The signage regarding this project was placed in an area that either direction the traffic could not view only if one was looking to the north while trying to navigate the immediate turn in Grip Road. There appears to be only one posting regarding this project and I believe the stipulations were for more than that.

The fugitive dust control plan, only provides for the roads leading to Grip Road, It doesn't appear to encompass the properties to the North. As stated in the AGC handbook regarding Fugitive Dust Control, "Fugitive Dust Control planning is a partnership between the owner, general contractor, subcontractors and ANY other party whose activities during the project may lead to the generation of Fugitive Dust. This partnership extends to legal responsibilities as well in that all parties can be held liable for non-compliance and subsequent regulatory actions, including monetary penalties." The reasons for Fugitive Dust control

1. Fugitive Dust can become a nuisance to neighbors by depositing on their property
2. Inhaling fugitive Dust particles can cause respiratory diseases
3. Fugitive Dust can be a direct safety hazard.

Identifying how much fugitive dust will travel north is as critical as worrying about the roads.

That brings me to the amount of traffic being generated to further impact Prairie Road. The County has done numerous counts of the traffic flow on Prairie Rd over the years and I am sure the study will conclude, is increasing with the passing of years. This impact of truck/trailer combos is going to increase the danger factor. Grip Road has numerous sharp curves and it has been my experience, all too often the big rigs are moving way too fast.

RECEIVED
DEC 30 2016
SKAGIT COUNTY
PDS

John Cooper, Planner/Geologist
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

This project seems to escape needing an Environmental Impact Statement and I would like a more thorough explanation as to why other than what currently has been stated. I have personally experienced the eroding of my property due to the State Clear cutting behind me and thus changing all the ground water run-off. I am amazed that any human being can clearly state there will be no impact to the Samish once the construction and clear cutting of the trees on this piece.

All in all, there needs to be community input regarding this project for a clear understanding of how this will affect all of the community that live here.

Shaari King
PO Box 95
Bow, WA 98232

21827 Prairie Rd
Sedro Woolley, WA 98284

John Cooper

From: PDS comments
Sent: Friday, December 30, 2016 10:46 AM
To: John Cooper; Ryan Walters
Subject: FW: Concrete Norwest File # PL16-0097 comments

From: Wayne [mailto:watne_ws@hotmail.com]
Sent: Friday, December 30, 2016 10:16 AM
To: PDS comments
Subject: Concrete Norwest File # PL16-0097 comments

Hello John Cooper,

I am writing in regard to the Special Use Permit PL16-0097. Consider please the following:

- Truck traffic entering Prairie Road from Grip Road and the volume of trucks using Prairie Road
- Truck traffic entering Hwy 99 from Prairie Road. There have been multiple accidents at this intersection in the 5 years I have lived in this area... the volume of truck traffic will require installation of a round-about or some other method of safely allowing traffic to cross this intersection
- In the next couple of years while the Burlington Northern Overpass is pbeing completed on Hwy 99 near Cook Road, there will be a major change in traffic patterns using Hwy 99, Prarie Road and Bow Hill Road. Traffic will likely increase significantly at this intersection and adding additional truck traffic will increase likelihood of accidents
- The documents available online suggest the truck traffic will largely cross Hwy 99 and continue from Prairie Road onto Bow Hill Road. Bow Hill Road appears to already have some stability issues and added truck traffic may increase instability
- As noted above, truck traffic will largely cross Hwy 99 and continue from Prairie Road onto Bow Hill Road BUT there is no guarantee that will be the route of choice. If heading south on Hwy 99 the trucks will cross the bridge over the Samish River. That bridge is narrow and has high traffic volume already. Safety is a major concern as is the condition of the infrastructure itself
- The river just upstream of the Hwy 99 bridge cuts up to and along Hwy 99 and the Samish River upstream of the bridge is subject to channel adjustments . The right bank (looking downstream) has currently been cutting toward the road just downstream of the WDFW Salmon weir and large trees are beginning to fail... future work along this section of road is going to be required and increased traffic volumes will impact the ability to complete the work without major disruptions is a concern
- Gravel trucks are already causing major impacts to local residents, frequently throwing rocks at oncoming traffic and damaging windshields and vehicles. There is essentially no recourse (we tried) when a person gets their windshield or vehicle damaged. Increasing truck traffic hauling gravels will increase impacts to area residence with no benefit to local area residents.

Thank you for hearing these concerns. Please add my name to the list of people notified when there are updates on this proposal.

Have a blessed day!

Wayne

LUKE 19:10 "For the Son of man is come to seek and to save that which was lost".

Wayne Watne
7137 Steelhead Lane
Burlington, WA 98233
360-707-1981
www.harvestvisionministries.org

John Cooper

From: Ryan Walters
Sent: Friday, December 30, 2016 5:42 PM
To: John Cooper
Subject: RE: Comment on #PL16-0097 Special Use permit

Importance: High

John, This one includes a records request so please be sure to respond to it immediately upon your return. RW

From: PDS comments
Sent: Friday, December 30, 2016 1:05 PM
To: John Cooper <johnc@co.skagit.wa.us>; Ryan Walters <rrwalters@co.skagit.wa.us>
Subject: FW: Comment on #PL16-0097 Special Use permit

From: linda wa [mailto:walshL2006@hotmail.com]
Sent: Friday, December 30, 2016 12:51 PM
To: PDS comments
Cc: Betta Spinelli
Subject: RE: Comment on #PL16-0097 Special Use permit

December 30, 2016

Linda & Robert Walsh
21710 Prairie Road
Sedro Woolley WA 98284
Owners of Parcels #50099, #P50100 & P50105- Adjacent to the Mine

RE: #PL16-0097 Special Use Permit Application
Attention: Hearing Examiner
Skagit County Planning & Developing Services
Commissioners

We have many concerns and questions regarding the permitting of a 68 Acre Gravel Mine in our own backyard, as the actual mining operations will border our property in our quiet rural community. The only positive impact we can see is for Concrete Nor"West(Miles Sand & Gravel, Lisa Inc) and associated business partners. This open pit gravel mine does not benefit the greater good of the public. There are numerous existing gravel mines. The list of 'negative benefits' that will be incurred, should the permit be approved, are very legitimate and serious and will have permanent lifestyle changing effects on all us who live within miles of the proposed location, not just within 300 feet.. It is unfortunate that the public was not properly notified from the beginning back in March 2016, because there has been a huge amount of concern and input just since the Hearing on Dec7th, when the word began to circulate about the gravel pit. I can only imagine how the response would have been if more residents would have been informed months ago. It shows that when informed, the residents in our community are indeed concerned and have strong opinions and lots of questions about this proposed mine, To my knowledge the county notified only 8 residents back in March . I have the current list and the County has now notified only 43 parcel owners (within 300 feet of the applicants contiguous several hundred acre properties) for the comment period ending December 30th. The notice given seems to understate the potential truck and trailer trips, stating '46 truck trips per day'. and the wording implies a much smaller scale of operation.

I have to ask any of you if you were to read a notice that stated ...average of 46 truck and trailer trips per day would you be as likely to get involved and respond as say, versus a notice which stated the truck and trailer traffic to be ... up to 30 per hour , 720 per day? The notice says nothing about proposed hours of operation which is open ended, Dawn till Dusk - Monday -Saturday, More if needed. To us, left with this wording, this business could operate 24 hours a day 7 days a week, I am positive this information would receive much more inquiries than the current notice which simply states...46 truck and trailer trips per day. There are many 'open ended' allowances in all areas of operation in the Findings of Fact report. When we say this we mean the numerous statements throughout the report which end in... 'not at this time, if any, shall be negotiated.. not proposed at this time. It seems it should be more concise and finite. I would like information on what agencies regulates specific mining activities.
A 68 acre Open Pit Gravel Mine is anything but NONSIGNIFICANT and I think a letter notifying 43 parcels, (less than 43 residences), since many of us own more than 1 parcel, is hardy adequate when the proposed business will present a huge Safety concern for anyone in our area using the public road systems. Certainly the traffic and noise, dust impacts will be well beyond the 300 feet. This is not a typical business where there will be just increased car traffic, we are talking about Truck and Trailer combos that can have up to 105,000 pounds GVW loads, traveling down steep, sharp, narrow Grip road and entering Prairie Road at a blind corner, day and night. It makes no mention of mitigating the safety issue of F & S Grade left turns just hundreds of feet beyond where they enter Prairie Road from Grip and then within a couple of miles they must again make a left turn onto very busy Old hwy 99. In the Findings of Fact report, it states a temporary disruption of our quiet rural lifestyle but how is 25 years of this type of activity for 25 years considered temporary?
I see that some of the reporting agencies did their reviews well over a year ago. How long are these reports considered valid, since circumstances can change. What information was supplied to the agencies to make their decisions, such as truck volume, duration of hours of operation that expose residents and the local wildlife, and environment, the Samish watershed etc., ? Seems if a greater number of trucks and trailers and extended hours of operation were evaluated it would be looked at more closely since it would create More Noise, Dust, Vibrations, Exhaust fumes, Road Damage, Traffic Safety Concerns, Erosion on Haul road, more use of water onsite and Grip road to keep dust levels down, water that will drain into the ditches along the road and travel into Swede Creek and possibly the Samish River, more chance spillage of fuel & other hazardous products used in equipment each day. Basically more loads mean more impact on all factors of operating a gravel pit mine.
I think you will find the other gravel pits in Skagit County have hours of operations and other restrictions placed on them. Many of us have owned our properties for decades and moved into the area to enjoy the quiet rural way of life. Since we are not large in numbers it seems as though our right to peace and quiet and our current lifestyle is not as important as higher density areas. I know for us we did not realize a mining operation would be allowed within a few hundred feet of our backyard, especially this close to the Samish River. Until receiving the November notice of the Hearing Dec 7th, we thought since we had not received any reports or notices since March 2016 it was not going to happen. It is obvious that we were quite surprised since on Dec 7th we immediately gathered with a group of residents and set out to notify the public. I would have notified people so much earlier had I realized the project was getting approvals from the various departments. This whole process is new to us and we did not realize how things would proceed.

Regardless of any mitigations the Noise, Vibration and Dust will travel beyond their parcels at disruptive volumes and will have a very negative impact on our current quality of quiet rural life. We spend numerous hours outside in our backyard with family and friends. Our peaceful, park like property along the Samish River is not just a piece land it is a huge part of our daily lives and give us a quiet place to share with our family and friends. It is an important part of our daily way of life. Our children, our grandchildren and friends come here to share the quietness, the beauty and the solitude of being out in the country. Watching Eagles, Deer and other wildlife make this a very special, peaceful place. The operations of a Open Pit Gravel Mine will have a very negative impact on our family's quality of life and our neighbors as well. We also want to bring up the fact that the spring and summer construction season when the demand for gravel is higher , it is also the busiest time of year for people traveling the roadways and enjoy the outdoors. So not only will our roads see a huge increase in regular traffic, bicyclists, pedestrians & motorcyclists but at this same time of year the truck and trailer volumes will most likely be at their highest volumes, a combination that could be deadly on our narrow, windy roads.

Traffic Safety should be addressed for all routes entering and leaving the Mine access road on Grip Road. Trucks and trailers from other companies may not be using the Grip to Prairie, Prairie to Old highway 99 route. Other routes should be evaluated and I did not see anything about this in the Findings of Fact report.
Skagit County taxpayers should not have to pay for road improvements or additional maintenance due to the heavy truck and trailer use for a single company to run its operations.

The Haul road from the Open pit up to Grip Road: The haul road must be close to 2 miles of an old gravel road with several culverts and it appears to cross at least a dozen other parcels of land before exiting onto Grip. When was it or when will it be improved to withstand the volume of fully loaded trucks and trailers which are proposed? Due to the volume of potential trucks and trailers using the road it seems like the other parcels the road travels over would need to be evaluated for environmental impacts as well?

I would think the standard residential 200' buffer zone from water would have to be much greater given the scope of this project. The impact of the length of daily exposure due to all the mining operations and the 50 acre size seems like it would be evaluated on a commercial basis. We are no experts but the effects of the 50 acres which will be stripped of all vegetation, all timber and all top soil in order to mine the gravel will NOT be Self-contained among the 3 mined parcels and it will certainly will have a SIGNIFICANT IMPACT on all of us. How are all the parcels the road travels over evaluated? What will occur and what impact could it have on the Samish watershed, Swede creek and our adjacent property? Who protects our property and the waters if un-evaluated or unforeseen problems arise?

Reclamation: If allowed to mine who will hold the applicant accountable in the years to come to properly reclamate the land? They should be required to carry a Bond to insure there will always be funds available to do proper reclamation. There have been gravel pits left abandoned with No reclamation, ugly and quite dangerous, as drownings can occur in them. What measures are in place to prevent this all these things from happening? What happens if the current applicant is no longer a valid entity or goes out of business, there should be very detailed reclamation requirements and the funds available, regardless of the current applicant state of business.
During the Mine's regular operations there will be extremely loud noises from excavating, pounding the earth, loading gravel into idling trucks, exhaust, backup alarms and engines roaring constantly, unsafe traffic volumes so how with such little evaluation and public input did the project get a (MDNS) MITIGATED DETERMINATION of NONSIGNIFICANCE statement. Impact on our quiet rural life and environment will be Very SIGNIFICANT. The MDNS statement in the permit folder has parcel #P123644 not #P125644 so how can the statement that is so Important be issued with a different parcel number than the parcel which was on the permit application?

The actual mining operation will be only a few hundred feet from our backyard. Our backyard where my grandchildren play, where we enjoy numerous family gatherings, and is within hundreds of feet of the backyards of my neighbors and the Samish River. If allowed this project will have a Very SIGNIFICANT impact on us and the surrounding areas. How is an Open Pit Gravel Mine in full operation NONSIGNIFICANT to our quality of life? How NONSIGNIFICANT of an impact will it be on people, the abundant wildlife and the Samish Watershed over the next 25 years?

We appreciate your attention to the issues and questions brought up in this letter. If other notices, reports, documents and Findings of Facts have been generated since the December 7th Hearing,we, as land owners within the 300' foot zone, would like to receive copies of all the documents, via email walshl2006@hotmail.com , with cc bettas@co.skagit.wa.us or we can pick them up at the Planning Department if you call us at (360) 708 7736.

We had asked for an extension on the comment period due to the lack of notification and the holiday season, when so many people are out of town, but it was not given. There are still hundreds and hundreds of residents who do not know anything about this Special use permit. These people will be directly impacted by traffic and other factors in regards to the mining operation and they are completely Unaware of this project's location or proposed volume of business, due to the limited notification process. They have no idea there will be a 68 Acre Gravel Mine in their community.

If any facts/ reports have changed we request to be granted enough time to review the information, inform people in the community and be given another comment period before a hearing date is set.

Sincerely,

Linda & Robert Walsh
21710 Prairie Road
Sedro Woolley WA 98284
(360) 708 7736
walshl2006@hotmail.com
or walshrob1@hotmail.com
cc bettas@co.skagit.wa.us
(I will deliver a copy of this letter to the planning department as well since I am having some computer issues)

Fairhaven Legal Associates, P.S.
DAVID L. DAY
Attorney at Law

Friday, December 30, 2016

John Cooper, Planner/Geologist
Skagit County Planning and Development Services
Mount Vernon, WA 98273

Re: Notice of Development Application – File # PL16-0097

Dear Sir:

This office represents George and Kandice Voile owners of the property at 21387 Gripp Road, Sedro-Woolley.

Mr. and Mrs. Voile have resided on the property for approximatly four years, during which time they have come to appreciate the peace and tranquility of the neighborhood.

Concrete Norwest now seeks to disrupt that peace and tranquility by operation of a gravel mine with trucks exiting the mine adjacent to the Voile property. To the extent such use impinges on the ownership interest of Mr. and Mrs. Voile, they object. Specifically, the documents submitted in support of the application by Concrete Norwest, and the staff findings pay, at best, lip service to the impacts on the neighboring residential properties. Even further, Concrete Norwest purposes to operate on an unlimited basis, i.e., around the clock. Upon reviewing e-mails from your office, it is apparent the County supports the round the clock operation to the extent that County interest would be enhanced by this gravel operations providing materials to ongoing State and County projects in the dark of the night. It is hard to imagine anyone should be obliged to tolerate such an obnoxious and intrusive program of operation.

Contrary to the assertions of the representatives of Concrete Norwest, unfettered use of the proposed mine is not unlimited in terms of hours of operation. It is entirely a matter of subject to discretion of the hearing examiner (see County Codes) as will be more fully developed in the Hearing(s).

To the extent that Skagit County supports this proposal in furtherance of its own needs for mining operation's to support County projects, Mr. and Mrs. Voile strenuously object. It can hardly be said that the County is a neutral, disinterested party respecting this matter. It follows therefore that the suggestion of approval is tainted by the foregoing.

Mr. and Mrs. Voile, and others, expect to be heard respecting this matter when a hearing is set before the Hearing Examiner and will present their grievances to the Hearing Examiner at that time.

Very Truly Yours,

David L. Day
Attorney at Law

816 E. FAIRHAVEN AVENUE • P.O. BOX 526 • BURLINGTON, WASHINGTON • 98233
PHONE: (360)755-0611 • FAX: (360) 755-9723
OFFICE@FAIRHAVENLEGAL.COM

John Cooper

From: PDS comments
Sent: Friday, December 30, 2016 7:36 AM
To: John Cooper; Ryan Walters
Subject: FW: permit #PL16-0097

From: Matt Johnson [mailto:chops_215@hotmail.com]
Sent: Thursday, December 29, 2016 2:27 PM
To: PDS comments
Subject: permit #PL16-0097

Hi,
My name it Matt Johnson and I live at 22562 grip rd sedro woolley wa, and I have concerns about this open pit gravel mine that is going through the permit process to be able to open up. I am concerned about the heavy truck traffic on grip rd as well as prairie rd. Grip rd has lots of windy curves heading up a steep grade that these trucks will need to use multiple times a day to access the pit. Leaving grip rd to gain access to prairie rd has a blind corner where vehicles could come up quickly on a heavily loaded dump truck trying to pick up speed. I also wonder who is going to pay for road improvements for this ? the road will get worn out with that much heavy truck traffic. I am hoping all these concerns are being addressed prior to giving permits? I could see this lowering property values in the area and cause lots of inconvenience for the local community for some financial gain of a private company which i disagree with.

thanks in advance
matt

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Tuesday, January 03, 2017 4:07 PM
To: John Cooper
Subject: FW: PDS Comments

From Dept Email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Friday, December 30, 2016 6:15 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Anthony Engel
Address : 22965 Nature View Dr.
City : Sedro Woolley
State : WA
Zip : 98284
email : triengel@frontier.com
Phone : 360 856 5694
PermitProposal : Concrete Nor'west Gravel Operation Near Grip Road, Special Use Permit Application PL16-0097
Comments : The following are comments regarding the Concrete Nor'west Gravel Operation Near Grip Road, Special Use Permit Application PL16-0097.

The comment period for this permit was open between December 15 and December 30, 2016. The comment period was scheduled during a busy holiday period when people are commonly off work or away from home. This was true for county employees responsible for communication regarding this project as well. The county should consider extending the comment period in order to obtain reasonable public comment.

Impacts to fish and shell fish habitat in the Samish River System were not adequately analyzed. The Samish River is critical to maintaining T&E species, commercial, sport and tribal fisheries. The mine is sited on the Samish River and has the potential to contribute to cumulative effects on the productivity of the Samish River watershed during the planned 25 year operation. The project should be analyzed for its potential effects over that time. The cumulative effect of mining operations should be considered along with population growth, climate impacts and other activities along the river. The long term impact of a 25 year mining operation sited on the Samish River to T&E species, commercial, sport and tribal fisheries habitat should be evaluated though an EIS.

No analysis was used to determine the impacts of critical habitat fragmentation over 25 year mining operation.

The long term impact to fish and wildlife habitat and wildlife connectivity resulting from a mine sited on the Samish River should be evaluated in an EIS.

There was no analysis of impacts to wetlands or fish and wildlife at the proposed mine site or the road system from the proposed mine site to Grip Road. The Fish and Wildlife Assessment, dated August 20, 2015, completed by Graham-Bunting Associates was limited to effects to the Samish River immediately adjacent to proposed mine site. The existing road system was permitted and designed for short term, intermittent use as a logging road. Improvements to the road system and the crossing at Swede Creek will need to be permitted and completed to support the proposed truck traffic. Analysis of impacts to wetlands and fish and wildlife habitat of the entire project should be completed as part of an EIS.

Public interests, such as recreational bicycle use on Prairie and Grip roads, were not adequately analyzed. Recreational cycling on Prairie and Grip Roads has increase dramatically and will continue to do so as population increases in the region. The roads impacted by this project are currently identified as bike routes by the Skagit County Physical Activity Coalition and are among the only remaining low traffic routes that lead to Sedro Woolley and the upper valley from the I-5 corridor. Data on recreational use of Highway 99, Prairie and Grip roads was not analyzed and mitigations were not considered. The impact to current and future public interests should be analyzed through the EIS process.

Traffic safety effects were not adequately analyzed. The Skagit County Comprehensive Plan (2016-2036), states: Potential effects of truck traffic from mining operations shall be reviewed as part of the permitting process. The Preliminary Traffic Information memo completed by DN Traffic Consultants, dated May 15, 2015, was based on an estimate of 6 truck loads per day. The permit from Concrete Nor'West (Lisa Inc.) identifies 46 truck loads per day with the potential of up to 30 trucks per hour and the right to work extended hours. The MDNS mitigations (warning lights and notifying the public) are based on the inaccurate data from DN Traffic Consultants. The proposed haul route on Grip Road and the intersection of Grip and Prairie Road are substandard. Traffic control at the Prairie and Hwy 99 intersection is also substandard for industrial traffic and was not analyzed. The traffic safety mitigations are inadequate for the level industrial use proposed by Concrete Nor'West (Lisa Inc.) and the MDNS. The Lead Agency should complete an EIS to analyze the data and the impacts to public safety to determine appropriate mitigations for the proposed industrial use.

Impacts to roads and bridges were not adequately analyzed. The Skagit County Comprehensive Plan (2016-2036) states: Existing roads and bridges shall be improved as needed as each new extraction operation is developed. Cost sharing for the improvement of roads and bridges shall be negotiated between the permitting authorities and the applicant. Data from DN Traffic Consultants, dated May 15, did not accurately analyze impacts to roads and bridges of the proposed use by Concrete Nor'West (Lisa Inc.). Prairie and Grip Roads were not designed to meet current standards for the proposed industrial use. The Lead Agency should complete an EIS to analyze the actual engineering data and actual impacts to roads and bridges to determine appropriate mitigations consistent with Skagit County Comprehensive Plan.

Thank you,
Anthony Engel
22965 Nature View Dr
Sedro Woolley, WA 98284

From Host Address: 50.35.38.113

Date and time received: 12/30/2016 6:14:31 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Monday, April 19, 2021 12:09:44 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Friday, April 16, 2021 9:50 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Barbara Lemme
Address : 5856 Park Court
City : Sedro Woolley,
State : WA
Zip : 98284
email : bobbil@cnw.com
PermitProposal : Grip Road Mine proposal
Comments : I have a tremendous concern for the safety of bike riders on Prairie Road. There is minimal shoulder space for a bike rider to safely get off the road in case a large truck comes by. With an increased number of trucks on the road, it will be extremely difficult to safely get off the road, especially if two trucks are passing each other, going different directions.

This is an accident waiting to happen. I would imagine a family would rightfully sue the county if a death or injury resulted from too many trucks on the road. Prairie road has too many curves. Grip Road is steep and narrow. And where the two roads meet, there is a blind spot for turning trucks, even with blinking lights.

It seems like the county is caving in to business interests instead of listening to the residents who live in the area. Who does the county represent??

I don't think that this proposal is a good one.

From Host Address: 50.34.189.197

Date and time received: 4/16/2021 9:46:11 AM

Roads

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Monday, April 19, 2021 12:50:58 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, April 17, 2021 3:35 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Kathryn Longfellow
Address : 5318 Cedar Ridge Pl
City : Sedro Woolley
State : WA
Zip : 98284
email : klongfellow@frontier.com
PermitProposal : Grip Road Mining
Comments : Please consider postponing this request until appropriate infrastructure is in place which is beyond what is proposed in the resubmission.

I am driving a school bus on Grip Road having turned off Prairie Road and headed south toward Mosier. I have just entered one of the sharp turns and there in front of me is a full gravel truck with its bumper over the center line. I've a full load of children. Now the driver may not know he's over the center line as the paint line is invisible because its been crossed so much it is rubbed out. There are no fog lines to assist in lane visibility and there are no shoulders to give a little room to either vehicle. Not a good outcome.

The roads need to be brought to a standard that is applicable for the weight and width of the vehicles that are intended to drive on them. The trucks cause a serious deterioration of roadways due to weight and Grip Road nor Prairie have been brought up to that level of repair. Actually, noted in the reissue, that if there is a problem with the bridge on Highway 99 the trucks will need to re-route to I-5. Which begs the question of load limits and trucks on the bridge over the Samish River on Grip and Friday Creek on Prairie.

Please reconsider the issuance of this permit until road and bridge structures are sufficiently remediated to handle the proposed truck traffic.

From Host Address: 50.34.103.133

Date and time received: 4/17/2021 3:31:36 PM

Read

From:	Planning & Development Services
To:	Michael Cerbone; Betsy D. Stevenson
Subject:	FW: PDS Comments
Date:	Tuesday, April 20, 2021 9:25:26 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 19, 2021 2:55 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Josh Nipges
Address : 20610 Prairie rd
City : Sedro Woolley
State : WA
Zip : 98284
email : nipges@juno.com
PermitProposal : PL16-0097
Comments : While it is nice to see that Concert Northwest is addressing the double corner east of the old 99 and Prairie Rd intersection and the intersection with grip. They still have not addressed the over all road itself. Prairie is road is narrow. It has become even more so since the guard rail was added along the high tension power lines. Widening the road needs to be addressed. With the number of truck trips and narrow road way it is only a matter of time before there is a head on collision. There have been many times that I have encountered semi trucks hugging or over the divider line in this section.

From Host Address: 165.225.217.34

Date and time received: 4/19/2021 2:52:41 PM

- Noise
- Swede Creek
- Samish Bull
- FTJ Martin

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 22, 2021 8:50:02 AM

Name : Ellen Martin
Address : 4929 Ida Drive
City : Sedro-Woolley
State : WA
Zip : 98284
email : ellenkmartin39@gmail.com
PermitProposal : Reference: File #'s PL16-0097 & PL16-0098
Comments : Grip Road Gravel Mine Environmental Concerns Not Addressed in the MDNS

The Noise and Vibration Study did not use realistic scenarios to model noise impacts. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from "typical" and "average" mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.

CO A
Not Just to Property

The environmental review did not consider the full footprint of the project. The applicant owns more than 700 contiguous acres, however only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. This private road has previously been used only for forestry. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

The County is not following its own Critical Areas Ordinance(CAO).Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.

The Fish and Wildlife Assessment is out-of-date and incomplete. The limited Fish and Wildlife Assessment provided by the applicant is more than five-years-old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site; this animal is listed as "Endangered" in Washington State and "Threatened" federally. In addition critical habitat for Bull Trout is located just downstream, Bull Trout is a "Candidate" species for listing in WA State, and is listed as "Threatened" federally. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.

No WDFW

Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.

Wildlife corridors are not identified and protected. Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.

A drainage plan was not required to protect water quality from runoff on the private haul road. Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.

Depth of mine

Impacts to groundwater are not adequately evaluated and protections measures are not required. They intend to excavate the mine to within 10 feet of groundwater. They claim that all runoff from the disturbed site will drain into the mine, and infiltration will protect the groundwater. But it is unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table. No mention of seasonal fluctuation of the groundwater is discussed. Further more, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river.

Air

Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.

Cumulative impacts were ignored. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a "temporary" activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period. A full EIS needs to evaluate all cumulative impacts.

Grip Road Mine Traffic, Road and Public Safety Issues Not addressed in the MDNS: County government and the concerned public cannot evaluate the traffic safety impacts of the project and the adequacy of the MDNS without the following information:

Trip Cap

The maximum number of truck trips per hour, how often the number of trips may exceed the average trips per hour, and how long the number of trips may exceed that average. The average of 46 trips per day or 4.6 trips per hour given in the MDNS is meaningless due to the seasonal nature of product demand. The applicant's October 8, 2020 Traffic Impact Analysis (TIA) proposes a maximum of 60 trips per hour (30 trucks in each direction). The SEPA determination must evaluate the traffic safety impacts of the project based on this maximum and set hard limits on this number, frequency, and duration

A clear definition and map(s) of all haul routes, and the limitation of mine traffic strictly to the defined routes.

Safety analysis of all haul route intersections and road segments to determine whether or not trucks traveling to and from the mine will stay within their lane of traffic, and the mitigation

measures to be required for every location where they will not. The TIA provides analysis showing that truck and trailer combinations cannot traverse the two sharp curves on Prairie Road east of Old Highway 99 without encroaching on the opposing lane of traffic. The MDNS requires the applicant to take specific actions to mitigate this issue at this location. The TIA acknowledges that the same issue of lane encroachment exists at several other locations on the haul route, but neither it nor the MDNS lists those locations, provides any analysis of the problems there, or sets out the mitigation measures required to correct them. These locations include, among others; the S-curves on the Grip Road hill and practically all of the intersections on the haul route. This is unacceptable

Projections for the increase in non-mine traffic on the haul routes over time and evaluation of the safety and road capacity impacts of mine traffic with increased non-mine traffic. The TIA uses 2020 traffic levels to evaluate mine traffic impacts and does not factor in growth.

Field studies to determine the speeds at which vehicles are currently traveling on the haul route and evaluation of how mine traffic will impact existing traffic given those speeds.

More thorough evaluation of the accident records for all road segments and intersections on the haul route, including the contributing causes for the accidents. What are the implications for mine traffic safety?

Determinations as to the actual safe speeds for any given road segment or intersection on the haul route, along with recommendations for changes to legal speed limits where they are needed for safety.

More detailed evaluation of sight distances at all intersections, including "Vision Clearance Triangle" drawings as shown in Skagit County Road Standards, 2000, Appendix C –7.

A full evaluation of what the warning beacon systems proposed for the Grip Road/Prairie Road and Grip Road/Mine Entrance intersections are intended to accomplish and how they will do so. Drivers are clearly ignoring the existing speed warning signs at Grip and Prairie. How can they be expected to slow down adequately for the warning beacons?

"Third party" sales at the mine would mean trucks traveling to and from the site via every route possible. Disallow third party sales from the mine.

Adding heavy mine traffic to our existing, substandard roads will cause increased damage to public infrastructure and higher maintenance costs. These impacts must be evaluated and the applicant required to pay their proportional share of the costs. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required frequent repairs over the last few years just with existing traffic levels.

Pedestrian and bicycle safety must be evaluated along the entire haul route. This is a particular concern in areas where there are no shoulders on Grip and Prairie, and where guardrails were recently installed on Prairie Road. Necessary safety improvements must be required.

From Host Address: 172.92.201.41

Date and time received: 4/22/2021 8:49:19 AM

- Min Depth
- WETLands
- Traffic Only

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 22, 2021 10:40:02 AM

Name : Todd Ouellette
Address : PO Box 2255
City : Mt Vernon
State : WA
Zip : 98273
email : todd@nwlink.com
PermitProposal : Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098
Comments : Several concerns:

Min Depth

1: as a landowner near the proposed mine on a private well that shares the water table, I am concerned by the casual statement that they will limit mine depth to ten feet above the water table. Spills and contaminants in the mine may still infiltrate into water used by residential and agricultural citizens.

Wetlands

2: the wetlands assessment seems superficial. The Samish River drainage is home to several threatened or endangered species. I do not see this addressed in the documents I've seen, nor have I seen a full EIS on the projected mine. I see no actual wetlands assessment, something even a small land owner like myself had to file with the county when building.

3: Prairie Road is designed for rural traffic. If the mine runs only six trips / hour (three each way), a truck that will likely not achieve a thirty MPH average speed over the four miles from Gripp Rd to Hwy 99 will take eight minutes. The chance of trucks meeting seems inevitable, and at at least four places in that stretch, one will have to stop entirely while the other maneuvers through the turns using both lanes. This could happen multiple times / hour.

These are only a few of my concerns, none of which seem to be assessed in the documents on file at the county. I would ask for a more complete evaluation, as this projected mine will cause permanent changes, many of which seem potentially harmful, without adequate forethought.

Respectfully,
Todd Ouellette

From Host Address: 174.204.78.255

Date and time received: 4/22/2021 10:36:28 AM

From:	website
To:	Planning & Development Services
Subject:	PDS Comments
Date:	Thursday, April 22, 2021 8:50:01 PM

Name : Leslie Mitchell
Address : 4929 Ida Drive
City : Sedro Woolley
State : Washington
Zip : 98284
email : ldmitch2015@gmail.com
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : 23 April 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

Please consider the following points concerning the need for greater and more specific study into three major areas related to the impacts that would result from the establishment of the Nor'west/Miles Sand & Gravel Mine:

1. Grip Road Gravel Mine Environmental Concerns Not Addressed in the MDNS
- The environmental review did not consider the full footprint of the project. The applicant owns
more than 700 contiguous acres, however only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road
that transects their larger ownership. The proposal will require more than 11,000 truck trips per
year on this haul road. This private road has previously been used only for forestry. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated
and no mitigation was proposed.
- The County is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot
buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet
adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.
? The Fish and Wildlife Assessment is out-of-date and incomplete. The limited Fish and

200 vs 300

Wildlife
Assessment provided by the applicant is more than five-years-old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the
Samish River adjacent to the mine site; this animal is listed as "Endangered" in Washington State
and "Threatened" federally. In addition critical habitat for Bull Trout is located just downstream,
Bull Trout is a "Candidate" species for listing in WA State, and is listed as "Threatened" federally. The
MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore,
state and federal agencies responsible for protecting endangered species need to be consulted.
- Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the
entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.
- Wildlife corridors are not identified and protected. Cougar, bear and bobcat are known to use the
site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish
River and Anderson Mountain to the north. These animals require large territories and are sensitive
to disturbance.
- A drainage plan was not required to protect water quality from runoff on the private haul road.
Without a drainage plan that identifies treatment measures for runoff from the haul road, the high
volume of truck traffic is likely to cause excess sedimentation and potentially contamination from
petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.
? Impacts to groundwater are not adequately evaluated and protections measures are not required.
They intend to excavate the mine to within 10 feet of groundwater. They claim that all runoff from
the disturbed site will drain into the mine, and infiltration will protect the groundwater. But it is
unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table.
No mention of seasonal fluctuation of the groundwater is discussed. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants
such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish
River and flowing directly into it, with potential to contaminate the river.
2. The Noise and Vibration Study did not use realistic scenarios to model noise impacts. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from "typical" and "average" mine production, not maximum noise levels. The study did not address the significant noise fully

loaded
trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge
on the private haul road. Regardless of legal noise limits, all of this will be a major change to the
soundscape for residents of the area that should be taken into account in a full EIS.
3. Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining
equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.
4. Cumulative impacts were ignored. This is a major industrial scale proposal that would create many
cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years
of mine operation is not a "temporary" activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams.
To haul the amount of material proposed to the closest site for processing, requires driving diesel
trucks more than 5,500,000 cumulative miles over the 25 year period. A full EIS needs to evaluate
all cumulative impacts.

5.. Grip Road Mine Traffic, Road and Public Safety Issues Not addressed in the MDNS:
County government and the concerned public cannot evaluate the traffic safety impacts of the project
and the adequacy of the MDNS without the following information:
- The maximum number of truck trips per hour, how often the number of trips may exceed the average trips per hour, and how long the number of trips may exceed that average. The average
of 46 trips per day or 4.6 trips per hour given in the MDNS is meaningless due to the seasonal nature
of product demand. The applicant's October 8, 2020 Traffic Impact Analysis (TIA) proposes a maximum of 60 trips per hour (30 trucks in each direction). The SEPA determination must evaluate
the traffic safety impacts of the project based on this maximum and set hard limits on this number,
frequency, and duration
- A clear definition and map(s) of all haul routes, and the limitation of mine traffic strictly to the
defined routes.
- Safety analysis of all haul route intersections and road segments to determine whether or not trucks traveling to and from the mine will stay within their lane of traffic, and the mitigation measures to be required for every location where they will not. The TIA provides analysis showing
that truck and trailer combinations cannot traverse the two sharp curves on Prairie Road east of Old
Highway 99 without encroaching on the opposing lane of traffic. The MDNS requires the applicant
to take specific actions to mitigate this issue at this location. The TIA acknowledges that the

same
issue of lane encroachment exists at several other locations on the haul route, but neither it nor the
MDNS lists those locations, provides any analysis of the problems there, or sets out the mitigation
measures required to correct them. These locations include, among others, the S-curves on the Grip
Road hill and practically all of the intersections on the haul route. This is unacceptable.
- Projections for the increase in non-mine traffic on the haul routes over time and evaluation of the
safety and road capacity impacts of mine traffic with increased non-mine traffic. The TIA uses 2020 traffic levels to evaluate mine traffic impacts and does not factor in growth.
- Field studies to determine the speeds at which vehicles are currently traveling on the haul route
and evaluation of how mine traffic will impact existing traffic given those speeds.
- More thorough evaluation of the accident records for all road segments and intersections on the
haul route, including the contributing causes for the accidents. What are the implications for mine traffic safety?
- Determinations as to the actual safe speeds for any given road segment or intersection on the haul route, along with recommendations for changes to legal speed limits where they are needed
for safety.
- More detailed evaluation of sight distances at all intersections, including "Vision Clearance Triangle" drawings as shown in Skagit County Road Standards, 2000, Appendix C – 7.
- A full evaluation of what the warning beacon systems proposed for the Grip Road/Prairie Road
and Grip Road/Mine Entrance intersections are intended to accomplish and how they will do so.
Drivers are clearly ignoring the existing speed warning signs at Grip and Prairie. How can they be
expected to slow down adequately for the warning beacons?
- "Third party" sales at the mine would mean trucks traveling to and from the site via every route
possible. Disallow third party sales from the mine.
- Adding heavy mine traffic to our existing, substandard roads will cause increased damage to public infrastructure and higher maintenance costs. These impacts must be evaluated and the applicant required to pay their proportional share of the costs. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required frequent repairs over the last few years just with existing traffic levels.
- Pedestrian and bicycle safety must be evaluated along the entire haul route. This is a particular
concern in areas where there are no shoulders on Grip and Prairie, and where guardrails were recently installed on Prairie Road. Necessary safety improvements must be required.

The Sedro-Woolley community is a rural respite from the traffic and noise of urban settings. This is a huge attribute for longtime residents and is an enormous attractant to those looking for a quite and calm place to live. Please take the time to do a methodical and adequate review of these permit proposals. This mine and associated increased traffic, noise and environmental impacts are not worth destroying the rural community calm of Sedro Woolley.

Respectfully,

Leslie Mitchell
4929 Ida Drive
Sedro-Woolley, WA 98284

From Host Address: 172.92.201.41

Date and time received: 4/22/2021 8:47:40 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 22, 2021 11:25:02 AM

Name : Terri Wilde
Address : po box 5
City : Rockport
State : WA
Zip : 98283
email : wildefoods@yahoo.com
PermitProposal : Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098
Comments : I don't believe this project is in the interest of Skagit County. I am disappointed that crucial aspects have not been studied sufficiently to know the potential damage that can be caused. For example, this project seems bound to have severe detrimental effects on the Samish River watershed. A complete wetland delineation has not been done on the whole site but apparently the proposed road for hauling is adjacent to a wetland and crosses Swede Creek, a fish bearing stream. The mining itself intends to excavate "to within 10 feet of groundwater" and expects to collect all runoff from the disturbed site in the mine. The groundwater at the site is near the level of the Samish River and flows directly into it. Add on to all these contaminations waiting to happen, we know there will definitely be runoff from the roads into the watershed from the extreme increase of large trucks on the county roads over sensitive habitat (more than 11,000 per year and up to 60 trips/ hour !?!). We have put so many efforts into trying to revitalize the delicate Samish River. It is critical habitat for the Bull Trout, designated habitat for the Endangered Oregon Spotted Frog and an important River for our dwindling salmon populations. This is not time to assault it with a project of this scope and destruction!

We are at a crucial time of understanding that we are at a tipping point and our actions today will have extreme effects on the livability of many species, including our own. The value of clean water, salmon and orcas is irreplaceable. Please don't go to your deathbeds not knowing you did the right thing for the future.

This proposal for the mine lacks identification and mitigation of wildlife corridors, mention of effected endangered species and the necessary agencies that need to be consulted for this, a drainage plan to protect water quality from runoff on the haul road, protections for groundwater and the expense of all the mitigations that would be needed to county road infrastructure to keep these roads from becoming a death trap for local travelers trying to navigate amongst the frankly inconceivable amount of heavy equipment on the county back roads.

NO WDFW

Please do not approve it.
Thank you.

From Host Address: 50.34.194.251

Date and time received: 4/22/2021 11:21:55 AM

From:	Planning & Development Services
To:	Betsy D. Stevenson; Michael Cerbone
Subject:	FW: PDS Comments
Date:	Friday, April 23, 2021 12:11:38 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 21, 2021 8:15 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Jim Wiggins
Address : 21993 Grip Road
City : Sedro Woolley
State : WA
Zip : 98284
email : jimwiggins@fidalgo.net
PermitProposal : Concrete Nor'west (CNW) application mining special use permit, PL 16-0097.
Comments : Re: Concrete Nor'west (CNW) application mining special use permit, PL 16-0097.

Fish and Wildlife, and Water Quality (regulated Critical Areas [CA]) review, comments and questions. Wiggins, April 2021.

The information provided to date by CNW for the above referenced project regarding biological issues is insufficient to determine impacts the proposed project will have on regulated critical areas. At a minimum, we need to have maps, surveys, and descriptions of all regulated critical areas (species and habitats) including those in and near the proposed mine site, and, all roads, specifically the proposed haul road. In addition, we need to know all permit conditions that will be proposed to mitigate for impacts identified in this larger footprint. Only then can we assess impacts and adequately comment on how the proposed mine and other related project details will have on the biological environment.

Critical Area Review

SCC 14.24.060 Authorizations Required, of the county Critical Areas Ordinance, states: With the exception of activities identified as Allowed without Standard Review under SCC 14.24.107, any land use activity that can impair the functions and values of critical areas or their buffers including suspect or known geologically hazardous areas, through a development activity or by disturbance of the soil or water, and/or by removal of, or damage to existing vegetation shall require critical areas review and written authorization pursuant to this Chapter.

The July 2015 Graham Bunting Associates (GBA) Fish and Wildlife Habitat Site Assessment report does not include descriptions nor data of the 63-acre mine site, wetland/stream buffers, wooded slope, nor the access road. It focuses only on the Samish River and adjacent wetlands with no data sheets to corroborate their findings. Because CNW has not submitted an updated critical area report for the entire impact area (proposed mine site, private road, and adjacent public roads) it is not known what type of impacts to County Critical Areas, species and habitats, and their buffers will occur. Furthermore, Critical Areas Reports require to be

updated every 5 years. Said GBA report is over 5 years old.

The critical areas report completed by GBA for the wetlands associated with the Samish River recommends a 200' buffer. SCC 14.24.230 Wetland Protection Standards, requires a 300' buffer for High Intensity Land use, which the proposed mine is per the definitions section of the SCC CAO as follows: Land Use Intensity, High; Land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium-and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and commercial and industrial land uses. Therefore, the Samish River and its associated wetlands require a 300-foot buffer. It is inherent in the proposed use of the site as a commercial gravel mine, there will be a significant increase in noise, dust, and general overall on-site movement of heavy equipment. The assumed 300 foot existing buffer between the proposed mine and the Samish River and its associated wetlands is a wooded slope, protecting, in this case, all flora and fauna, such as migratory salmonids, trout, avian species, and large and medium fauna such a deer, elk, bear, cougar, coyote, and fox. Additionally, we are now aware Oregon Spotted Frog (Rana pretiosa) habitat occurs along the Samish River adjacent to the proposed mine site. Bull trout (Salvelinus confluentus) are also known to use the Samish River sometime during their lifecycle. A biological assessment is needed to address these species.

The Scope of a SCC critical areas study requires a full description of the proposed project and all biological features whether said features are regulated by the local, state, or federal government or not and is a combined quantitative (on the ground data collection) and qualitative (literature and map review) report. A description of all features such as flora and fauna, soils, topography (a survey of the top of slope), land use, a general description of the surrounding area needs to be included to provide us with an understanding of what the study area looks like and what features are present. Current and historical photographs help with this understanding of the study area. A broad-based literature review with the on-the-ground data collection of all potential areas that will be impacted needs to be studied and included in the contents of the report.

In the GBA assessment, the singular wetland rating they completed appears accurate. However, the land use intensity (moderate) they concluded does not conform to the land use intensity description put forth in Appendix 8C of WA DOE Publication No. 05-06-008 as required if using the alternative buffers in SCC 14.24.230(1)(b), Department of Ecology (Doug Gresham, DOE), the authors (DOE) of the said referenced publication. The land use intensity for a full-time gravel mining operation is high. A high habitat score (supplied by GBA wetland rating) requires a 300-foot wetland buffer per SCC 14.24.230, not 200 foot as proposed.

The review/assessment also neglected SCC 14.24.230(2), where in general, buffers are to extend 25 feet past the top of sloping areas that are 25% or greater. The site plan as indicated shows areas where this provision is applicable. Regardless of the aforementioned land use intensity issue, the buffer likely should still extend past the line indicated in areas unless there is a rational reason put forth not to, which does not appear to have been done specific to this project.

Going from an access only road that is used infrequently for forestry purposes to a gravel mine haul road that could have dozens of truck trips per day for many years will be an impact to the environment in numerous areas. This will be a distinct habitat break in what is presently one

of the largest undeveloped tracts of land remaining in lowland Skagit County, home to deer, bear, cougar, and elk *as well as many avian and small mammal species, and amphibians (* while CNW's application does not mention these species, local knowledge confirms their presence). Heavily trafficked corridors are well known to affect the habits of such species. The haul road also drains to a salmon stream that has turbidity problems, i.e. Swede Creek, and it is not practical that the increased road traffic and maintenance/improvements without stormwater control will further affect the onsite wetlands, streams and riparian areas.

No meaningful protective measures have been assessed to the buffers of the critical areas adjacent to the mine operations. While recording of a Protected Critical Area (PCA) site plan is standard and generally adequate for a single family home, a commercial operation with employees on heavy equipment, no oversight, and no vested interest in the observation of the buffers will not protect said buffers. If there is no survey or mapping, how will anyone know where the critical areas and their regulated buffers are? The buffers need to be demarcated in the field, a standard practice, and should be fenced as well.

Because a Critical Areas Review and Fish and Wildlife Assessment has not been completed on the entire project area, it is likely additional biological critical areas occur on and near the project area, such as wetlands and Swede Creek and they need to be identified and surveyed. Not to mention recently (summer 2019) much of the land owned by Miles has been logged and the haul road has been widened and resurfaced, thus because of these new modifications to the site, further necessitates an updated report.

Additional questions:
• What mitigation is proposed for CA impacts?
• How will mine excavation be monitored to ensure the "bottom" of the mine will remain greater than 10 feet above the seasonal high water table?
• Will the project occur beyond the mine site and proposed access road? If so, will there be road maintenance, widening, ditch maintenance, Grip/Prairie Road intersection maintenance/reconstruction? If so, said areas need to be assessed for regulated critical areas and mitigated for buffer impacts, habitat impacts, and stormwater quality.
• Because the mine site will be converted from forestry to a gravel mine, all habitat for the cursory list of species listed in this letter will be obliterated. For species such as amphibians that require upland habitat for a portion of their lifecycle further necessitates, at a minimum, the need for a 300-foot buffer off the wetlands adjacent to the Samish River. Also, other wetlands near the proposed mine and haul road mapped in the FPA further necessitates the need to complete an updated wetland/habitat reconnaissance and delineation report for all land within 300 feet of the mine and haul road.
• What mitigating measures have been included in the report for the introduction of invasive plant species such as Butterfly bush (Buddleja sp.) and spotted knapweed (Centaurea sp.) both of which occur on their Bellville pit site.
• What species and species habitats, such as Oregon Spotted Frog, Bulltrout, or other listed species occur in the Samish River watershed? Their presence needs to be assessed by qualified biologists and mitigation strategies addressed.

From Host Address: 50.35.55.32

Date and time received: 4/21/2021 8:10:15 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Sunday, April 25, 2021 10:17:30 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, April 24, 2021 4:05 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Norm Conrad
Address : 1120 S 25th St, #87
City : Mount Vernon
State : Washington
Zip : 98274
email : nsconrad@gmail.com
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : The Skagit County's "Mitigated Determination of NonSignificance" (MDNS) under the State Environmental Policy Act (SEPA) is ridiculous in that it is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.

The environmental review did not consider the full footprint of the project. The applicant owns more than 700 contiguous acres, however only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. This private road has previously been used only for forestry. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

The Fish and Wildlife Assessment is out-of-date and incomplete. The limited Fish and Wildlife Assessment provided by the applicant is more than five-years-old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site; this animal is listed as "Endangered" in Washington State and "Threatened" federally. In addition critical habitat for Bull Trout is located just downstream, Bull Trout is a "Candidate" species for listing in WA State, and is listed as "Threatened" federally. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.

Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.

Wildlife corridors are not identified and protected. Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the

Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.

A drainage plan was not required to protect water quality from runoff on the private haul road. Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.

Impacts to groundwater are not adequately evaluated and protections measures are not required. They intend to excavate the mine to within 10 feet of groundwater. They claim that all runoff from the disturbed site will drain into the mine, and infiltration will protect the groundwater. But it is unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table. No mention of seasonal fluctuation of the groundwater is discussed. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river.

The Noise and Vibration Study did not use realistic scenarios to model noise impacts. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from "typical" and "average" mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.

Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.

Cumulative impacts were ignored. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a "temporary" activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period. A full EIS needs to evaluate all cumulative impacts.

Do you need more reasons to reject this report? And this project?

Thank you.

From Host Address: 73.254.112.76

Date and time received: 4/24/2021 3:59:59 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Sunday, April 25, 2021 10:17:58 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, April 24, 2021 1:00 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Jerry Eisner MD
Address : 1618 E Broadway
City : Mount Vernon
State : WA
Zip : 98274
email : stardoc2@gmail.com
PermitProposal : PL16-0097 and PL16-0098
Comments : Dear Mr. Cerbone,
My wife Marilyn and I have lived in the Skagit Valley since 1980.

We would like to comment on the SEPA determination issued by Skagit County Planning and Development Services in response to the mine development application submitted by Mile Sand & Gravel's. Applications of this type have many unforseen effects on traffic, lifestyle, and environment.

While the conditions suggested in this MDNS are more substantial than in the previous one issued nearly five years ago, these conditions still reflect a limited understanding of the scale and scope of the project and offer only piecemeal and symbolic mitigation, rather than specific and prudent measures to protect our community's well-being.

There is no limitation on the volume of truck traffic. While the applicant suggests an average of 46 truck trips per day, it's clear that the average is a meaningless number when it comes to determining traffic safety impacts.
Speed limits, for example, are set based on the maximum safe speed of travel, and principle for a maximum limit on mine traffic volume should be similar. The applicant's own analysis suggests that up to 30 truck & trailer combos or up to 70 single dump truck trips per hour might occur. It is reasonable to expect the SEPA determination to evaluate the traffic safety impacts of the project based on this maximum, and mitigation conditions should set hard limits on this number, frequency, and duration.

We need a safety analysis of all haul route intersections and road segments to determine whether or not trucks traveling to and from the mine will stay within their lane of traffic, and the mitigation measures to be required for every location where they will not. We are glad to see that the new MDNS recognizes and requires mitigation for the fact that truck & trailer combos are unable to navigate the two sharp curves on Prairie Road east of Old Highway 99 without encroaching on the opposing lane of traffic. However, this is not the only spot along the proposed haul route, or the other likely alternative routes, which are similarly difficult to traverse for truck & trailer combos. The S-curves on Grip Road are particularly challenging

and on a steep incline. These other locations must be evaluated, and mitigation measures required. What happens when a school bus meets a gravel truck on these shoulderless curves? Slow-moving trucks can cause irritation and provoke unsafe passing behaviors in some drivers.

Adding heavy mine traffic to our existing, substandard roads will cause increased damage and higher maintenance costs. These impacts must be evaluated and the applicant should be required to pay their proportional share of the costs. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required frequent repairs over the last few years just with existing traffic levels. It's no secret that as the gross vehicle weight increases, the damage to road infrastructure increases exponentially.

As regards environmental concerns, the environmental review did not consider the full footprint of the project. Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

These are just a few of the concerns we share regarding this potential project. Each small piece of our local environment that gets mistreated adds up to a larger and more extensive impact on the whole.
Respectfully,
Jerry and Marilyn Eisner

From Host Address: 73.221.165.250

Date and time received: 4/24/2021 12:56:47 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Sunday, April 25, 2021 10:18:57 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, April 24, 2021 10:35 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : WILLIAM D PFEIFER
Address : 7472 Pressentin Ranch Dr
City : Concrete
State : WA
Zip : 98237
email : billpfeifer@yahoo.com
PermitProposal : PL16-0097 & PL16-0098
Comments : Why is the County not following its own rules when considering this proposed gravel mine? One of many examples is the approval of a 200-foot buffer when Critical Areas Ordinance rules call for a 300-foot buffer. Also, the environmental review did not consider the full footprint of the project (60 acres, rather than the whole 700-acre property) and the huge number of dump trucks that would drive on the 2-mile access road. Is the County being pressured by big-money lobbying sources? This is totally unacceptable. Follow established rules and the law.

From Host Address: 66.235.39.246

Date and time received: 4/24/2021 10:31:47 AM

From:	website
To:	Planning & Development Services
Subject:	PDS Comments
Date:	Sunday, April 25, 2021 12:20:02 PM

Name : Anne Middleton
Address : 12694 Josh Wilson Rd
City : Mount Vernon
State : WA
Zip : 98273
email : anne.jackm@gmail.com
PermitProposal : PL16-0097 and PL16-0098
Comments : I am requesting the County require a complete EIS for the proposed MILES Quarry expansion.

Moral imperative tells us to take the very best care as possible of the lands and inhabitants of our County. In this case, the requirement of a complete EIS, carefully looking at potential impacts of quarry expansion on the Samish River, a salmon river, on the endangered Oregon Spotted Frog marsh habitat, on air quality, and traffic impacts on a small rural road is called for.

The choice to do what is right, requirement of a complete EIS, as well as the requirement of the maximum 300 foot buffer for this high intensity land use, is the right path forward.

Thank you for your careful work on this land use proposal.

Cordially, Anne Middleton

From Host Address: 172.92.210.127

Date and time received: 4/25/2021 12:20:00 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Sunday, April 25, 2021 11:20:02 AM

Name : Paula Shafransky
Address : 22461 Prairie Rd
City : Sedro-Woolley
State : WA
Zip : 98284-8586
email : pshafransky@gmail.com
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : Dear Mr. Cerbone,
As a 28 year resident on Prairie Road I am writing to say I have grave concerns about the Mitigated Determination of Non Significance for the proposed Grip Road mine project. Because this mine is in my neighborhood, I have been following these developments for the past 5 years.
I have always had significant concerns about the assessment and application documents that supposedly addressed the environmental protections for wild life and fish as well as water and air quality. Concrete Nor'west's application for this mine was denied in 2018 due to incomplete application materials and factual inaccuracies. In reviewing the current documents I don't see that much has changed since then. The same environmental concerns I had in 2018 still don't appear to being addressed or taken seriously.
In addition, the road safety issues are paramount. I have traveled Prairie Road for 28 years and have seen traffic increase significantly as well as numerous close calls and accidents, particularly at the Grip Road and Prairie Road intersection. It is inconceivable that truck and trailer rigs would be able to navigate that corner in a safe fashion. The TIA provided an analysis showing these truck/trailer combinations cannot make the two sharp curves on Prairie Road east of Old Highway 99 without encroaching on the opposing lane of traffic. As far as I know this problem has not been addressed.
My husband and I moved to this area to enjoy a rural setting with quiet living, clean air, and wild life viewing in our back yard. This mine will drastically change all that. I don't believe the planning commission is doing its due diligence in the oversight of this project. One example of this is the commission is not following its own critical area ordinance which requires a 300 foot buffer zone in areas of high density land use. This whole project seems to be about ignoring public comments and legitimate concerns in order to facilitate Concrete Nor'West's business interests at the expense of the environment and public safety issues. This MDNS decision needs to be reversed, and a full EIS should be required before moving forward.
Thank you for your consideration in this matter.

From Host Address: 172.92.213.103

Date and time received: 4/25/2021 11:16:21 AM

From:	website
To:	Planning & Development Services
Subject:	PDS Comments
Date:	Sunday, April 25, 2021 2:45:02 PM

Name : Martha Hall
Address : 2617 16th Street
City : Anacortes
State : WA
Zip : 98221
email : pondfrog.mh@gmail.com
PermitProposal : File # PL 16-0097 and PL16-0098 (Grip Road Gravel Mine)
Comments : I am writing comments because of concerns about possible environmental impacts that should be carefully analyzed and presented to the public and decision-makers before a permit is considered.
A full Environmental Impact Statements is needed so
all impacts to important critical areas are fully understood, considered and mitigated. This has not been done.

At the top of my list are concerns about impacts
to fish and wildlife species that depend on the Samish River. Our County "Critical Area Ordinance" protects important wetlands and rivers like the area where this gravel mine is proposed by requiring large buffers when uses are "high intensity" as this mine certainly will be. Skagit County, WA State, our federal government and private citizens and landowners have spend large sums of money and countless hours of work to improve the Samish River and its adjacent wetlands and riparian areas. This has all been done because of concerns about species that are very important to the people of Skagit County, WA State and our country, several species of salmon and resident orcas. Numerous other species are tied into the food webs that support these species. These food webs extend into the Salish Sea and neighboring high quality wetlands and mudflats at the mouth of the Samish River.
All of these are connected - as this gravel mine may also be connected in its impacts.

This project should not proceed until its full impacts are fully understood or it could mean a step backwards in everyone's efforts to improve the Samish River riparian areas and the Salish Sea.

A full Environmental Impact State (EIS) is needed so we know impacts that could occur from the road leading to the mine as well as the mine itself.
These have not been adequately considered.
Swift Creek is also a fish-bearing stream that could be impacted by this road. These impacts and mitigation need to be part of an adequate evaluation of this permit.

I don't see that there has been a formal "consultation" with the federal agencies that protect some of the protected species that might be impacted including bull trout and the spotted frog. This is required and needs to be part of the EIS.

I also do not see that wetland delineations have been completed which should be part of any permit that might impact wetlands and rivers which are "critical areas" . This should be in an EIS.

To protect wetlands and rivers, our CAO should require drainage plans which seem to be missing from this permit. Run-off poses one of the greatest threats to our rivers, wetlands and the Salish Sea. This is needed in an EIS.

Groundwater is another concern whenever we think about drainage, water tables and protecting rivers such as the Samish River in the case of this mine. The Samish flows directly into the Salish Sea. Again, groundwater is a source of pollutants for all of these important habitats. The depth of this mining operation is a huge concern because of its close proximity to the river and wetlands . These impacts to the groundwater have not been analyzed and disclosed.

Wildlife corridors have been identified by ecologists and biologists as one of the most important features of wildlife habitats. Wild animals need connectivity between their habitats so they can move from one area to another to find food, breed, and meet the challenges of their daily lives. The amount of truck traffic generated by this mine along adjacent roads as well as the impacts at the site of the mine may well mean loss of connectivity for many wildlife species. This may impact the smaller and less mobile species such as frogs and salamanders and larger ones such as deer and black bear.

Finally, as is always true, and most important, are the cumulative impacts. Most often it is not one project but instead it is the cumulative impact of many projects that result in degraded habitats. This could be true of the Samish River which is already compromised by many other uses. This mine could result in various and significant additional negative impacts because impacts will occur not only at the site of the proposed mining, but also from the many loads that will be carried many miles beyond this mine in diesel trucks. An EIS is needed to study these impacts on on fish-bearing streams and wildlife corridors and other habitats.

It seems like little is really known about the negative impacts of this proposed mining operation because studies have been few and limited. Why is this when the county has a CAO that should be protecting a huge operation like the one that is proposed? Why hasn't an EIS already been required?

As a resident and tax payer in Skagit County, I also believe an EIS is needed so the public understands the added costs to tax payers of this project. We all notice and know and pay the costs of additional traffic. Additional heavy truck traffic will mean the need for far more road maintenance, repair, construc5tion and signage. How will public safety be protected from the additional traffic and pollution from this truck traffic? These concerns have not been adequately addressed so that the public can evaluate and understand what this project will cost us.

Finally, do we care about the quality of life and safety issues raised by people who live where this mine is located and near where the truck traffic will be greatest? I live in Anacortes and I know I
personally experienced the problems generated by mining of large rock that went from the Skagit River to Anacortes. I can't imagine what living along the truck route to this mine and/or near this mine might mean for the people who live nearby.
I care about these people. I hope the county does too.

I hope Skagit County will decide to require a full
Environmental Impact Statement for this mining permit. I am amazed by how inadequate the

MDNS was in analyzing and disclosing impacts of a project that is so near a river that is as important as the Samish River and a river that is so near the important mudflats of the Salish Sea. These are natural resources that are highly valued by the people of Skagit County and WA State. For the County to decide after such a limited and superficial assessment that impacts are not significant enough to require an EIS does not make sense.

Thank you for considering my comments,
Martha Hall
A concerned resident of Skagit County

From Host Address: 73.225.22.226

Date and time received: 4/25/2021 2:40:54 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Monday, April 26, 2021 7:09:44 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 26, 2021 7:05 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Donna Schoonover
Address : PO Box 207
City : Bow
State : WA
Zip : 98232
email : donnawh@earthlink.net
PermitProposal : PL16-0097 & PL16-0098
Comments : I live on Prairie Road, west of Grip.
I am very concerned about the traffic safety and road impacts of this project. I am concerned about the intersection of Grip and Prairie. Even with the proposed changes I do not feel that this is adequate to prevent a fatal accident at that site. I am concerned about the gravel trucks navigating the tight corners without shoulders to the west of us before Highway 99 and the crashes that will happen there. I am concerned about the increased truck traffic pulling onto Highway 99, already the scene of multiple wrecks. I am concerned about our safety, pulling out of our driveway onto Prairie Road in a section that is known for excessive speeding and reckless passing which will be markedly increased by the proposed average of 46 truck trips a day. And I am concerned about the effects of these heavy trucks on Prairie Road which is already in poor condition from the traffic it is already experiencing.
I am also very concerned about the impacts of this increased traffic on our desired rural lifestyle. We bought and are maintaining this farm on Prairie Road in order to have a quieter, more peaceful existence. In doing so we are helping support multiple farm related, local businesses. But with this increase in noise and congestion, it may not be feasible for us to continue to live here, and one more small farm in Skagit County may bite the dust.
I hope you consider these impacts in your decision making regarding this proposal and can mitigate some of the damages.
Sincerely,
Donna Schoonover

From Host Address: 172.92.229.37

Date and time received: 4/26/2021 7:02:17 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Monday, April 26, 2021 9:51:38 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 26, 2021 9:40 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Anne Winkes
Address : PO Box 586
City : Conway
State : Washington
Zip : 98238-0586
email : annewinkes@gmail.com
PermitProposal : PL16-0097 and PL16-0098
Comments : I am writing re PL 16-0097 and PL16-0098.

I urge the County to require a full Environmental Impact Statement (EIS) of the immediate, long term and cumulative adverse impacts posed by Miles Sand and Gravel's proposed gravel mine along the Samish River. The 60-acre open-pit mine that will eventually reach a depth of ninety feet is a major industrial scale proposal that will negatively impact the natural environment both on-site and off.

On April 15, 2021 the County issued a "Mitigated Determination of Non Significance" (MDNS) that did not consider all the possible adverse impacts of the proposed project on the environment. The issuance of a MDNS must be re-examined. The immediate, long-term, and cumulative adverse impacts to air and water quality and fish and wildlife habitat must be carefully studied and considered in a thorough and complete EIS.

A full EIS must consider not just the environmental impacts in the immediate vicinity of the 60 acre mine site. A full EIS must study the impacts, of which there are many, that will extend beyond that 60 acres.

A full EIS must analyze the immediate, long term and cumulative adverse impacts on the environment surrounding the two-mile haul road on which more than 11,000 trucks will pass each year as gravel is hauled from the pit mine toward its final destination. The EIS must examine all adverse impacts to the natural environment, including Swede Creek, a fish bearing stream over which the trucks will cross, and the adjacent Samish River by which the trucks will travel. Impacts on water quality and air quality must be studied. Impacts on wildlife and fish and their habitats must be analyzed. Mitigations must be proposed when the studies reveal adverse impacts.

The MDNS was based on a Fish and Wildlife Assessment done more than five years ago. A full EIS must study current conditions and habitat, including the potential impact on the Oregon Spotted Frog and the Bull Trout, both listed by the federal government as "threatened" species, with the Oregon Spotted Frog also listed as endangered in Washington State, and the

Bull Trout as a "candidate" for listing as an endangered species in Washington State.

The EIS must examine what impacts these same trucks will have on the wetlands that lie adjacent to the road. Wetlands protect and improve water quality. Wetlands are habitats for fish and wildlife. Wetlands' plants and soil store carbon, thereby moderating global climate changes. A full EIS must study, survey and mark the wetlands. Wetlands are sensitive areas important to the health of the watershed. The adverse impacts of the project on the wetlands should not be ignored.

Prior to the issuance of the MDNS the impacts of the project on the fish, wildlife and habitat of neither the wetlands, Swede Creek, or the Samish River were evaluated. Because the impacts were not studied, no mitigation was, or could be, proposed. A full EIS must correct this omission and conduct in-depth studies of the impacts on the wetlands, on Swede Creek, and on the Samish River. Mitigations must be proposed and their impacts analyzed.

An EIS must look carefully at the buffer size recommended in the Fish and Wildlife Assessment submitted by Miles Sand and Gravel and determine if it is appropriate. A 60-acre gravel pit mine producing enough gravel to fill more than 11,000 truck loads per year is industrial scale mining. Industrial scale mining is a high intensity land use, yet Miles Sand and Gravel plan for only a 200 foot buffer, even though the Skagit County Critical Area Ordinance requires a 300 foot buffer adjacent to high intensity land use.

The 70 acres owned by Miles Sand and Gravel is the last large area of undeveloped land lying between Butler Hill, the Samish River and Anderson Mountain. Cougar, bear and bobcat inhabit and travel through these acres. The routes of these animals must be identified as these animals are dependent on intact wildlife corridors and protection from disturbance within their large territories if they are to survive. The MDNS did not identify nor protect these wildlife corridors. No mitigations were proposed. A full EIS must correct this omission.

An EIS must study the immediate, long term and cumulative impacts of the project on water pollution, air pollution and noise pollution. If adverse effects are revealed, mitigations must be proposed and their effectiveness evaluated.

In summary, The State Environmental Policy Act (SEPA) review done by the County prior to issuing the MDNS failed to take into account all the environmental impacts of the project. A full EIS must review in depth what the SEPA review did not. The County must require a full EIS that will study and analyze the immediate, long term and cumulative effects of the project on the environment both onsite and offsite. The County must require the full EIS contain mitigation proposals for all adverse impacts.

Thank you for considering my comments.

Anne Winkes
18562 Main St.
PO Box 586
Conway, WA
98238

From Host Address: 172.92.226.32

Date and time received: 4/26/2021 9:37:23 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Monday, April 26, 2021 2:35:51 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, April 26, 2021 2:25 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Lucy W Eggerth
Address : 1304 39TH ST
City : BELLINGHAM
State : WA
Zip : 98229
email : lweggerth@gmail.com
PermitProposal : PL16-097 and PL16098
Comments : I am writing to express my opposition to the proposed Grip Road Gravel Mine. This development will cause significant harm to the natural environment and wildlife habitats along the Samish River and Swede Creek as well as upland wildlife habitat. Before this proposal moves forward the County needs to reverse its Threshold Determination under SEPA and require a full Environmental Impact Statement that evaluates the impacts of the proposed project and identifies alternatives.

Respectfully submitted,

Lucy Eggerth

From Host Address: 71.197.249.80

Date and time received: 4/26/2021 2:21:19 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Wednesday, April 28, 2021 7:42:58 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 28, 2021 5:45 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Rick Eleazer
Address : PO Box 657
City : Sedro Woolley
State : WA
Zip : 98284
email : rickeleazer@aol.com
PermitProposal : CNW Gravel Pit. Grip Rd. Permit Application PL16-0097
Comments : 2019 10-16 ADDENDUM
Logging other parcels.

Noise study.
Response
Have they studied dump trucks or other equipment noise impact throughout the neighborhood. ""No"" Just the inner site of the gravel pit itself. If a dump truck goes by your house do you here it ""YES"" one truck is one thing but all day long, through out the year. This would be quite annoying. This would be a public nuisance and a safety issue.
There could not be anyone walking, riding a bike, or walking their dog(s) on the roads. They are not wide enough now as they are. The load noise of the trucks can cause safety issues as well for people and animals along the roadway by getting them scared and jumping into the ditch or the travel lane(s).
On--0ff site spill prevention & control measures for water quality.
You can not stop all pollution, you can control it, and contain it until its cleaned up. But eventually there will be a times where its not caught or cleaned up properly and ending up in environmental impacting the land and vegetation. Then potentially winding up into the aquatic system such as Swede creek and Samish river water shed below the CNW Grip Rd Gravel pit.
Please review 2018 WSDOT Spec. 1-07.4-----1.07.7 (2) 1—07.230

2019 10-1 Exhibit
Water pollution control & sources.
Response
All equipment breaks down sooner or later. Hyd. Hoses blow and break, along with the following. Radiators, Transmission and other petroleum transport lines or hoses. Sometimes you don't find out until it's too late, or the tank is empty. Sometimes you catch it. But no mater how big or small it is.
Its absorbed by the native ground. Sometimes it cleaned up, other times not. Then in the rainy days. It gets tracked around the site and out by equipment, and trucks going into, and out of the site, with smaller amounts on their tires that creates pollution everywhere. It's called track out. Whether it be oil, gas, diesel, dirt, dust or mud. It's all considered pollution by the

WSDOT standards. Environmental impact.
Then what about the dust. What about the mud. What about oil track leaking out the dump trucks as they drive up and down the road next to the ditches that lead into the near-by streams and rivers.
All these ditches around the site, or along the roadway go right into Swede creek or the Samish river.
To add to this. I'm sure the public doesn't understand how a gravel pit works. You take out loads of gravel all day long, then in return you bring back other waste or spoil materials from other sites to fill that hole back in.
Who knows from where or what was on this site years ago. That material brought back can be contaminated with various chemicals, oils and bio hazard materials. This would increase the potential hazard of possibility of the water and site pollution. Contamination to the wildlife and aquatic water shed around and below the said project..

2019 10-16 RESPONSE
Updated Traffic report.
Response
Why was this study done by just one sub-contractor picked by Miles Sand & Gravel out of Preston, Wa. They know nothing about our neighborhood or Skagit County. There is nothing mentioned about the surrounding area traffic impact on the Grip Rd. , Prairie Rd., Bow Hill, Hwy 99, or any intersections, blind corners, or roads that are not wide enough for two trucks and trailers to travel on at the same time, at or around the said project.
The Grip Rd can't be expanded as it is now. The road now is to the R/W limits. As you can see.
The power poles are in the ditches. This is the R/W line. Miles would have buy a portions of the landowners property to expand and widen the roadway on grip road and Prairie Rd. to the new construction standards. It doesn't say or mention the rail road bridge that has a low clearance on Prairie Rd. by Hwy 9.
The Grip Rd. is not designed for heavy traffic. It shows every year at the S corners at the bottom of the hill of Grip Rd. just below the said project. It breaks and cracks apart at the surface.

(Reading EX.3 DOC 7)
Gary Norris of DN Traffic Consultants states. ""States"" There is not enough dump trucks in Skagit county to fulfill the quantities they want to remove each day.

Response

This is not a true statement. Mills Sand & Gravel own trucks in WHATCOM, SKAGIT, SNOHOMISH, KING, PEIRCE Co. If they need more trucks, they just call and rent like all other Sub-Contractors do. I see Whatcom and Skagit Co. dump trucks all the time in King or Snohomish Co. working every day of the week. I'm sure they would rather work up north where they live.
Plus, I know for a fact Miles/ CNWs takes trucks from other locations to fill the gap if needed. Supply & demand.

EX. 1 -4.5.18
While the access road is currently being used for forest practice activities.
Response
No this statement is not true. Logging roads are not built with drainage ditches, culverts, cleared wide enough for two trucks to pass at the same time. Then gravel place down and graded like a standard gravel roadway is built. This supposedly logging road was built for heavy traffic, long term use.
Additionally, existing traffic reports from DN Traffic Consultants have not alleviated public concern. As a result, Skagit County Public Works is in the process of retaining a third party traffic consultant to further evaluate potential traffic impacts of the proposed project, including safety concerns relating to pedestrians, bicycle riders, and school bus stops. Pursuant to sec 14.16.440(8)(i), the consultant will also determine whether the "roads or bridges are capable of sustaining the necessary traffic for the proposed mineral extraction operation, and that the proposed operation meets level-of-service, safety, and other standards as outlined in the Skagit County Transportation Systems Plan, the Skagit County Comprehensive Plan, and applicable State and local regulations." Finally, the consultant will evaluate the sufficiency of the proposed mitigation and may propose additional mitigation if necessary to reduce or eliminate potential traffic impacts.
Response
The Grip Rd. is differently not wide enough for two dump trucks to pass at the same time, and I don't think Prairie Rd. in certain areas are not either. The road is an oil mat road. Its not designed for heavy hauling traffic day in and day out through the year. You can see signs of fatigue from the last few years of Miles Sand and Gravel working at the Samish pit from heavy truck traffic from hauling logs out clearing their gravel pit area. Bringing in other materials to build the roadway. Equipment pick up and Delv. There was never any problems before until then.
Then the intersection at Prairie Rd. and Grip Rd. is a blind corner. As a Past Volunteer fire fighter EMT for Skagit Co. Dist 8. Of 15 years. Prairie / Hickson halls. I have been on many accidents at this intersection. It's a blind corner. Someone pulling out onto prairie road from grip in a car is frightening enough some times when a car comes 50 Mph around the corner. Can you image a truck and trailer pulling out and onto Prairie road. Major Accidents.
They grip road can't be expanded as it is now. The road now is to the R/W limits. Miles would have buy a portion of the landowners property to expand the roadway on grip road and Prairie Rd.
Have they even done any core samples to see what the depth of the roadway section , or what's underneath it for stabilization.

Then. Just recently. The Skagit Co. Public works has removed a portion of that blind corner at Grip & Prairie. How did this become after all these years until the Gravel Pit is up for renewal now !!!!
It's still a public and traffic safety concern as it is now.
Also. They left the embankment vertically. That's illegal. Needs to be sloped back or fenced for public safety.

EX. 2 -3.14.17
"Shall not create undue noise, odor, heat, vibration, air or water pollution"

Response

In mining, you are going to do all the above.
You'll have equipment noise, mechanical various break downs, air pollution, dust falling into the aquatic and surrounding neighborhood. Then if you add a screen/ crusher plant you increase all the above while making sand, and smaller crushed rock materials for use.

For the 2000 gal fuel tank.

Response
This would need a 100% containment around it, with a oil /water separator installed to catch the diesel that gets spilled. Yes. it spills and drips every time you fuel something, or receive fuel form a supply truck. Environmental Impact

EX. 3 1 of 7 5.15.17
Response
46 trucks. This would be one every 10.43 minutes. Would you want this in front of your house our your neighborhood that is not designed for this type of use on the oil mat roads not wide enough for two truck to pass at the same time, or a dump truck and passenger car. Especially the winding corners of the Grip Road are subject to collapsing and moving due to all that surge pressure in which has been receiving and has shown in the last years of miles sand and gravel already prepping the gravel pit behind the tree line here so the public can't see. The county has been out here fixing it every year lately because the roadway has been moving. Again. These roads are not designed for heavy traffic. It's a residential. Not commercial. There are no shoulders. Only deep ditches on both sides of the road. No escape routes for public safety if needed.

EX. 3 doc 3 of 7
Bridge load limits. Grip Rd.
Response
U80 load limits. Grip Rd. Samish river bridge. The Maximum load design for this bridge is 37,000 Lbs. A loaded truck and trailer is 33,000---35,000 lbs loaded. Not far from the max load limit design. This bridge is not intended to get massive heavy traffic day in and day out. If this bridge was to fail or collapse. This would put a High Impact on this neighborhood such as emergency vehicles responding to aid, or fire calls, school buses, public access and transportation.

I'm very concerned about our neighborhood being turned into a Noisy, Dusty, Un-Safe for Public and Traffic, Damaged Aquatic system of the surrounding waters. Our roads getting damaged, to and from our homes being impacted daily throughout the year(s).
This would also, I believe drive our taxes up for road repairs for others, as well as a decline in property values.

Rick Eleazer

From Host Address: 172.92.225.18

Date and time received: 4/28/2021 5:43:20 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Tuesday, April 27, 2021 4:45:18 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Tuesday, April 27, 2021 2:15 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Dale Romain Abbott
Address : P.O. Box 804
City : Burlington
State : WA
Zip : 98233
email : d_abbott@hotmail.com
PermitProposal : PL16-0097 & PL16-0098
Comments : April 27, 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Proposed Concrete Nor'west Gravel Operation Near Grip Road
Special Use Permit Application PL16-0097
And Mitigated Determination of Non-Significance for proposed Grip Road Gravel Mine
File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA species

Dear Mr. Cerbone,

I wish to register my concerns about the proposed gravel mine along Grip Road which I believe will have significant deleterious effects on the surrounding environment and community. Many of these concerns do not appear to have been adequately addressed in the proposal.

First, there does not seem to be any mention about the safety of pedestrian and bicycle traffic on Grip and Prairie Roads. The shoulders are non-existent on long stretches, and yet I see many of my neighbors out walking or biking these roads on a regular basis. I also regularly ride my bike on Prairie Road for exercise. Having to share this road with huge dump trucks is a frightening thought.

I am worried about the environmental impact to the natural environment of the Samish River. This valley is home to a variety of wildlife which both reside here permanently or transit through. I've had a bobcat on my land, and my neighbor had a cougar cross his property. In addition, there are deer, coyotes, opossums, raccoons, muskrats, beaver, and all manner of amphibians, reptiles, salmon, and birds living here.

There does not appear to be any mention of wetlands protection in the proposal despite the

haul road crossing Swede Creek and the forest buffer being established as only 200 feet from the Samish River. The county's own regulations require a 300 foot buffer when adjacent to "high intensity" land use. As pointed out by the Central Valley Samish Neighbors group, a gravel mine would most certainly qualify as "high intensity" land use.



Another environmental concern I have that does not appear to have been addressed is the problem of light pollution. I can't tell from the reams of papers which have been filed just exactly what the working hours of the mine will be, and I see no mention of what kind of lighting will be utilized. Light pollution can have a significant deleterious effect on wildlife---particularly birds and insects---and there is growing evidence that it is harmful for human health as well.

I am worried about the effect that this mine will have on groundwater. By definition, they will be mining gravel which is much more porous than other forms of earth. How can they be sure that sediment, petroleum products, and other toxic debris will not migrate through the ground into the Samish River? Also, how will they handle runoff from the haul road and where will it go when it is raining? These concerns do not appear to have been adequately addressed in the proposal.

The noise studies mention the additional noise that the mine will contribute to the general background, but it is hard for me to believe that such low numbers can come from intermittently dumping a bucket load of gravel into the metal bed of a dump truck. I've stood next to that kind of activity, and it hurt my ears. The examiner must have been referring to the routine operation of the motors and trucks, not the dumping of gravel. Also, will the trucks be using their compression brakes as they descend the haul road? I grew up in Darrington, and you could hear the logging trucks coming into town from a mile away.

Before the mine proposal moves forward, I believe that the county needs to require a full Environmental Impact Statement to address these concerns and how they might be mitigated.

Thank you for your time and consideration.

Sincerely,

Dale R. Abbott
22290 Prairie Road
Sedro-Woolley, WA 98284

d_abbott@hotmail.com

From Host Address: 172.92.195.144

Date and time received: 4/27/2021 2:13:02 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Wednesday, April 28, 2021 3:48:15 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 28, 2021 10:45 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Donald J Allgire
Address : 1607 Birch Court
City : MOUNT VERNON
State : Washington
Zip : 98274
email : dkallgire@hotmail.com
PermitProposal : PL16-0097 PL16-0098
Comments : I was a Union Carpenter for 30 years and I am not anti growth. My wife and I built our dream home in 1994 at 17939 Valley Ridge Lane, fronting East Hickox Road 1/2 mile from Merridian Aggregates Rock Quary. We experienced first hand the effects of Gravel Truck Traffic on a road with little or no shoulder. During times of flooding Truck Traffic was greatly increased to reinforce Dikes in Skagit and Snohomish Counties. Often times schedule overshadowed safety. As East Hickox had an abundance of litter my wife volunteered to "Adopt East Hickox". The County and State denied her request since there was little or no shoulder and "it is not safe". It was also not safe to walk or ride a bicycle. In 2005 we moved into town where it was safe to walk.
As a member of the Skagit Bicycle Club I have ridden the roads all around the proposed Concrete Nor'west Rock Quary. I know 1st hand the safety issues created by the Quary as proposed. Unlike Seattle we do not have miles of converted Rails to Trails and must ride the Rural roads.
The County has a responsbility to fairly represent the citizens of Skagit County and follow the permit requirements as they were written and not " Rubber Stamp " this in the interest of Business or Tax Revenue. Respectfully Donald Allgire

From Host Address: 107.77.205.114

Date and time received: 4/28/2021 10:40:54 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Wednesday, April 28, 2021 4:42:15 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 28, 2021 10:50 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Erin Heckman
Address : 19254 Prairie rd
City : Sedro Woolley
State : washington
Zip : 98284
email : e.heckman@hotmail.com
PermitProposal : grip road gravel pit
Comments : I live on Prairie rd at the S curves. I have several concerns.

The first being the safety of my children getting on and off the bus at the S curve in front of our house, gravel trucks with delayed stopping time ability greatly concern me. this and also the potential increase for accidents in front of our home.

Second the noise due to the increase in traffic and size/type of vehicles.

Third; Decreased property values due to traffic, noise and/or encroachment on property for widening of roads.

fourth- water quality from our well, will mining release heavy metals into our water supply posing potential hazards to our health?

This road has many persons/children riding bikes. and walking, this gravel mine will adversely effect our quality of life. I hope that the mine approval will be reconsidered as our neighborhood would be ruined with the addition of this gravel pit.

From Host Address: 66.165.40.10

Date and time received: 4/28/2021 10:48:41 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Wednesday, April 28, 2021 4:42:35 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 28, 2021 10:55 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Mary Ruth Holder
Address : 201 S. 7th St.
City : Mt Vernon
State : WA
Zip : 98274
email : mruthholder@gmail.com
PermitProposal : Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Comments : Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098

Dear Mr. Cerbone:

We are writing to express our opposition to the Mitigated Determination of NonSignificance (MDNS) issued for the above-referenced Puyallup based Miles Sand and Gravel proposal for the 90-foot deep open pit Grip Road Gravel Mine, an industrial-scale mining operation adjacent to the Samish River. Among other things, this project would cause significant adverse impacts and irreparable harm to the natural environment, including to water and air quality and fish and wildlife habitat. The issuance of the MDNS is inappropriate: a full Environmental Impact Statement (EIS) should be required for the project. The applicant failed to identify all of the areas impacted by the project and to provide updated and complete studies of all fish and wildlife adversely impacted. Additionally, the MDNS allows applicant to violate the County's Critical Area Ordinance.

The flawed MDNS only took into account just 60 acres of the project's impact, and ignored applicant's more than 700 contiguous acres and the two-mile long private road over which 11,000 truck trips will travel annually. Significantly, this private road is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed. Sensitive areas and buffers within the entire project area (not just the 60-acre mine site) must be identified so that operators and regulators know where they are. Significant adverse impacts to these sensitive areas would be made worse by the County's allowing applicant to provide only a 200-foot buffer on the river instead of complying with the County's Critical Area Ordinance requiring a 300-foot buffer based on applicant's proposed high intensity land use (industrial scale mining. An appropriate environmental review (EIS)

must consider the full footprint of this project and all of its impacts.

The MDNS determination is based on applicant's out-of-date and incomplete Fish and Wildlife Assessment. This Assessment is more than five years old despite the fact that the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site; this animal is listed as "Endangered" in Washington State and "Threatened" federally. In addition, critical habitat for Bull Trout is located just downstream. Bull Trout is a "Candidate" species for listing in WA State, and is already listed as "Threatened" federally. The MDNS ignores these "ESA species" and does not require any protective measures for them. Furthermore, the County failed to consult with the appropriate state and federal agencies responsible for protecting these species pursuant to SEPA.

The MDNS was issued in the absence of a full wetlands delineation. Thus, there is no requirement for surveying and permanently marking wetlands. Sensitive areas and buffers within the entire project area (not just the mine site itself) must be identified so that operators and regulators know where they are.

Wildlife corridors were neither identified nor protected. This site is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. It is used by cougar, bear and bobcat - all animals that require large territories and are sensitive to disturbance.

Significant adverse water quality impacts could result from runoff from the private haul road, yet there is no drainage plan to identify treatment measures for this runoff. The high volume of truck traffic is likely to cause excess sedimentation and potential contamination from petroleum products that could pollute surface water flowing into Swede Creek, a fish bearing stream. An effective drainage plan must be developed.

Impacts to groundwater from the (eventually 90-feet deep)mining pit have not been adequately evaluated, and needed groundwater protection measures are not required in the MDNS. Applicant proposes to excavate the mine to within 10 feet of groundwater. Although applicant claims that runoff from the disturbed site will drain into the mine, and that infiltration will protect the groundwater, it is unclear how that ten-foot limit was determined, how the operation will avoid penetrating the water table and how seasonal groundwater fluctuation may influence drainage. The MDNS fails to consider the permeable nature of sand and gravel, thus it is unclear whether ten feet would be sufficient to filter out contaminants such as petroleum product spills. Applicant failed to address whether the groundwater at the site, essentially at the level of the Samish River and flowing directly into it, would contaminate the river.

Applicant failed to evaluate the impacts of emissions and dust on air quality resulting from mining equipment and hauling material minimum of 240,000 cumulative miles per year driven by diesel gravel trucks. No mitigation plan was prepared for this significant adverse impact on air quality.

Finally, the MDNS ignores the cumulative adverse impacts that the mine would create over its its 25 years of operation. Neither on-site nor off-site cumulative impacts were evaluated. The twenty-five year period of this large mining operation will radically change and irreparably harm the landscape and important wildlife habitat and fish bearing streams. It will also

degrade the quality of life of residents in surrounding areas and threaten their public health and safety (cumulative adverse impacts from noise, vibrations, air pollution and heavy diesel truck traffic driven more than 5,500,000 cumulative miles over the 25 year period).

For all of the above reasons, we request that you withdraw the MDNS and require a full EIS. Alternatives considered must include 1.) no permit and 2.) issuance of a permit for a much smaller operation for which impacts would be fully mitigated by applicant. Any permit must provide that any project expansion or other change to the operation will require a new application and full environmental review. If the applicant still fails to provide all the necessary updated and accurate information for purposes of an EIS, the permit must be denied. Thank you for your attention to our comments.

Sincerely,
Mary Ruth and Phillip Holder

From Host Address: 50.34.142.207

Date and time received: 4/28/2021 10:51:43 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Thursday, April 29, 2021 7:32:18 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 4:50 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Rick Eleazer
Address : PO Box 657
City : Sedro Woolley
State : WA
Zip : 98284
email : rrickeleazer@aol.com
PermitProposal : Samish River Gravel Pit. Miles/ CNW Grip Rd. Gravel Pit
Comments : Question:
Logging other parcels.
Noise study.

Response
Have they studied dump trucks or other equipment noise impact throughout the neighborhood. “”No”” Just the inner site of the gravel pit itself. If a dump truck goes by your house do you here it “”YES”” one truck is one thing but all day long, through out the year. This would be quite annoying. This would be a public nuisance and a safety issue.
There could not be anyone walking, riding a bike, or walking their dog(s) on the roads. They are not wide enough now as they are. The load noise of the trucks can cause safety issues as well for people and animals along the roadway by getting them scared and jumping into the ditch or the travel lane(s).

Question:
On--0ff site spill prevention & control measures for water quality.

You can not stop all pollution, you can control it, and contain it until its cleaned up. But eventually there will be a times where its not caught or cleaned up properly and ending up in environmental impacting the land and vegetation. Then potentially winding up into the aquatic system such as Swede creek and Samish river water shed below the CNW Grip Rd Gravel pit. Please review 2018 WSDOT Spec. 1-07.4-----1.07.7 (2) 1—07.230

Question:
2019 10-1 Exhibit
Water pollution control & sources.

Response
All equipment breaks down sooner or later. Hyd. Hoses blow and break, along with the following. Radiators, Transmission and other petroleum transport lines or hoses. Sometimes you don’t find out until it’s too late, or the tank is empty. Sometimes you catch it. But no

mater how big or small it is.
Its absorbed by the native ground. Sometimes it cleaned up, other times not. Then in the rainy days. It gets tracked around the site and out by equipment, and trucks going into, and out of the site, with smaller amounts on their tires that creates pollution everywhere. It's called track out. Whether it be oil, gas, diesel, dirt, dust or mud. It's all considered pollution by the WSDOT standards. Environmental impact.
Then what about the dust. What about the mud. What about oil track leaking out the dump trucks as they drive up and down the road next to the ditches that lead into the near-by streams and rivers.
All these ditches around the site, or along the roadway go right into Swede creek or the Samish river.
To add to this. I'm sure the public doesn't understand how a gravel pit works. You take out loads of gravel all day long, then in return you bring back other waste or spoil materials from other sites to fill that hole back in.
Who knows from where or what was on this site years ago. That material brought back can be contaminated with various chemicals, oils and bio hazard materials. This would increase the potential hazard of possibility of the water and site pollution. Contamination to the wildlife and aquatic water shed around and below the said project, and the community ground water wells

Question:
Updated Traffic report.

Response
Why was this study done by just one sub-contractor picked by Miles Sand & Gravel out of Preston, Wa. They know nothing about our neighborhood or Skagit County. There is nothing mentioned Response about the surrounding area traffic impact on the Grip Rd. , Prairie Rd., Bow Hill, Hwy 99, or any intersections, blind corners, or roads that are not wide enough for two trucks and trailers to travel on at the same time, at or around the said project.
The Grip Rd can't be expanded as it is now. The road now is to the R/W limits. As you can see.
The power poles are in the ditches. This is the R/W line. Miles would have buy a portions of the landowners property to expand and widen the roadway on grip road and Prairie Rd. to the new construction standards. It doesn't say or mention anything about the low rail road bridge that has a low clearance on Prairie Rd. by Hwy 9. I believe this is a bias traffic report just for Miles/CNW
The Grip Rd. is not designed for heavy traffic. It shows every year at the S corners at the bottom of the hill of Grip Rd. just below the said project. It breaks and cracks apart at the surface.

Question:
Reading EX.3 DOC 7)
Gary Norris of DN Traffic Consultants states. ""States"" There is not enough dump trucks in Skagit county to fulfill the quantities they want to remove each day.

Response
This is not a true statement. Mills Sand & Gravel own trucks in WHATCOM, SKAGIT, SNOHOMISH, KING, PEIRCE Co. If they need more trucks, they just call and rent like all other Sub-Contractors do. I see Whatcom and Skagit Co. dump trucks all the time in King or Snohomish Co. working every day of the week. I'm sure they would rather work up north

where they live.
Plus, I know for a fact Miles/ CNWs takes trucks their own trucks from other locations to fill the gap if needed. Supply & demand.

Question:
While the access road is currently being used for forest practice activities.

Response
No this statement is not true. Logging roads are not built with drainage ditches, culverts, cleared wide enough for two trucks to pass at the same time. Then gravel place down and graded like a standard gravel roadway is built. This supposedly logging road was built for heavy traffic, long term use.

Question:
Additionally, existing traffic reports from DN Traffic Consultants have not alleviated public concern. As a result, Skagit County Public Works is in the process of retaining a third party traffic consultant to further evaluate potential traffic impacts of the proposed project, including safety concerns relating to pedestrians, bicycle riders, and school bus stops. Pursuant to sec 14.16.440(8)(i), the consultant will also determine whether the "roads or bridges are capable of sustaining the necessary traffic for the proposed mineral extraction operation, and that the proposed operation meets level-of-service, safety, and other standards as outlined in the Skagit County Transportation Systems Plan, the Skagit County Comprehensive Plan, and applicable State and local regulations." Finally, the consultant will evaluate the sufficiency of the proposed mitigation and may propose additional mitigation if necessary to reduce or eliminate potential traffic impacts.

Response
The Grip Rd. is differently not wide enough for two dump trucks to pass at the same time, and I don't think Prairie Rd. in certain areas are not either. The road is an oil mat road. Its not designed for heavy hauling traffic day in and day out through the year. You can see signs of fatigue from the last few years of Miles Sand and Gravel working at the Samish pit from heavy truck traffic from hauling logs out clearing their gravel pit area. Bringing in other materials to build the roadway. Equipment pick up and Delv. There was never any problems before until then.
Then the intersection at Prairie Rd. and Grip Rd. is a blind corner. As a Past Volunteer fire fighter EMT for Skagit Co. Dist 8. Of 15 years. Prairie / Hickson halls. I have been on many accidents at this intersection. It's a blind corner. Someone pulling out onto prairie road from grip in a car is frightening enough some times when a car comes 50 Mph around the corner. Can you image a truck and trailer pulling out and onto Prairie road. Major Accidents.
They grip road can't be expanded as it is now. The road now is to the R/W limits. Miles would have buy a portion of the landowners property to expand the roadway on grip road and Prairie Rd.
Have they even done any core samples to see what the depth of the roadway section , or what's underneath it for stabilization.
Then. Just recently. The Skagit Co. Public works has removed a portion of that blind corner at Grip & Prairie. How did this become after all these years until the Gravel Pit is up for renewal now !!!! and new traffic study. Its still a blind corner for traffic doing 50 MPH and a truck or cars pulling off Grip Rd. onto Prairie Rd.
It's still a public and traffic safety concern as it is now.
Also. They left the 20' embankment vertically. That's illegal. Needs to be sloped back at a 2:1

or fenced for public safety.

Question:
Shall not create undue noise, odor, heat, vibration, air or water pollution"

Response
In mining, you are going to do all the above.
You'll have equipment noise, various mechanical break downs, air pollution, dust falling into the aquatic water supply, ground water wells and surrounding neighborhood would hear and see signs of all the above..
Then if you add a screen/ crusher plant you increase it to double or more to all the above while making sand, and smaller crushed rock materials for use.

Question:
On-site 2000 gal fuel tank.

Response
This would need a 100% containment around it. A concrete barrier that would contain any leak or breakage of the said tank. Needs a oil /water separator installed to catch the diesel that gets spilled.
Yes. Spills and drips happen every time you fuel something up, or receive fuel form a supply truck. Its a on going Environmental Impact.
There is nothing mention about fuel spills clean up, or various spill kit stations if needed.
What actions are taken to prevent this or to do in case of.

Question:
EX. 3 1 of 7 5.15.17

46 trucks. This would be one every 10.43 minutes. Would you want this in front of your house our your neighborhood that is not designed for this type of use on the oil mat roads not wide enough for two truck to pass at the same time, or a dump truck and passenger car. Especially the winding corners of the Grip Road are subject to collapsing and moving due to all that surge pressure in which has been receiving and has shown in the last years of miles sand and gravel already prepping the gravel pit behind the tree line here so the public can't see. The county has been out here fixing it every year lately because the roadway has been moving. Again. These roads are not designed for heavy traffic. It's a residential. Not commercial. There are no shoulders. Only deep ditches on both sides of the road. No escape routes for public safety if needed.

Question:
Bridge load limits. Grip Rd.

Response
U80 load limits. Grip Rd. Samish river bridge. The Maximum load design for this bridge is 37,000 Lbs. A loaded truck and trailer is 33,000---35,000 lbs loaded. Not far from the max load limit design. This bridge is not intended to get massive heavy traffic day in and day out. If this bridge was to fail or collapse. This would put a High Impact on this neighborhood such as emergency vehicles responding to aid, or fire calls, school buses, public access and transportation.

I'm very concerned about our neighborhood being turned into a Noisy, Dusty, Un-Safe for Public and Traffic safety, Damaged Aquatic system of the surrounding waters. Our roads getting damaged, then the impact to and from our homes being impacted daily throughout the year(s) due to these heavy trucks and added traffic
This would also, I believe drive our taxes up for road repairs for others to use and damage, as well as a decline in property values, due to pollution and noise .

RE

From Host Address: 172.92.225.18

Date and time received: 4/29/2021 4:45:45 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Thursday, April 29, 2021 2:56:55 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 2:45 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Rick Brumfield
Address : 5318 Cedar Ridge Pl.
City : Sedro Woolley
State : WA
Zip : 98284
email : rbb123@frontier.com
PermitProposal : PL16-0097and PL18-0200
Comments : Re PL16-0097 and PL18-0200 … the gravel pit project off Grip Road:
1. I know it is anecdotal, but I have already been personally run off Grip Road by these truck trailer combos … twice. My fear is Skagit County is going to allow this activity to happen without sufficient safeguards to prevent severe injury or even death. Avoiding these truck trailer combos, especially in the tight turns where they violate their lanes, is a literal impossibility. There are either no shoulders or inadequate shoulders to provide "bail out" space. The county and Miles/Concrete Nor'West, could quite likely find themselves in costly lawsuits having to defend against serious injury or wrongful death by allowing the project to proceed with pre-knowledge of such hazardous conditions.
2. One option, to at least partially mitigate such hazardous conditions, would be to require the too wide truck trailer combos or lane violating truck trailer combos to use flaggers, or pilot/escort vehicles. Does Washington State Law already require such mitigations for "too¬ wide" or lane violating vehicles?
3. Re the lane violation issue, item #12. (2) … the NOTICE OF WITHDRAWN and RE-ISSUED MDNS speaks to the required mitigations if trailers are going to be used. The county and the applicant need to realize at these lane violation locations, the normal two lane roads really become one lane roads. The required mitigations need to be adequate to prevent related collisions … recommend automated red-light/green light one lane control systems.
4. 25 years is significant … to say it is non significant is a terrible judgment call.
5. The proposed volume of truck traffic is significant … to say it is non significant is a terrible judgment call.
6. I do not think this project should be allowed to proceed at all.
7. At a minimum, the project should be required to submit a full EIS … again, the project is significant.
8. If the project is allowed to proceed, one thing that might help would be to add fog lines to Grip Road. While there are no shoulders to provide "bail out" space, adding fog lines might at least encourage all vehicles to stay in their respective lanes and their drivers to know where the edge of the road is.
9. Or/and add guard rails along grip where there are no or inadequate shoulders … that is what that county did recently on Prairie between Old 99 and the Prairie/Grip Road intersection … and that was along a straight stretch of road. Guard rails along dangerous curves should be a

higher priority.
10. Truck trailer combos waiting to turn left, from Grip Road onto the access road, are going to block traffic wanting to proceed further west on Grip. Miles/Concrete Nor'West should be required to provide a center turn lane of adequate length to prevent such blockages.

From Host Address: 68.116.101.110

Date and time received: 4/29/2021 2:43:44 PM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Thursday, April 29, 2021 12:03:55 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 11:25 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Julia Hurd
Address : 19396 Ashe Lane
City : Burlington
State : WA
Zip : 98233-8578
email : hurdjulia@gmail.com
PermitProposal : Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Comments : I live in Alger, not far from the proposed Grip Road Gravel Mine. I am concerned about the effects on traffic, nature, and the radical change in the neighborhood from such a massive industrial project. I understood the now closed gravel mine on Highway 99 at the bottom of Bow Hill Road, and now the replacement mine farther down on 99 next to I-5 in terms of need and location, but this mine is significantly different.

The Grip Road Gravel Mine is located in a rural, sensitive, undeveloped 700-acre parcel of land next to a creek as well as the Samish River. Both are fish bearing and the home to listed threatened species. This mine will have negative impacts on and change life dramatically for local residents, wildlife and the environment.

The roads in and out of the mine are back county roads, not suitable for up to 30 noisy, heavy gravel trucks with trailers per hour; this is a problem for traffic, cyclists, pedestrians. The shoulders are too narrow in places and the roads were not designed for industrial usage or this type of traffic. Who will pay for road and safety improvements?

Such enormous industrial usage in this rural area poses threats to drainage, noise, emissions, groundwater, fish, wildlife wetlands, property values and everyday living. The impacts, especially over the 25 year life of the project, are all areas of concern that need to be fully addressed in an Environmental Impact Statement. The scope and location of the mine demand this.

Thank you for considering my concerns.

Julia Hurd

From Host Address: 172.92.219.225

Date and time received: 4/29/2021 11:21:17 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Thursday, April 29, 2021 5:26:17 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 3:55 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Suzanne Butler
Address : 109 S. 9th St
City : Mount Vernon
State : WA
Zip : 98274
email : suzanne.butler@outlook.com
PermitProposal : Proposed Gravel Mine off Grip Road
Comments : Dear Commissioners Browning, Wesen, and Janicki,
I would ask you to give serious thought to allowing a huge, open pit, gravel mine near Grip Rd in rural Skagit County. There is nothing environmentally insignificant about the proposal. It is close to the Samish River with a smaller buffer than usually demanded. Every river is a delicately balanced ecological system that cannot support such an intrusion. Assessments of water and air quality and their affect on all wildlife (flora and fauna) must be updated before a decision is made. The environmental impact will be monumental and must be examined carefully before giving this Puyallup company permission to break ground in Skagit County.
Respectfully, Suzanne Butler

From Host Address: 50.34.112.174

Date and time received: 4/29/2021 3:53:02 PM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Thursday, April 29, 2021 5:35:32 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 29, 2021 5:35 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Martha Bray and John Day
Address : 6368 Erwin Ln; Sedro Woolley, WA
City : Sedro Woolley
State : WA
Zip : 98284
email : mbray1107@gmail.com
PermitProposal : Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Comments : Dear Mr. Cerbone,

Central Samish Valley Neighbor's attorney, Kyle Loring, is submitting comments on behalf of our group regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. That letter provides a more comprehensive review of our concerns regarding this SEPA review process, and we fully support its findings. However, we are also submitting a few additional comments directly to express our concern with the state of this application and permit review process.

Even though this project has supposedly been under review by PDS for more than five years, it appears that very little has changed about the original proposal, especially in terms of protection of the natural environment. In fact, none of the assessments and application documents related to protection of fish, wildlife, and air and water quality have been updated (except the 2017 "Addendum to the Fish and Wildlife Assessment further evaluating ESA listed species", wherein there is a clear disclaimer stating that the addendum is not intended to address requirements of the ESA). The SEPA documents were incomplete and inaccurate in 2016-2017 and they still are. Further, it appears that the County has ignored almost all of the concerns expressed by the community on these matters over the past years. We acknowledge the County's efforts to provide better information regarding traffic and public safety impacts, however the additional traffic analysis has obvious, glaring omissions and the proposed mitigation falls far short.

And, now, there seems to be a rush to push through a new Threshold Determination without truly taking into consideration new public comment (as indicated by publishing the deadline for a SEPA appeal prior to even receiving public comment on the MDNS). This does not feel like a sincere effort at public process.

The volume of information referenced in the MDNS serves mostly to confuse and obfuscate. We have spent countless hours poring through these documents trying to understand what the applicant really proposes to do. And yet, we still don't know how many daily truck trips to

expect (presumably somewhere between "46 per day" and "30 per hour"). We are still confused about whether the applicant will adhere to "normal" or "extended hours" scenarios; or, whether they plan to haul during peak traffic hours or not. In addition, if they are allowed to haul during peak hours and/or at volumes up to 30 per hour, why doesn't the MDNS specifically state this and require appropriate mitigation measures? With the modest requirement to fix some of the most glaring safety hazards on Prairie Road prior to using trucks with trailers, we are now confused as to whether they will run more single trucks until this work is completed, or if they might use 'alternative haul routes' instead – potentially generating even larger number of truck trips and/or new haul routes that haven't been evaluated at all for safety concerns. In fact, we still don't know what the haul route will be, with the MDNS simply stating that material will be "transported to nearby facilities for processing or sold directly to market". We still find no mention in the traffic analyses of dozens of trucks per day added to the narrow steep "S" curves on the Grip Road hill. Community members have repeatedly expressed the danger of school buses, farm equipment and commuters encountering tandem gravel trucks here, yet it is not even mentioned, let alone evaluated. We find it bewildering that the County has still not required the applicant to clarify these issues.

We don't even know if the County will require a 300-foot buffer on the Samish River, even though this is clearly required by the County's CAO. And, we still don't understand why the applicant wasn't required to conduct an environmental review of the entire footprint of the project, including the two-mile long private haul road that is clearly integral to the project, with approximately 12,000 truck trips annually traveling on it.

This is an industrial scale development located in a vibrant rural community and a sensitive watershed, where no commercial mining anywhere near this scale has occurred. The applicant and the County still don't seem to grasp the magnitude of impact and permanent change this proposal would cause to the place we call home. Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and require a full Environmental Impact Statement that fully evaluates the impacts, appropriate mitigation, and identifies scaled back alternatives.

Thank you for your time and consideration.

From Host Address: 50.34.124.61

Date and time received: 4/29/2021 5:30:42 PM

From:	website
To:	Planning & Development Services
Subject:	PDS Comments
Date:	Thursday, April 29, 2021 9:10:02 PM

Name : Carolyn Gastellum
Address : 14451 Ashley Place
City : Anacortes
State : WA
Zip : 98221
email : Cgastellum67@gmail.com
PermitProposal : PL16-0097
Comments : Regarding Grip Road Gravel Mine Proposal

I previously wrote a comment requesting that a full EIS be required for the gravel Mine proposal because the MDNS that was issued on April 15, 2021 is not adequate. The electronic form would not "send" so I am writing the following summary in hopes that my comments are received before the April 30 deadline.

I agree with all comments that were submitted by Martha Bray and Jed Holmes. The MDNS is inadequate because it does not fully assess the potential negative impacts of the Gravel mine project. I request that Skagit County PDS require a complete EIS that will study the cumulative impacts on the environment and traffic safety due to approximately 11,000 diesel truck trips per year. Please study the impacts on Threatened and Endangered species like the Brown Trout. Study the need for wildlife corridors so that big mammals like cougar, bear, and bobcats are not cut off from the territory they need. These animals are essential to a well balanced ecosystem. Study the impacts on climate and air quality from heavy diesel truck traffic emissions over the life of the project. Please require thorough analysis of the potential negative impacts to wetlands which are critical ecosystems in themselves. Please carefully and thoroughly study traffic safety concerns from the rural route on Grip road to more populated areas of the county that would be impacted by such a large increase in heavy dump truck traffic.

Thank you for your careful attention the the concerns of the community. Please require a full EIS for this project.

From Host Address: 63.142.207.34

Date and time received: 4/29/2021 9:09:01 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 9:20:02 PM

Name : Rick Eggerth
Address : 1304 39th Street
City : Bellingham
State : WA
Zip : 98229
email : rickeggerth@gmail.com
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : April 29, 2021

Hal Hart, Director
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of Non-Significance for Proposed Grip Rd. Gravel Mine File #'s PL16-0097 & PL16-0098 – Impacts to the Natural Environment & ESA Species

Dear Mr. Cerbone:

As the chair of the Mt. Mount Baker Group of the Washington State Chapter of the Sierra Club (MBG), encompassing San Juan/Skagit/Whatcom counties, I speak on behalf of thousands of Sierra Club members and supporters in Skagit county. While we greatly appreciate and commend the work of the Skagit Planning and Devt. Services (SPDS) staff in what is a difficult task, we nonetheless have serious concerns about the recently re-issued MDNS for the proposed Grip Road Gravel Mine. And while the Sierra Club's status as the nation's largest and oldest environmental protection organization means we must direct our attention in this letter to environmental concerns, we also note that there are other significant concerns that deserve attention, such as the traffic and public safety issues raised in comments by the Central Samish Valley Neighbors organization. These concerns are also shared and supported by MBG.

Little has changed from the original mining 2016 proposal, especially in protecting the natural environment, as there have been minimal updates to the assessments and application documents related to protecting fish, wildlife, water and air quality. They were incomplete and inaccurate then, despite a 2017 update to the Fish and Wildlife Assessment, they still are now.

In addition, these documents fail to address community concerns raised during the past few years, and are also now completely outdated. We sincerely hope that failing to address previous public comments does not signify a rush to a new Threshold Determination without seriously considering and evaluating new public comment.

The fact of the matter is that this is an industrial scale development in a sensitive rural environment where commercial mining has never occurred. It will irreparably and significantly harm the natural environment along the Samish River and Swede Creek, as well

as upland wildlife habitat. In light of these undeniable facts, the MDNS must identify and mitigate the harmful environmental impacts of this proposal, including:

• Considering the project's full footprint. Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on a two-mile long private road, requiring more than 11,000 heavy truck trips per year, that is adjacent to wetlands and crosses fish-bearing Swede Creek. These sensitive areas must be evaluated and mitigation proposed.

• The County's Critical Areas Ordinance (CAO) has not been followed. Only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, without justification and even though the CAO demands 300-feet adjacent to high intensity land use such as industrial scale mining. A full EIS is necessary to be sure that all relevant aspects of the CAO are followed.

• The Fish and Wildlife Assessment, though revised in 2017, is still out-of-date and incomplete. River and associated wetlands have changed and have not been adequately accounted for. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site. The MDNS does not mention this Endangered Species Act (ESA) species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.

• Wetlands must be delineated, surveyed and permanently marked. Sensitive areas and buffers within the entire project area (not just the mine site) must be identified so that operators and regulators know where they are.

• Wildlife must be identified and protected. As already mentioned, it must be determined whether the Oregon Spotted Frog, an endangered species and so protected under the ESA, is on or near the site. Reference to the OSF is by no means a shot in the dark. It was on the headwaters of the Samish River in Whatcom County in 2011-12 that OSF were found after having been thought to have been exterminated in the region. Which makes it all the more important that Samish County work with its northern neighbor to assure protection of this species. In addition, cougar, bear, and bobcat use the site. These animals require large territories and are sensitive to disturbance by human activity, so as the last large tract of undeveloped land between Butler Hill to the south and the Samish River and Anderson Mountain to the north, the site should accommodate the needs of these animals.

• A drainage plan is necessary to protect water quality against runoff on the private haul road. Treatment measures for runoff from the haul road must be identified, as the high volume of truck traffic is likely to cause pollution from petroleum products to pollute surface water flow into Swede Creek, a fish-bearing stream that also empties into the Samish River, which empties into Puget Sound. Pollution into any of these bodies of water must be stopped, or at least contained.

• Impacts to groundwater must be evaluated and protection measures required. The announced intent to excavate the mine to within 10 feet of groundwater leaves precious little room for error, especially because it is unclear how a 10-foot limit can be maintained for everywhere the aquifer touches the site. What measures will be undertaken to prevent pollutants from seeping down 10 feet to the water table? What measures will be taken to cleanse the aquifer if pollution does occur? These and related questions absolutely must be answered because, with the pervious nature of sand and gravel, 10 feet may not be enough to filter out pollution from

petroleum product spills. Furthermore, the groundwater at the site is essentially at the level of the Samish River and flows directly into it, so groundwater pollution would become river, and then Sound, pollution.

• The Noise and Vibration Study used unrealistic scenarios to model noise impacts. Assumptions as to number and size of equipment operating on-site are vague and misleading. Noise levels must be modeled at maximum mine production levels, not merely "typical" and "average" levels. The significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road must also be included. But regardless of legal noise limits, the question of how this major change in soundscape for residents of the area must be addressed in a full EIS.

• Emissions must be evaluated and mitigation plans required. There will be air pollution from mining equipment and haul trucks, and this must be quantified and prevented, especially considering that at least 240,000 cumulative miles per year will be driven by diesel gravel trucks.

• Cumulative impacts must be considered. This major industrial scale proposal will create many cumulative impacts, both on and off-site. 25 years of mining is not a "temporary" activity, yet no off-site impacts were evaluated. This will permanently change the character of the landscape and surrounding neighborhoods, degrading wildlife habitat and fish-bearing streams. Hauling the amount of material proposed to the closest site for processing means more than 5,500,000 cumulative diesel truck miles over 25 years. That's a lot of potential air and water pollution, not to mention road wear and tear and safety concerns. These and any other cumulative impacts, on and off-site, deserve evaluation and protective measures.

MBG respectfully requests that the County reverse its Threshold Determination under SEPA, and require instead a full Environmental Impact Statement that evaluates all impacts to the natural environment and identifies alternatives, including the possible alternatives of reducing the size of the mine, or denying the mine altogether.

Your cooperation in this matter is very much appreciated.

Sincerely,

Rick Eggerth
Chair, Mt. Baker Group, Washington State Sierra Club

Cc: Mt. Baker Group Executive Committee and Leadership Team
Central Samish Valley Neighbors

From Host Address: 71.197.249.80

Date and time received: 4/29/2021 9:17:04 PM

From:	website
To:	Planning & Development Services
Subject:	PDS Comments
Date:	Thursday, April 29, 2021 9:30:02 PM

Name : Larry William Hedgpeth
Address : 5809 Brookings Road
City : Sedro Woolley
State : Wa
Zip : 98284
email : ljhedgpeth@gmail.com
PermitProposal : Special Use Permit Application #PL16-0097 Grip Road Gravel Mine
Comments : April 29, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services 1800 Continental Place
Mount Vernon, WA 98273
RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads

Dear Mr. Cerbone,

I am writing to comment on your April 15, 2021 revised SEPA threshold determination for the proposed Grip Road Gravel Mine. I have followed the county's oversight of this project almost since its start five years ago, but my personal interest is now much greater than it was back then. My 12-year-old grandson now lives with us and will be riding the school bus to Cascade Middle School in Sedro Woolley next school year. I am very concerned for the safety of everyone on the roads in our area, especially school busses, if the county doesn't do more to keep the roads here safe after the mine is in operation.

Now, I know your office took a look at some of these concerns because you're requiring Miles to either use trucks only (no trailers) OR fix the two sharp turns on Prairie just east of old 99 and detour around the Samish bridge on old 99 if the load is too heavy. --mitigation measures 12 and 15 in the new MDNS--

But what about the rest of the haul route? There are two areas especially where it is so dangerous even now that I can't understand why the county hasn't required effective mitigation measures in this new MDNA.

First, the downhill curvy stretch on Grip just west of where the mine access road comes in. As anyone will tell you, it's a white-knuckle experience meeting a dump truck anywhere on that short stretch of road. It's too narrow, the turns are pretty sharp, there's not much of a shoulder, the truck always comes over into your lane, and there is not much visibility around the curves – he's almost on top of you before you see him.

That's with a car or pickup meeting a dump truck. A school bus meeting a truck/pup combination on the road the way it is now could be such a tragedy. Isn't it your job to protect the public interest? How can the county turn a blind eye to such a dangerous situation?

The second part of road I want to talk about is the Grip / Prairie intersection just west of the downhill section on Grip. Two parts in this area—the bridge and the intersection.

The bridge -- Why is there no mention of any protection for the Samish bridge on Grip comparable to that for the bridge on old 99? Is the Grip bridge in better so much better shape?

The intersection – Visibility a big issue here. Traffic west bound on Prairie often goes past that intersection at a pretty good clip and has to slow down for rigs turning west onto Prairie from

Grip. When making that turn onto Prairie you just can't see far enough east on Prairie to avoid having traffic back up behind you. The recent work cutting the hill back has helped, but it is still a problem. With a gravel truck it's much more pronounced. With a constant string of truck/pup combinations, it could get pretty uncomfortable for everyone involved. Maybe you could require a merge lane from the intersection west long enough for the truck to get up to speed. That doesn't seem unreasonable, does it?
Both of these areas get some gravel truck use now, of course. But there will be a lot more truck traffic when the mine is up and running. How much more? Despite some numbers, (46/day, up to 30 /hr -- are there others I missed?) there isn't any real hard and fast limit. And even though Miles now says they plan to work set hours and not on Sundays, I couldn't find anything in the permit that actually limits trucks per hour or hours per day. Why do they need a blank check in this area? Why won't the county set limits to extra traffic on the roads and hours of operation? That would act to limit all potential dangers on the roads and seems very reasonable to me.
Thank you for your time considering my comments. This is very important to my wife and I – it will diresctly effect the risk our grandson will be exposed to while he is attending public school here – 6 more years!
Larry Hedgpeth. 360-855-8326

From Host Address: 172.92.218.39

Date and time received: 4/29/2021 9:28:50 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 9:45:03 PM

Name : Brian Bowser
Address : 21110 Parson Creek Road
City : Sedro Woolley WA
State : WA
Zip : 98284
email : CMSInc@myfrontiermail.com
PermitProposal : Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097
Comments : Dear Mr. Cerbone,
I am writing to express my concerns on your April 15, 2021 revised SEPA threshold determination for Concrete Nor'West proposed Grip Road Gravel Mine. The revised MDNS falls woefully short of what is needed to identify serious traffic problems and the mitigation required to protect public safety.
Additional items of concern:
• Grip Road intersection still has a service sight-distance issue. The proposed solution, "traffic activated flashing beacon system," does not solve the sight-distance problem. To solve the problem, part of the hillside needs to be completely excavated. The County recently made some improvements to the intersection by excavating a portion of the hillside, and by doing so, has proved fixing the sight-distance problem can be straight-forward and relatively inexpensive. Furthermore, the current Puget Sound Energy power pole upgrade project on Parson Creek Road has also proven that acquiring the right of way needed to fix the sight-distance problem is not cost prohibitive.
• Grip Road S-curves are not passible by a dump truck/pup trailer combination when met with simultaneous oncoming vehicular traffic; there simply is not enough room. Skagit County Public Works is aware of this problem, as I first-hand witnessed the test run with a Skagit County dump truck and pup trailer. I am left wondering why this problem is not being addressed. Likewise, on East-bound Grip Road, the curve at the Samish River bridge has the same issues as the Grip Road S-curves. I am once again wondering why this same problem is not being addressed.
• Yet another sight-distance problem exists for West-bound traffic at the F&S Grade Road and Prairie Road intersection; sight-distance at this intersection for West-bound traffic is approximately 50'. West-bound dump trucks hauling materials from the Grip Road pit should not attempt to turn South on F&S Grade Road. In addition to the sight-distance issue, the intersection is not wide enough to allow a vehicle and the dump truck access to the intersection at the same time.
• Haul routes should be limited to only those routes that have been evaluated with traffic safety studies. As it currently stands, CNW would be allowed to haul on any route they choose. A more thorough Transportation Impact Analysis needs to be completed that evaluates the road system as a whole. Then we can evaluate whether other haul routes can safely be used by CNW.
• Prairie and Grip Road systems were not designed to support any industrial mining activity. I am unaware of any real industrial mining activity in the area since the early 1970's; up until now, there have been only small, occasionally-used pits in the area.
• Further, we have serious concerns about the piece-meal SEPA. If Concrete Nor'West were asking to process materials on site, boundary setback requirements would be larger and would,

therefore, reduce the amount of gravel they can remove. We suspect that as CNW removes material and the mine boundaries are established, they will then apply for onsite processing, and all materials will be direct-to-market from that point forward, thus by-passing the proper permitting process.

• Moreover, there is currently no system in place to verify truck counts or to monitor noise levels generated, thus giving the appearance that CNW will operate on an honor system. If allowed to operate as is, the onus will then unfairly be on the community to monitor and prove that CNW is operating outside of their permit allowances.

• The current application provides average daily truck trips by CNW. The maximum number of round trips needs to be clearly defined for both a daily and weekly basis. The road systems need to be evaluated at this maximum number and not on an annual average rate

• Finally, Skagit County documentation/maps show Prairie Road and F&S Grade Road as part of U.S. Bicycle Route 87. This Federal designation should be removed unless mitigation is made to allow for bicycles to safely use the route.

Sincerely,

Brian Bowser
21110 Parson Creek Road
Sedro Woolley, WA 98284
(360) 202-3084
CMSinc@myfrontiermail.com

From Host Address: 50.34.127.171

Date and time received: 4/29/2021 9:42:31 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Thursday, April 29, 2021 10:50:02 PM

Name : Donald Butterfield
Address : 4380 Blank Rd
City : Sedro Woolley
State : WA
Zip : 98284
email : acupuncturedoeswork@gmail.com
PermitProposal : Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads
Comments : APRIL 29 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads
Dear Mr. Cerbone,
I live at the East end of Prairie Road and drive past Grip Road 4-5 times a week. I am very concerned about the traffic problems the Miles gravel pit will cause on Prairie Road. This is a sharp curve that has very poor sight lines. To have as many trucks the company is talking about will effectively shut down the use of Prairie Road in the summer time. This will cause an increase of traffic unto Parson Creek Road to access HWY 99. The other problem will be the cross traffic at Prairie Road and Hwy 99. The amount of trucks that will be entering Prairie Road will back up that intersection to be all but unusable. There will be an increase of accidents as HWY 99 is a 50 mile an hour road and people will have a hard time stopping at that intersection. We can all pretend that everything will just work out fine but this is not the reality of traffic flow. As the population growth continues and Prairie Road becomes more of a connector road we can expect more and more traffic flow problems. The traffic study the County has used for this project is so poorly related to the facts I found it hard to believe that is all you are asking. I would hope that a level II impact study is the only proper way to look at all these issues.
I also ask that a full CAO review be done. You have not asked for a full environmental review of the whole site. A WDFW review with an emphasis on whether there are any Oregon Spotted Frogs. Impacts to wetlands and ground water are also not adequately addressed in the present permit. I know this is zoned for mining but that does not mean they can extract the gravel without meeting current review standards. Having followed this from the start I have been disappointed in the way the Planning commissioner has done everything to try and pass this permit without acknowledging the citizens of Prairie Road. You act like our concerns are not valid. I drive by this every day and am very concerned about the potential impacts to my self and other drivers in this area. I don't want to see an increase in accidents and deaths because Miles wants to run a mine without addressing our concerns.
Donald Butterfield 4380 Blank Rd Sedro Woolley, WA 98284
360-856-4497

From Host Address: 50.34.98.158

Date and time received: 4/29/2021 10:49:50 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 6:25:02 AM

Name : Linda L Walsh
Address : 21710 Prairie Road
City : Sedro Woolley
State : WA
Zip : 98284
email : walshl2006@hotmail.com
PermitProposal : PL16-0097 & PL-0098 reissued MDNS
Comments : June 2020

This letter was used as a guideline to talk during the video meeting with Skagit County officials on 6-10-2020, I would like it entered into the record as a comment for the reissued MDNS on permit file #'s PL16-0097 & PL16-0098. Concrete Nor'West gravel mine.

My husband and I own land adjacent to this project. We have lived on Prairie Road since 1991. We chose this area for the peace and quiet of rural life to raise our family, as did many of the people that live in this area. I have driven on Prairie Road past Grip Road for the past 29 years several days a week. I have witnessed the number of vehicles steadily increasing on these roads. I have talked with hundreds of residents in our rural Community regarding the proposed Gravel Mine on Grip Road since December 2016 and not one of those people said they would feel safe on the roads out here with daily truck and trailer traffic. It seems to me if the majority of residents using these roads every day are telling you it is unsafe it may be worthwhile to look beyond the expert opinions. It is possible the experts may be relying on inaccurate data given to them and have not done a thorough onsite investigation. Should we be the ones burdened for the next 25 years with unsafe roads for vehicles, pedestrians and bicycles, expensive road improvements and repairs, longer commute times, noise and a disruption in our quiet country lifestyles in order for one business operate as they wish.
The permit process should be a transparent process and the County codes dictate it will include public participation. We have been excluded from this process many times over the past few years. Right from the beginning the process had already failed. Our Community brought up serious issues and they were heard by the County but they have been unable to get complete and accurate documentation from the Applicant to address these issues.
It is obvious in the comment letter presented earlier children recognize the dangers and are concerned. I wonder how each of us would feel if our child expressed a safety concern based on an actual experience and no one listened or even tried to make any changes. Many times these issues prove to be fatal oversights and there is no second chance for those impacted. There are several school buses traveling morning and night during many months when it is dark and rainy. I have no doubt if you were to ask these Bus drivers each of them would have similar stories. There are little to no shoulders on these roads so there is nowhere to get out of the way. I think it is very important to let the County and the Hearing Examiner, who will be making decisions, know this. We are the residents who will be impacted every day by their decisions. This 25 year proposal is not 'temporary', as the applicant describes, it spans the remaining life of many of us and the decisions made now will also impact our children and grandchildren for years to come
This project is asking for the ability to operate 24 hours per day 7 days per week with an actual unknown trucks per hour, it should be evaluated on that criteria. We all know the

impacts to people and their environment will greatly increase with longer hours of operation and more loads of material hauled. An industrial scale operation, even operating 6 to 8 hours per day 5 days per week with 46 trucks per day will have an adverse impact. Mining is known to have adverse impacts and we depend on the SUP permitting process to determine if a project is even mitigatable for a specific location. In Skagit County Code 14.16.440 it clearly states: The burden of proof shall be on the Applicant. I will be honest it feels like that burden has been placed on us. An industrial 68 acre mine excavating 4.2 million cubic yards of gravel is not a small borrow pit and it has irreversible impacts. The project must be burden with proof that it can operate and be safe as well as not cause harm to our Community and environment. We depend on people using common sense and knowledge when reviewing the project. The MRO only designates there are resources present it does not mean it is an landowner's right to operate an industrial mine. Especially in an area where the road infrastructure is already inadequate, sensitive environment is present and it is very well known the project is in conflict with the surrounding area landowners. Like many of our neighbors we chose our properties in this agricultural area decades before the MRO was placed on this area.

County Policy 4-D - 5.3 Roads and Bridges:

New public roads and bridges accessing designated MRO areas shall be designed to sustain the necessary traffic for mineral extraction operations. Existing roads and bridges shall be improved as needed as each new extraction operation is developed. Cost sharing for the improvement of roads and bridges shall be negotiated between the permitting authorities and the applicant.

The above Policy is listed in the Staff report issued for this permit. I believe it is possible this policy has been overlooked because otherwise it seems the County and Applicant would have had a plan and a budget in order to meet this policy goal years before now. However, it seems no improvements or budgeting has been done to address the new extraction operation impacts on the existing roads and bridges.

All residents on Prairie Road traveling west past Parsons Creek must travel past the Grip/Prairie Road intersection or turn onto Grip or F &S Grade Road to reach any connecting roads to any Cities. Going west past Parson Creek we don't have access to other routes to get to the cities so we will be forced to use the same route as the massive truck and trailers. Contrary to what the applicant has stated this is not a remote area but it is a rural area with a thriving Community. Other residential developments which feed into Prairie include residents traveling from Blank Road, Upper Samish, Ida Drive, Lois Lane, Prairie Lane, Parsons Creek, Double Creek Lane, Wildlife Acres, Grip Road & Park Ridge Lane. Many of us already commute 30 minutes and when we are told in reports that up to 30 trucks per hour will not reduce our LOS and will not be unsafe it is very hard to understand how that would be possible. We must be able to safely navigate the narrow windy roads past Grip/Prairie, Prairie/ F & S Grade and Prairie/Old 99 intersections to even reach Interstate 5. We feel our lives will be negatively impacted by the unsafe traffic, noise, vibration, air pollution and daily stress of changes to our environment. We all drive these roads frequently and deserve to be protected from known safety hazards.

In the noise study it looks like they designated a spot up by Prairie Road which would be the farthest point from the mine site(IMAP approx. 1800 feet) to determine the noise levels on our property. The point measured is thousands of feet from where the mine operation will be. A receiving property border is defined in WAC 173-60-020: (11) "Property boundary" means the surveyed line at ground surface, which separates the real property owned, rented, or leased by one or more persons, from that owned, rented, or leased by one or more other persons, and its vertical extension, this study does not measure noise using the code definition.

We own acreage on both sides of the Samish River and throughout the year our family and friends come here to visit and to seek shelter from the hectic, noisy world. This fact should not

be swept aside as if it does Not matter, it is even more important now to have a place of safety and well-being as the chaotic world unfolds around everyone these days. It is a gathering spot we center our family and friends' celebrations around, it is a way of life. This industrial scale open pit mine will be hundreds of feet away from our activities. We all enjoy recreation much of the year outside in our backyard which shares a border with the proposed mine site. Unfortunately for us and our Community the busiest time outside is also when most of the excavating and hauling will occur, causing the greatest impacts. I want to invite each of you to take a drive out to see first-hand what we are talking about. Thank you for your time and listening, I appreciate it.

Linda Walsh - Properties adjacent to mine
21710 Prairie Road
Sedro Woolley WA 98284

From Host Address: 172.92.225.214

Date and time received: 4/30/2021 6:23:26 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 7:45:02 AM

Name : Mark Hitchcock
Address : 9620 Samish Island Road
City : Bow
State : WA
Zip : 98232
email : 4s3@wavecable.com
PermitProposal : Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098
Comments : April 30, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine File #'s PL16-0097 & PL16-0098

Dear Mr. Cerbone,

Thank you for the opportunity to comment on the Mitigated Determination of NonSignificance (MDNS) for the proposed gravel mine on the Samish River near Grip Road. Since 1995 Skagit Land Trust has owned and cared for Tope Ryan Conservation Area, an important natural site along Grip Road approximately 2 miles downstream of the proposed mine. This preserve has long included 900 feet along the Samish River. The Trust also protects two other Samish River properties upstream of the project site and is continually seeking to protect more land along this important watercourse. All of Skagit Land Trust's properties along the Samish have been donated by landowners who wanted to protect the natural habitat of the river and its shoreline. We have partnered with federal, Tribal, state, and local agencies on numerous projects to protect and restore habitat in the Samish watershed. These partnerships include excellent work conducted by Skagit County Public Works Clean Samish Initiative, Skagit Fisheries Enhancement Group, and others.

Last year, Skagit Land Trust received a donation of land significantly expanding Tope Ryan Conservation Area on the other side of Grip Road protecting an additional 900 feet of shoreline along the Samish River and Swede Creek including their confluence. The river and creek in the vicinity of the conservation area are of particular importance for juvenile salmon due to the habitat complexity of the site. The river's wide gravel bars are critical spawning grounds for Coho and Chum Salmon as well as Steelhead and Cutthroat Trout. Last year, the latest restoration planting project at Tope Ryan added over 5,000 trees and shrubs. The costs of this effort were covered by the National Estuary Program, administered by the Washington State Department of Ecology with assistance from the U.S. Environmental Protection Agency. The Skagit Conservation District prepared the planting plan and helped secure a federal partnership grant to maintain the plantings. I mention these details to make the point that this is a preserve made possible and continually improved by the generosity of private landowners

supplemented by public funds and the dedication of many staff and volunteer hours over a long span of years. The potential for adverse impacts from a nearby mine and associated heavy truck traffic greatly concerns us and could directly affect our ability to meet our responsibility to protect this significant area of habitat.

Each year the Trust organizes community volunteers to conduct amphibian monitoring at the Tope Ryan site, gathering significant data about the wetlands which we convey to Washington Department of Fish and Wildlife. We hope to someday discover that the endangered Oregon Spotted Frog has returned to this site, given its appropriate habitat for this now rare species present elsewhere in the Samish Watershed. Tope Ryan is a rich area laced with beaver ponds, important not only for native amphibians but also for a rich assemblage of riparian dependent songbirds and waterfowl. It also supports commercially important fish stocks. In addition, restoring and protecting this large riparian area helps protect water quality in the river that is so important for commercial shellfish grown in Samish Bay. Potential river degradation due to the proposed mine and haul road puts a long list of values at risk.

One of the lessons we have learned from years of restoration work is that protecting habitat is far more cost effective than restoring it after the fact. In addition, there are factors contributing to habitat degradation that are more subtle than direct impacts, but perhaps even more concerning. For instance, Swede Creek routinely spills over its banks into the ditch along Grip Road by the Tope Ryan property. This has created a cascade of effects including accelerated erosion of the roadbed, routine flooding of the road and increased sediment loading in the creek and river. Skagit Land Trust staff and volunteers have on several occasions discussed with staff at Public Works various ideas for "fixing" the creek; but have yet to arrive at a cost effective and feasible plan to solve this problem. The volume and type of truck traffic that would be using the haul road crossing Swede Creek could well add to the present problem.

The Trust is concerned that the impacts of the proposed mine have not been adequately evaluated, nor we will look back and wish we had considered taking stronger measures to prevent the ongoing unraveling of important habitats in the Samish Watershed. Further review of the impacts to the riparian habitat and associated wetlands along the river should be conducted with special attention to Oregon Spotted Frog and Bull Trout habitat, both listed species.

Under Skagit County's Critical Areas Ordinance it would be appropriate to require a 300' buffer, rather than 200', between the Samish River and the mine, clearly an industrial activity calling for this larger buffer. A larger buffer would provide greater assurance that the mining will not in fact degrade the river through sedimentation, erosion, and leaching of spilled fuel oil (noting the statement in the application materials that fueling of equipment will take place on site). We are also concerned that the plan to maintain the floor of the mine at least 10' above the water table, while well-intended, lacks certainty. There should be a more thorough analysis of the site hydrology through the seasons and of how it will be affected by the mining plan.

In addition, as mentioned, there are issues with Swede Creek just downstream on Trust property, and yet it appears that the impacts to the creek from heavy truck traffic on the private haul road have not been evaluated. The haul road crosses Swede Creek approximately 0.6 stream miles above Land Trust property. Sedimentation from this unpaved road would likely degrade the salmonid habitat downstream which we have been working for years to protect. We are also aware that there are beaver ponds and wetlands near the haul road and that the

environmental review did not take these sensitive habitat areas into account.

The projected numbers of heavy trucks on this haul road are significant and will permanently change the nature of the forested upland habitat on the site. Local residents report that the uplands on the property are used by bear, cougar, and bobcat. Signs of these animals have also been observed on the Trust's nearby property. These animals require large territories, and the applicant's property is the last large undeveloped tract of land so close to the Samish River in this part of the watershed. The impacts from this disturbance to these important upland wildlife species should be evaluated.

We also have concerns related to the safety of staff, volunteers, and visitors to Tope Ryan Conservation Area in light of the heavy and frequent truck traffic which would be associated with the mine. Trucks entering Grip Road would pass the conservation area as they approach the turn onto Prairie Road. Vehicles using the preserve's small parking area will be at very significantly increased risk of collision as they pull into or out of the limited space. The conservation area lies on both sides of Grip Road. Pedestrians crossing from one part to the other will also be in the path of trucks approaching or leaving the mine.

Skagit Land Trust is not opposed to resource extraction; however, these uses must be balanced with effective measures to protect public resources, such as the Samish River, private ones such as Tope Ryan Conservation Area, and public safety. In addition, the Trust staff would be happy to discuss conservation options with the landowner to address some of these concerns.

Before recommending approval of the Grip Road Gravel Mine application, please conduct further evaluation to ensure measures are taken to adequately protect the natural habitats of the Samish watershed that all of us are working so hard to restore. We ask that you do this by withdrawing the MDNS and requiring a full Environmental Impact Statement with thorough consideration of project alternatives and a more complete scope of mitigations than in the MDNS. It is essential that this analysis include not only the mine site itself but also the area traversed by the haul road, the downstream reaches of the Samish River and Swede Creek, and areas adjacent to the public roadways the trucks would use.

Again, thank you for the opportunity to comment, and for your time and consideration.

Sincerely,

Mark Hitchcock
President
Skagit Land Trust

From Host Address: 172.92.212.48

Date and time received: 4/30/2021 7:42:19 AM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 8:00:02 AM

Name : Katelynn Piazza
Address : 3190 160th Ave SE
City : Bellevue
State : WA
Zip : 98008
email : kpia461@ecy.wa.gov
PermitProposal : Concrete Nor'West; File No. PL16-0097, PL16-0098
Comments : Thank you for the opportunity to provide comments on the State Environmental Policy Act (SEPA) mitigated determination of nonsignificance (DNS) process for the Concrete Nor'West proposal. Based on review of the checklist associated with this project, the Department of Ecology (Ecology) has the following comments:

The operation will require coverage under the NPDES Sand & Gravel General Permit to authorize the discharge of stormwater and/or process water to surface waters and/or groundwaters from sand and gravel operations. Applicants must submit the Notice of Intent (NOI) application online through Ecology's Water Quality Permitting Portal (WQWebPortal).

Thank you for considering these comments from Ecology. If you have any questions pertaining to the NPDES Permit or would like to respond to these comments, please contact Stephanie Barney at (360) 255-4390 or stephanie.barney@ecy.wa.gov. For assistance navigating the WQWebPortal, please contact Tonya Wolfe (800) 633-6193, option 3 or WQWebPortal@ecy.wa.gov.

From Host Address: 165.151.213.203

Date and time received: 4/30/2021 7:58:07 AM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Friday, April 30, 2021 11:50:53 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Friday, April 30, 2021 11:50 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : David Goehring
Address : 20002 Double Creek Lane
City : Sedro Woolley
State : Wa
Zip : 98284
email : davidgoehring@gmail.com
PermitProposal : Grip Road Gravel Mine
Comments : I have reviewed the traffic study done for Miles Gravel, and find it woefully insufficient in a number of areas. First off, why were no other routes besides the route east on Prairie included in the study? Who is going to make sure that every driver of every load takes this route. If the trucks turn left and go up Grip, that would be insanely dangerous with all those tight turns. It's bad enough just in my SUV. If they take Grip to then turn left onto F&S, they will be cutting off cars either at or coming up to the stop sign. Again, it is bad enough already because of the steep slant on F&S. I see that the study did acknowledge that the gravel trailers would be cutting off cars coming around the two 90' turns on Prairie just east of 99. This alone should be enough to deny this permit unless the turns can be widened. I think that one homeowner there on the first curve will be pretty upset to lose a big chunk of his lawn, which would be the case. I see the report also acknowledges that the Samish River bridge on 99 is not currently rated for this much heavy traffic. So that means that since the majority of the traffic is going to the Belleville pit that the trucks will have to proceed up the narrow windy Bow Hill Road, which has basically been trying to slide off the edge of the hill for years. Even worse, the trucks will then have to cross over the Cook Road I-5 overpass which is already a big mess as you surely know. The fact that this was not addressed in the study should tell you a little bit about it's veracity. That overpass already needs major upgrades, as all of us trying to get out onto the overpass from either the northbound or southbound exit ramps from I-5 can surely tell you. Both of those off ramps often back up onto the shoulders of the freeway, which makes for a very hazardous situation. Allowing all this additional truck and trailer traffic to use that route in it's current state would be completely irresponsible at best, criminally liable at worst. That whole interchange needs to be completely overhauled already, including more lanes. Another issue is this truly ridiculous band-aid proposal to put flashing yellow warning lights on Grip and Prairie. Is their another such arrangement anywhere else in the county? I've never seen one if there is. Prairie Road has become very heavily trafficked, especially during commuter hours. This isn't some backcountry lane. Why the hell should all of us who use that road be subjected to the delays resulting from this? Drivers from both directions who have to wait while one of the trucks enters onto Prairie will be frantically trying to pass it after it is out on the road, which is very dangerous on that narrow road. It is hairy enough just trying to pass a car. Prairie will have to be widened all the way to 99 to even think about using it as a haul route. Lastly, I see that Miles thinks that the

county should pay for any road upgrades. This just makes my blood boil. The roads are okay with the current levels of traffic, so any upgrades would be specifically to benefit Miles Sand & Gravel. They need to fully pay for any and all road work needed to make it safe to haul out their gravel. That property was originally zoned for timber as I understand it, and was converted to gravel with the State's blessing. The timber traffic would have been about 1% of what this gravel traffic will be. They decided to change it, so they can damn well foot the bill! If ANY of my taxes go to improving these roads for them, I will be the leading torchbearer when we descend upon the county offices. I would like to remind the Planning Commissioners and the County Commisioners that their number one priority as our elected and appointed representatives is public safety. I've said it before and I will say it again, approving this permit in its current state will get people injured, killed or both. The only even remotely safe way to get gravel out of that mine would be one single truckload at a time. NO TRAILERS! If Miles can't make a profit that way, then they can go find another site. It's not like there's a shortage of gravel pits around anyway.

From Host Address: 174.204.65.127

Date and time received: 4/30/2021 11:48:27 AM

From:	website
To:	Planning & Development Services
Subject:	PDS Comments
Date:	Friday, April 30, 2021 2:15:02 PM

Name : Kyle A Loring (on behalf of Central Samish Valley Neighbors)
Address : PO Box 3356
City : Friday Harbor
State : WA
Zip : 98250
email : kyle@loringadvising.com
PermitProposal : PL16-0097 & PL16-0098 MDNS part 1
Comments : By Electronic Portal and Email

April 30, 2021

Hal Hart
Director of Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: File No. PL16-0097 & PL16-0098; Concrete Nor'West Grip Road Gravel Mine
Skagit County Planning and Development Services Mitigated Determination of Nonsignificance

Dear Mr. Hart,

I'm writing on behalf of Central Samish Valley Neighbors ("CSVN") to request that Skagit County Planning and Development Services ("PDS") reconsider and withdraw the Mitigated Determination of NonSignificance ("MDNS") that it issued for the clearing and development of a 68-acre sand and gravel mine ("Mine") along the Samish River. The MDNS conflicts with Washington's State Environmental Policy Act ("SEPA") because it issued without an evaluation of multiple potential environmental impacts from the Project. For example, although prominent issues like the Mine's hours of operation and its encroachment into the 300-foot wetland buffer have been raised consistently since Concrete Nor'West ("CNW") applied for a special use permit for the Mine in 2016, the MDNS does not limit the hours of operation or reject CNW's proposed 200-foot buffer. Its silence on those issues can be presumed to allow CNW to operate the Mine without time limitations, as CNW has asserted that it may, and to mine up to just 200 feet from wetlands that host Endangered Species Act-listed species like the Oregon spotted frog. Yet the neither PDS nor the applicant has evaluated the impacts of those project operations. Absent this information, as well as significant information gaps like the refusal to evaluate private haul road impacts on Swede Creek, a fish-bearing tributary of the Samish River, PDS has not satisfied the SEPA requirement that it fully consider the environmental impacts of the Mine. The MDNS must be withdrawn.

Moreover, PDS must issue a Determination of Significance ("DS") because the information disclosed in the application materials for permits PL16-097 and PL16-0098 indicates that the Mine would cause significant impacts. For example, CNW's traffic impacts analysis confirms that dump trucks and trailers pose a threat to other users on the narrow, high-speed-limit roads that they will traverse.

CNW has had five years to address the potential impacts of its Mine, and while they have slowly piecemealed a few additional documents, they have not demonstrated that the Mine will address the impacts. As the representative of the local community entrusted with ensuring that applicants for large industrial development analyze and address environmental impacts, PDS must respond accordingly and issue a DS and start the Environmental Impact Statement ("EIS") process to address the Mine's impacts.

This letter explains below that: (1) the Project outlined by the application materials; (2) will have a variety of impacts, some unevaluated and others already identified as significant; on (3) its sensitive ecological surroundings and the local transportation network. The MDNS does not adequately condition the Mine to address those impacts.

In drafting this letter, we reviewed application materials that included the following: (1) the March 7, 2016 fact sheet, special use narrative, and project description; (2) subsequent special use narratives and revised project description; (2) SEPA Checklist; (3) fish and wildlife documents by Graham-Bunting Associates; (4) the Hydrogeologic Site Assessment from Associated Earth Sciences; and (5) traffic documents by DN Traffic Consultants. We also reviewed comment letters by state agency officials, consulted with fish and wildlife officials and a traffic engineer, and reviewed publicly-available information about the site and environs like aerial photographs and the regional bicycle map. We have attached the CSVN November 24, 2020 comments on the Project's SEPA process, none of which have been addressed since the submission of that letter, and incorporate it by reference.

A. Project Details.

Concrete Nor'West has applied for a Mining Special Use Permit to excavate approximately 4,280,000 cubic yards of sand and gravel in a 68-acre mine in the Central Samish Valley. CNW projects that the mining would occur over 25 years, though the proposal would not be limited to a specified period of time and the rate of excavation would depend on demand for sand and gravel. The mining would require the clear cutting of timber, followed by excavation that would dig down 90 feet toward the water table. The withdrawn MDNS stated in 2016 that logging would remove approximately 50,000 board feet of timber from the land but there are no updates on the progress of the logging. While the proposed mining would occur on three parcels totaling 77 acres, these parcels form just a portion of an overall block of parcels totaling more than 726 acres. Although the SEPA Checklist suggests that there are no plans for future additions, expansion, or further activity related to or connected with the proposal, a large portion of the other 650+ acres of land have also been designated as Mineral Resource Overlay, with some of it approved for active harvest by the Washington Department of Natural Resources. A noise and vibration study submitted by CNW did not evaluate the noise and vibration impacts that would occur after logging of the larger property.

1. Hours and staffing.

According to CNW, mine hours would be unlimited consistent with its underlying zoning, though normal working hours would typically extend for 10 hours, from 7am to 5pm, six days a week. According to the MDNS, hauling would occur during the workweek, Monday through Friday, and site operations would occur Monday through Saturday. CNW estimates that one to two full-time employees would work on-site and an unspecified number of truck drivers would haul gravel off-site throughout the day. On-site operations would involve heavy equipment like a front-end loader, excavator, dozer, and dump trucks.

2. Hazardous materials.

The Application offers conflicting information about whether hazardous materials will be stored at the site. It responds "Yes" to a question about whether chemicals, waste oils, solvents, and fuels would be stored at the site, and describes the possibility of installing a 2,000-gallon diesel fuel tank. But it also states that "[w]aste oils, solvents, etc. will not be stored on site."

3. Gravel and sand hauling routes and volume.

Application materials offer varying estimates of the amount of truck traffic that the mine would generate. A September 10, 2020 Traffic Impact Analysis ("TIA") by DN Traffic Consultants estimates that under "extended hours conditions," the Mine would generate 29.4 truck-and-trailer trips per hour. The TIA does not define extended hours or explain why the site would be limited to that number of trips if demand were high enough to require greater production. DN Traffic Consultants' earlier memo, aptly-titled "Maximum Daily Truck Traffic," estimated that a realistic maximum number of trips for truck-and-trailer was 60 trips per hour. That study assumed that increased demand for material would lead to increased production at the site, limited only by the (likely artificial) logistical consideration of the number of truck and pups available in Skagit County. DN Traffic explains in its TIA that the ~30 trips per hour that it estimates for a higher end number is based on the anticipation that the Mine could generate up to 5000 tons per day. It does not explain how this production amount was derived and does not explain the inconsistency between the ~30 trips figure and the 60 truck-and-trailer trips per hour that it deemed a realistic maximum in its Maximum Daily Truck Traffic memo.

The gravel and sand would be hauled by trucks and trailers forced to navigate narrow rural roads with medium to high speed limits. The original road special use narrative stated that hauling would occur along Old Highway 99, Prairie Road, and Grip Road. Subsequent documents identified Bow Hill Road and F&S Grade Road as potential route extensions. Road widths along these routes are just 20-22 feet and they allow speeds up to 50 mph. Although the TIA suggests that shoulders exist along each of these roads but Grip Road, the Skagit County Bike Map identifies Grip Road, Prairie Road, and F&S Grade Road as roads without shoulders. A simple review of these roads through google maps' street view function confirms that paved shoulders are largely non-existent on those roads, though some stretches contain large gravel that promptly slopes down to a ditch. In addition, the TIA asserts that there are no known bike routes in the subject area, yet the readily-available Skagit County Bike Map identifies Prairie and F&S Grade Roads as part of a federal bike route, US Route 87. Local residents have communicated that guard rails have been installed along a significant stretch of Prairie Road, shrinking the width available for cyclists and pedestrians outside the actual roadway to nothing.

The transportation documents associated with the application do not prescribe a haul route, but instead contemplate multiple options. The TIA states "[i]t is estimated that 95 percent of the trips will be assigned to and from the west on Prairie Road; with 80 percent south to the existing Belleville Pit Operation using either Old Highway 99N or I-5 south; ten (10) percent of the trips to end users via I-5 south, five (5) percent to end users west of I-5 on Bow Hill Road; and five (5) percent to end users east of the Mine access via Grip Road." One of the options in the TIA assumes that truck/trailer combinations using Old Highway 99 would be short-loaded to comply with current weight restrictions on the Old Highway 99 Samish River

bridge or that those restrictions would be removed. The Application does not evaluate the number of truck trips that would be required if vehicles were short-loaded to meet current bridge weight limits. The Application's revised project description identifies the route through Grip Road, Prairie Road, and Old Highway 99 North.

In addition, although the Application does not describe the on-site haul route on CNW property, a review of aerial photographs indicates that it would stretch for more than two (2) miles between the Mine and Grip Road.

4. Independent review of transportation documents.

Although CNW has provided several documents about the Mine's traffic impacts, a review by Jeffrey Hee, P.E., Senior Transportation Engineer at Transportation Solutions Incorporated ("TSI") reveals that some impacts have yet to be addressed and others have not been fully evaluated. Mr. Hee analyzed project documents, including the traffic reviews by DN Traffic Consultants, and discovered the following unresolved issues:

• the maximum trip generation numbers and frequency of maximum trip hours and days for the Mine have not been finalized. The Application offers conflicting information about the maximum traffic to be generated, and County conditions could require trucks without trailers, which would decrease capacity for each shipment and therefore increase the number of trips to ship the same overall volume of material. Also, the Application does not identify whether the trip generation numbers account for on-site workers and non-haul mining operations (page 3);
• site distance impacts were not evaluated based on common industry practice that contemplates the use of 85th-percentile design speeds from the County's Road Standards. Instead, even though those 85th-percentile speeds were readily available on the Skagit County of Governments website, DN Transportation relied on lower posted speeds for its modeling. This may underrepresent sight distance risks (page 4);
• site distance impacts were not evaluated for the intersection where the site access road meets Grip Road, based on the mistaken assumption that it wasn't required for a lower volume road (page 4);
• no mitigation was proposed to address site distance impacts at the Grip Road/access road intersection for egress to the east, and no analysis occurred to determine whether a gravel truck or truck/trailer combination can safely navigate the road network east of the mine (page 4);
• intersection sight distances were not evaluated for truck/trailer combinations at the intersection of F&S Grade Road and Prairie Road. Consequently, Mr. Hee recommended preventing the hauling on F&S Grade Road (page 5);
• the significant truck-trailer impacts that the TIA identifies between the site and Old Highway 99 have not been fully addressed (pages 1, 5);
• there has been no analysis of safety impacts associated with truck-and-trailer combinations traveling east of the Mine access. Mr. Hee recommended preventing hauling east of the Mine site (page 5-6);
• the Application does not evaluate traffic impacts associated with the redistribution of truck traffic onto Cook Road due to Samish River bridge weight limits. This is important given the traffic issues that WSDOT and Skagit County have identified for the Cook Road interchange at Old Highway 99 (page 6);
• the Application does not provide detailed specifications for the type(s) of vehicle(s) it modeled for transportation impacts, preventing confirmation of its results (page 5).
Specifically, with regard to site distance and haul route concerns, Mr. Hee notes at pages 5 and

6 that the following comments and questions should be answered:
• is the County's vision clearance triangle satisfied in the study area?
• what speed is needed to achieve site distance at the study locations?
• are sight distance exhibits available for public review?
• Why are total crashes different in some of the Tables in the TIA?
• Will the applicant complete the improvements recommended by the TIA for the intersection of Prairie Road and Old Highway 99?
• Why doesn't the TIA provide conclusions about whether the project traffic will increase the frequency and severity of collisions on the haul route given the route's geometric and sight distance constraints?

B. Valuable Ecological Setting.

The 68-acre mine site and associated properties provide important terrestrial and aquatic habitats. The Samish River, a salmon-bearing river, winds for more than one-quarter mile along the eastern portion of the mine property. Associated wetlands extend toward the Mine from the river's active channel and flood plain, though it is unknown just how close the edges of the wetland reach to the proposed mining area because they have not been delineated. Swede Creek, a documented fish-bearing stream, would be traversed by every truck hauling gravel and sand to and from the Mine on the private haul road. The Application does not acknowledge the private haul road as part of the project and therefore does not evaluate impacts to wetlands along that route or to Swede Creek from the haul road that crosses it. A fish-bearing tributary to the Samish River crosses the southeastern corner of the Mine site.

1. Lack of analysis of undersized Mine buffer.

According to the project description set forth in the MDNS, the Mine would observe a 200-foot wetland buffer rather than the 300-foot buffer required for the wetlands associated with the Samish River. The MDNS refers to the mining of approximately 4,280,000 cubic yards of sand and gravel. According to its Special Use Narrative, CNW will be able to extract 4,280,000 cubic yards of material if it mines up to 200 feet from the estimated edge of the wetlands, and approximately 3,942,000 cubic yards if it observes the required 300-foot buffer. By embracing the larger volume, the MDNS indicates PDS' approval of a 200-foot buffer for the Mine.

A buffer of at least 300 feet applies to the Mine as a high intensity land use adjacent to a Category II wetland. According to the Skagit County Code, "high intensity land uses" include "land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium- and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and commercial and industrial land uses." The Mine qualifies as a commercial and industrial use of the land, and the clear-cutting of existing forest and conversion to a sand and gravel mine qualifies as a high level of human disturbance and substantial habitat impacts. In addition, the Application does not evaluate the angle of the slope in the buffer to determine whether it is greater than 25%, and thus warrants an extension of the buffer 25 feet past the top of the slope.

In addition, by clearing the forest into the buffer, the Mine would eliminate functions that the forest furnishes the productive riparian zone, including: (1) maintaining water quality; (2) controlling fine sediment; (3) contributing large woody debris; (4) providing shade and moderating the microclimate; (5) contributing litter fall and organic matter; (6) moderating site

hydrology and stabilizing slopes; and (7) providing fish and wildlife habitat.

This riparian zone where the aquatic environment transitions to a terrestrial environment is essential for the Oregon spotted frog--listed as endangered by Washington in 1997 and threatened federally in 2014--that relies on the wetlands and environs. The US Fish & Wildlife Service has identified critical habitat for the frog that extends from far upstream on the Samish River and includes the mine property adjacent to the river. The 2017 GBA Addendum acknowledges that these wetlands meet the definition of critical habitat for the spotted frog due to their size, saturated soils, and shallow ponds. The GBA Addendum includes a photograph showing these ideal conditions, as well as a hand-drawn line intended to reflect the edge of the saturated area.

However, neither the SEPA Checklist nor the Application's documents by Graham-Bunting evaluate the impact on the Oregon spotted frog or other wetland species of converting one-third of the riparian buffer into a gravel mine. Consistent with the proposal to mine up to 200 feet from the wetland, the GBA Addendum suggests that a 200-foot buffer is sufficient to protect aquatic life, but does not offer any justification for that assertion other than the absurd claim that clear-cutting a forest and converting it to a sand and gravel mine is a "medium" intensity use. Nor does the GBA Addendum indicate why a 200-foot buffer would protect the Oregon spotted frog when Skagit County's critical areas ordinance requires a 300-foot buffer to protect the Category II wetland from the impacts of high intensity land uses like mining operations. In fact, the GBA Addendum expressly disclaims that it is not intended to be used for the purpose of evaluating the spotted frog under the Endangered Species Act.

2. Lack of response to Ecology concerns.

In addition to overlooking the impacts of developing 1/3 of the buffer intended to protect species such as the Oregon spotted frog, CNW declined to address state agency concerns expressed by Doug Gresham, the Washington Department of Ecology wetland specialist responsible for Skagit County. In his initial April 7, 2016 email, Mr. Gresham stated that wetland impacts should be avoided by refraining from excavating within the buffer area associated with the Samish River and its associated riparian wetlands and that any wetlands identified on the property that would be impacted should be delineated and permits should be submitted to Ecology. In a June 1, 2016 comment letter, Gresham declared that additional wetland requirements include: (1) flagging of the ordinary high water mark along the Samish River banks by a qualified biologist, and survey of the boundaries; (2) a jurisdictional determination from the U.S. Army Corps of Engineers stating whether the delineated wetlands on the property are under federal jurisdiction; (3) ratings of all wetlands based on Ecology standards; (4) a critical area report describing wetland conditions on the property, wetland data sheets, wetland rating forms, and photographs; and (5) a mitigation plan for unavoidable wetland and buffer impacts per Ecology standards. In addition, Mr. Gresham noted in his June 1, 2016 correspondence that the Application omitted maps showing associated wetlands or the ordinary high water mark of the Samish River.

Six months later, Mr. Gresham supplemented his earlier comments by expressing a concern with CNW's use of a 200-foot buffer rather than the required 300-foot buffer. Gresham stated that CNW needed to address the gravel mine's encroachment into the 300-foot buffer. Gresham also stated that he had "a concern with the access road that will need to be improved to accommodate 46 truckloads a day, which could impact wetlands and streams. This access road may need to be widened, the Swede Creek bridge may need to be upgraded, and storm

water drainage features may need to be reconfigured." Gresham noted that these issues had not been addressed.

Notwithstanding these clearly-stated agency concerns, CNW continues to propose to excavate up to 200-feet from what it assumes is the ordinary high water mark of the Samish River and associated wetlands without delineating the specific location of the river's edge, its floodplain, or the associated wetlands. CNW did not supplement the Application with a survey or flagging of the edge of Samish River, delineation of wetlands on the property (including any wetlands along the haul route), critical area reports for wetlands, a mitigation plan, or a discussion of impacts associated with the Swede Creek bridge or haul road development on the creek or wetlands. Instead, an engineering and surveying group drew a map with estimates for the location of Samish River "plotted from May 2011 aerial photo" and "wetland at toe of slope from LiDAR data and field observation," without a delineation survey. The map is captioned "alternate 300 foot buffer," but none of the application materials indicate that CNW has decided to apply anything other than a 200-foot buffer. The map shows what appear to be roads or mining areas extending into the estimated buffer.

3. Water quality and quantity impacts.

Drainage from the site currently flows to the Samish River both above and below ground. The Application indicates that the mining would occur in an area that is currently elevated about 90 feet above the river and its associated wetlands (50-75 feet above the valley floor in the eastern portion of the site), and that groundwater from the site flows in a northerly direction and discharges to the Samish River. According to the Application, CNW would construct a berm approximately 200 feet landward of the assumed wetland edge in order to direct drainage from the site to the gravel floor for infiltration into the groundwater. The Application does not evaluate whether that berm and mine infiltration would redirect surface water away from the wetlands and river complex and thus dewater these sensitive ecological features, or analyze the impacts of that dewatering.

Application materials offer conflicting information about whether the Mine would reach the water table. Although the GBA Assessment states that the mine would be excavated to a depth of 10 feet above the water table, the SEPA Checklist states that the Mine would be excavated to a depth of 154-163 feet above mean sea level while the hydrogeological assessment found the water table at 145-155 feet above mean sea level. The Application did not evaluate whether excavation to a depth of 154 feet would interfere with a water table at 155 feet.

From Host Address: 216.160.85.174

Date and time received: 4/30/2021 2:12:46 PM

From:	website
To:	Planning & Development Services
Subject:	PDS Comments
Date:	Friday, April 30, 2021 2:25:02 PM

Name : Monty W Mcintyre
Address : 585 PLEASANT BAY
City : Bellingham
State : WA
Zip : 98229
email : mont137@msn.com
PermitProposal : PL16-0097
Comments : Greetings
I am writing in regards to the MDNS to the proposed gravel pit by Miles Extraction Co.
My personal experience is that this is an irresponsible company that will not hold itself accountable. Please let me get this off my chest to start with!
While driving on Highway 9 a couple years ago an oncoming Miles Cement truck blew out a massive tire, just as we were passing one another south of 84th street. I was going north in my red 97 F250 and the Miles truck was going south. An extremely loud explosion occurred adjacent to me, mustard colored muck and tire debris slapped my vehicle, coating and chipping my windshield / drivers side and startling me the hell out of me. I pulled over immediately on the shoulder to see what had happened. I saw that the Miles truck had also pulled over. After surveying the situation beside that busy highway, I went north to the roundabout, and returned directly to the Miles vehicle, parking in front of it on the southbound shoulder of highway 9. I saw the tire behind the driver door was destroyed. It had caused the explosion and the damage to my truck. I spoke with the driver who told me to write down my name and phone number and he would "turn it into the office that day when he got back " I wrote my name and phone number on a slip of paper and gave it to the driver. I never received a call back about the incident and have a chip, from that blown tire, in my windshield to this day. I can honestly say that Miles damaged my truck. Then the driver, or the office personnel blew me off!
Why would I believe anything they or their agents will submit?

Regarding the MDNS. I hope our county can understand that this proposal has very significant, and permanent, negative impacts. As someone who has worked outside all his life and knows something about natural systems, it is absolutely absurd to me that the county is promoting this. Hugely damaging activities are now considered nonsignificant to our environment, or can be easily "mitigated: What will be the legacy of Skagit County's permitting process?

Does DNS really mean:
Damning Native Species?

Are Chinook Salmon of value to the declining local Orca population? WDF once had grand plans to restore native salmon runs. What are the current state of affairs? Can Samish River produce Chinook to alleviate some of the food shortage for Orca and provide for the human hunger for Kings as well??
What potential for siltation during a major pineapple express event would this disturbed acreage above portend for any restoration of Swede creek / Samish River salmonids?

What role did Skagit county play in permitting the logging that caused the mudded spawning gravels that caused the near extinction of Phinney Creek Steelhead, a run that was once spectacular?
What Role did the County play in permitting the destruction of Baker Lake Sockeye? How many return now compared with the 85,000 that was once an average run?
Historically the county has a terrible record of Native salmon conservation. From culverts to dams to gravel pits and logging. The lack of concern is cumulatively glaring!
Maybe MDNS is code for Maliciously Destructive Not (for) Salmon.
If it wasn't for the regional salmon enhancement groups our salmon may already be gone. Now they are just mostly gone! What does the future hold for salmon that are under constant attack from activities such as are proposed?
Consider the recent findings that Coho are particularly affected by an ingredient in tires which causes high mortality. Coho can live for a couple years in freshwater before out-migrating. What is the historical distribution of Coho in swede creek and Samish rivers? How many tires will wear away over the term of this proposal in the pit activity? How many pounds of rubber particles will run off from the road trips along all routes planned by these trucks? I'm still thinking about that tire blowing up next to me on # 9, what was in the mustard colored crap sprayed all over my truck?

Many forms of native life exist on this parcel, including hundreds of songbirds , currently singing to the brood in their nest at daybreak. What will happen to those birds when their nesting trees are excavated away so Miles can dig and then mix new cement for land developers? What will the morning sound like when diesel engines start with puffs of black smoke and no birds? I would proffer another DNS = Does Not Sing. It's a Dang Nincompoop Scheme that Dooms Nice Songbirds which is also D Nasty (&) S. Will human residents have a better day when they wake up hearing front end loaders, dump trucks, excavators and conveyors rather than birdsong and frogs - then get their windshield broken on the way to school?

I'm no biologist but did find a cute salamander with a yellow stripe on it's back last week. The frogs have been croaking for some time and so I think of all the amphibians along Swede Creek. Don't have time to make a list - should be doing taxes and going outside to work on some other stuff. I feel the need to get involved but it's most likely an aggravating waste of my time. Big business always get their way, they just pay an attorney to get it done! Ordinary citizens scramble to try and put in some feed back on short notice , THANK YOU FOR THAT!

Disavowing Natural Systems is Detrimental Not Sensible.
Our society will not be secure when some amongst us keep keep fouling our communal nest for profit, that's for sure. As I get older I see fewer functioning Natural Systems. I hope we can agree on this. Man has been wrecking things for a long time. Precious natural resources that effectively support healthy life have been in decline for decades. This dangerous trend is now exponentiating with increasing pressure from proposals such as this. Please pay attention and limit this destruction.

This gravel mining is Most Definitely Not Suitable for our community

STAY HOME STAY SAFE
Monty McIntyre

From Host Address: 75.172.124.90

Date and time received: 4/30/2021 2:23:03 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:20:02 PM

Name : Shelley Allen
Address : 22018 Grip Road
City : Sedro Woolley
State : WA
Zip : 98284
email : shelley@muzylowski.com
PermitProposal : PL 16-0097 Concrete Nor'west (CNW) application mining special use permit
Comments : Three Main issues regarding the proposed Mine on Grip road are: Environmental impact, Road safety and Third Party Sales. A comprehensive study of the issues and impacts of the effects of a gravel mine in this area should absolutely be implemented.

The Samish river and basin, have been a concern for habitat loss and degradation. The State and local communities have allocated enormous funding to protect these rivers. The mine project proposed on Grip Road, needs to be subject to a full environmental review.

Concrete Nor'West/Miles have already have an impact on this critical river from their Belleville site, also adjacent to the Samish River. Thousands of heavy load-filled trucks, leaking fluids, producing dust and emissions would be added to a second site of this critical river.

A full Environmental review must be required. This mine operation needs stringent environmental protection rules that protects the wetlands and that are carefully enforced.

Grip Road is a narrow, winding and steep road. With the current conditions there is no way that the addition of thousands of gravel trucks traveling on it could be considered safe. Grip Road is a regular route for many bicycling clubs/groups, as well as antique car clubs, as it is a quiet road that has been favored for it's scenic qualities and minimal commercial traffic. Many of our neighbors walk the road for exercise and also walk to the riverside in the summer.

Our home is on a hard corner on Grip Road, just up the hill from the proposed mine access/entrance. We have had many vehicles skid on the corner and slide off the road damaging trees and signs. Last month a Skagit county road worker had to replace or repair the corner sign three times. This and many other significant corners on Grip Road would be unsafe for large vehicles passing one another, and again, for pedestrians and cyclists. We have not seen maps and details that would show how these concerns would be mitigated.

What is the maximum runs of trucks per day (including roundtrips). Please confirm there will be a noise study of the use of compression brakes.

The proposal states that gravel can be sold directly to the market from this site. What are the restrictions on these transactions and what haul roads will they be using? Third party sales would create an undetermined effect on the area and should not be allowed.

From Host Address: 172.92.201.237

Date and time received: 4/30/2021 3:17:33 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:25:02 PM

Name : Frederic Allen
Address : 22018 Grip Road
City : Sedro Woolley
State : WA
Zip : 98284
email : rik@rikallen.com
PermitProposal : PL 16-0097 Concrete Nor'west (CNW) application mining special use permit
Comments : Two Main issues we have regarding the proposed Mine on Grip road are: Environmental impact and Road safety.

As proposed we believe that there is far too little done to study the site and mine proposal to mitigate the effects of a gravel mine in this area. A comprehensive study of the issues and impacts of this project should absolutely be implemented. The Samish river and basin, as well as many of Washington State's rivers have been a concern for habitat loss and degradation. The State and local communities have allocated enormous funding to protect these rivers, I can not understand why a project, as large as the mine proposed on Grip road, would not be subject to a full environmental review. Concrete Nor'West/ Miles have already have an impact on this critical river from their Belleville site, also adjacent to the Samish River. Thousands of trucks rumbling, leaking fluids, producing dust and emissions would be added to a second site of this critical river. A full Environmental review must be required. We all would be at a loss if this mine is permitted without stringent environmental review that protects the wetlands and all buffers are carefully enforced.

Regarding the road safety issues, this is one issue that has brought together all of our neighbors, regardless of anyone's political, social or community background. Grip Road is unsafe. The stretch of Grip road from Prairie road is has multiple blind corners on a steep hill. My wife and I frequently walk and bike on Grip road year round. It only takes a few large pick up trucks on Grip to force anyone on the road into the gravel embankment. Anytime a commercial truck has come around the corner with people on the road, they are forced to either brake hard, or cross over to the opposite lane. Two gravel trucks, passing each other, with or without trailers, will occupy all the available pavement making it an extremely dangerous situation for anyone (including animals). There is no way I can see this winding steep road being considered safe. Grip road is a regular route for many bicycling clubs/groups, as well as antique car clubs, as it is a quiet road that has been favored for it's scenic qualities and minimal commercial traffic.
Our home is on a hard corner on Grip road, just up the hill from the proposed mine access/entrance. We have had, almost monthly, vehicles leave the road and slide into the corner. Last month a Skagit county road worker had to replace or repair the corner sign three times. Grip road has many significant blind corners that would be unsafe for large vehicles passing one another, and again, for pedestrians and cyclists.
We have not seen maps and details that would show how these concerns would be mitigated. Truck traffic, as currently proposed, would have a major impact on our quality of life and safety.

Thank you.

From Host Address: 172.92.201.237

Date and time received: 4/30/2021 3:22:31 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:30:02 PM

Name : Ingo Lemme
Address : 5856 Park Ct
City : Sedro Woolley
State : WA
Zip : 98284
email : ilemme@cnw.com
PermitProposal : PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)
Comments : I would like to comment on the SEPA determination issued by Skagit County Planning and Development Services in response to the gravel mine development application submitted by Mile Sand & Gravel.

The route proposed for hauling the gravel over Grip Rd. and Prairie Rd. is inadequate for the type and volume of truck travel proposed. The MDNS does not adequately address the problems on this route including curves on the Grip Rd. hill that are not wide enough to accommodate the truck traffic without crossing the center line. There are many portions of this route that are dangerously narrow for such traffic. I am a bicyclist and long stretches of this route have virtually no shoulder, so that the road is not wide enough for a gravel truck, a vehicle travelling in the opposite direction and a bicycle. This is an extreme safety hazard. With the volume of truck traffic proposed by this project, the frequency of this hazard increases very significantly. These hazards are not adequately addressed in the MDNS and a full EIS is needed. Related hazards are the intersection of the haul road and Grip Rd. and the intersection of Grip Rd. and Prairie Rd., and these hazards are not adequately addressed in the MDNS. Another issue inadequately addressed in the MDNS is the impact of the proposed truck traffic on the physical infrastructure of the roads themselves; these roads are inadequate for this volume and type of truck traffic, which will cause accelerated wear and need for expensive repairs.

The proposed project will have significant impacts on wetlands, fish/wildlife and drainage, which are inadequately described in the MDNS. The MDNS also inadequately deals with the noise and vibration impacts and the increased diesel exhaust impact on air quality. These issues need to be considered with a full EIS.

Because of the inadequate delineation in the MDNS of both the impacts of this proposal on road safety and road degradation as well as the impacts on the environment, including wetlands, fish and wildlife, noise and air quality, I strongly disagree that a MDNS is adequate and request that a full EIS be required.

Thank you for your consideration of these issues.

From Host Address: 50.34.213.251

Date and time received: 4/30/2021 3:26:12 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:30:02 PM

Name : Jennifer Aven
Address : 6478 Lillian Lane
City : Sedro Woolley
State : WA
Zip : 98284
email : Jenjen2912@yahoo.com
PermitProposal : Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097
Comments : My husband and I are extremely concerned at the re-issuance of the permit for the gravel mine. There seems to be absolutely no concern for the safety of my family or my neighbors as we drive on the narrow and winding roads of Grip and Prairie. We demand that thorough and comprehensive studies be done to address the risks that this severe increase in large heavy trucks on our small backwoods roads be performed and then that any and all concerns be adequately addressed. My parents, my children, my husband and myself are on these roads two to four times a day each and the idea that county would ignore putting their lives at risk, especially for profit, is appalling. I find the idea of facing a large truck barreling down the "S" curved hill on Grip while in possible drifts across that center line terrifying. The option to avoid it would be down an embankment. What will happened when the school buses are passing through as well? What does it look like at those 90 degree corners on Prairie just before Old 99? Are we all just going to have to swerve and break hard to miss these trucks? I've had a close call with a large vehicle there before and the adrenaline rush doesn't dissipate until you reach Burlington. This is unacceptable. We shouldn't be forced to endure that every day.

Lets not also ignore the dramatic increase or the wear and tear of roads not built for that kind of traffic. We must study what the effects of those 30 round trips an hour means. And all the environmental effects...I'll leave it to my neighbors to cover those concerns in great detail, but we are worried about all of them as well.

We chose this beautiful area over 15 years ago because of the quietness and the serenity. We chose the intimacy and safety of tiny Samish Elementary and its back roads bus routes for our children. We expect to share the roads with an occasional tractor or horseback rider, not an industrial flow of heavy trucks. I know that things progress and change, but I implore you to please take the time to do the right thing. Study in depth all the consequences this mine will have on our community and hop in your own vehicle, go for a Sunday drive down the length of Prairie and Grip and picture what this mine and it's traffic will do to every single person who lives here and drive these roads.
Thank you for your time.

Sincerely,
Jennifer Aven

From Host Address: 50.34.125.113

Date and time received: 4/30/2021 3:26:26 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:30:02 PM

Name : Miles Sand & Gravel Company Inc.
Address : PO Box 280
City : Mount Vernon
State : US: Washington
Zip : 98273
email : dan.cox@miles.rocks
PermitProposal : File #'s PL16-0097 & PL16-0098
Comments : On behalf of Miles Sand & Gravel Company Inc. (Concrete Nor'West), I am writing to express our support of the 4-15-2021 MDNS for the above noted project. Miles has worked diligently to provide all of the requested information to allow the County to review and condition this application to address public concerns and ensure compliance with County requirements. We would encourage the County to move forward with preparation of the staff report and scheduling of the public hearing so that a decision on the application can be made.

From Host Address: 50.34.67.130

Date and time received: 4/30/2021 3:29:08 PM

From:	website
To:	Planning & Development Services
Subject:	PDS Comments
Date:	Friday, April 30, 2021 3:40:02 PM

Name : Jesse
Address : 20631 Prairie Rd
City : Sedro Woolley
State : WA
Zip : 98284
email : jfaxonmills@gmail.com
PermitProposal : Concreted Nor'west/Miles Sand & Gravel; PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)
Comments : April 30, 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concreted Nor'west/Miles Sand & Gravel; PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

Thank you for this opportunity to voice my concerns about Skagit County's recently re-issued MDNS regarding the mine development application of Miles Sand and Gravel.

Until recently, I wasn't fully aware of the extent to which this would impact the area where I live, and especially how it could upend the lives of my neighbors to the near south. I live about 1 mile north of the proposed gravel mine area have recently become aware of gravely concerning details of this proposed mine. I'm extremely worried about what seems to be a lack of thorough research by the county into what this project would mean for those living on Grip road and in the surrounding community. The lack of up-to-date studies by the County on the environmental impact is deeply concerning as well.

For over 30 years, my parents have lived ten minutes away from the forested land off of Grip Road. They know many of the people who live in that area and have been allowed by kind neighbors to explore those forest lands with their family. More recently, they've been sharing the beauty of those woods with their first grandchild. They've seen tracks of cougars and bears, in addition to a wide assortment of birds and other small creatures. This would all be profoundly impacted in a very sad way if we allow these territories to be stripped for gravel, fill the air with exhaust from transport trucks, and fundamentally disrupt their habitat.

And, the Samish River, which runs behind my house and which I fished in as a kid, would also be irreversibly impacted. The river and surrounding wetlands provide habitat for the Oregon Spotted Frog, designated endangered by the state and threatened federally, and the Bull Trout, another species listed as threatened on federal lists also has critical habitat on this river. As I understand it, when issuing the MDNS, the Fish and Wildlife Assessment used was

incomplete and over five years old. There's no mention of endangered status species in the MDNS. State and federal agencies addressing endangered species must be consulted.

I also can't help but think of how this project will affect the safety and infrastructure of the roads. Grip Rd is narrow, with twists and turns. It intersects with Prairie Rd (where I live) on a tight corner of Prairie, and I've already had cars pull out in front of me who didn't see me coming around that turn. I fear that the safety impact of dozens, perhaps hundreds of trucks daily on Grip road would be disastrous. I understand that the Traffic Impact Analysis located lane encroachment on this route, including on the twisting Grip Road hill spots, but neither the TIA nor the MDNS analyzes or mitigates this problem. Head on vehicle collision are horrific. Without properly addressing this truly life or death issue, there is no answer to the community's fearful question: how will trucks and school buses negotiate safely passing on these roads? For the County to refrain from insisting on additional information and assurances on this issue would be a costly and deadly mistake, in that severe accidents involving those civilians who travel these roads would be inevitable.

Although Miles Sand and Gravel suggests an average 46 truck trips per day (already high traffic), the company says it might run up to 60 trucks per hour, which likely would be the case in peak season. The impact of anything even close to such heavy traffic would pose both a safety hazard and a negative impact on road infrastructure. Impacts on infrastructure also need to be evaluated, and provision should be made for the applicant to pay a fair share of cost for maintenance and repairs if the project is approved.

From what I can see, this project has not been thoroughly examined. In order to allow the mine to exist, the County would make an exception to allow only a 200 foot buffer. How can this be considered acceptable when Critical Areas Ordinance (CAO) requires a 300 foot buffer adjacent to high intensity land use? This project will be nothing if not high intensity: a 60 acre mine site on 700 contiguous acres, going 90 feet deep, with over 11,000 heavy truck trips per day over 25 years. Clearly, the Critical Areas Ordinance defines its terms regarding high intensity projects for crucially important reasons. Those crucial points of this Ordinance must not be disregarded without closer examination of the high intensity nature of this entire proposal.

Grip Road/Prairie Road is our home. It is rural, and home to many farmers and families. It is the type of place that Skagit County is known for, which hasn't yet been overcrowded or stripped for profits. Pushing through this gravel mine without thoroughly examining its many impacts on the people, animals, and plant life would be an outright betrayal. An application to substantially change its character, its safety, and its multi-use function for all species should be assessed with all of the tools that the County has in place, including state and federal metrics.

Please reverse the Threshold Determination under SEPA, require a full Environmental Impact Statement to evaluate environmental fallout from this project, and fully examine the public safety and quality of life impacts of this proposal.

Sincerely,

Jesse Faxon-Mills
20631 Prairie Rd
Sedro Woolley, WA 98233

From Host Address: 172.92.208.120

Date and time received: 4/30/2021 3:36:01 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 3:40:02 PM

Name : Linda L Walsh
Address : 21710 Prairie Road
City : Sedro Woolley
State : WA
Zip : 98284
email : walshl2006@hotmail.com
PermitProposal : PL16-0097 & PL16-0098 Concrete Nor'West reissued MDNS
Comments : April 26, 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
MT Vernon WA 98273

RE: Concrete Nor'West/ Miles Sand & Gravel
PL 16-0097 & PL16-0098,
Notice of Withdrawn and re-issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

My husband and I own land adjacent to the proposed mine parcel so this project will have a significant impact on our lives and property. We have lived on Prairie Road for nearly 30 years. I have had many concerns regarding this project from the beginning in 2016 and want to comment on the many of the same concerns on the reissued MDNS.,

The revised MDNS has changed very little from the original 2016 document despite countless hours of documentation submitted to the County from our Community group that documents multiple traffic safety and environment issues. The video, photo, written and verbal communications provided over the past few years have recognized these serious concerns from the beginning.

It has taken nearly 5 years for County and experts to acknowledge what we have known from the beginning. The trucks cannot stay in their assigned lanes. However, the mitigation offered only addresses 2 intersections and 2 corners. Documentation is clear there are many other similar corners and intersections on the possible transportation routes. These routes and safety issues remain unevaluated and still falls far short of what Skagit County Code and SEPA requires. It does not fully evaluate the potential impacts of the proposed commercial mine project. This reflects the County's lack of understanding of the size and scope of this project. To ignore these documented problems will result in unacceptable risks for the environment and public safety. A full EIS must be required in order to adequately identify and address the number of safety and environment concerns.

The applicant's TIA and the MDNS have already identified significant current traffic problems in the area without even using accurate data. The average 46 truck trips per day that

is calculated by spreading trips out over a 12 month period is a useless number for calculating traffic safety. The yearlong average of truck trips does not give an accurate number of trucks that will actually be present on the road system each day. During the high volume construction season they will exceed the average daily 46 truck trips for several months. The number is not only is inaccurate it is misleading to the public by implying there will be an actual 46 truck trips per day.
It does not take traffic experts to know the MDNS mitigation of the 2 corners which will not allow trucks and trailers, will cause a significant increase in the numbers of solo dump truck trips to haul the desired amount of material. These trips will far exceed the average 46 truck trips this proposal is based on and this increase of solo trucks must be evaluated. Likewise, sales to private or 3rd parties will also result in an increase of trucks. The additional number of trucks is not included in their TIA. These increases must be added to the 46 average truck trips. If the applicant decides to use alternate routes with truck and trailers, those routes need evaluated. A Level II TIA needs to be done.

Mitigation to comply with the weight limit on the Samish bridge will also cause unevaluated routes to be used. The Cook Road/Old Highway 99 intersection, which is included in the haul route but not evaluated in the TIA for safety or level of service (LOS), is well documented by the County to already be operating at LOS D, which is below the County's minimum requirement of LOS C. Adding hundreds of trucks to this intersection will degrade the LOS even farther. I have seen trucks and trailers force a vehicle stopped at the light to back up in order to avoid being hit by the truck trailer straying into their lane. The F & S Grade/Prairie Road intersection has in recent months had 4 traffic accidents and it remains unevaluated for safety of LOS, despite the fact it could become a regular alternate route for trucks and trailers. If it had been evaluated it would be apparent that trucks cannot stay in their assigned lanes, this is unacceptable.

The final SEPA determination must evaluate the traffic safety impacts of the project based on the actual maximum number or trips per hour and set a hard limit on it. The County must also set limits on the duration and frequency of occasions when it will allow higher than average trip numbers. We already see communication between the County and the Applicant deciding how they could be allowed to exceed a maximum of allowed trucks.
There should be no direct sales to private or 3rd parties without all routes being evaluated .

1. Require safety analysis and mitigation measures for ALL locations where trucks will encroach on the opposing lane of traffic. The MDNS states that trucks with trailers will encroach two to three feet into the opposing lanes of traffic at the two sharp corners on Prairie Road near the intersection with Old Highway 99. It also requires that the applicant reconstruct the road at this location and correct this acknowledged safety issue. The applicant's TIA identifies the same issue, but also states that there are several other locations on the haul route where trucks will cross over into the other lane. It does not identify these other locations, provide analysis of the specific safety issues there, or propose any mitigation. From my personal observations and those of other area residents, other locations where this is an issue include, but are not limited to, the steep S-curves on the Grip Road hill, the eastbound approach to the Samish River bridge on Grip Road, and practically every intersection on the identified haul routes.
2. Take increased non-mine traffic over time into account in analyzing the traffic safety and road capacity impacts of the project. The TIA uses intersection vehicle counts from 2020 as the base for evaluating the impact of mine traffic and does not factor in increasing traffic over time with growth. There is no explanation of why this was not done. If the applicant and the

County are not going to take this into account, they must provide clear evidence to show that substantial increases in background traffic are not likely to occur during the proposed 25-year lifetime of the mine.
3. Provide clear, graphic analysis of ALL locations on proposed haul routes where intersection and/or stopping sight distances do not meet required minimums for all types of vehicles. Require mitigation of all such locations. Graphic "Vision Clearance Triangle" analysis (Skagit County Road Standards, 2000, Appendix C-7) or other industry standard graphic analysis is needed for all such locations and adequate mitigation measures required for project approval.
4. Flashing speed warning beacon systems proposed for the Grip/Prairie and Grip/Mine Entrance intersections require analysis as to what they are intended to accomplish and how they will do it. The existing speed warning signs on Prairie Road at the Grip intersection clearly do not work and no analysis has been provided to show that a flashing warning light system will work better at either location. The County must require the applicant to conduct field studies to determine what the actual maximum safe speeds are for these intersections and require mitigation measures that will ensure these limits are met.
5. Fully evaluate accident records for all road segments and intersections on the haul route, including causes and contributing factors. Provide analysis of the impacts mine traffic will have on the number, type, and severity of accidents to be anticipated with both existing and future traffic volumes. Require effective mitigation measures. The existing TIA accident record analysis is limited to certain intersections on the haul route and does not look at causes and contributing factors. It excludes a number of additional intersections, including Cook Road and Old Highway 99, as well as accidents not occurring at intersections.
6. Evaluate the impacts of mine traffic on the existing roads and bridges and require the applicant pay its fair share of the costs for increased maintenance on our already sub-standard rural roads. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required significant repairs over the last few years. Roughly 12,000 truck and trailer trips per year over 25 years will necessitate a lot of additional maintenance by the county roads department. This must be paid for by the applicant, not the taxpayers.
7. School buses are not match for the large trucks and there are several times per day, 180 days per year that the will be transporting our children. These children wait in the dark on roads with little to no shoulder and no evaluations have been done to ensure the Buses can share the road safely with the massive dump trucks and trailers.
This is an industrial scale development located in sensitive rural environment where no commercial mining has ever occurred. It will cause irreparable and significant harm to the natural environment including habitats along the Samish River and Swede Creek, as well as upland wildlife habitat. The MDNS falls far short of identifying and mitigating impacts.

• The environmental review did not consider the full footprint of the project. Only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.
We are disappointed the hours of transportation and operations have not been restricted more. Operating and transporting 10 hours per day and on weekends does address the negative impacts on my family and others trying to enjoy our homes and properties.
The County is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high

intensity land use and the MDNS needs to reflect proper mitigation to comply with CAO.
The Fish and Wildlife Assessment was done in 2015 and is out-of-date and incomplete. The limited Fish and Wildlife Assessment provided by the applicant is more than five years old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.
Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the entire project footprint need to be identified so that operators and regulators know where they are.
Wildlife corridors are not identified and or protected. Cougar, bear and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south, the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.
A drainage plan needs to be required to protect water quality from runoff on the private haul road. Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, a fish bearing stream.
Impacts to groundwater are not adequately evaluated and protections measures are not required. They intend to excavate the mine to within 10 feet of groundwater. The hydrogeologic report is based on 2003 data supplied by Concrete Nor'West . They hydro company based the ground water levels on that data and it is nearly 18 years old. The High Seasonal Ground Water has not been re-evaluated since 2003 and yet they must keep the mine 10 feet above that unknown level. Leaving only 10 feet of natural material does allow for much error. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river.
The Noise and Vibration Study did not base information on specific size of equipment. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. Here again they try to use an average of dBA, not maximum noise levels. They did not measure noise received at neighboring property boundaries but instead chose areas to take data at least 1800 feet away from the property boundary. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a significant change for our property and should be taken into account in a full EIS.
Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves emissions from thousands of diesel trucks over a 25 year period. I know the County is aware of the significant adverse impacts vehicle emissions have on air quality because in their parking lot the have 'No Idle zone' signs. If there is a concern for ordinary automobile air pollution it seems thousands of diesel trucks and thousands of hours heavy equipment emitting pollutants would have been a priority to evaluate with an EIS.
Cumulative impacts were ignored. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a "temporary" activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat

and fish bearing streams. These are not reversible impacts. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period.
The MRO designation does not automatically give a business the 'green light' to operate, it does not even ensure extraction will be possible. It only identifies there are mineral resources present. This project would have received an automatic 'green light' to operate back in 2016 with little meaningful documentation if our Community had not spent countless hours and thousands of dollars submitting information supporting the safety issues and environmental issues, some are now recognized by the County to be present today. This industrial mine cannot be permitted based on incomplete and inaccurate data.
This project cannot be mitigated without causing undue hardship and adverse impacts on local residents and it is incompatible with current land uses.

In order to even try to fully mitigate road problems land-owners would be required to give up land on sections where the road needs to widen and there is no easement. The level of noise, dust and vibration that properties will receive cannot be mitigated. The County and the Applicant have had over a decade to invest into the infrastructure knowing they would be wanting to extract and transport the gravel, and yet their lack of investment and planning will cause an extreme burden on local residents if this project is allowed to move forward at this time.
Mitigation to lower the speed limit just because the applicant wants to introduce high volumes of trucks into our roads also adds the burden on the residents, increasing commute times which are already long.
There is no way to mitigate the decrease in property values due to the presence of undesirable truck traffic and adverse impacts of a nearby industrial gravel mine. Once again residents will bare the entire burden of this significant impact.
It is not just a "borrow pit" as one of the CNW representatives told the Hearing Examiner in a meeting. It is a high intensity, full scale industrial mine and transportation project that will remove and transport 4.2 million cubic yards of gravel and transport it via an inadequate, substandard public road system across wetlands and wildlife habitat. They will strip all topsoil, timber and vegetation and excavate 50 to 90 feet deep over 50 acres, this an open pit industrial mine with a 25 year duration. Approximately 6500 feet of Samish River front is the eastern border of the mine, this project clearly needs a comprehensive EIS to identify all its adverse and dangerous impacts.
Please take another look at all the impacts this industrial mine will have on this area and listen to the valid concerns we have regarding this project.

Sincerely,
Linda & Robert Walsh
21710 Prairie Road
Sedro Woolley WA 98284

From Host Address: 172.92.225.214

Date and time received: 4/30/2021 3:37:41 PM

From:	website
To:	Planning & Development Services
Subject:	PDS Comments
Date:	Friday, April 30, 2021 4:00:01 PM

Name : Larry William Hedgpeth
Address : 5809 Brookings Road
City : Sedro Woolley
State : wa
Zip : 98284
email : ljhedgpeth@gmail.com
PermitProposal : Special Use Permit Application #PL16-0097 Grip Road Gravel Mine
Comments : April 30, 2021
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services 1800 Continental Place
Mount Vernon, WA 98273
RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads
Dear Mr. Cerbone,
Since I commented yesterday on this site about the proposed gravel mine on Grip road, my thoughts have kept going back to other concerns about roads and traffic safety. So I decided to submit another comment before the deadline today.
A major concern is the route the trucks will use getting to and leaving the mine. The only plan I have heard about is to take the gravel to a site south of Prairie Road on old 99 for processing and sale. Is there anything to limit Miles to that route or that destination? If so, that should be spelled out clearly in the paperwork for the permit and / or the MDNS. Failing that, shouldn't the county consider the condition of all likely haul routes and include reasonable requirements for them also in the MDNS? Many of these routes have some of the same problems as the route that has been identified – sharp turns, narrow roads, lack of shoulders wide enough for bicycles or people, limited visibility, etc.
Most of these roads up here were not built to any modern standard of width or materials. Running thousands of full gravel trucks a year over the same route could result in some pretty expensive repair bills. Will Miles be required to pay a share? Maybe using a variety of different routes would cause less of an overall impact and actually save money.
The warning lights at the mine entrance and at the Prairie/Grip intersection may work fine, or they may need some sort of an upgrade or to be replaced by a different traffic control system. How can anyone tell in advance what will be needed at those two spots to keep everyone safe? The county should examine all of this very carefully before giving Miles such a long permit.
Here's an idea I haven't heard considered yet: why not give the mine a provisional permit for 3 or 4 years of operation to see how many of these problems come up and how bad they are? Then the mitigations for the balance of the 25 year permit could be negotiated on the basis of evidence instead of conjecture.
Shouldn't the county represent the interests of all of us – Miles and the general public? Miles is a pretty large, successful company with people on staff who are well experienced working with government agencies on all the issues involved in the permitting process. Who in the county is representing the general public or the public interest?
Over this long process, many issues have been raised and questions asked by concerned citizens. And many, many comments submitted. But only vary rarely in the past 5 years have any of us been able to dialogue with county staff in a substantive way about any of these issues and concerns. The process has not worked very well for those of us on the outside. If

the county doesn't listen to us, how can we be heard?
Larry Hedgpeth. 360-855-5326

From Host Address: 172.92.218.39

Date and time received: 4/30/2021 3:55:55 PM

From: website
To: Planning & Development Services
Subject: PDS Comments
Date: Friday, April 30, 2021 4:00:02 PM

Name : MATTHEW MAHAFFIE
Address : 22031 GRIP RD
City : Sedro Woolley
State : WA
Zip : 98284
email : mahaffim@hotmail.com
PermitProposal : PL16-0097
Comments : April 30, 2021

Matt Mahaffie
22031 Grip Road
Sedro Woolley, WA 98284

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

RE: PL16-0097

Dear Mr. Cerbone,

I am writing in comment to the special use permit application PL16-0097, a proposed operation of a gravel mine by Concrete Nor'West. I am supportive of the need of the company to have a reliable source of their base material going into the future, a need that also in many cases has a public benefit, but have serious concerns about the proposal as presented which will place undo burden upon the local community's quality of life, safety, and environment without any meaningful mitigating measures volunteered by Concrete Nor'West nor Skagit County, even after extensive public input for several years.

I am very familiar with this property, having spent over 20 years traversing all portions of the property when it was open for public access (previous owners) as well as reviewing it professionally as a wetland/critical areas specialist under other development proposals. I am also a nearby resident of the community who also spent many years as a CDL licensed driver of the types of trucks proposed to be utilized with this endeavor. Specific concerns are as follows:

Critical Areas Review

In the normal course of work I personally have the utmost respect for Graham-Bunting Associates and Skagit County Planning staff, and as previously commented, respectfully disagreed with a few key findings presented with the supplied report and/or the scope of work

that should have been specified by Skagit County. The fact that these distinct factual errors and very clear requirements of Skagit County Code were ignored after being pointed out by the Washington State Department of Ecology, two Skagit County approved Critical Area specialists, and countless community members is very disturbing.

• The singular wetland rating put forth appears accurate. However, the land use intensity (moderate) put forth in no way conforms to the land use intensity description put forth in Appendix 8C of WA DOE Publication No. 05-06-008 as required if using the alternative buffers in SCC 14.24.230(1)(b). This is not just my personal opinion; it is my opinion as a Natural Resource Planner and staff biologist for a local County government, trained by the Department of Ecology in the use of their rating system, as well as a consulting wetland professional recognized by Skagit County as such via inclusion as a recognized qualified professional included in Skagit County PDS list of approved consultant (having submitted hundreds of approved critical area assessments to Skagit County). It was also the consistent opinion every professional wetland scientist and agency reviewer that I inquired with, including the Department of Ecology (Doug Gresham, DOE, personal conversation 12/23/16) the authors of the said referenced publication who has also commented to Skagit County on this proposal with this fact. The land use intensity for a full-time gravel mining operation is unquestionably high. A high habitat score (as put forth by the supplied wetland rating) requires a 300ft wetland buffer per SCC 14.24.230, not 200ft as proposed (300 also being the standard buffer).

• The review/assessment also neglected SCC 14.24.230(2), where in general, buffers are to extend 25 feet past the top of sloping areas that are 25% or greater. The site plan as indicated shows areas where this provision is applicable. Regardless of the aforementioned land use intensity issue, the buffer likely should still extend past the line indicated in areas unless there is a rational reason put forth not to, which does not appear to have been done specific to this.

• A wetland assessment is required for this project as proposed (regardless of the land use intensity) per SCC 14.24.220. A wetland assessment has not been submitted for this project even though the Fish & Wildlife Assessment made it clear that a wetland was present. The wetland assessment should include a wetland delineation which was also requested to be completed by WA DOE during the initial SEPA comment period. It is unclear why this portion of Skagit County Code was ignored, as were all of the SEPA comments submitted by the singular state agency most relevant to the issue.

• Critical area review, and to a lesser extent SEPA, was limited to the proposed mine site only. However, Skagit County staff has consistently maintained that changing the use of forest roads to new uses was tantamount to a new impact, needing at a minimum assessment, and potentially mitigation. The haul road is most certainly a change of use by a drastic degree. Going from an access only used infrequently for forestry purposes to a road that could have hundreds of truck trips per day essentially in perpetuity will most certainly be an impact to the environment in numerous areas. This will be a distinct habitat break in what is presently one of the largest undeveloped tracts of left in lowland Skagit County, home to deer, bear, cougar, and elk as well as many avian and small mammal species. Heavily trafficked corridors are well known to affect the habits of such species. The haul road also drains to a salmon stream that has serious turbidity problems, and it seems inconceivable that the increased road traffic and maintenance/improvements without stormwater control will not affect this riparian area.

The road crosses one of the most productive tributaries in the Samish River basin as well as

being within the buffer of likely Category I wetlands. The road has already been improved, and it would be ridiculous to think that the significant improvements (grading, surfacing, and vegetation clearing) were solely for "forest management" after the special use permit is granted. It is unclear from the available documentation why Concrete Nor'West is not being held to the same standards as numerous clients of mine (professionally) building simple single-family homes have been; addressing the clear intensification of impacts when transferring the use of a logging road to another use.

• No meaningful protective measures have been assessed to the buffer of the critical area adjacent to the mine operations. While recording of a Protected Critical Area (PCA) site plan is standard and generally adequate for a single family home, a commercial operation with employees on heavy equipment, no oversight, and no vested interest in the observation of the buffer is a recipe for disregard of said buffer (not to mention a PCA is required by SCC). Glaringly as well, there is no reference on the ground for the buffer. If there is no survey or mapping, how will anyone know where the buffer is? The buffer should be required to be demarcated in the field, an absolute standard practice, and in reality, should be fenced as well (absolutely standard industry practice).

• All conversion activities (PL16-0098) were supposedly limited to the mine site. Most recent aerial photos of the site (Google Earth August 2020) clearly indicate conversion activities that have occurred onsite, including conclusively within the standard review area of a clearly apparent wetland, quite likely within the buffer. The proposal and subsequent review has in no way addressed these areas of converted forest land as defined by WAC/RCW, with the scope of the noticing of the conversion activities not held to, nor the apparent non-compliance of issued FPA conditions.

Noise

The applicants have stated that their project will have no noise concerns to the neighborhood. This is blatantly false. A raised voice can be heard on neighboring properties to the north (known from personal past observation) from the area proposed to be mined. How would heavy equipment not be heard? An excavator bucket hitting the side of a dump truck is as loud as a small caliber rifle shot, and such hits and bucket shaking will take place many times a day with such a mining operation. All of the neighboring properties will be subject to such noise. On the upslope side (where I live), any use of the onsite road system by even a diesel pickup truck can be clearly heard outside on a clear day, heavy equipment use can be heard inside. There is absolutely no way mining operations will be fully self contained in regards to noise. Operations during standard business hours would be one thing, but evening and weekend operations would result in a seriously degraded quality of life in this regard. While it can be noted that the area is in a mineral resource overlay (zoning), the overlay was added after many of us moved into the area.

Also lacking in analysis is the road noise going east from the site, and very questionable analysis going west. Although eastern traffic is not part of the proposal, without a condition regarding such, there will very likely be traffic going that way as well. We live on a small country road, and most of the homes are close to the road. When the infrequent gravel truck and trailer passes by, the entire house shakes, both from the noise of the truck/engine, and the constantly used exhaust brake. The noise has been so loud that objects have fallen off of walls, children wake from naps, and any sense of peace and quite country living is shattered. We knew the conditions when we bought property in the area, and were accepting, but a constant

and potentially hundredfold increase in daily gravel truck traffic would be unacceptable for any in the area, especially in light of the fact that Skagit County Planning staff required that my home be built abutting the road rather than the several hundred feet back that I desired to address such issues. These trucks will pass many homes and will cause significant duress for many residents.

Traffic Safety

While it is nice to see that the County added conditions regarding the two 90-degree corners closest to Old 99 on Prairie Road be fixed prior to truck/trailer combos being allowed to access the site in the updated MDNS, glaring omission was made to the status of Grip Road if such happens. As an experienced driver of the types of trucks in question (still hold Class A CDL and have for many years), yes, a dump truck and pup trailer may technically traverse Grip Road from the property to Prairie Road. Reality, however, is far different. Virtually no truck driver is going to consistently traverse this road section safely. Center lines will be crossed and shoulders will be driven upon, it is a given. This creates an issue for taxpayers who will have to repair the road, for the environment that will be degraded by the continual influx of sediment from damage to the shoulder/ditch, and the public safety. There will be no place to safely walk or ride a bike on this stretch of road with trucks and trailers cutting corners. Families walk in the area, ride bikes, and commute on this road (as well as Prairie Road). Also present are hundreds of bicyclists throughout the warmer months with numerous planned rides/races using this area as one of the "safer" routes. With the development of the Tope Ryan Conservation Area (Skagit Land Trust property at Swede Creek on Grip Road) trail system, the lower end of Grip Road has also become a park like setting with many families using the area, walking the road and bridge, and swimming in the river (which can only be accessed after walking from the parking spots down the road). How will this safety issue be mitigated. While I let our older children ride their bikes down to the river now, or their friends house, I cannot allow such with such an increase in industrial truck traffic. My children's safety and basic childhood experience will forever be altered by this proposal.

In over 30 years of living in the area, I have noted numerous very serious accidents at the intersection of Grip and Prairie Roads, one of the worst blind corners in the County. Recent work by Skagit County to extend the site distance has not significantly changed the response time for a driver, and while past lowering of the speed limit has helped some, but having trucks and trailers essentially blocking the intersection throughout the day will lead to disaster, regardless of a blinking warning light (that the drivers will assuredly become numb too).

While Grip Road can technically be argued to be traversable from the property in question to Prairie Road, it absolutely cannot the other way (east). The two 90-degree corners immediately west cannot physically be traversed by a truck and trailer within the bounds of their assigned lanes. Presently, when a truck meets another vehicle, one must stop as the truck must cross into another lane to traverse the corner. It is unclear why traffic analysis did not address this when application materials clearly left open the possibility and likelihood of routing this way (and why the County has only noticed the project with truck traffic going west) without any kind of mitigating measure put forth in the MDNS.

Future Plans

It is the stated purpose of the applicants and the County that Concrete Nor'West that this project is to haul gravel to haul to their other facilities for processing. However, onsite sales

are also mentioned in some documentation, as is residential development. Concrete Nor'West also states their need as the existing pits in their portfolio are being depleted. That begs the question of why would they continue to haul to other pits for processing? It would seem to be much more practical to bring their processing to this site. The issuing of this special use permit with the presently recommended conditions would simply lead to further intensification of the site and all that would entail (onsite processing, retail sales, batch plant construction?). Honesty and consistency on the part of the applicant with proper conditioning of the permit is a must, with an MDNS issued that applies concrete terms, not generalities; to be applied to any issued permits as well. Concrete Nor'West has not been a good neighbor here, or on other properties, and there is no reason to think that would change.

The County has consistently put forth an average number of truck trips per day. The applicants have clearly indicated not wishing to be bound by this number on a daily basis. Using it without any actual limitation or conditions is quite arbitrary and by not putting

Conclusions

Whether I am sure that it was not intentional, the permitting review of this project quite preferential to the applicants and has created a high level of distrust with Skagit County in the local community, and I find that quite unfortunate. It is understood that as a company that supplies materials derived from mining operations that a reliable supply going forward would be a business necessity. However, unlike the other gravel pits in the Concrete Nor'West portfolio, they are not acquiring an existing pit in a neighborhood, but creating a new one in an existing, long established neighborhood. There will be notable environmental, quality of life, and safety impacts with no notable or worthwhile mitigating conditions placed upon the applicants, and in many regards is a slap in the face to the citizens of Skagit County I work with on a daily basis that must comply with Skagit County Code to get their permits. Regardless of the complete lack of understanding of the SEPA process to put a mitigating condition as following County code, in the instance of following the CAO while blatantly ignoring factual errors as pointed out by professionals as well as representative of the Agency which wrote and manages the documentation the County is to follow is appalling.

A cursory exercise in the finances of the project shows that there will be in excess of $100,000,000 of material sold, this is of course before costs and using an average sale price (~$25/cy as typical for 5/8 minus), but reflects the sheer volume of money involved and the resources Concrete Nor'West should be willing and able to mitigate the impacts that they will create. We, the neighbors of this site, and the citizens of the County as a whole, should not have to bear the costs for a private companies profit whether it be lost property values, health and safety, or via sacrifice of local habitat and sensitive environments. While at this time I do not support the project as proposed, the appropriate conditions following review (that is required by Skagit County Code) would make it much more palatable and supportable. This should be via a holistic review of the proposal followed most likely by an EIS.

Thank you for your time and consideration on this matter.

Respectfully,

Matt Mahaffie

From Host Address: 172.92.224.146

Date and time received: 4/30/2021 3:56:38 PM

From:	Planning & Development Services
To:	Michael Cerbone
Subject:	FW: PDS Comments
Date:	Friday, April 30, 2021 4:25:43 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Friday, April 30, 2021 4:20 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Dennis Whitcomb
Address : 19117 Prairie Rd
City : Burlington
State : Washington
Zip : 98233
email : dennis.whitcomb@gmail.com
PermitProposal : PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)
Comments : Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

As a community member and the owner of a working farm on the proposed route for trucks from this mine, I have serious concerns about the SEPA determination issued in response to the development application.

First, several environmental concerns are unaddressed in the MDNS and call for an Environmental Impact Statement under SEPA. The environmental review did not consider the full footprint of the project (in particular, it did not consider the two-mile-long private road along which gravel will be hauled). The Fish and Wildlife Assessment, now more than five years old and thus expired, is incomplete even as it stands (Bull Trout and the Oregon Spotted Frog have been located very near the proposed mine; both of these are classified federally as "Threatened" species; the Assessment must be updated to consider them). Perhaps most importantly from the standpoint of effected community members such as myself, cumulative emission impacts were ignored. Every day I drive my tractor and tend to my animals, right next to the road the gravel trucks will traverse. Cumulative impacts on air quality, for those of us who work and breathe here, should be addressed in an EIS under SEPA.

Second, several road, traffic, and public safety issues are unaddressed in the MDNS (and woefully under-addressed in the Traffic Impact Analysis proposed by Miles Sand and Gravel in October 2020). These too call for further review in an EIS. The MDNS takes a symbolic

step in the right direction by requiring warning beacon systems at the Grip/Prairie and Grip/Mine intersections. But, even given these systems, serious accidents would remain likely. My daughter rode the school bus where those systems would be in place; she did so from 2015-2019. She reported *several* cases in which school buses came dangerously close to gravel trucks. It was not because they were going too fast that these school buses nearly collided with gravel trucks (school buses studiously avoid speeding). It was, instead, because gravel trucks and school buses are both wide vehicles. When these vehicles pass one another, the narrow lanes, tight curves, and tiny shoulders near the Grip/Prairie intersection leave the tiniest of margins for error. Warning beacons will not solve this underlying problem. Even if they are in place, there will remain a significant chance of tragic accidents involving school buses and gravel trucks. The community deserves a full study of this possibility and a solution we can be sure is safe. The cursory analysis by Miles Sand and Gravel, and the symbolic help it has offered via warning beacons, do not give us those things.

These issues should be studied and addressed, at the very least with a complete EIS. I hope that you and your staff think carefully about these points and choose to require one.

Very respectfully,
Dennis Whitcomb

From Host Address: 172.92.233.233

Date and time received: 4/30/2021 4:16:27 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Friday, April 30, 2021 4:34:13 PM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Friday, April 30, 2021 4:30 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Maria Whitcomb
Address : 19117 PRAIRIE RD
City : Burlington
State : WA
Zip : 98233
email : riarae1@gmail.com
PermitProposal : Special Use Permit Application PL16-0097 and PL16-0098
Comments : Dear Mr. Cerbone,

I am a farmer who lives and works on Prairie Road near the intersection of Old Hwy 99 N. I am writing to request that you do not approve the above mentioned project. My primary objections include safety concerns, environmental concerns and the lack of information provided by the applicant. As a community member, I find it impossible to adequately comment on something that is incomplete, so am submitting a non-exhaustive list of my current objections and concerns.

I respectfully request that you withdraw the MDNS and address the following issues:

>Assess groundwater: How will the well water in our community be affected? How will runoff affect streams and protected animals?

>Property Values: How will this project affect the value of homes and property in our community?
>Air quality: I request that the potential for air quality impacts near the mining site, and also along the haul route be adequately assessed and that the county orders mitigation measures to ensure the community is protected.
>Crime: There have been significant issues with crime occurring at the quarry owned by CNW in Acme, WA. How will CNW ensure those same problems do not occur in our community? I request that Skagit County review the history of criminal activity at other nearby CNW quarries, and that the County puts measures in place to keep our community from suffering from the same issues.
>Road Safety: How will CNW and The County ensure the safety of myself, other road users, children waiting at bus stops and the community at large. Vulnerable road users are protected under SB 5723, a recently enacted WA State Law. Due to the design of the roads, it will be impractical or even impossible for a rock truck to pass a vulnerable road user lawfully, forcing them to either hold up traffic (which, according to RCW 46.61.42 is also against the law if they are holding up 5 or more vehicles).

How will CNW and The County address the increase in traffic congestion along the entire proposed haul route, but especially at the overpass on Cook Road over I-5? That area already regularly backs up onto the freeway and trucks with trailers will only exacerbate the problem.

The danger posed by rock trucks crossing traffic at each intersection along the proposed haul route must be addressed; especially those without designated turn lanes and those that cross oncoming traffic that does not stop, such as the intersection at Prairie Rd, Old Hwy 99 N and Bow Hill Rd. If this project is to proceed, we need adequate shoulders, room to pull safely off the road to let vehicles pass adequate turn lanes and significant upgrades to control the existing intersections.

>Environmental issues need proper assessment. As outlined in the letter sent to your office and posted on the project website (Nov 2020, Jim Wiggins), the July 2015 Graham Bunting Associates (GBA) Fish and Wildlife Habitat Site Assessment report is more than 5 years old which renders it no longer valid. Even before it expired, it did not address a number of critical environmental issues. Again, it is impossible for me to adequately comment on data that has not yet been provided.

As a farmer and resident in the area which would be most highly impacted by the proposed truck route, I have personally witnessed significant problems with the safety of the roads near me already. Adding rock trucks with trailers carrying over 100k pounds will lead to more injury and deaths; there is no other way to say it.

I have personally witnessed so many serious wrecks at the intersection of Old Hwy 99 N and Prairie Rd that I have lost count. The intersection is already woefully inadequate to handle the current traffic volume and prevent serious wrecks. I've had to assist so many people who have wrecked that I actually bought an orange safety vest to help ensure the safety of myself and others while we wait for emergency vehicles to arrive. In 2020 alone, three vehicles went through our fence as a result of wrecks at the corner of Old Hwy 99 and Prairie Rd, and at least that many went through our neighbors fence across the street. In one instance, our neighbors bull actually did get out of the fenced area, and nearly made it to the road.

When Old Hwy 99 N was closed to replace the bridge near Cook Rd, the trucks from Miles Sand and Gravel had to use Bow Hill Rd to haul loads. I ended up behind those trucks a number of times as they crawled up the hill at 15-20 mph in a 35 mph zone. On multiple occasions, impatient drivers passed me and the truck & trailer in front of me, going up Bow Hill Rd in a no passing zone with blind corners. Without a slow lane going up Bow Hill between Old Hwy 99 N and the Skagit Casino, there will be serious wrecks on that stretch of road.

It would be irresponsible for Skagit County to approve such a project until the roads are adequately improved to ensure the safety of both vulnerable road users and drivers. The potential for loss of property value, dust pollution of our air, contamination of our well water, and environmental damage also cannot be ignored. I ask that you withdraw the MDNS and order a proper and complete EIS for the project.

Thank you for your time.

Very best regards,
Maria Whitcomb

From Host Address: 172.92.233.233

Date and time received: 4/30/2021 4:26:17 PM

From: Planning & Development Services
To: Michael Cerbone
Subject: FW: PDS Comments
Date: Monday, May 3, 2021 6:31:55 AM

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Sunday, May 2, 2021 2:25 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Monique Brigham
Address : 22755 Prairie Rd
City : Sedro-Woolley
State : Wa
Zip : 98284
email : Monique@PlumeriaBreezesTravel.com
PermitProposal : Gravel Mine MDMA
Comments : I have many concerns, 1. How can they put this in so close to the river when I am a mile away from it and just to build our small home owner shop we had to have it engineered and sign affidavits stating we would dispose of chemicals properly? This is a lot grander scale of our small homeowner outbuilding. Not to mention the required routine septic system inspections for preservation and concern of the river and water-table....
2. Farmers have to jump through hoops and get hassled for farms that have been there for years but now its ok to put in a huge industrial operation?
3. Traffic? Have the people on the planning committee driven Prairie Rd on a regular basis? It is dangerous enough without adding hundreds more trucks on the road. The road is terrible with the traffic we already have, I live 2 miles from HWY 9 and tend to take Prairie more because there are so many truckers in a hurry on the highway, cutting corners and passing in no passing zones. Samish Island is closed to shellfish harvest due to environmental concerns quite often, I thought we were trying to clean up our rivers, lakes, and oceans.
4. Noise, we all live out here for peace and quiet not constant noise and a convoy of trucks.
I really hope they do not let this project pass.

From Host Address: 50.34.150.136

Date and time received: 5/2/2021 2:24:53 PM

22 April, 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Dear Mr. Cerbone,

I am writing to comment on the County's April 15, 2021 Mitigated Determination of NonSignificance under SEPA re the gravel mine application by Miles Sand and Gravel along the Samish River off of Grip Road.

Let me say first of all that I do not live near the location of the proposed gravel mine, so this is not a NIMBY reaction. Rather, my reaction is one of astonishment that the county considers this proposal non-significant under SEPA. I love this county and am shocked at what appears to me to be utter disregard of various impacts of this proposal.

While I do not live near Grip Road, I have driven it many times. It is a winding road full of 90-degree and S-turns. It already feels treacherous to drive that road and I cannot imagine the danger of daily (perhaps hourly) adding scores of huge, loaded trucks to that already precarious road. If my grandchildren lived on Grip Road, I would be terrified about their daily school bus rides (hurray for daily school!). And I am also worried about kids who are not my grandchildren.

But besides the issue of road dangers, there is much else that I find concerning:

- The proposal does not meet the 300-ft buffer required by the Critical Areas Ordinance for such a high-intensity land use.
- The Fish and Wildlife Assessment provided by the applicant is more than five-years-old and needs updating. There is wildlife in this area!
- There is no wetlands delineation.
- A threat of pollution is posed to Swede Creek because there is no drainage plan for the the haul road.
- There are serious issues of groundwater contamination that have not been addressed.
- The effect of hauling noise on the community has not been adequately studied and should be the subject of a full EIS.
- Air pollution from the project has not been evaluated and there is no mitigation plan.

I have listed just a few of the problems. And listing them one by one does not begin to demonstrate the total impact of the project when these and other issues are all visited at once upon a rural neighborhood of our county.

I simply do not understand--and definitely do not support--your Mitigated Determination of Non-Significance. To me if seems to be just another instance of county government allowing big businesses to inflict irreparable damage on a rural Skagit neighborhood.

Please, let's have a thorough examination of this mining project through the full SEPA process.

Sincerely,

Mary Kay Barbieri

16002 Colony Road, Bow, WA 98232

22 April, 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Dear Mr. Cerbone,

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Please, let's have a thorough examination of this mining project through the full SEPA process.

Sincerely,

Mary Kay Barbieri

16002 Colony Road, Bow, WA 98232

Robert N. Doupé
657 Muckleshoot Circle
LAConner, WA 98257

April 24, 2021

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

RE: PL# 0097 & PL#0098 PROPOSED MILES SAND AND GRAVEL CO. MINING PIT

Dear People ,
I all writing in opposition to the current application of the above company's request to mine in the Skagit River watershed. There is a huge potential environmental impact as a result of their proposal. A declaration of non-significance makes a mockery of the law and the judgement of rational people. A thorough study of the impact of such an endeavor is the ONLY reasonable response to such an operation, A complete EIS would allow the County to rationally assess the impact of this project on the environment.

One cannot ignore the possible negative effect of this project on the surrounding community as it pertains to traffic, noise, effect on the habitat of the wildlife, the potential risk of runoff into the water supply of our county, not to mention the visible destruction of the property.

Please require a complete environmental Impact study by professional groups before making a decision that affects our county so profoundly.

Sincerely,

Robert N. Doupé

26 April 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

I am attaching a letter from Doug Gresham PWS of the Washington State Department of Ecology written in June of 2016 to John Cooper. He states that if any regulated waters of the State or Federal government or their buffers are affected by the above referenced project, permits from both jurisdictions will be required. As I referenced in a letter to you sent via email, and included in this packaged, is to complete a full wetlands, Streams, and habitat analysis of the entire parcel and haul road. The Skagit County Critical Areas ordinance requires the same. Once this site assessment is completed with the proposed conditions of the project, will the county be enabled to determine if impacts to said critical areas will occur.

I trust you will place these items in the requirements within your staff report.

Sincerely,



Jim Wiggins, MS, PWS emeritus, past president of ATSI
21993 Grip Road
Sedro-Woolley, WA 98284

Re: Concrete Nor'west (CNW) application mining special use permit, PL 16-0097.

Fish and Wildlife, and Water Quality (regulated Critical Areas [CA]) review, comments and questions. Wiggins, November 2020.

The information provided to date by CNW for the above referenced project regarding biological issues is insufficient to determine impacts the proposed project will have on regulated critical areas. At a minimum, we need to have maps, surveys, and descriptions of all regulated critical areas (species and habitats) including those in and near the proposed mine site, and, all roads, specifically the proposed haul road. In addition, we need to know all permit conditions that will be proposed to mitigate for impacts identified in this larger footprint. Only then can we assess impacts and adequately comment on how the proposed mine and other related project details will have on the biological environment.

SCC 14.24.060 Authorizations Required, of the county Critical Areas Ordinance, states: With the exception of activities identified as Allowed without Standard Review under SCC 14.24.107, any land use activity that can impair the functions and values of critical areas or their buffers including suspect or known geologically hazardous areas, through a development activity or by disturbance of the soil or water, and/or by removal of, or damage to existing vegetation shall require critical areas review and written authorization pursuant to this Chapter.

The July 2015 Graham Bunting Associates (GBA) Fish and Wildlife Habitat Site Assessment report does not include descriptions nor data of the 63-acre mine site, wetland/stream buffers, wooded slope, nor the access road. It focuses only on the Samish River and adjacent wetlands with no data sheets to corroborate their findings. Because CNW has not submitted an updated critical area report for the entire impact area (proposed mine site, private road, and adjacent public roads) it is not known what type of impacts to County Critical Areas, species and habitats, and their buffers will occur. Furthermore, Critical Areas Reports require to be updated every 5 years. Said GBA report is over 5 years old.

The critical areas report completed by GBA for the wetlands associated with the Samish River recommends a 200' buffer. SCC 14.24.230 Wetland Protection Standards, requires a 300' buffer for High Intensity Land use, which the proposed mine is per the definitions section of the SCC CAO as follows: Land Use Intensity, High; Land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium-and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and commercial and industrial land uses. Therefore, the Samish River and its associated wetlands require a 300-foot buffer. It is inherent in the proposed use of the site as a commercial gravel mine, there will be a significant increase in noise, dust, and general overall on-site movement of heavy equipment. The assumed existing buffer between the proposed mine and the Samish River and its associated wetlands is a wooded slope, protecting, in this case, all flora and fauna, such as migratory salmonids, trout,

avian species, and large and medium fauna such a deer, elk, bear, cougar, coyote, and fox. Additionally, we are now aware Oregon Spotted Frog (*Rana pretiosa*) habitat occurs along the Samish River adjacent to the proposed mine site. Bull trout (*Salvelinus confluentus*) are also known to use the Samish River sometime during their lifecycle. A biological assessment is needed to address these species.

The Scope of a SCC critical areas study requires a full description of the proposed project and all biological features whether said features are regulated by the local, state, or federal government or not and is a combined quantitative (on the ground data collection) and qualitative (literature and map review) report. A description of all features such as flora and fauna, soils, topography (a survey of the top of slope), land use, a general description of the surrounding area needs to be included to provide us with an understanding of what the study area looks like and what features are present. Current and historical photographs help with this understanding of the study area. A broad-based literature review with the on-the-ground data collection of all potential areas that will be impacted needs to be studied and included in the contents of the report.

In the GBA assessment, the singular wetland rating they completed appears accurate. However, the land use intensity (moderate) they concluded does not conform to the land use intensity description put forth in Appendix 8C of WA DOE Publication No. 05-06-008 as required if using the alternative buffers in SCC 14.24.230(1)(b), Department of Ecology (Doug Gresham, DOE), the authors (DOE) of the said referenced publication. The land use intensity for a full-time gravel mining operation is high. A high habitat score (supplied by GBA wetland rating) requires a 300-foot wetland buffer per SCC 14.24.230, not 200 foot as proposed.

The review/assessment also neglected SCC 14.24.230(2), where in general, buffers are to extend 25 feet past the top of sloping areas that are 25% or greater. The site plan as indicated shows areas where this provision is applicable. Regardless of the aforementioned land use intensity issue, the buffer likely should still extend past the line indicated in areas unless there is a rational reason put forth not to, which does not appear to have been done specific to this project.

Going from an access only road that is used infrequently for forestry purposes to a gravel mine haul road that could have dozens of truck trips per day for many years will be an impact to the environment in numerous areas. This will be a distinct habitat break in what is presently one of the largest undeveloped tracts of land remaining in lowland Skagit County, home to deer, bear, cougar, and elk *as well as many avian and small mammal species, and amphibians *(* while CNW's application does not mention these species, local knowledge confirms their presence)*. Heavily trafficked corridors are well known to affect the habits of such species. The haul road also drains to a salmon stream that has turbidity problems, i.e. Swede Creek, and it is not practical that the increased road traffic and maintenance/improvements without stormwater control will further affect the onsite wetlands, streams and riparian areas.

No meaningful protective measures have been assessed to the buffers of the critical areas adjacent to the mine operations. While recording of a Protected Critical Area (PCA) site plan is standard and generally adequate for a single family home, a commercial operation with employees on heavy equipment, no oversight, and no vested interest in the observation of the buffers will not protect said buffers. If there is no survey or mapping, how will anyone know where the critical areas and their regulated buffers are? The buffers need to be demarcated in the field, a standard practice, and should be fenced as well.

Because a Critical Areas Review and Fish and Wildlife Assessment has not been completed on the entire project area, it is likely additional biological critical areas occur on and near the project area, such as wetlands and Swede Creek and they need to be identified and surveyed. Also, because the GBA report is over 5 years old, by code, a new study needs to be completed. Not to mention recently (summer 2019) much of the land owned by Miles has been logged and the haul road has been widened and resurfaced, thus because of these new modifications to the site, necessitates an updated report.

Additional questions:

- What mitigation is proposed for CA impacts?
- How will mine excavation be monitored to ensure the "bottom" of the mine will remain greater than 10 feet above the seasonal high water table?
- Will the project occur beyond the mine site and proposed access road? If so, will there be road maintenance, widening, ditch maintenance, Grip/Prairie Road intersection maintenance/reconstruction? If so, said areas need to be assessed for regulated critical areas and mitigated for buffer impacts, habitat impacts, and stormwater quality.
- Because the mine site will be converted from forestry to a gravel mine, all habitat for the cursory list of species listed in this letter will be obliterated. For species such as amphibians that require upland habitat for a portion of their lifecycle further necessitates, at a minimum, the need for a 300-foot buffer off the wetlands adjacent to the Samish River. Also, other wetlands near the proposed mine and haul road mapped in the FPA further necessitates the need to complete an updated wetland/habitat reconnaissance and delineation report for all land within 300 feet of the mine and haul road.
- What mitigating measures have been included in the report for the introduction of invasive plant species such as Butterfly bush (*Buddleja sp.*) and spotted knapweed (*Centaurea sp.*) both of which occur on their Bellville pit site.
- What species and species habitats, such as Oregon Spotted Frog, Bulltrout, or other listed species occur in the Samish River watershed? Their presence needs to be assessed by qualified biologists and mitigation strategies addressed.



Jim Wiggins, MS, PWS emeritus, past president of ATSI
21993 Grip Road
Sedro-Woolley, WA 98284

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Northwest Regional Office 3190 160th SE Bellevue, Washington 98008-5452 (425) 649-7000

June 1, 2016

John Cooper, Natural Resource Planner
Skagit County Planning and Development Services Department
1800 Continental Place
Mt. Vernon, WA 98273

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

Dear Mr. Cooper:

Thank you for sending information on the Grip Road Gravel Mine to the Washington State Department of Ecology (Ecology) for our review and comment. As the Ecology Wetland Specialist responsible for Skagit County, I wish to have the following comments entered into the record. The project submittal provided to us included a mitigated determination of nonsignificance, SEPA environmental checklist, and engineering drawings.

Concrete Nor'west has submitted an application for a forest practice conversion and mining special use permit to develop a gravel mining operation. This 68-acre property consists of three lots (Parcels P125644, P125645, and P50155) that are located northwest of Sedro Woolley in unincorporated Skagit County. The property is located north of Grip Road, south of Prairie Road, and is bisected by the Samish River. The Skagit County iMAP shows the Samish River flowing across the northeast corner of the property in the Warner Prairie area.

The proposed action involves harvesting approximately 50,000 board feet of timber, removing the stumps, and converting the property to a gravel mining operation. This gravel mining operation will remove approximately 4,280,000 cubic yards of gravel over a 25 year period. Gravel will be removed by truck and trailer (generating about 46 truck trips per day) to one of Concrete Nor'wests nearby facilities for processing.

The gravel mine will cover 51 acres and be excavated to within 10 feet of the groundwater table. A 200' buffer of undisturbed vegetation will be provided between the Samish River and the gravel mine. A 50' setback will also be provided along the remaining perimeter of the gravel mine where no grading will occur. All storm water runoff generated within the gravel mine excavation should flow into the closed depression and be prevented from reaching the Samish River.

According to the SEPA environmental checklist, a Fish and Wildlife Site Assessment was prepared by Graham-Bunting Associates. They stated that the toe of the slope adjacent to the Samish River was mapped using LIDAR data. The engineering drawings show the 200' setback from wetlands associated with the Samish River, which I assume occurs at the toe of slope. However, there weren't any maps showing associated wetlands or the ordinary high water mark (OHWM) of the Samish River.

Any wetlands that occur on the property would be waters of the state subject to the applicable requirements of state law (see RCW 90.48 and WAC 173.201A) and Section 401 of the Clean Water Act (33 USC §1341) and 40 CFR Section 121.2. If any wetland impacts do occur, the applicant shall obtain all necessary state and federal authorizations prior to beginning any ground-disturbing activities or vegetation removal. To obtain state and federal authorization, the following items are required:

- A delineation of all wetlands on the property by a qualified wetland biologist, and survey of the delineated wetland boundaries;
- Flagging of the OHWM along the Samish River banks by a qualified biologist, and survey of the boundaries;
- A jurisdictional determination from the U.S. Army Corps of Engineers stating whether the delineated wetlands on the property are under federal jurisdiction;
- Ratings of all wetlands on this property using the current *Washington State Wetland Rating System for Western Washington*;
- A critical area report describing wetland conditions on the property, wetland data sheets, wetland rating forms, and photographs;
- A Joint Aquatic Resources Permit Application form for impacts to jurisdictional wetlands and the Samish River; and
- A mitigation plan for unavoidable wetland and buffer impacts following the standards in *Wetland Mitigation in Washington State – Part 1: Agency Policies and Guidance* (Ecology Publication #06-06-011a).

If you have any questions or would like to discuss my comments, please give me a call at (425) 649-7199 or send an email to Doug.Gresham@ecy.wa.gov.

Sincerely,

Doug Gresham

Doug Gresham, PWS
Wetland Specialist
Shorelands and Environmental Assistance Program

DG:awp

April 28, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigation Determination of Non Significance for proposed Grip Road Mine File# PLL16-0097 & PL16-0098 – Impacts to the Natural Environment and ESA species.

"Daddy Listen! All you can hear is birds!" This was a profound observation from my 9 year old daughter two days ago as we were out walking in our neighborhood mid-morning. This is why we moved to the Central Samish Valley. This, if Concrete 'NorWest has its own way, will all change – forever.

The initial proposal is for a 60+ acre open pit gravel mine for a foreseeable lifespan of 25 years. That is a long time – what has not been noted is that this "small" gravel pit is part of a 700+ acre (37+ Parcels) owed by Concrete 'NorWest/Miles Sand and Gravel cover company Lisa Inc., forested region bounding the Samish River that will inevitably be developed in the same way over time as each area is exhausted of its natural resource. A never ending source of noise, dust, water table disruption, habitat destruction, and river disruption (you can say it won't, but this can't be known ahead of time.)

Perhaps you don't know the sounds of silence, the un-interrupted sounds of the natural world surrounding you, un-marred by the sounds of chainsaws, heavy machinery, trucks, conveyers, and associated mining equipment. Perhaps your life is surrounded by the noise of urban existence. Where we live, the Central Samish Valley, silence is the norm, and that is why we, and our neighbors, have chosen to live in this peaceful valley. You may have no context except for the incessant sounds of humanity on the move (I-5, Emergency Vehicles, Large Truck Traffic, Heavy Machinery, the constant background of Television and newscasts, ever present music). Silence of humanity and the sounds and presence of the natural world are a precious commodity, one which is a most valuable resource, and treasured aspect of our community. Our citizens live here for this reason, a place to escape the din of society. Many work in urban settings and find their homes their safe place and retreat. This is being threatened.

In conversations with neighbors there is evidence of early Tribal presence in this region (a clovis point being noted as being found in the river bed of the Samish River in the region of the proposed mining operation). This operation is also not congruent with the Clean Samish Initiative (CSI) that the county has promoted for years in efforts to improve river water quality for fish and shellfish at the mouth of the Samish River. Wildlife need extensive tracts of space to thrive, while walking with friends in the vicinity, a coyote and bobcat were both seen in the space of 30

min. Reports of other significant wildlife making this area home abound (Cougar, Bear).

Specific Points to Consider:

- **9-5 Safety Corridor Project:** Prairie Rd from I-5 to HWY 9 is a main traffic corridor from East county and has a long history of traffic incidents. Added tandem truck traffic will not improve this.
- **Environmental Review Lacking Scope of Impact:** Ignores larger plans for future development of mining operations of adjacent 700acres owned by same entity (LISA Inc aka Concrete 'Norwest). Fish bearing Swede Creek not included and approx 11,000 tandem truck trips annually along the haul rode corridor.
- **Labeled as Grip Rd. Mine – Ignores other regional affected Parties** Prairie Lane, Prairie Rd, Wildlife Acres, Hoogdal, Cedar Ridge Place, F&S Grade, and adjacent communities from Hwy 9 – I-5.

- **Critical Area Ordinance misalignment:** 300' buffer required in high intensity land use areas. Only 200' buffer noted in Fish and Wildlife Assessment
- **Oregon Spotted Frog Habitat Infringement (*Rana pretiosa)***: Listed as Threatened species under the Endangered Species Act. And Endangered in Washington. Local populations have been noted in adjacent sites to proposed mine activity.
- **No Wetland delineation**: There are significant wetlands in the proposed area that have not been noted or buffered. Beaver activity has been noted.
- **Groundwater Impacts not adequately evaluated**: A common outfall of mining is groundwater disturbance. Conversations with landowners adjacent to other county mines (old 99) reflect noticeable water changes accompanied by mining operations. Well integrity must be preserved. Additionally mine contaminants must not enter the Samish River.
- **Noise and Vibration Study lacking real life impacts.** Not only truck traffic on the exit roads but also the ambient noise of operation to the whole Central Samish Valley and Warner Prairie communities was not considered although of substantial impact to residents.
- **Emissions of operation:** Diesel fumes, dust from traffic and operation from 240,000 miles of annual truck traffic – not to mention additional air pollution from heavy equipment involved in direct extraction.
- **No Assessment of regional cumulative long term impacts:** Twenty-five (25) years is not a "temporary" activity. Especially given the potential continual development of the remaining 700 acres for similar use (100's of years of use).
- **Poor planning on location of proposed facility:** In a land tract of 700 acres the proposed mine is in the highest impact space adjacent to homes, sensitive wetland, forest, and riparian habitats. With transit of material through a major portion of the land tract.

In short, please reverse the current Threshold Determination under SEPA, and require a full Environmental Impact Statement that addresses the above and other areas of concern noted in others comments. Including a Level II Traffic Impact Analysis (TIA). Having the company pay for road improvements may amount to a simple bribe to move forward. There is much more at stake than the simple financial interests of Concrete 'Norwest, Miles Sand and Gravel and Skagit County. Our quality of life and the desirability of our valley and neighborhood, where we raise our families, is at stake.

Thank you for your heartfelt consideration.

Sincerely,

Andrew J. Rice
22356 Prairie Rd
Sedro Woolley, WA 98284

SKAGIT LAND TRUST
Saving Land for Tomorrow

April 30, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine
File #'s PL16-0097 & PL16-0098

(Submitted via www.skagitcounty.net/pdscomments)

Dear Mr. Cerbone,

Thank you for the opportunity to comment on the Mitigated Determination of NonSignificance (MDNS) for the proposed gravel mine on the Samish River near Grip Road. Since 1995 Skagit Land Trust has owned and cared for Tope Ryan Conservation Area, an important natural site along Grip Road approximately 2 miles downstream of the proposed mine. This preserve has long included 900 feet along the Samish River. The Trust also protects two other Samish River properties upstream of the project site and is continually seeking to protect more land along this important watercourse. All of Skagit Land Trust's properties along the Samish have been donated by landowners who wanted to protect the natural habitat of the river and its shoreline. We have partnered with federal, Tribal, state, and local agencies on numerous projects to protect and restore habitat in the Samish watershed. These partnerships include excellent work conducted by Skagit County Public Works Clean Samish Initiative, Skagit Fisheries Enhancement Group, and others.

Last year, Skagit Land Trust received a donation of land significantly expanding Tope Ryan Conservation Area on the other side of Grip Road protecting an additional 900 feet of shoreline along the Samish River and Swede Creek including their confluence. The river and creek in the vicinity of the conservation area are of particular importance for juvenile salmon due to the habitat complexity of the site. The river's wide gravel bars are critical spawning grounds for Coho and Chum Salmon as well as Steelhead and Cutthroat Trout. Last year, the latest restoration planting project at Tope Ryan added over 5,000 trees and shrubs. The costs of this effort were covered by the National Estuary Program, administered by the Washington State Department of Ecology with assistance from the U.S. Environmental Protection Agency. The Skagit Conservation District prepared the planting plan and helped secure a federal partnership grant to maintain the plantings. I mention these details to make the point that this is a preserve made possible and continually improved by the generosity of private landowners supplemented by public funds and the dedication of many staff and volunteer hours over a long span of years. The potential for adverse impacts from a nearby mine and associated heavy truck traffic greatly concerns us and could directly affect our ability to meet our responsibility to protect this significant area of habitat.

Each year the Trust organizes community volunteers to conduct amphibian monitoring at the Tope Ryan site, gathering significant data about the wetlands which we convey to Washington Department of Fish and Wildlife. We hope to someday discover that the endangered Oregon Spotted Frog has returned to this site, given its appropriate habitat for this now rare species present elsewhere in the Samish Watershed. Tope Ryan is a rich area laced with beaver ponds, important not only for native amphibians but also for a rich assemblage of riparian dependent songbirds and waterfowl. It also supports commercially important fish stocks. In addition, restoring and protecting this large riparian area helps protect water quality in the river that is so important for commercial shellfish grown in Samish Bay. Potential river degradation due to the proposed mine and haul road puts a long list of values at risk.

One of the lessons we have learned from years of restoration work is that protecting habitat is far more cost effective than restoring it after the fact. In addition, there are factors contributing to habitat degradation that are more subtle than direct impacts, but perhaps even more concerning. For instance, Swede Creek routinely spills over its banks into the ditch along Grip Road by the Tope Ryan property. This has created a cascade of effects including accelerated erosion of the roadbed, routine flooding of the road and increased sediment loading in the creek and river. Skagit Land Trust staff and volunteers have on several occasions discussed with staff at Public Works various ideas for "fixing" the creek; but have yet to arrive at a cost effective and feasible plan to solve this problem. The volume and type of truck traffic that would be using the haul road crossing Swede Creek could well add to the present problem.

The Trust is concerned that the impacts of the proposed mine have not been adequately evaluated, nor we will look back and wish we had considered taking stronger measures to prevent the ongoing unraveling of important habitats in the Samish Watershed. Further review of the impacts to the riparian habitat and associated wetlands along the river should be conducted with special attention to Oregon Spotted Frog and Bull Trout habitat, both listed species.

Under Skagit County's Critical Areas Ordinance it would be appropriate to require a 300' buffer, rather than 200', between the Samish River and the mine, clearly an industrial activity calling for this larger buffer. A larger buffer would provide greater assurance that the mining will not in fact degrade the river through sedimentation, erosion, and leaching of spilled fuel oil (noting the statement in the application materials that fueling of equipment will take place on site). We are also concerned that the plan to maintain the floor of the mine at least 10' above the water table, while well-intended, lacks certainty. There should be a more thorough analysis of the site hydrology through the seasons and of how it will be affected by the mining plan.

In addition, as mentioned, there are issues with Swede Creek just downstream on Trust property, and yet it appears that the impacts to the creek from heavy truck traffic on the private haul road have not been evaluated. The haul road crosses Swede Creek approximately 0.6 stream miles above Land Trust property. Sedimentation from this unpaved road would likely degrade the salmonid habitat downstream which we have been working for years to protect. We are also aware that there are beaver ponds and wetlands near the haul road and that the environmental review did not take these sensitive habitat areas into account.

The projected numbers of heavy trucks on this haul road are significant and will permanently change the nature of the forested upland habitat on the site. Local residents report that the uplands on the property are used by bear, cougar, and bobcat. Signs of these animals have also been observed on the Trust's nearby property. These animals require large territories, and the applicant's property is the last large undeveloped tract of land so close to the Samish River in this part of the watershed. The impacts from this disturbance to these important upland wildlife species should be evaluated.

We also have concerns related to the safety of staff, volunteers, and visitors to Tope Ryan Conservation Area in light of the heavy and frequent truck traffic which would be associated with the mine. Trucks entering Grip Road would pass the conservation area as they approach the turn onto Prairie Road. Vehicles using the preserve's small parking area will be at very significantly increased risk of collision as they pull into or out of the limited space. The conservation area lies on both sides of Grip Road. Pedestrians crossing from one part to the other will also be in the path of trucks approaching or leaving the mine.

Skagit Land Trust is not opposed to resource extraction; however, these uses must be balanced with effective measures to protect public resources, such as the Samish River, private ones such as Tope Ryan

Conservation Area, and public safety. In addition, the Trust staff would be happy to discuss conservation options with the landowner to address some of these concerns.

Before recommending approval of the Grip Road Gravel Mine application, please conduct further evaluation to ensure measures are taken to adequately protect the natural habitats of the Samish watershed that all of us are working so hard to restore. We ask that you do this by withdrawing the MDNS and requiring a full Environmental Impact Statement with thorough consideration of project alternatives and a more complete scope of mitigations than in the MDNS. It is essential that this analysis include not only the mine site itself but also the area traversed by the haul road, the downstream reaches of the Samish River and Swede Creek, and areas adjacent to the public roadways the trucks would use.

Again, thank you for the opportunity to comment, and for your time and consideration.

Sincerely,

Mark Hitchcock
President
Skagit Land Trust

April 24, 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west/Miles Sand & Gravel; PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

Thank you for this opportunity to comment on Skagit County's recently reissued MDNS regarding the mine development application of Miles Sand and Gravel.

I have recently become aware of the extent of this project, and of the many concerns regarding a lack of complete and up-to-date study on the environmental and public impact it would have.

We live within ten minutes of this land, and my son lives in the neighborhood. For over twenty years, with the kind permission of landowners in the area, we have walked at least weekly on acres of forested land off of Grip Road. We know the roads well, and we have come to know the diverse wildlife of that area. Cougar, bobcat, bear, porcupine, even otter—we have seen their signs, their tracks and sometimes the animals themselves. The area is rich with wildlife that requires large territories, accessible corridors and minimal disturbance.

The adjacent Samish river and wetlands are also rich with life, including the Oregon Spotted Frog, designated endangered by the state and threatened federally. The Bull Trout, another species listed as threatened on federal lists also has critical habitat on this river. It is my understanding that the Fish and Wildlife Assessment used in issuing the MDNS was limited, and over five years old. Additionally, the MDNS does not mention endangered status species. State and federal agencies addressing endangered species need to be consulted.

I am additionally disturbed that, in order to sanction this project, which has not been thoroughly examined, the County would make an exception to allow only a 200 foot buffer, even though its own Critical Areas Ordinance (CAO) requires a 300 foot buffer adjacent to high intensity land use. Everything I have learned about this project argues that it will be high intensity: a 60 acre mine site on 700 contiguous acres, going 90 feet deep, with over 11,000 heavy truck trips per day for 25 years. I would hope that an exception to the CAO for such a high impact proposal would only be made in extreme circumstances, after extremely careful study.

In addition to the environmental impacts (of which I've only listed a few), I have deep concerns about how this project will detrimentally affect the safety and infrastructure of the roads. I have pulled out onto Grip Road thousands of times—in places, it is twisting, steep and narrow, with limited visibility. The safety impact of dozens, perhaps hundreds, of trucks daily on this road is alarming. I understand that the Traffic Impact Analysis located lane encroachment on this route, including on the twisting Grip Road hill spots, but neither the TIA nor the MDNS analyzes or mitigates this problem. This is a (fatal) accident waiting to happen. I can't visualize how these trucks and school buses will negotiate passing on these roads. It is imperative that the County insists on additional information and assurances on this issue.

It is important to note, that although Miles Sand and Gravel suggests an average 46 truck trips per day (already substantial), the company says it might run up to 30 trucks per hour. This is not an unlikely scenario given the seasonal nature of the business. The impact of such heavy traffic, or even anything approaching it, would be substantial on road safety, but also on road infrastructure. Impacts on infrastructure also need to be evaluated, and provision should be made for the applicant to pay a fair share of cost for maintenance and repairs if the project is approved.

In closing, the Grip Road/Prairie Road area is currently a beautiful example of rural neighborhood in the County, dotted with small farms and residences, a place where wildlife, forests, pastures, river and people coexist. This is the kind of land and land use that the County often promotes with great pride. An application to substantially change its character, its safety, and its multi-use function for all species should be assessed with all of the tools that the County has in place, including state and federal metrics.

Please reverse the Threshold Determination under SEPA, require a full Environmental Impact Statement to evaluate environmental fallout from this project, and fully examine the public safety and quality of life impacts of this proposal.

Sincerely,

Beverly Faxon
20757 Anderson Road
Burlington WA 98233

RECEIVED
APR 29 2021
SKAGIT COUNTY
PDS

April 27, 2021

Comments Re Grip Road Mine Proposal, reference PL 16-0097 and PL 16-0098

Traffic, Road and Public Safety Issues Not addressed in the MDNS:

County government and the concerned public cannot evaluate the traffic safety impacts of the project and the adequacy of the MDNS without the following information:

- **The maximum number of truck trips per hour, how often the number of trips may exceed the average trips per hour, and how long the number of trips may exceed that average.** The average of 46 trips per day or 4.6 trips per hour given in the MDNS is meaningless due to the seasonal nature of product demand. The applicant's October 8, 2020 Traffic Impact Analysis (TIA) proposes a maximum of 60 trips per hour (30 trucks in each direction). The SEPA determination must evaluate the traffic safety impacts of the project based on this maximum and set hard limits on this number, frequency, and duration
- **A clear definition and map(s) of all haul routes, and the limitation of mine traffic strictly to the defined routes.**
- **Safety analysis of all haul route intersections and road segments to determine whether or not trucks traveling to and from the mine will stay within their lane of traffic, and the mitigation measures to be required for every location where they will not.** The TIA provides analysis showing that truck and trailer combinations cannot traverse the two sharp curves on Prairie Road east of Old Highway 99 without encroaching on the opposing lane of traffic. The MDNS requires the applicant to take specific actions to mitigate this issue at this location. The TIA acknowledges that the same issue of lane encroachment exists at several other locations on the haul route, but neither it nor the MDNS lists those locations, provides any analysis of the problems there, or sets out the mitigation measures required to correct them. These locations include, among others, the S-curves on the Grip Road hill and practically all of the intersections on the haul route. This is unacceptable.
- **Projections for the increase in non-mine traffic on the haul routes over time and evaluation of the safety and road capacity impacts of mine traffic with increased non-mine traffic.** The TIA uses 2020 traffic levels to evaluate mine traffic impacts and does not factor in growth.
- **Field studies to determine the speeds at which vehicles are currently traveling on the haul route and evaluation of how mine traffic will impact existing traffic given those speeds.**
- **More thorough evaluation of the accident records for all road segments and intersections on the haul route, including the contributing causes for the accidents. What are the implications for mine traffic safety?**
- **Determinations as to the actual safe speeds for any given road segment or intersection on the haul route, along with recommendations for changes to legal speed limits where they are needed for safety.**
- **More detailed evaluation of sight distances at all intersections, including "Vision Clearance Triangle" drawings as shown in Skagit County Road Standards, 2000, Appendix C – 7.**
- **A full evaluation of what the warning beacon systems proposed for the Grip Road/Prairie Road and Grip Road/Mine Entrance intersections are intended to accomplish and how they will do so.** Drivers are clearly ignoring the existing speed warning signs at Grip and

Prairie. How can they be expected to slow down adequately for the warning beacons?

- **"Third party" sales at the mine would mean trucks traveling to and from the site via every route possible. Disallow third party sales from the mine.**
- **Adding heavy mine traffic to our existing, substandard roads will cause increased damage to public infrastructure and higher maintenance costs.** These impacts must be evaluated and the applicant required to pay their proportional share of the costs. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required frequent repairs over the last few years just with existing traffic levels.
- **Pedestrian and bicycle safety must be evaluated along the entire haul route.** This is a particular concern in areas where there are no shoulders on Grip and Prairie, and where guardrails were recently installed on Prairie Road. Necessary safety improvements must be required.
- **Railroad crossings along the haul route will need to be beefed up**. They already require upgrades every 5 years with the current traffic levels.
- **School buses are along the haul route**. The school buses should be fitted with safety belts and the school bus driver must be responsible for ensuring the children are buckled up.
- **Traffic enforcement is almost non-existent along the long haul route today**. Funds must be set aside to increase manpower and equipment to ensure road safety and traffic law monitoring.

Environmental Concerns Not Addressed in the MDNS

The environmental review did not consider the full footprint of the project. The applicant owns more than 700 contiguous acres, however only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. This private road has previously been used only for forestry. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

The County is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.

The Fish and Wildlife Assessment is out-of-date and incomplete. The limited Fish and Wildlife Assessment provided by the applicant is more than five-years-old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site; this animal is listed as "Endangered" in Washington State and "Threatened" federally. In addition critical habitat for Bull Trout is located just downstream, Bull Trout is a "Candidate" species for listing in WA State, and is listed as "Threatened" federally. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.

Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.

Wildlife corridors are not identified and protected. Deer, cougar, bear, coyote and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south,

the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.

A drainage plan was not required to protect water quality from runoff on the private haul road. Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, Samish River and Samish Bay.

Impacts to groundwater are not adequately evaluated and protections measures are not required. They intend to excavate the mine to within 10 feet of groundwater. They claim that all runoff from the disturbed site will drain into the mine, and infiltration will protect the groundwater. But it is unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table. No mention of seasonal fluctuation of the groundwater is discussed. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river. \Our Community Well currently has VERY GOOD water and we have every right to have that quality maintained.

The Noise and Vibration Study did not use realistic scenarios to model noise impacts. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from "typical" and "average" mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.

Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.

Cumulative impacts were ignored. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a "temporary" activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period. A full EIS needs to evaluate all cumulative impacts.

Although we have asked several times to be placed on the mailing list for these 2 permits, we have yet to receive any information from the county officers. We would GREATLY APPRECIATE having our names added to the list.

Thank you fo ensuring these issues are dealt with to our satisfaction.

H.E. And 4/27/2021 Debra Anderson 4/27/2021

Herb and Debra Anderson

7374 Erna Lane

Sedro Woolley, WA 98284

deb_janderson@hotmail.com

RECEIVED
APR 29 2021
SKAGIT COUNTY
PDS

April 28, 2021

Comments Re Grip Road Mine Proposal, reference PL 16-0097 and PL 16-0098

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Prairie. How can they be expected to slow down adequately for the warning beacons?

- **"Third party" sales at the mine would mean trucks traveling to and from the site via every route possible. Disallow third party sales from the mine.**
- **Adding heavy mine traffic to our existing, substandard roads will cause increased damage to public infrastructure and higher maintenance costs.** These impacts must be evaluated and the applicant required to pay their proportional share of the costs. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required frequent repairs over the last few years just with existing traffic levels.
- **Pedestrian and bicycle safety must be evaluated along the entire haul route.** This is a particular concern in areas where there are no shoulders on Grip and Prairie, and where guardrails were recently installed on Prairie Road. Necessary safety improvements must be required.
- **Railroad crossings along the haul route will need to be beefed up**. They already require upgrades every 5 years with the current traffic levels.
- **School buses are along the haul route**. The school buses should be fitted with safety belts and the school bus driver must be responsible for ensuring the children are buckled up.
- **Traffic enforcement is almost non-existent along the long haul route today**. Funds must be set aside to increase manpower and equipment to ensure road safety and traffic law monitoring.

Environmental Concerns Not Addressed in the MDNS

The environmental review did not consider the full footprint of the project. The applicant owns more than 700 contiguous acres, however only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. This private road has previously been used only for forestry. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

The County is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.

The Fish and Wildlife Assessment is out-of-date and incomplete. The limited Fish and Wildlife Assessment provided by the applicant is more than five-years-old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site; this animal is listed as "Endangered" in Washington State and "Threatened" federally. In addition critical habitat for Bull Trout is located just downstream, Bull Trout is a "Candidate" species for listing in WA State, and is listed as "Threatened" federally. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.

Wetlands were not delineated, and there is no requirement for surveying and permanently marking them. A full wetland delineation was never done. Sensitive areas and buffers within the entire project area (not just the mine site itself) need to be identified so that operators and regulators know where they are.

Wildlife corridors are not identified and protected. Deer, cougar, bear, coyote and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south,

the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.

A drainage plan was not required to protect water quality from runoff on the private haul road. Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, Samish River and Samish Bay.

Impacts to groundwater are not adequately evaluated and protections measures are not required. They intend to excavate the mine to within 10 feet of groundwater. They claim that all runoff from the disturbed site will drain into the mine, and infiltration will protect the groundwater. But it is unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table. No mention of seasonal fluctuation of the groundwater is discussed. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river. \Our Community Well currently has VERY GOOD water and we have every right to have that quality maintained.

The Noise and Vibration Study did not use realistic scenarios to model noise impacts. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from "typical" and "average" mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.

Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.

Cumulative impacts were ignored. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a "temporary" activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period. A full EIS needs to evaluate all cumulative impacts.

Thank you.

Mary King

Mary King

7366 Erna Lane

Sedro Woolley, WA 98284

marking43@frontier.com

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MAY 03 2021
SKAGIT COUNTY
PDS

April 29, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097 – Traffic Safety and Roads

Dear Mr. Cerbone,

I am writing to comment on your April 15, 2021 revised SEPA threshold determination for the proposed Grip Road Gravel Mine. The revised MDNS has changed very little from the original 2016 document, and still falls far short of what Skagit County Code and SEPA requires. It does not fully evaluate the potential impacts of the proposed mine project and does not set out adequate requirements for mitigating those impacts. In its current form, the project would result in unavoidable and unacceptable risks for the environment and public safety. **In order to address those risks, the County must require the applicant to prepare a full Environmental Impact Statement (EIS).**

I am very concerned about the traffic safety and road impacts of this project. The following are some of the issues the applicant and the County have not addressed or have not addressed adequately under SEPA or the permit application process.

1. **A Level II Traffic Impact Analysis (TIA) is required for this project per Skagit County Code and Skagit County Road Standards, 2000 (SCRS), but this has not been done.**
   The applicant's TIA states that only a Level I analysis is required because the 50 trip per hour threshold in SCRS 4.02.B. is not met. SCRS 4.02.A., however, states "A level I TIA *shall be expanded to a Level II TIA if* ***any*** *[emphasis mine] of the Level II warrants are* met." SCRS 4.02.B. includes two warrants that apply, numbers 6 and 7.
   Number 6 reads, "If there exists (sic) any current traffic problems in the local area as identified by the County or a previous traffic study has identified high accident locations, poor roadway alignment or capacity deficiencies. The applicant's TIA and the MDNS have already identified significant current traffic problems in the area.
   Number 7 reads, "The current or projected level of service of the roadway system in the vicinity of the development will exceed County adopted level of service standards." The Cook Road/Old Highway 99 intersection, which is included in the haul route but not evaluated in the TIA for safety or level of service (LOS), is well documented by the County to be operating at LOS D, which is below the County's minimum requirement of LOS C.

2. **Clearly define and limit the maximum number of truck trips.**
   The MDNS states the mine will generate an average of approximately 46 truck and

trailer trips per day (4.6 trips per hour). This figure is virtually meaningless, because the demand for sand and gravel is seasonal.
The applicant's October 8, 2020 Traffic Impact Analysis (TIA) proposes a maximum of 30.4 (rounded up to 30) trips per hour. The final SEPA determination must evaluate the *traffic safety impacts of the project based on the maximum number or trips per hour* and set a hard limit on it. The County must also set limits on the duration and frequency of occasions when it will allow higher than average trip numbers.

3. **A clear definition and map(s) of all haul routes, and the limitation of mine traffic strictly to the defined routes.**
This definition and limitation would include any and all mine related hauling, to include employees, subcontractors, and any affiliates who access the mine.

4. ***Disallow direct, third-party sales from the mine site.***

5. **Require safety analysis and mitigation measures for ALL locations where trucks will encroach on the opposing lane of traffic.**
The MDNS states that trucks with trailers will encroach two to three feet into the opposing lanes of traffic at the two sharp corners on Prairie Road near the intersection with Old Highway 99. It also requires that the applicant reconstruct the road at this location and correct this acknowledged safety issue. The applicant's TIA identifies the same issue, but also states that there are several other locations on the haul route where trucks will cross over into the other lane. It does not identify these other locations, provide analysis of the specific safety issues there, or propose any mitigation. From my personal observations and those of other area residents, other locations where this is an issue include, but are not limited to, the steep S-curves on the Grip Road hill, the eastbound approach to the Samish River bridge on Grip Road, and practically every intersection on the identified haul routes.

6. **Take increased non-mine traffic over time into account in analyzing the traffic safety *and road capacity impacts of the project.***
The TIA uses intersection vehicle counts from 2020 as the base for evaluating the impact of mine traffic and does not factor in increasing traffic over time with growth. There is no explanation of why this was not done. If the applicant and the County are not going to take this into account, they must provide clear evidence to show that substantial increases in background traffic are not likely to occur during the proposed 25-year lifetime of the mine.

7. **Provide clear, graphic analysis of ALL locations on proposed haul routes where *intersection and/or stopping sight distances do not meet required minimums for all types of vehicles.* Require mitigation of all such locations.**
Graphic "Vision Clearance Triangle" analysis (Skagit County Road Standards, 2000 Appendix C-7) or other industry standard graphic analysis is needed for all such locations and adequate mitigation measures required for project approval.

8. **Flashing speed warning beacon systems proposed for the Grip/Prairie and Grip/Mine Entrance intersections require analysis as to what they are intended to accomplish and how they will do it.**
   The existing speed warning signs on Prairie Road at the Grip intersection clearly do not work and no analysis has been provided to show that a flashing warning light system will work better at either location. The County must require the applicant to conduct field studies to determine what the actual maximum safe speeds are for these intersections and require mitigation measures that will ensure these limits are met.

9. **Fully evaluate accident records for all road segments and intersections on the haul route, including causes and contributing factors. Provide analysis of the impacts mine traffic will have on the number, type, and severity of accidents to be anticipated with both existing and future traffic volumes. Require effective mitigation measures.**
   The existing TIA accident record analysis is limited to certain intersections on the haul route and does not look at causes and contributing factors. It excludes a number of additional intersections, including Cook Road and Old Highway 99, as well as accidents not occurring at intersections.

10. **Evaluate the impacts of mine traffic on the existing roads and bridges and require the applicant pay its fair share of the costs for increased maintenance on our already sub-standard rural roads.**
    An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which has required significant repairs over the last few years. Roughly 12,000 truck and trailer trips per year over 25 years will necessitate a lot of additional maintenance by the county roads department. This must be paid for by the applicant, not the taxpayers.

Thank you for your considering these comments.

Sincerely,

James Koran
21655 Prairie Rd
Sedro Woolley, WA 98284
[redacted]
jimkoran1@gmail.com

Mailing address:
PO Box 842
Burlington, WA 98233

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MAY 03 2021
SKAGIT COUNTY
PDS

29 April 2021

Dear Skagit County Planning and Development

I wish to express my opposition to the gravel mine as proposed by Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098.

While I am not happy to have such an operation in any close proximity to my home or to experience the associated hazards of the trucking and hauling traffic on the route, which can be avoided only with significant inconvenience, I can imagine that there could be negotiations to such a proposal that would respect the safety and integrity of the community, and preserve the authority of the county to enforce reasonable restrictions and limitations of the operation.

One very significant concern I have is the cost to the residents of Skagit County, should this proposal be approved as written. It is a matter of when, not if, the very real impacts of the operation of the gravel mine and the associated hauling traffic will have detrimental impacts on groundwater, wildlife, daily living environment of local residents, and the impact on roadways, traffic flow, and the very lives and safety of pedestrians, bicycles and automobile traffic on the route. If Skagit County accepts this proposal as written, then Skagit County is accepting all liability and responsibility for those impacts which it is, by its own inaction, allowing Concrete Nor'west/Miles Sand & Gravel to pass on as unworthy of thorough investigation and defense against. Which will mean that Skagit County, and its tax paying *residents, will bear legal and financial responsibility for all costs and penalties which will inevitably* result.

Of great concern is the fact that Skagit County seems determined to review the impact on the community only by the use of 'ideal' operational scenarios, rather than addressing the extremely liberal operational guidelines the corporation has used throughout its proposal. The only fair review on how the operation and hauling will impact the area and the hauling route is by assessing the impact at peak operation. No honest assessment has been made on how the maximum hauling proposed would impact traffic, for safety, for flow and for congestion.

Below I list some of what I find essential if this operation is to be considered.

1) There absolutely should be well defined definitions and restrictions providing complete authority of Skagit County to review, amend, restrict or suspend operation of the mine or of the hauling or transportation of product, temporarily or permanently, for any appropriate cause.
2) There absolutely should be well defined definitions and restrictions regarding the operation of the mine, including solid definitions of what the average/typical operation should be, what the maximum would be, and under what circumstances the maximum is allowed, and for how long.
3) There absolutely should be requirements that all vehicular traffic and hauling traffic will at all times and at all points on the route will without exception follow all vehicular laws and rules of the road, including maintaining the vehicle entirely within the lane of travel at all points along the route.
   Should it be found that this cannot be complied with, then complete cessation of operation and

hauling must be suspended, permanently or temporarily, until a solution of mutual satisfaction to completely meet the requirements is reached, at the corporation's expense.

4) There absolutely should be authority in place for Skagit County, or a designee of the County, to put in place temporary or permanent restriction of operation and or hauling, i.e. restricting traffic for certain purposes, without requirement of legal action. This would include but not be limited to: school bus route hours; event or tourism periods; road or easement maintenance for the good of the community; any and all other purposes of the County or the community.
5) There absolutely should be limitation of operation and hauling hours, as a set rule vs. as an arbitrary guideline. There should be defined guidelines on how, when, for how long those rules of operating and hauling hours can be expanded for extraordinary circumstances, such as local emergency, temporary expanded contracts, etc., with communication to the community in advance.
6) There absolutely should be limitation of who is allowed to access the operation, who is allowed to haul product from the mine, and statement of total responsibility on the part of the corporation for each and every vehicle and load which is allowed to leave the mine.
   There shall be no hold harmless for the corporation for any product by means of subcontractor or sale to any other party.
   The sale of product or hauling of product by any other party or third party shall in no way relieve or resolve the corporation from full responsibility for compliance with the entirety of the agreement.
7) There absolutely should be, at the corporations expense, monitoring of all wildlife and groundwater upstream and downstream of the mining operation, and in the vicinity of the hauling route.
8) There absolutely should be, at the corporations expense, ongoing monitoring of seismic and other geotechnical impacts from the operation of the mine and from hauling traffic on all features and properties of the region.
9) There absolutely should be means of ongoing citizen comment and complaint regarding the specific operation of this mine, of the transport of product and the resulting impact on traffic, and any affects observed or experienced.
10) Mitigation and correction expenses should be entirely at the expense of the corporation, for the duration of the operation of the mine, of any hauling or associated vehicular traffic, and for any impacts discovered on cessation of the operation.

This is not a complete listing of concerns, but I do consider these to be vital.

Respectfully,

Vickie Koran
Property owner:
21655 Prairie Rd
Sedro Woolley, WA 98284
Mailing address:
PO Box 2552
Stanwood, WA 98292

April 28, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigation Determination of Non Significance for proposed Grip Road Mine File# PLL16-0097 & PL16-0098 – Impacts to the Natural Environment and ESA species.

"Daddy Listen! All you can hear is birds!" This was a profound observation from my 9 year old daughter two days ago as we were out walking in our neighborhood mid-morning. This is why we moved to the Central Samish Valley. This, if Concrete 'NorWest has its own way, will all change – forever.

The initial proposal is for a 60+ acre open pit gravel mine for a foreseeable lifespan of 25 years. That is a long time – what has not been noted is that this "small" gravel pit is part of a 700+ acre (37+ Parcels) owed by Concrete 'NorWest/Miles Sand and Gravel cover company Lisa Inc., forested region bounding the Samish River that will inevitably be developed in the same way over time as each area is exhausted of its natural resource. A never ending source of noise, dust, water table disruption, habitat destruction, and river disruption (you can say it won't, but this can't be known ahead of time.)

Perhaps you don't know the sounds of silence, the un-interrupted sounds of the natural world surrounding you, un-marred by the sounds of chainsaws, heavy machinery, trucks, conveyers, and associated mining equipment. Perhaps your life is surrounded by the noise of urban existence. Where we live, the Central Samish Valley, silence is the norm, and that is why we, and our neighbors, have chosen to live in this peaceful valley. You may have no context except for the incessant sounds of humanity on the move (I-5, Emergency Vehicles, Large Truck Traffic, Heavy Machinery, the constant background of Television and newscasts, ever present music). Silence of humanity and the sounds and presence of the natural world are a precious commodity, one which is a most valuable resource, and treasured aspect of our community. Our citizens live here for this reason, a place to escape the din of society. Many work in urban settings and find their homes their safe place and retreat. This is being threatened.

In conversations with neighbors there is evidence of early Tribal presence in this region (a clovis point being noted as being found in the river bed of the Samish River in the region of the proposed mining operation). This operation is also not congruent with the Clean Samish Initiative (CSI) that the county has promoted for years in efforts to improve river water quality for fish and shellfish at the mouth of the Samish River. Wildlife need extensive tracts of space to thrive, while walking with friends in the vicinity, a coyote and bobcat were both seen in the space of 30

min. Reports of other significant wildlife making this area home abound (Cougar, Bear).

Specific Points to Consider:

- **9-5 Safety Corridor Project:** Prairie Rd from I-5 to HWY 9 is a main traffic corridor from East county and has a long history of traffic incidents. Added tandem truck traffic will not improve this.
- **Environmental Review Lacking Scope of Impact:** Ignores larger plans for future development of mining operations of adjacent 700acres owned by same entity (LISA Inc aka Concrete 'Norwest). Fish bearing Swede Creek not included and approx 11,000 tandem truck trips annually along the haul rode corridor.
- **Labeled as Grip Rd. Mine – Ignores other regional affected Parties** Prairie Lane, Prairie Rd, Wildlife Acres, Hoogdal, Cedar Ridge Place, F&S Grade, and adjacent communities from Hwy 9 – I-5.

- **Critical Area Ordinance misalignment:** 300' buffer required in high intensity land use areas. Only 200' buffer noted in Fish and Wildlife Assessment
- **Oregon Spotted Frog Habitat Infringement (*Rana pretiosa*)**: Listed as Threatened species under the Endangered Species Act. And Endangered in Washington. Local populations have been noted in adjacent sites to proposed mine activity.
- **No Wetland delineation**: There are significant wetlands in the proposed area that have not been noted or buffered. Beaver activity has been noted.
- **Groundwater Impacts not adequately evaluated:** A common outfall of mining is groundwater disturbance. Conversations with landowners adjacent to other county mines (old 99) reflect noticeable water changes accompanied by mining operations. Well integrity must be preserved. Additionally mine contaminants must not enter the Samish River.
- **Noise and Vibration Study lacking real life impacts.** Not only truck traffic on the exit roads but also the ambient noise of operation to the whole Central Samish Valley and Warner Prairie communities was not considered although of substantial impact to residents.
- **Emissions of operation:** Diesel fumes, dust from traffic and operation from 240,000 miles of annual truck traffic – not to mention additional air pollution from heavy equipment involved in direct extraction.
- **No Assessment of regional cumulative long term impacts:** Twenty-five (25) years is not a "temporary" activity. Especially given the potential continual development of the remaining 700 acres for similar use (100's of years of use).
- **Poor planning on location of proposed facility:** In a land tract of 700 acres the proposed mine is in the highest impact space adjacent to homes, sensitive wetland, forest, and riparian habitats. With transit of material through a major portion of the land tract.

In short, please reverse the current Threshold Determination under SEPA, and require a full Environmental Impact Statement that addresses the above and other areas of concern noted in others comments. Including a Level II Traffic Impact Analysis (TIA). Having the company pay for road improvements may amount to a simple bribe to move forward. There is much more at stake than the simple financial interests of Concrete 'Norwest, Miles Sand and Gravel and Skagit County. Our quality of life and the desirability of our valley and neighborhood, where we raise our families, is at stake.

Thank you for your heartfelt consideration.

Sincerely,

Andrew J. Rice
22356 Prairie Rd
Sedro Woolley, WA 98284

SKAGIT LAND TRUST
Saving Land for Tomorrow

April 30, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine
File #'s PL16-0097 & PL16-0098

(Submitted via www.skagitcounty.net/pdscomments)

Dear Mr. Cerbone,

Thank you for the opportunity to comment on the Mitigated Determination of NonSignificance (MDNS) for the proposed gravel mine on the Samish River near Grip Road. Since 1995 Skagit Land Trust has owned and cared for Tope Ryan Conservation Area, an important natural site along Grip Road approximately 2 miles downstream of the proposed mine. This preserve has long included 900 feet along the Samish River. The Trust also protects two other Samish River properties upstream of the project site and is continually seeking to protect more land along this important watercourse. All of Skagit Land Trust's properties along the Samish have been donated by landowners who wanted to protect the natural habitat of the river and its shoreline. We have partnered with federal, Tribal, state, and local agencies on numerous projects to protect and restore habitat in the Samish watershed. These partnerships include excellent work conducted by Skagit County Public Works Clean Samish Initiative, Skagit Fisheries Enhancement Group, and others.

Last year, Skagit Land Trust received a donation of land significantly expanding Tope Ryan Conservation Area on the other side of Grip Road protecting an additional 900 feet of shoreline along the Samish River and Swede Creek including their confluence. The river and creek in the vicinity of the conservation area are of particular importance for juvenile salmon due to the habitat complexity of the site. The river's wide gravel bars are critical spawning grounds for Coho and Chum Salmon as well as Steelhead and Cutthroat Trout. Last year, the latest restoration planting project at Tope Ryan added over 5,000 trees and shrubs. The costs of this effort were covered by the National Estuary Program, administered by the Washington State Department of Ecology with assistance from the U.S. Environmental Protection Agency. The Skagit Conservation District prepared the planting plan and helped secure a federal partnership grant to maintain the plantings. I mention these details to make the point that this is a preserve made possible and continually improved by the generosity of private landowners supplemented by public funds and the dedication of many staff and volunteer hours over a long span of years. The potential for adverse impacts from a nearby mine and associated heavy truck traffic greatly concerns us and could directly affect our ability to meet our responsibility to protect this significant area of habitat.

Each year the Trust organizes community volunteers to conduct amphibian monitoring at the Tope Ryan site, gathering significant data about the wetlands which we convey to Washington Department of Fish and Wildlife. We hope to someday discover that the endangered Oregon Spotted Frog has returned to this site, given its appropriate habitat for this now rare species present elsewhere in the Samish Watershed. Tope Ryan is a rich area laced with beaver ponds, important not only for native amphibians but also for a rich assemblage of riparian dependent songbirds and waterfowl. It also supports commercially important fish stocks. In addition, restoring and protecting this large riparian area helps protect water quality in the river that is so important for commercial shellfish grown in Samish Bay. Potential river degradation due to the proposed mine and haul road puts a long list of values at risk.

One of the lessons we have learned from years of restoration work is that protecting habitat is far more cost effective than restoring it after the fact. In addition, there are factors contributing to habitat degradation that are more subtle than direct impacts, but perhaps even more concerning. For instance, Swede Creek routinely spills over its banks into the ditch along Grip Road by the Tope Ryan property. This has created a cascade of effects including accelerated erosion of the roadbed, routine flooding of the road and increased sediment loading in the creek and river. Skagit Land Trust staff and volunteers have on several occasions discussed with staff at Public Works various ideas for "fixing" the creek; but have yet to arrive at a cost effective and feasible plan to solve this problem. The volume and type of truck traffic that would be using the haul road crossing Swede Creek could well add to the present problem.

The Trust is concerned that the impacts of the proposed mine have not been adequately evaluated, nor we will look back and wish we had considered taking stronger measures to prevent the ongoing unraveling of important habitats in the Samish Watershed. Further review of the impacts to the riparian habitat and associated wetlands along the river should be conducted with special attention to Oregon Spotted Frog and Bull Trout habitat, both listed species.

Under Skagit County's Critical Areas Ordinance it would be appropriate to require a 300' buffer, rather than 200', between the Samish River and the mine, clearly an industrial activity calling for this larger buffer. A larger buffer would provide greater assurance that the mining will not in fact degrade the river through sedimentation, erosion, and leaching of spilled fuel oil (noting the statement in the application materials that fueling of equipment will take place on site). We are also concerned that the plan to maintain the floor of the mine at least 10' above the water table, while well-intended, lacks certainty. There should be a more thorough analysis of the site hydrology through the seasons and of how it will be affected by the mining plan.

In addition, as mentioned, there are issues with Swede Creek just downstream on Trust property, and yet it appears that the impacts to the creek from heavy truck traffic on the private haul road have not been evaluated. The haul road crosses Swede Creek approximately 0.6 stream miles above Land Trust property. Sedimentation from this unpaved road would likely degrade the salmonid habitat downstream which we have been working for years to protect. We are also aware that there are beaver ponds and wetlands near the haul road and that the environmental review did not take these sensitive habitat areas into account.

The projected numbers of heavy trucks on this haul road are significant and will permanently change the nature of the forested upland habitat on the site. Local residents report that the uplands on the property are used by bear, cougar, and bobcat. Signs of these animals have also been observed on the Trust's nearby property. These animals require large territories, and the applicant's property is the last large undeveloped tract of land so close to the Samish River in this part of the watershed. The impacts from this disturbance to these important upland wildlife species should be evaluated.

We also have concerns related to the safety of staff, volunteers, and visitors to Tope Ryan Conservation Area in light of the heavy and frequent truck traffic which would be associated with the mine. Trucks entering Grip Road would pass the conservation area as they approach the turn onto Prairie Road. Vehicles using the preserve's small parking area will be at very significantly increased risk of collision as they pull into or out of the limited space. The conservation area lies on both sides of Grip Road. Pedestrians crossing from one part to the other will also be in the path of trucks approaching or leaving the mine.

Skagit Land Trust is not opposed to resource extraction; however, these uses must be balanced with effective measures to protect public resources, such as the Samish River, private ones such as Tope Ryan

Conservation Area, and public safety. In addition, the Trust staff would be happy to discuss conservation options with the landowner to address some of these concerns.

Before recommending approval of the Grip Road Gravel Mine application, please conduct further evaluation to ensure measures are taken to adequately protect the natural habitats of the Samish watershed that all of us are working so hard to restore. We ask that you do this by withdrawing the MDNS and requiring a full Environmental Impact Statement with thorough consideration of project alternatives and a more complete scope of mitigations than in the MDNS. It is essential that this analysis include not only the mine site itself but also the area traversed by the haul road, the downstream reaches of the Samish River and Swede Creek, and areas adjacent to the public roadways the trucks would use.

Again, thank you for the opportunity to comment, and for your time and consideration.

Sincerely,

Mark Hitchcock
President
Skagit Land Trust

April 24, 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west/Miles Sand & Gravel; PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

Thank you for this opportunity to comment on Skagit County's recently reissued MDNS regarding the mine development application of Miles Sand and Gravel.

I have recently become aware of the extent of this project, and of the many concerns regarding a lack of complete and up-to-date study on the environmental and public impact it would have.

We live within ten minutes of this land, and my son lives in the neighborhood. For over twenty years, with the kind permission of landowners in the area, we have walked at least weekly on acres of forested land off of Grip Road. We know the roads well, and we have come to know the diverse wildlife of that area. Cougar, bobcat, bear, porcupine, even otter—we have seen their signs, their tracks and sometimes the animals themselves. The area is rich with wildlife that requires large territories, accessible corridors and minimal disturbance.

The adjacent Samish river and wetlands are also rich with life, including the Oregon Spotted Frog, designated endangered by the state and threatened federally. The Bull Trout, another species listed as threatened on federal lists also has critical habitat on this river. It is my understanding that the Fish and Wildlife Assessment used in issuing the MDNS was limited, and over five years old. Additionally, the MDNS does not mention endangered status species. State and federal agencies addressing endangered species need to be consulted.

I am additionally disturbed that, in order to sanction this project, which has not been thoroughly examined, the County would make an exception to allow only a 200 foot buffer, even though its own Critical Areas Ordinance (CAO) requires a 300 foot buffer adjacent to high intensity land use. Everything I have learned about this project argues that it will be high intensity: a 60 acre mine site on 700 contiguous acres, going 90 feet deep, with over 11,000 heavy truck trips per day for 25 years. I would hope that an exception to the CAO for such a high impact proposal would only be made in extreme circumstances, after extremely careful study.

In addition to the environmental impacts (of which I've only listed a few), I have deep concerns about how this project will detrimentally affect the safety and infrastructure of the roads. I have pulled out onto Grip Road thousands of times—in places, it is twisting, steep and narrow, with limited visibility. The safety impact of dozens, perhaps hundreds, of trucks daily on this road is alarming. I understand that the Traffic Impact Analysis located lane encroachment on this route, including on the twisting Grip Road hill spots, but neither the TIA nor the MDNS analyzes or mitigates this problem. This is a (fatal) accident waiting to happen. I can't visualize how these trucks and school buses will negotiate passing on these roads. It is imperative that the County insists on additional information and assurances on this issue.

It is important to note, that although Miles Sand and Gravel suggests an average 46 truck trips per day (already substantial), the company says it might run up to 30 trucks per hour. This is not an unlikely scenario given the seasonal nature of the business. The impact of such heavy traffic, or even anything approaching it, would be substantial on road safety, but also on road infrastructure. Impacts on infrastructure also need to be evaluated, and provision should be made for the applicant to pay a fair share of cost for maintenance and repairs if the project is approved.

In closing, the Grip Road/Prairie Road area is currently a beautiful example of rural neighborhood in the County, dotted with small farms and residences, a place where wildlife, forests, pastures, river and people coexist. This is the kind of land and land use that the County often promotes with great pride. An application to substantially change its character, its safety, and its multi-use function for all species should be assessed with all of the tools that the County has in place, including state and federal metrics.

Please reverse the Threshold Determination under SEPA, require a full Environmental Impact Statement to evaluate environmental fallout from this project, and fully examine the public safety and quality of life impacts of this proposal.

Sincerely,

Beverly Faxon
20757 Anderson Road
Burlington WA 98233

RECEIVED
APR 29 2021
SKAGIT COUNTY
PDS

April 27, 2021

Comments Re Grip Road Mine Proposal, reference PL 16-0097 and PL 16-0098

Traffic, Road and Public Safety Issues Not addressed in the MDNS:

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- **A clear definition and map(s) of all haul routes, and the limitation of mine traffic strictly to the defined routes.**
- **Safety analysis of all haul route intersections and road segments to determine whether or not trucks traveling to and from the mine will stay within their lane of traffic, and the mitigation measures to be required for every location where they will not.** The TIA provides analysis showing that truck and trailer combinations cannot traverse the two sharp curves on Prairie Road east of Old Highway 99 without encroaching on the opposing lane of traffic. The MDNS requires the applicant to take specific actions to mitigate this issue at this location. The TIA acknowledges that the same issue of lane encroachment exists at several other locations on the haul route, but neither it nor the MDNS lists those locations, provides any analysis of the problems there, or sets out the mitigation measures required to correct them. These locations include, among others, the S-curves on the Grip Road hill and practically all of the intersections on the haul route. This is unacceptable.
- **Projections for the increase in non-mine traffic on the haul routes over time and evaluation of the safety and road capacity impacts of mine traffic with increased non-mine traffic.** The TIA uses 2020 traffic levels to evaluate mine traffic impacts and does not factor in growth.
- **Field studies to determine the speeds at which vehicles are currently traveling on the haul route and evaluation of how mine traffic will impact existing traffic given those speeds.**
- **More thorough evaluation of the accident records for all road segments and intersections on the haul route, including the contributing causes for the accidents. What are the implications for mine traffic safety?**
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Prairie. How can they be expected to slow down adequately for the warning beacons?

- **"Third party" sales at the mine would mean trucks traveling to and from the site via every route possible. Disallow third party sales from the mine.**
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- **Pedestrian and bicycle safety must be evaluated along the entire haul route.** This is a particular concern in areas where there are no shoulders on Grip and Prairie, and where guardrails were recently installed on Prairie Road. Necessary safety improvements must be required.
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- **Traffic enforcement is almost non-existent along the long haul route today.** Funds must be set aside to increase manpower and equipment to ensure road safety and traffic law monitoring.

Environmental Concerns Not Addressed in the MDNS

The environmental review did not consider the full footprint of the project. The applicant owns more than 700 contiguous acres, however only the 60-acre mine site was included in the environmental review, even though industrial hauling will occur on the two-mile long private road that transects their larger ownership. The proposal will require more than 11,000 truck trips per year on this haul road. This private road has previously been used only for forestry. It is adjacent to wetlands and crosses Swede Creek, a fish bearing stream. These sensitive areas were not evaluated and no mitigation was proposed.

The County is not following its own Critical Areas Ordinance (CAO). Currently only a 200-foot buffer is recommended in the Fish and Wildlife Assessment, even though the CAO calls for 300-feet adjacent to high intensity land uses. Industrial scale mining is definitely a high intensity land use.

The Fish and Wildlife Assessment is out-of-date and incomplete. The limited Fish and Wildlife Assessment provided by the applicant is more than five-years-old, and the river and associated wetlands have changed. Designated habitat for the Oregon Spotted Frog has been identified in the Samish River adjacent to the mine site; this animal is listed as "Endangered" in Washington State and "Threatened" federally. In addition critical habitat for Bull Trout is located just downstream, Bull Trout is a "Candidate" species for listing in WA State, and is listed as "Threatened" federally. The MDNS does not mention these "ESA" species nor any protective measures necessary. Furthermore, state and federal agencies responsible for protecting endangered species need to be consulted.

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Wildlife corridors are not identified and protected. Deer, cougar, bear, coyote and bobcat are known to use the site, and it is the last large tract of undeveloped land between Butler Hill to the south,

the Samish River and Anderson Mountain to the north. These animals require large territories and are sensitive to disturbance.

A drainage plan was not required to protect water quality from runoff on the private haul road. Without a drainage plan that identifies treatment measures for runoff from the haul road, the high volume of truck traffic is likely to cause excess sedimentation and potentially contamination from petroleum products to pollute surface water flowing into Swede Creek, Samish River and Samish Bay.

Impacts to groundwater are not adequately evaluated and protections measures are not required. They intend to excavate the mine to within 10 feet of groundwater. They claim that all runoff from the disturbed site will drain into the mine, and infiltration will protect the groundwater. But it is unclear how that ten-foot limit is determined, nor how they will avoid penetrating the water table. No mention of seasonal fluctuation of the groundwater is discussed. Furthermore, with the pervious nature of sand and gravel, it is unclear if ten feet is sufficient to filter out contaminants such as petroleum product spills. The groundwater at the site is essentially at the level of the Samish River and flowing directly into it, with potential to contaminate the river. \Our Community Well currently has VERY GOOD water and we have every right to have that quality maintained.

The Noise and Vibration Study did not use realistic scenarios to model noise impacts. The assumptions regarding the number and size of equipment that will be operated on the site are vague and misleading. It modeled noise levels generated from "typical" and "average" mine production, not maximum noise levels. The study did not address the significant noise fully loaded trucks will generate using compression brakes descending Grip Road Hill and the Swede Creek gorge on the private haul road. Regardless of legal noise limits, all of this will be a major change to the soundscape for residents of the area that should be taken into account in a full EIS.

Emissions were not evaluated and no mitigation plan was required. Air pollution from the mining equipment and hauling has not been evaluated, even though hauling the material involves a minimum of 240,000 cumulative miles per year driven by diesel gravel trucks.

Cumulative impacts were ignored. This is a major industrial scale proposal that would create many cumulative impacts, both on-site and off-site. No off-site impacts were evaluated. Twenty-five years of mine operation is not a "temporary" activity. It will permanently change the character of the landscape and the surrounding neighborhoods, degrading wildlife habitat and fish bearing streams. To haul the amount of material proposed to the closest site for processing, requires driving diesel trucks more than 5,500,000 cumulative miles over the 25 year period. A full EIS needs to evaluate all cumulative impacts.

Although we have asked several times to be placed on the mailing list for these 2 permits, we have yet to receive any information from the county officers. We would GREATLY APPRECIATE having our names added to the list.

Thank you fo ensuring these issues are dealt with to our satisfaction.

H.E. And 4/27/2021 Debra Anderson 4/27/2021

Herb and Debra Anderson

7374 Erna Lane

Sedro Woolley, WA 98284

deb_janderson@hotmail.com

RECEIVED
APR 29 2021
SKAGIT COUNTY
PDS

April 28, 2021

Comments Re Grip Road Mine Proposal, reference PL 16-0097 and PL 16-0098

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Thank you.

Mary King

Mary King

7366 Erna Lane

Sedro Woolley, WA 98284

marking43@frontier.com

22 April, 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Dear Mr. Cerbone,

I am writing to comment on the County's April 15, 2021 Mitigated Determination of NonSignificance under SEPA re the gravel mine application by Miles Sand and Gravel along the Samish River off of Grip Road.

Let me say first of all that I do not live near the location of the proposed gravel mine, so this is not a NIMBY reaction. Rather, my reaction is one of astonishment that the county considers this proposal non-significant under SEPA. I love this county and am shocked at what appears to me to be utter disregard of various impacts of this proposal.

While I do not live near Grip Road, I have driven it many times. It is a winding road full of 90-degree and S-turns. It already feels treacherous to drive that road and I cannot imagine the danger of daily (perhaps hourly) adding scores of huge, loaded trucks to that already precarious road. If my grandchildren lived on Grip Road, I would be terrified about their daily school bus rides (hurray for daily school!). And I am also worried about kids who are not my grandchildren.

But besides the issue of road dangers, there is much else that I find concerning:

- The proposal does not meet the 300-ft buffer required by the Critical Areas Ordinance for such a high-intensity land use.
- The Fish and Wildlife Assessment provided by the applicant is more than five-years-old and needs updating. There is wildlife in this area!
- There is no wetlands delineation.
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- There are serious issues of groundwater contamination that have not been addressed.
- The effect of hauling noise on the community has not been adequately studied and should be the subject of a full EIS.
- Air pollution from the project has not been evaluated and there is no mitigation plan.

I have listed just a few of the problems. And listing them one by one does not begin to demonstrate the total impact of the project when these and other issues are all visited at once upon a rural neighborhood of our county.

I simply do not understand--and definitely do not support--your Mitigated Determination of Non-Significance. To me if seems to be just another instance of county government allowing big businesses to inflict irreparable damage on a rural Skagit neighborhood.

Please, let's have a thorough examination of this mining project through the full SEPA process.

Sincerely,

Mary Kay Barbieri

16002 Colony Road, Bow, WA 98232

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

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Sincerely,

Mary Kay Barbieri

16002 Colony Road, Bow, WA 98232

Robert N. Doupé
657 Muckleshoot Circle
LAConner, WA 98257

April 24, 2021

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

RE: PL# 0097 & PL#0098 PROPOSED MILES SAND AND GRAVEL CO. MINING PIT

Dear People ,
I all writing in opposition to the current application of the above company's request to mine in the Skagit River watershed. There is a huge potential environmental impact as a result of their proposal. A declaration of non-significance makes a mockery of the law and the judgement of rational people. A thorough study of the impact of such an endeavor is the ONLY reasonable response to such an operation, A complete EIS would allow the County to rationally assess the impact of this project on the environment.

One cannot ignore the possible negative effect of this project on the surrounding community as it pertains to traffic, noise, effect on the habitat of the wildlife, the potential risk of runoff into the water supply of our county, not to mention the visible destruction of the property.

Please require a complete environmental Impact study by professional groups before making a decision that affects our county so profoundly.

Sincerely,

Robert N. Doupé

26 April 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

I am attaching a letter from Doug Gresham PWS of the Washington State Department of Ecology written in June of 2016 to John Cooper. He states that if any regulated waters of the State or Federal government or their buffers are affected by the above referenced project, permits from both jurisdictions will be required. As I referenced in a letter to you sent via email, and included in this packaged, is to complete a full wetlands, Streams, and habitat analysis of the entire parcel and haul road. The Skagit County Critical Areas ordinance requires the same. Once this site assessment is completed with the proposed conditions of the project, will the county be enabled to determine if impacts to said critical areas will occur.

I trust you will place these items in the requirements within your staff report.

Sincerely,



Jim Wiggins, MS, PWS emeritus, past president of ATSI
21993 Grip Road
Sedro-Woolley, WA 98284

Re: Concrete Nor'west (CNW) application mining special use permit, PL 16-0097.

Fish and Wildlife, and Water Quality (regulated Critical Areas [CA]) review, comments and questions. Wiggins, November 2020.

The information provided to date by CNW for the above referenced project regarding biological issues is insufficient to determine impacts the proposed project will have on regulated critical areas. At a minimum, we need to have maps, surveys, and descriptions of all regulated critical areas (species and habitats) including those in and near the proposed mine site, and, all roads, specifically the proposed haul road. In addition, we need to know all permit conditions that will be proposed to mitigate for impacts identified in this larger footprint. Only then can we assess impacts and adequately comment on how the proposed mine and other related project details will have on the biological environment.

SCC 14.24.060 Authorizations Required, of the county Critical Areas Ordinance, states: With the exception of activities identified as Allowed without Standard Review under SCC 14.24.107, any land use activity that can impair the functions and values of critical areas or their buffers including suspect or known geologically hazardous areas, through a development activity or by disturbance of the soil or water, and/or by removal of, or damage to existing vegetation shall require critical areas review and written authorization pursuant to this Chapter.

The July 2015 Graham Bunting Associates (GBA) Fish and Wildlife Habitat Site Assessment report does not include descriptions nor data of the 63-acre mine site, wetland/stream buffers, wooded slope, nor the access road. It focuses only on the Samish River and adjacent wetlands with no data sheets to corroborate their findings. Because CNW has not submitted an updated critical area report for the entire impact area (proposed mine site, private road, and adjacent public roads) it is not known what type of impacts to County Critical Areas, species and habitats, and their buffers will occur. Furthermore, Critical Areas Reports require to be updated every 5 years. Said GBA report is over 5 years old.

The critical areas report completed by GBA for the wetlands associated with the Samish River recommends a 200' buffer. SCC 14.24.230 Wetland Protection Standards, requires a 300' buffer for High Intensity Land use, which the proposed mine is per the definitions section of the SCC CAO as follows: Land Use Intensity, High; Land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium-and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and commercial and industrial land uses. Therefore, the Samish River and its associated wetlands require a 300-foot buffer. It is inherent in the proposed use of the site as a commercial gravel mine, there will be a significant increase in noise, dust, and general overall on-site movement of heavy equipment. The assumed existing buffer between the proposed mine and the Samish River and its associated wetlands is a wooded slope, protecting, in this case, all flora and fauna, such as migratory salmonids, trout,

avian species, and large and medium fauna such a deer, elk, bear, cougar, coyote, and fox. Additionally, we are now aware Oregon Spotted Frog (*Rana pretiosa*) habitat occurs along the Samish River adjacent to the proposed mine site. Bull trout (*Salvelinus confluentus*) are also known to use the Samish River sometime during their lifecycle. A biological assessment is needed to address these species.

The Scope of a SCC critical areas study requires a full description of the proposed project and all biological features whether said features are regulated by the local, state, or federal government or not and is a combined quantitative (on the ground data collection) and qualitative (literature and map review) report. A description of all features such as flora and fauna, soils, topography (a survey of the top of slope), land use, a general description of the surrounding area needs to be included to provide us with an understanding of what the study area looks like and what features are present. Current and historical photographs help with this understanding of the study area. A broad-based literature review with the on-the-ground data collection of all potential areas that will be impacted needs to be studied and included in the contents of the report.

In the GBA assessment, the singular wetland rating they completed appears accurate. However, the land use intensity (moderate) they concluded does not conform to the land use intensity description put forth in Appendix 8C of WA DOE Publication No. 05-06-008 as required if using the alternative buffers in SCC 14.24.230(1)(b), Department of Ecology (Doug Gresham, DOE), the authors (DOE) of the said referenced publication. The land use intensity for a full-time gravel mining operation is high. A high habitat score (supplied by GBA wetland rating) requires a 300-foot wetland buffer per SCC 14.24.230, not 200 foot as proposed.

The review/assessment also neglected SCC 14.24.230(2), where in general, buffers are to extend 25 feet past the top of sloping areas that are 25% or greater. The site plan as indicated shows areas where this provision is applicable. Regardless of the aforementioned land use intensity issue, the buffer likely should still extend past the line indicated in areas unless there is a rational reason put forth not to, which does not appear to have been done specific to this project.

Going from an access only road that is used infrequently for forestry purposes to a gravel mine haul road that could have dozens of truck trips per day for many years will be an impact to the environment in numerous areas. This will be a distinct habitat break in what is presently one of the largest undeveloped tracts of land remaining in lowland Skagit County, home to deer, bear, cougar, and elk *as well as many avian and small mammal species, and amphibians *(* while CNW's application does not mention these species, local knowledge confirms their presence)*. Heavily trafficked corridors are well known to affect the habits of such species. The haul road also drains to a salmon stream that has turbidity problems, i.e. Swede Creek, and it is not practical that the increased road traffic and maintenance/improvements without stormwater control will further affect the onsite wetlands, streams and riparian areas.

No meaningful protective measures have been assessed to the buffers of the critical areas adjacent to the mine operations. While recording of a Protected Critical Area (PCA) site plan is standard and generally adequate for a single family home, a commercial operation with employees on heavy equipment, no oversight, and no vested interest in the observation of the buffers will not protect said buffers. If there is no survey or mapping, how will anyone know where the critical areas and their regulated buffers are? The buffers need to be demarcated in the field, a standard practice, and should be fenced as well.

Because a Critical Areas Review and Fish and Wildlife Assessment has not been completed on the entire project area, it is likely additional biological critical areas occur on and near the project area, such as wetlands and Swede Creek and they need to be identified and surveyed. Also, because the GBA report is over 5 years old, by code, a new study needs to be completed. Not to mention recently (summer 2019) much of the land owned by Miles has been logged and the haul road has been widened and resurfaced, thus because of these new modifications to the site, necessitates an updated report.

Additional questions:

- What mitigation is proposed for CA impacts?
- How will mine excavation be monitored to ensure the "bottom" of the mine will remain greater than 10 feet above the seasonal high water table?
- Will the project occur beyond the mine site and proposed access road? If so, will there be road maintenance, widening, ditch maintenance, Grip/Prairie Road intersection maintenance/reconstruction? If so, said areas need to be assessed for regulated critical areas and mitigated for buffer impacts, habitat impacts, and stormwater quality.
- Because the mine site will be converted from forestry to a gravel mine, all habitat for the cursory list of species listed in this letter will be obliterated. For species such as amphibians that require upland habitat for a portion of their lifecycle further necessitates, at a minimum, the need for a 300-foot buffer off the wetlands adjacent to the Samish River. Also, other wetlands near the proposed mine and haul road mapped in the FPA further necessitates the need to complete an updated wetland/habitat reconnaissance and delineation report for all land within 300 feet of the mine and haul road.
- What mitigating measures have been included in the report for the introduction of invasive plant species such as Butterfly bush (*Buddleja sp.*) and spotted knapweed (*Centaurea sp.*) both of which occur on their Bellville pit site.
- What species and species habitats, such as Oregon Spotted Frog, Bulltrout, or other listed species occur in the Samish River watershed? Their presence needs to be assessed by qualified biologists and mitigation strategies addressed.



Jim Wiggins, MS, PWS emeritus, past president of ATSI
21993 Grip Road
Sedro-Woolley, WA 98284

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Northwest Regional Office 3190 160th SE Bellevue, Washington 98008-5452 (425) 649-7000

June 1, 2016

John Cooper, Natural Resource Planner
Skagit County Planning and Development Services Department
1800 Continental Place
Mt. Vernon, WA 98273

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

Dear Mr. Cooper:

Thank you for sending information on the Grip Road Gravel Mine to the Washington State Department of Ecology (Ecology) for our review and comment. As the Ecology Wetland Specialist responsible for Skagit County, I wish to have the following comments entered into the record. The project submittal provided to us included a mitigated determination of nonsignificance, SEPA environmental checklist, and engineering drawings.

Concrete Nor'west has submitted an application for a forest practice conversion and mining special use permit to develop a gravel mining operation. This 68-acre property consists of three lots (Parcels P125644, P125645, and P50155) that are located northwest of Sedro Woolley in unincorporated Skagit County. The property is located north of Grip Road, south of Prairie Road, and is bisected by the Samish River. The Skagit County iMAP shows the Samish River flowing across the northeast corner of the property in the Warner Prairie area.

The proposed action involves harvesting approximately 50,000 board feet of timber, removing the stumps, and converting the property to a gravel mining operation. This gravel mining operation will remove approximately 4,280,000 cubic yards of gravel over a 25 year period. Gravel will be removed by truck and trailer (generating about 46 truck trips per day) to one of Concrete Nor'wests nearby facilities for processing.

The gravel mine will cover 51 acres and be excavated to within 10 feet of the groundwater table. A 200' buffer of undisturbed vegetation will be provided between the Samish River and the gravel mine. A 50' setback will also be provided along the remaining perimeter of the gravel mine where no grading will occur. All storm water runoff generated within the gravel mine excavation should flow into the closed depression and be prevented from reaching the Samish River.

According to the SEPA environmental checklist, a Fish and Wildlife Site Assessment was prepared by Graham-Bunting Associates. They stated that the toe of the slope adjacent to the Samish River was mapped using LIDAR data. The engineering drawings show the 200' setback from wetlands associated with the Samish River, which I assume occurs at the toe of slope. However, there weren't any maps showing associated wetlands or the ordinary high water mark (OHWM) of the Samish River.

Any wetlands that occur on the property would be waters of the state subject to the applicable requirements of state law (see RCW 90.48 and WAC 173.201A) and Section 401 of the Clean Water Act (33 USC §1341) and 40 CFR Section 121.2. If any wetland impacts do occur, the applicant shall obtain all necessary state and federal authorizations prior to beginning any ground-disturbing activities or vegetation removal. To obtain state and federal authorization, the following items are required:

- A delineation of all wetlands on the property by a qualified wetland biologist, and survey of the delineated wetland boundaries;
- Flagging of the OHWM along the Samish River banks by a qualified biologist, and survey of the boundaries;
- A jurisdictional determination from the U.S. Army Corps of Engineers stating whether the delineated wetlands on the property are under federal jurisdiction;
- Ratings of all wetlands on this property using the current *Washington State Wetland Rating System for Western Washington*;
- A critical area report describing wetland conditions on the property, wetland data sheets, wetland rating forms, and photographs;
- A Joint Aquatic Resources Permit Application form for impacts to jurisdictional wetlands and the Samish River; and
- A mitigation plan for unavoidable wetland and buffer impacts following the standards in *Wetland Mitigation in Washington State – Part 1: Agency Policies and Guidance* (Ecology Publication #06-06-011a).

If you have any questions or would like to discuss my comments, please give me a call at (425) 649-7199 or send an email to Doug.Gresham@ecy.wa.gov.

Sincerely,

Doug Gresham

Doug Gresham, PWS
Wetland Specialist
Shorelands and Environmental Assistance Program

DG:awp

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Wednesday, September 12, 2018 9:10 AM
To: John Cooper
Subject: FW: PDS Comments

From Dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, September 5, 2018 10:15 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Jane Fish
Address : 5043 Wildlife Acres Lane
City : Sedro Woolley
State : WA
Zip : 98284
email : jfish1994@gmail.com
Phone : 360-848-7711
PermitProposal : #PL18-0200
Comments : This is a comment on the activity that we can see AND hear around the proposed gravel pit off of Grip Rd. by CNW-Miles Sand and Gravel. It is so disheartening to know of all the work that is being done to prepare for this pit, yet we are seeing NOTHING done that would ensure the safety of the MANY people that drive Grip and Prairie Rd.'s to and from their homes. The other thing that is so wrong is to keep the people that this affects the most in the dark about the negotiations going on after their permit was denied. What is being done to protect the citizens and the small country roads that are in no way prepared to handle this? What about the blind corner of Grip and Prairie Rd?

From what I understand this company said that the haul road did not need improvement so they would not have to do any environmental reviews. But yet, they are improving the road. What is being done to protect the environment? You as the county need to stop this work immediately and hold this company to the standards of conducting an EIS.

Please do the right AND honest thing as our county officials. DO NOT LET THIS development continue!!

From Host Address: 184.63.204.51

Date and time received: 9/5/2018 10:12:30 PM

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Wednesday, September 12, 2018 12:55 PM
To: John Cooper
Subject: FW: PDS Comments

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Sunday, September 2, 2018 6:00 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Josh Nipges
Address : 20610 Prairie Rd
City : Sedro Woolley
State : WA
Zip : 98284
email : nipges@juno.com
Phone : 2067553309
PermitProposal : PL18-0200
Comments : I am concerned by the Planning Departments lack of involvement with the community around this project. Closing out the concerns of the community on a large and long lasting project such as this does not reflect well on the planning department. Making agreements behind closed doors, gives the community members the feeling that tax payers do not matter or have control over this issue. By having honest and open conversation by all parties will lead to the success of this project. At this time myself and my of my neighbors feel our voices are not being heard. We live in this area and have legitimate concerns about the amount of traffic this project will create. While the empirical data claims to show no need for road improvement, it does not show the many near miss vehicle accidents that can not be calculated by a simple road counter. It can not also take into consideration the lack of shoulders on Prairie rd and the number of bicyclists that travel these roads. I am also alarmed at the recent road improvements to the haul road off of Grip rd. These improvements go way beyond simple foresting road maintenance. Previously the road was a simple one lane road with large rock topping. The road now is two lanes with a smooth treated surface with compact crushed rock. Much like the roads in other Miles Sand and Gravel mine operations. A comparison to this improved haul road, look to the roads on Alger mountain. The Miles improved haul road is for more then industrial forestry.

From Host Address: 165.225.34.186

Date and time received: 9/2/2018 5:57:34 AM

13 September 2018

John Cooper, Skagit County Planning & Development Services
Dave Klingbiel, Department of Natural Resources

Re: PFA/N 2816283; proposed Grip Road Gravel Mine, PL16-0097

Dear Mr.'s Cooper and Klingbiel,

We are aware of the recent work on the access road that has been constructed by Lisa Inc. (Miles Sand and Gravel) for their proposed Grip Road gravel mine. The work that has occurred has been "permitted" by the Washington State Department of Natural Resources (DNR) under FPA/N # 2816283, which was submitted by Miles on 9 March 2018 ostensibly to log the proposed mine site. Said road construction has widened an existing timber harvest road network that had earlier been deemed by Miles Project Manager Dan Cox to be "*sufficient and all that is necessary*" (see below) to extract more than four million cubic yards of gravel from its proposed mine over a 25-year period.

Their access road from Grip Road to the proposed mine site has been widened this summer (2018) by Miles to greater than 30 feet in width, converting it to an all-weather compacted gravel double lane road.

We would like to bring to your attention information stated in a letter to John Cooper, Skagit County Planning from Dan Cox of Miles Sand & Gravel (Miles), in a letter to the county originally dated 11 August 11, 2016, and sent again on both 27 February 2017, and 15 May 2017. An excerpt is as follows:

> *"We assert that the Forest Road standards and existing roadway are sufficient and all that is necessary to transport the mine materials to the County Road and provide for adequate emergency response. In your letter you mention additional Critical Areas review for improvements to the haul road to County Road standards. The County should reconsider this approach and discourage any unnecessary impacts to critical areas. It is environmentally irresponsible to develop these roads to a greater standard that is necessary for the safe removal of the natural resources.*
>
> *We are submitting for your review our Timber Management Plan dated November 9, 2009. This contains our Forest Road plan for this property. We can agree to maintain the Forest Road at an average 20 foot with and graveled surface under the Forest Road standards per WAC 222-16-010 which has already been approved for this road system. Maintaining the road to this standard will provide the necessary ingress and egress for emergency vehicle access to the proposed mine site as well as supporting the dominate land use of*

ongoing forest management on the remaining 650 acres of this approximate 730-acre ownership. Finally, as requested, we are submitting a memo from Jordan Janiki, PE certifying the bridge over Swede Creek at the required HS-25 rating."

We are concerned, on many fronts, but the fact this road has increased the impervious surface with no engineered stormwater plan is, to quote from their statement above "*environmentally irresponsible to develop these roads to a greater standard than is necessary for the safe removal of the natural resources*". Portions of this runoff will flow into Swede Creek, a tributary to the Samish River. The Samish River and receiving body, Samish Bay, is the target for the Clean Samish Initiative and protecting its water quality. This new road will increase siltation and water quantity flow into Swede Creek and Samish River where there is a current flooding issue and water quality concerns. Second paragraph of Item B3-2 of the Section 3 Guidelines for Forest Road (Board Manual – 8/20/13) states: "*Forest landowners are responsible for maintaining all of their forest roads to the extent necessary to prevent potential or actual damage to public resources.*"

Because the FPA permit application is a classification IV-G, as indicated on their FPA page 1 and line item 30 page 7, this means the land, the proposed mine and access road, will be converted to a non-timber use.

Per WAC 222.16.101, WAC 222. 20.050, RCW 76.09. (3) (d) and RCW 76.09.460 a Construction Stormwater General Permit from Ecology is required for not just the proposed mine site which they have submitted but did not include the access road. However, the access road, because it is a part of the proposed project, i.e., the proposed gravel mine, the road and recent work are a part of the overall project. Therefore, both the mine and access road should be considered in the project scope and permitting requirements.

The condition of this new road will in fact cause *actual damage to public resources*. We respectfully request the county and the DNR immediately cause Miles to discontinue the road reconstruction, to use the proper permitting process through SEPA, have the road designed to current engineering requirements using Best Available Practices including stormwater quality and quantity with detention ponds, confirm the presence and location of receiving water bodies such as wetlands and streams, and either avoid critical area impacts, or, obtain the proper permits and mitigate for all impacts.

This new access road construction is greater than the 20 feet referenced by Miles, is specifically for ingress and egress for gravel truck traffic, is included in the FPA for the mine and is not timber related. That is, it is solely for the proposed mine and does not have the environmental review as it pertains to wetland/fish and wildlife habitat impacts and will affect receiving water bodies. Therefore, the access road and recent road construction is a part of the proposed mine.

Furthermore, because the road work is for the proposed mine, the road is defacto a part of the mine and needs to be included in said conversion FPA permit application. Per

the above referenced WAC's and RCW, a six-year moratorium for development (change of land use from forestry to gravel extraction) is required. Both Skagit County and Ecology are to be contacted, by law, informing them the project is a single and complete project, i.e., the proposed mine site and the access road.

Additionally, the FPA was issued by DNR at least partly on the basis of the county's SEPA determination, an MDNS. The MDNS is currently in limbo, and arguably void, due to the failure to provide the required legal notice. It is apparent the county's denial of the Mining Special Use Permit (even though it was appealed) should have resulted in at least the temporary withdrawal of the MDNS. This should have been communicated to DNR and should have caused DNR to put a stop work order on both the mine site logging and the road work until the MDNS is either validated by the county or a new threshold determination issued.

We request this letter be placed into the public record for this project. A response would be appreciated. Thank you for your consideration.

Respectfully



Jim Wiggins
Abbe Rolnick
21993 Grip Road
Sedro-Woolley, WA 98284

Cc: Hal Hart, Skagit County Planning & Development Services
Doug Gresham, Washington State Department of Ecology
Rick Haley, Skagit County Public Works
Julie Nichol, Skagit County Civil Division – Planning & Development Services
Kurt Perry, Washington Department of Fish and Wildlife

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Monday, September 17, 2018 7:45 PM
To: Hal Hart; Betsy D. Stevenson
Cc: John Cooper; Stevee Kivi - Hearing Examiner/Records
Subject: RE: Concrete Nor'West Update

Hello Hal,
It was my understanding that a report regarding the settlement with Skagit County and Concrete Nor'west would be issued by today, September 17th. We have not received anything. Please let us know what is happening.
Thank you,
Martha Bray

From: Hal Hart [mailto:hhart@co.skagit.wa.us]
Sent: Tuesday, August 28, 2018 6:16 PM
To: 'Martha Bray'; Betsy D. Stevenson
Subject: Concrete Nor'West Update

Hi Martha,

Thanks for your email. I have been on vacation.

Per the attached e-mail from the Hearing Examiner's Office, the County will provide an update on or before September 17th regarding the status of the settlement.

We anticipate the next steps will be Concrete Nor'West's submittal of updated application materials, which will be available for review and public comment upon receipt. To date, the County has not received any updated materials from Concrete Nor'West. We are happy to meet after updated application materials are received and reviewed by the Department.

Sincerely,

Hal Hart, AICP
Director

Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1328 | HHart@co.skagit.wa.us

Email.

To: Parties, and Interested Persons:

Re: Miles Sand and Gravel v. Skagit County, PL18-0200

The Hearing Examiner's office has been advised that progress is being made in efforts to resolve this dispute and that the parties hope to have an agreement within the next month. Accordingly the Examiner hereby extends the continuance herein and sets September 17, 2018 as the date for next report on the status of the case.

Wick Dufford, Hearing Examiner
August 10, 2018

Stevee Kivi
Skagit County Public Disclosure/ Hearing Coordinator
700 S. Second Street, Room 100
Mount Vernon, WA 98273

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Sunday, September 23, 2018 8:45 PM
To: Stevee Kivi - Hearing Examiner/Records; Hal Hart
Cc: Julie S. Nicoll; John Cooper
Subject: RE: PL-0097 Grip/Prairie Gravel Mine

Dear Ms. Kivi and Mr. Hart:

We are community members who will be affected by the gravel mine proposed by Miles Sand and Gravel (Miles) near Grip and Prairie Roads. As you may recall, a number of us sought to intervene in this appeal back in May of this year. This request was denied. Since then we have been awaiting the announcement of the settlement of said appeal, and an "appropriate further Order" from the Hearing Examiner. This was first expected on or before August 14, 2018 as stated in the Hearing Examiner's Order dated May 17, 2018 (excerpted below). The appeal was then continued another 30 day, to September 17, 2018, in an emailed communication from the Hearing Examiner's office dated August 10, 2018 (excerpted below).

Since this latter date has passed, we have contacted both the offices of Planning and Development Services and the Hearing Examiner requesting an update regarding this matter. The only thing that we have been told is that Miles has submitted "additional information" which County staff are reviewing; we were then provided with these files. However, we have not received documentation regarding the terms of any settlement.

We are confused about the status of this application, as it is our understanding, based on the Hearing Examiner's May 17, 2018 Order, that the denial of the application still stands until the appeal is settled; and that a report and Hearing Examiner Order was forthcoming, and that we would have an opportunity to appeal any settlement that is reached.

I would like to add that over the course of the last 127 days we have respectfully sought clarification from the Planning and Development Services regarding the status of this matter, and asked what seemed a reasonable question: what the public process would be after these deadlines passed, but were told only this by Mr. Hart: *"The attorneys are handling settlement negotiations directly, so I am not at liberty to discuss it. Per the Hearing Examiner order, the County will provide an update on or before August 14th regarding the status of the settlement."*

We have not received the promised report, nor any update, nor "appropriate further Order" from the Hearing Examiner. Please let us know when we can expect to receive copies of these documents, and explain what the public process will be from this point forward.

Respectfully,

Martha Bray and John Day

The relevant language from the Hearing Examiner's order on May 17, 2018 and continuance on August 10, 2018 are pasted below.

> The Examiner denied the motion, opining that any settlement resulting in reversal of the permit decision would be appealable. This means that those requesting intervention would then have an opportunity to appeal the decision on its merits.

The Examiner enters the following order:

ORDER

The Motion to Intervene is denied, without prejudice to being renewed should settlement fail to be achieved within a reasonable time. The appeal is continued for 90 days from the date of this Order – to August 14, 2018. Prior to or on that date, the County shall advise the Hearing Examiner of the status of settlement discussions. An appropriate further Order will be entered by the Examiner on receipt of the County's report.

SO ORDERED, this 17th day of May, 2018.

Wick Dufford, Hearing Examiner

Re: Miles Sand and Gravel v. Skagit County, PL18-0200

The Hearing Examiner's office has been advised that progress is being made in efforts to resolve this dispute and that the parties hope to have an agreement within the next month. Accordingly the Examiner hereby extends the continuance herein and sets September 17, 2018 as the date for next report on the status of the case.

Wick Dufford, Hearing Examiner
August 10, 2018

John Cooper

From: Jim Wiggins <jimwiggins@fidalgo.net>
Sent: Wednesday, September 26, 2018 8:55 AM
To: John Cooper
Cc: abbe@abberolnick.com; Hal Hart
Subject: Re: PFA/N 2816283; proposed Grip Road Gravel Mine, PL16-0097

Good morning John

The new and recent access haul road construction is greater than the 20 feet referenced by Miles, is specifically for ingress and egress for gravel truck traffic, is included in the FPA for the mine and is not timber related. That is, it is solely for the proposed mine and does not have the environmental review as it pertains to wetland/fish and wildlife habitat impacts and will affect receiving water bodies. Therefore, the access road and recent road construction is a part of the proposed mine.

Because the road work is for the proposed mine, the road is defacto a part of the mine and needs to be included in said conversion FPA permit application. Per WAC 222-16-010 a six-year moratorium for development (change of land use from forestry to gravel extraction) is required.

Please provide your opinion.

Jim Wiggins

October 2, 2018

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

Re: Proposed gravel mine / Miles Sand and Gravel 9/20/17 response to County (PL16-0097)

Dear Mr. Hart,

We are writing regarding the current status of the application from Miles Sand and Gravel (Miles) for a Mining Special Use Permit (MSUP) (PL16-0097). As you are aware, Planning and Development Services (PDS) denied this application on April 5, 2018, and Miles subsequently appealed the denial on April 16, 2018. Since then, it is our understanding that settlement discussions were held between the PDS and Miles. Initially those discussions were supposed to be completed by August 14, 2018, but on that date the deadline was extended to September 17, 2018. We were not privy to the settlement discussions between the parties, and there has been no written documentation provided to the public regarding these discussions. We have simply been provided with the "revised application materials" that Miles submitted on September 17, 2018, and were told that the PDS is reviewing these materials to "determine what course of action to take". At this juncture, we wish to raise a number of concerns regarding both the course this application has taken and substance of the recent submittal from Miles.

Has the settlement period just been one more improper application extension? We do not see how the submittal of these revised application materials resolves the many issues that resulted in the denial of the application back in April. The application was denied, among other reasons, because Miles failed to submit information that had been requested by PDS over a year ago. The denial came after several hard deadlines had passed without Miles responding appropriately, including a deadline set by the former planning director that constituted a verbal application extension in violation of County Code. All of this is documented in our previous comment letters. Now it appears that this latest four-month settlement period may have been just one more way for Miles to get even more time, while simultaneously (and conveniently for them) shutting the public completely out of the process. Even if the additional materials comprised a substantively complete application, which they do not, this does not seem like a fair way to conduct the application process.

Absence of transparency and documentation. We are disappointed with the lack of transparency and documentation that has accompanied this settlement process. There has been effectively a four month black-out period during which the public has been told nothing. Throughout this period, we repeatedly asked for clarification about what was happening with the public process. We were told that a report on the settlement would be forthcoming, but two weeks after the settlement deadline, we still have not received either a report or an explanation. Despite repeated polite inquiries, we have no idea what is going to transpire from this point forward. We feel we have been respectful and patient -- the result, we now fear, is that our concerns have once again been ignored.

In addition, these revised application materials have been given to us without any documentation from PDS as to what was requested of Miles during the settlement discussions. Therefore, there is no way for us to determine if Miles provided what was requested of them, and we have no way of knowing if PDS took into consideration the community's concerns during the settlement discussions. Certainly many of the things that we have been asking for are not included in these materials, but we have been unsuccessful in our attempts to intervene, or even to get an audience with PDS staff. If all the "settlement" consisted of was PDS requesting additional information, why was it necessary to keep the public in the dark for four months under the cover of attorney/client privilege? This is just further eroding any confidence the community might have had in PDS. Finally, if there is, in fact, no written record of the items requested from Miles by PDS, then it shows once again a disturbing pattern evident throughout this drawn out application process. This is a pattern of little or no documentation and vague statements from PDS instead of clear requirements. We feel this has allowed Miles to define their own terms.

The applicant is still referring to the original invalid MDNS as if it has merit. This lack of clarity is most obvious is in the fact that Miles is still referring to the flawed Mitigated Determination of Non-Significance (MDNS) that was issued in 2016, even in their recently submitted updated narrative ("Concrete Nor'West Grip Road Special Use Narrative" dated August 2, 2018). The MDNS was invalidated by procedural and substantive errors long ago. We have repeatedly pointed this out, yet somehow the MDNS has never been formally withdrawn. Instead, after acknowledging the serious error that infected both the SEPA and MSUP process from the very beginning, PDS then provided vague language about issuing a "revised MDNS" at a future date; this has enabled the applicant to repeatedly argue that the original staff report/findings and MDNS conditions still somehow apply.

We repeat, yet again, that proper notice was not issued in 2016, and many affected landowners, who were legally entitled to notice, did not have an opportunity to comment, let alone appeal that MDNS. Hundreds of comments poured in from the community after notice was issued to all required neighboring landowners. These comments contained significant new information that PDS had not taken into consideration, information that should have been considered prior to a SEPA threshold determination. Yet somehow the applicant feels justified in ignoring all of these very legitimate concerns and PDS seems to continue to side-step these issues.

There have been other serious and unacknowledged consequences of this. We believe that PDS' failure to withdraw the MDNS allowed Miles to apply for and receive a Class IV-General Forest Practices Activity (FPA) permit from the DNR in order to log its proposed mine site as part of converting it from forestry to mining use. This then led to the justification for the major road work Miles conducted this summer on their private haul road, as discussed below.

Private haul road improvements under pretext of forest practices. During this last four-month period while the application was technically denied and the denial under appeal, Miles was busy building their two-mile long haul road to the mine site without any County regulatory oversight. Miles claimed repeatedly that no improvements to the existing forest roads were necessary for their mining project. In May of 2017 in correspondence with the PDS, they stated "the Forest Road standards and existing roadway

are sufficient and all that is necessary to transport the mine materials to the County Road and provide for adequate emergency response." This was their justification for not including the internal road work as part of the MSUP application. Yet the road received a major rebuild this summer -- it has been widened, graded and many tons of new fine, crushed gravel spread and compacted. When we inquired to PDS about this last summer, we were provided with an email forwarded from Miles' attorney stating that they were conducting "routine maintenance" of their forest roads. This is patently absurd. The only road on their 700 acre property that has received said "maintenance" is the one from the Grip Road entrance to the mine site. This is not a road designed for forest management. When we contacted WA State Department of Natural Resources, we were told that that no permits for forest road maintenance are required under State Forest Practice Rules, and that the County has jurisdiction over conversions, so if we have concerns we should talk with the County about it. PDS completely ignored our letter of complaint about the road work. This work should not have been done until Miles had an approved MSUP, and should have been subject to Critical Areas review. Instead the applicant has used loopholes in the Forest Practice Rules, along with a FPA permit enabled by an invalid MDNS, to build the road without answering to concerns about environmental impacts associated with conversion of the road to heavy industrial use. The County should have asserted its authority to regulate the conversion, stopped the work, and required Miles to follow County regulations. Now, in a fait accompli, Miles has submitted a "Private Internal Road As Built" survey in their updated application materials. This drawing shows a new widened, compacted graded road that is ready to handle hundreds of gravel trucks a day, all accomplished during the period of the "settlement talks". To say the least, this too has further eroded the public's confidence in the fairness of this process.

Revised application materials are inadequate. We have reviewed the revised application materials submitted on September 17th. We will refrain from a point by point critique at this time, but we find the package astonishingly inadequate. Simply put, there is nothing very new about these materials. In the "Revised Grip Road Special Use Narrative" very little of consequence has changed from CNW's original application from 2016. CNW has not even bothered to submit a new MSUP application form, despite the inaccuracies and misstatements included in the original submitted on March, 2016. The revised Narrative still contains most of the wording from the original submission. The applicant once again refers to the County's determination, issued March 22, 2016, that the application is "complete". Subsequent events, submissions, and lack thereof have clearly made that determination legally void, so this statement is, at best, misleading.

There is still no Traffic Impact Analysis. Most notably, we have repeatedly asked for a full Level 2 Traffic Impact Analysis as is required by County Code. The road and traffic safety concerns have been very well documented in previous comment letters. Not only has this traffic study not been provided, but Miles is still referencing the same completely outdated and inadequate DN Traffic Consultants "Traffic Report", which is actually a memo with the subject "Preliminary Traffic Information" (emphasis ours), dated November 30, 2016, and an update to the same dated April 24, 2017. After more than two years into this process, how can it be that this basic element of the application has still not been addressed? There is no new information in the revised Narrative about the volume of truck traffic expected. The applicant states that the number of truck trips per day will be based on market demand and that it is described in the DN Traffic Consultants "Traffic Report". By way of reminder, this memo identifies no clear maximum number of truck trips per hour or per day. The consultant says in his update that a "suggested" limit would be 60

trips per hour, but that there could be up to 110 trips per hour without violating county Level of Service (LOS) requirements. As we have been saying for two years, the notion that this volume of gravel truck traffic on these roads would not pose a serious safety hazard is ludicrous.

The new narrative proposes only one traffic safety mitigation measure: the installation of a flashing yellow warning light at the Grip/Prairie Road intersection. This is not new and it is entirely inadequate. This intersection was identified by the consultant (and this is obvious to anyone who has ever driven through it) as having a major issue with limited sight distance. The consultant describes the flashing light measure only as a possible "interim solution". None of the other serious inadequacies of the roads and intersections on the proposed mine haul route are mentioned.

We have not even touched on the existing condition of Grip and Prairie Roads, which are substandard now and patched together every year with more little fixes by Public Works. The impact of this volume of truck traffic on these roads has never been addressed despite dozens of individuals asking for an explanation. Interestingly, the applicant includes lengthy excerpts from the ***Skagit County's Comprehensive Plan*** in an apparent attempt to bolster the legitimacy of the project as it is currently proposed. The most critical of these policies is under *Goal 4D-5: Safe Operations*. As cited in the Miles' Narrative, *Policy 4D-5.3* states "*Existing roads and bridges shall be improved as needed as each new extraction operation is developed. Cost sharing for the improvement of roads and bridges shall be negotiated between the permitting authorities and the Applicant*" (*emphasis ours*). The applicant makes no attempt to address or explain how their project complies with this policy. Presumably they were asked to address compliance with the Comprehensive Plan; instead they have made glaringly obvious to us that this proposal is seriously lacking in substance.

In summary. We see no possible justification for the County to accept this recent submittal of revised application materials as somehow completing Miles application or satisfying the settlement of the appeal. If there is no more than this to the "settlement", then the settlement is seriously flawed, and the Denial issued in April needs to stand. The applicant has manipulated and distorted the County's rules long enough in a blatant attempt to resurrect an invalid SEPA determination. Please do what should have been done over a year ago and require Miles to start the process over again with a new application, so that a proper SEPA process can be followed and the public can truly participate.

Finally, we feel it is past time for the community to get an explanation and update about what is happening with this process. And, we respectfully request a meeting with you and PDS staff to discuss our concerns prior to the department issuing a decision regarding further actions.

Thank you for your time and consideration.

Sincerely,

Martha Bray and John Day

cc. Lisa Janicki
Julie Nicoll
John Cooper

September 17, 2018

Jim Wiggins
Abbe Rolnick
21993 Grip Road
Sedro-Woolley, WA 98284

Dear Mr.'s Wiggins and Rolnick,

Thank you for your comment letter in regards to class IV General FPA 2816283. I'll try to address your comments and concerns related to DNR, Forest Practices' jurisdiction on these activities.

As you are likely aware, Skagit County was the SEPA lead for this project and issued a MDNS on June 24, 2016. The applicant then submitted FPA 2816283 for the removal of timber associated with the conversion of approximately 51 acres of forest land. I field-reviewed the FPA and approved it on April 4, 2018 with conditions and no appeal was filed during the 30-day appeal period. The FPA's two conditions were related to two specific areas of road maintenance requirements on the access road that I observed on my field visit. The first was a need for sediment traps on the bridge approaches over Swede Creek and the second was the addition of a ditch relief culvert further in on the forest road. Both of these were to minimize the potential of sediment from entering typed waters. These two areas were the only required maintenance activities that were associated with the class IV General FPA.

The access road is defined by the Forest Practices rules as a "forest road" and crosses "forest land" (WAC 222-16-010). Though this road accesses FPA 2816283 and the future commercial mining operation, it also accesses several hundred acres of forest land and will presumably be used for future timber harvest, rock and log haul, all activities under the jurisdiction of DNR, Forest Practices on forest land. Therefore, unless the surrounding forest land is converted, the road will be considered a forest road that is regulated by DNR under the Forest Practices Rules (WAC 222). Skagit County may have additional requirements on non-forest lands associated with the commercial mining operations and County roads.

The applicant elected to perform additional road maintenance activities which began in late spring 2018. I visited the road maintenance operations on three separate occasions to confirm all activities fell under the thresholds of a class I Forest Practice as defined in WAC 222-16-050(3), which do not require an approved FPA/N. I observed that ditches had been cleaned out, cross-drain culverts replaced and added, rock check-dams constructed in the ditch lines, and crushed-rock road surfacing had been spread and compacted with a roller. I did not observe that the road subgrade had been widened or that any sediment delivery to typed waters had occured. Limited brush and non-merchantable trees had been cut in places where ditches were overgrown or for ditch relief culvert- associated work. All activities observed were in compliance with the Forest Practices Rules and confirmed to be class I activities. The road maintenance required by the conditions of FPA 2816283 were also completed concurrently with the class I road maintenance.

Thank you for your comments. Please let me know if I can answer any further questions.

Sincerely,

David Klingbiel
Chuckanut Forest Practices Forester
Washington Department of Natural Resources
Northwest Region
(360)856-3500
David.klingbiel@dnr.wa.gov

John Cooper

From: Jim Wiggins <jimwiggins@fidalgo.net>
Sent: Wednesday, October 17, 2018 8:48 AM
To: John Cooper
Cc: abbe@abberolnick.com
Subject: Grip Mine access road

Good morning John. I sent you an email when you were on vacation a while back and want to follow up on it. I expressed concern about the FPA that was issued for the Mine site that is a conversion. Because the access road and recent work are a part of that FPA, the access road, by default, is a part of said FPA. Therefore a critical areas review should have been completed for the road work, especially since there are adjacent wetlands and a crossing of Swede Creek. Consequently a moratorium should be placed on the project until a Critical Areas review is completed for the recent road work to determine impacts to CA's and CA buffers.

I would like to call you sometime this week. Is there a good time for me to call?

Jim Wiggins
360-856-2139

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Monday, October 22, 2018 3:16 PM
To: John Cooper
Subject: FW: PDS Comments

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, October 20, 2018 1:05 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Ellen Martin
Address : 4929 Ida Drive
City : Sedro-Woolley
State : WA
Zip : 98284
email : ellenkmartin39@gmail.com
Phone : 360-840-4390
PermitProposal : Special Use Permit Application PL16-0097
Comments : I am completely opposed to the Concrete Nor'west Gravel Operation Near Grip Road. I am also very disappointed the the County's lack of transparency with the public in the permit process. I have been awaiting a public hearing and have recently learned that it is Tuesday's at 11:30. As you can guess this is difficult to attend for working individuals. Please consider the affect going forward with this plan will have on the people who live in this area.

From Host Address: 73.11.12.126

Date and time received: 10/20/2018 1:02:55 PM

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Wednesday, September 12, 2018 9:10 AM
To: John Cooper
Subject: FW: PDS Comments

From Dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, September 5, 2018 10:15 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Jane Fish
Address : 5043 Wildlife Acres Lane
City : Sedro Woolley
State : WA
Zip : 98284
email : jfish1994@gmail.com
Phone : 360-848-7711
PermitProposal : #PL18-0200
Comments : This is a comment on the activity that we can see AND hear around the proposed gravel pit off of Grip Rd. by CNW-Miles Sand and Gravel. It is so disheartening to know of all the work that is being done to prepare for this pit, yet we are seeing NOTHING done that would ensure the safety of the MANY people that drive Grip and Prairie Rd.'s to and from their homes. The other thing that is so wrong is to keep the people that this affects the most in the dark about the negotiations going on after their permit was denied. What is being done to protect the citizens and the small country roads that are in no way prepared to handle this? What about the blind corner of Grip and Prairie Rd?

From what I understand this company said that the haul road did not need improvement so they would not have to do any environmental reviews. But yet, they are improving the road. What is being done to protect the environment? You as the county need to stop this work immediately and hold this company to the standards of conducting an EIS.

Please do the right AND honest thing as our county officials. DO NOT LET THIS development continue!!

From Host Address: 184.63.204.51

Date and time received: 9/5/2018 10:12:30 PM

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Wednesday, September 12, 2018 12:55 PM
To: John Cooper
Subject: FW: PDS Comments

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Sunday, September 2, 2018 6:00 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Josh Nipges
Address : 20610 Prairie Rd
City : Sedro Woolley
State : WA
Zip : 98284
email : nipges@juno.com
Phone : 2067553309
PermitProposal : PL18-0200
Comments : I am concerned by the Planning Departments lack of involvement with the community around this project. Closing out the concerns of the community on a large and long lasting project such as this does not reflect well on the planning department. Making agreements behind closed doors, gives the community members the feeling that tax payers do not matter or have control over this issue. By having honest and open conversation by all parties will lead to the success of this project. At this time myself and my of my neighbors feel our voices are not being heard. We live in this area and have legitimate concerns about the amount of traffic this project will create. While the empirical data claims to show no need for road improvement, it does not show the many near miss vehicle accidents that can not be calculated by a simple road counter. It can not also take into consideration the lack of shoulders on Prairie rd and the number of bicyclists that travel these roads. I am also alarmed at the recent road improvements to the haul road off of Grip rd. These improvements go way beyond simple foresting road maintenance. Previously the road was a simple one lane road with large rock topping. The road now is two lanes with a smooth treated surface with compact crushed rock. Much like the roads in other Miles Sand and Gravel mine operations. A comparison to this improved haul road, look to the roads on Alger mountain. The Miles improved haul road is for more then industrial forestry.

From Host Address: 165.225.34.186

Date and time received: 9/2/2018 5:57:34 AM

13 September 2018

John Cooper, Skagit County Planning & Development Services
Dave Klingbiel, Department of Natural Resources

Re: PFA/N 2816283; proposed Grip Road Gravel Mine, PL16-0097

Dear Mr.'s Cooper and Klingbiel,

We are aware of the recent work on the access road that has been constructed by Lisa Inc. (Miles Sand and Gravel) for their proposed Grip Road gravel mine. The work that has occurred has been "permitted" by the Washington State Department of Natural Resources (DNR) under FPA/N # 2816283, which was submitted by Miles on 9 March 2018 ostensibly to log the proposed mine site. Said road construction has widened an existing timber harvest road network that had earlier been deemed by Miles Project Manager Dan Cox to be "*sufficient and all that is necessary*" (see below) to extract more than four million cubic yards of gravel from its proposed mine over a 25-year period.

Their access road from Grip Road to the proposed mine site has been widened this summer (2018) by Miles to greater than 30 feet in width, converting it to an all-weather compacted gravel double lane road.

We would like to bring to your attention information stated in a letter to John Cooper, Skagit County Planning from Dan Cox of Miles Sand & Gravel (Miles), in a letter to the county originally dated 11 August 11, 2016, and sent again on both 27 February 2017, and 15 May 2017. An excerpt is as follows:

> *"We assert that the Forest Road standards and existing roadway are sufficient and all that is necessary to transport the mine materials to the County Road and provide for adequate emergency response. In your letter you mention additional Critical Areas review for improvements to the haul road to County Road standards. The County should reconsider this approach and discourage any unnecessary impacts to critical areas. It is environmentally irresponsible to develop these roads to a greater standard that is necessary for the safe removal of the natural resources.*
>
> *We are submitting for your review our Timber Management Plan dated November 9, 2009. This contains our Forest Road plan for this property. We can agree to maintain the Forest Road at an average 20 foot with and graveled surface under the Forest Road standards per WAC 222-16-010 which has already been approved for this road system. Maintaining the road to this standard will provide the necessary ingress and egress for emergency vehicle access to the proposed mine site as well as supporting the dominate land use of*

ongoing forest management on the remaining 650 acres of this approximate 730-acre ownership. Finally, as requested, we are submitting a memo from Jordan Janiki, PE certifying the bridge over Swede Creek at the required HS-25 rating."

We are concerned, on many fronts, but the fact this road has increased the impervious surface with no engineered stormwater plan is, to quote from their statement above "*environmentally irresponsible to develop these roads to a greater standard than is necessary for the safe removal of the natural resources*". Portions of this runoff will flow into Swede Creek, a tributary to the Samish River. The Samish River and receiving body, Samish Bay, is the target for the Clean Samish Initiative and protecting its water quality. This new road will increase siltation and water quantity flow into Swede Creek and Samish River where there is a current flooding issue and water quality concerns. Second paragraph of Item B3-2 of the Section 3 Guidelines for Forest Road (Board Manual – 8/20/13) states: "*Forest landowners are responsible for maintaining all of their forest roads to the extent necessary to prevent potential or actual damage to public resources.*"

Because the FPA permit application is a classification IV-G, as indicated on their FPA page 1 and line item 30 page 7, this means the land, the proposed mine and access road, will be converted to a non-timber use.

Per WAC 222.16.101, WAC 222. 20.050, RCW 76.09. (3) (d) and RCW 76.09.460 a Construction Stormwater General Permit from Ecology is required for not just the proposed mine site which they have submitted but did not include the access road. However, the access road, because it is a part of the proposed project, i.e., the proposed gravel mine, the road and recent work are a part of the overall project. Therefore, both the mine and access road should be considered in the project scope and permitting requirements.

The condition of this new road will in fact cause *actual damage to public resources.* We respectfully request the county and the DNR immediately cause Miles to discontinue the road reconstruction, to use the proper permitting process through SEPA, have the road designed to current engineering requirements using Best Available Practices including stormwater quality and quantity with detention ponds, confirm the presence and location of receiving water bodies such as wetlands and streams, and either avoid critical area impacts, or, obtain the proper permits and mitigate for all impacts.

This new access road construction is greater than the 20 feet referenced by Miles, is specifically for ingress and egress for gravel truck traffic, is included in the FPA for the mine and is not timber related. That is, it is solely for the proposed mine and does not have the environmental review as it pertains to wetland/fish and wildlife habitat impacts and will affect receiving water bodies. Therefore, the access road and recent road construction is a part of the proposed mine.

Furthermore, because the road work is for the proposed mine, the road is defacto a part of the mine and needs to be included in said conversion FPA permit application. Per

the above referenced WAC's and RCW, a six-year moratorium for development (change of land use from forestry to gravel extraction) is required. Both Skagit County and Ecology are to be contacted, by law, informing them the project is a single and complete project, i.e., the proposed mine site and the access road.

Additionally, the FPA was issued by DNR at least partly on the basis of the county's SEPA determination, an MDNS. The MDNS is currently in limbo, and arguably void, due to the failure to provide the required legal notice. It is apparent the county's denial of the Mining Special Use Permit (even though it was appealed) should have resulted in at least the temporary withdrawal of the MDNS. This should have been communicated to DNR and should have caused DNR to put a stop work order on both the mine site logging and the road work until the MDNS is either validated by the county or a new threshold determination issued.

We request this letter be placed into the public record for this project. A response would be appreciated. Thank you for your consideration.

Respectfully



Jim Wiggins
Abbe Rolnick
21993 Grip Road
Sedro-Woolley, WA 98284

Cc: Hal Hart, Skagit County Planning & Development Services
Doug Gresham, Washington State Department of Ecology
Rick Haley, Skagit County Public Works
Julie Nichol, Skagit County Civil Division – Planning & Development Services
Kurt Perry, Washington Department of Fish and Wildlife

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Monday, September 17, 2018 7:45 PM
To: Hal Hart; Betsy D. Stevenson
Cc: John Cooper; Stevee Kivi - Hearing Examiner/Records
Subject: RE: Concrete Nor'West Update

Hello Hal,
It was my understanding that a report regarding the settlement with Skagit County and Concrete Nor'west would be issued by today, September 17th. We have not received anything. Please let us know what is happening.
Thank you,
Martha Bray

From: Hal Hart [mailto:hhart@co.skagit.wa.us]
Sent: Tuesday, August 28, 2018 6:16 PM
To: 'Martha Bray'; Betsy D. Stevenson
Subject: Concrete Nor'West Update

Hi Martha,

Thanks for your email. I have been on vacation.

Per the attached e-mail from the Hearing Examiner's Office, the County will provide an update on or before September 17th regarding the status of the settlement.

We anticipate the next steps will be Concrete Nor'West's submittal of updated application materials, which will be available for review and public comment upon receipt. To date, the County has not received any updated materials from Concrete Nor'West. We are happy to meet after updated application materials are received and reviewed by the Department.

Sincerely,

Hal Hart, AICP
Director

Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1328 | HHart@co.skagit.wa.us

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Sunday, September 23, 2018 8:45 PM
To: Stevee Kivi - Hearing Examiner/Records; Hal Hart
Cc: Julie S. Nicoll; John Cooper
Subject: RE: PL-0097 Grip/Prairie Gravel Mine

Dear Ms. Kivi and Mr. Hart:

We are community members who will be affected by the gravel mine proposed by Miles Sand and Gravel (Miles) near Grip and Prairie Roads. As you may recall, a number of us sought to intervene in this appeal back in May of this year. This request was denied. Since then we have been awaiting the announcement of the settlement of said appeal, and an "appropriate further Order" from the Hearing Examiner. This was first expected on or before August 14, 2018 as stated in the Hearing Examiner's Order dated May 17, 2018 (excerpted below). The appeal was then continued another 30 day, to September 17, 2018, in an emailed communication from the Hearing Examiner's office dated August 10, 2018 (excerpted below).

Since this latter date has passed, we have contacted both the offices of Planning and Development Services and the Hearing Examiner requesting an update regarding this matter. The only thing that we have been told is that Miles has submitted "additional information" which County staff are reviewing; we were then provided with these files. However, we have not received documentation regarding the terms of any settlement.

We are confused about the status of this application, as it is our understanding, based on the Hearing Examiner's May 17, 2018 Order, that the denial of the application still stands until the appeal is settled; and that a report and Hearing Examiner Order was forthcoming, and that we would have an opportunity to appeal any settlement that is reached.

I would like to add that over the course of the last 127 days we have respectfully sought clarification from the Planning and Development Services regarding the status of this matter, and asked what seemed a reasonable question: what the public process would be after these deadlines passed, but were told only this by Mr. Hart: *"The attorneys are handling settlement negotiations directly, so I am not at liberty to discuss it. Per the Hearing Examiner order, the County will provide an update on or before August 14th regarding the status of the settlement."*

We have not received the promised report, nor any update, nor "appropriate further Order" from the Hearing Examiner. Please let us know when we can expect to receive copies of these documents, and explain what the public process will be from this point forward.

Respectfully,

Martha Bray and John Day

The relevant language from the Hearing Examiner's order on May 17, 2018 and continuance on August 10, 2018 are pasted below.

> The Examiner denied the motion, opining that any settlement resulting in reversal of the permit decision would be appealable. This means that those requesting intervention would then have an opportunity to appeal the decision on its merits.

John Cooper

From: Jim Wiggins <jimwiggins@fidalgo.net>
Sent: Wednesday, September 26, 2018 8:55 AM
To: John Cooper
Cc: abbe@abberolnick.com; Hal Hart
Subject: Re: PFA/N 2816283; proposed Grip Road Gravel Mine, PL16-0097

Good morning John

The new and recent access haul road construction is greater than the 20 feet referenced by Miles, is specifically for ingress and egress for gravel truck traffic, is included in the FPA for the mine and is not timber related. That is, it is solely for the proposed mine and does not have the environmental review as it pertains to wetland/fish and wildlife habitat impacts and will affect receiving water bodies. Therefore, the access road and recent road construction is a part of the proposed mine.

Because the road work is for the proposed mine, the road is defacto a part of the mine and needs to be included in said conversion FPA permit application. Per WAC 222-16-010 a six-year moratorium for development (change of land use from forestry to gravel extraction) is required.

Please provide your opinion.

Jim Wiggins

October 2, 2018

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

Re: Proposed gravel mine / Miles Sand and Gravel 9/20/17 response to County (PL16-0097)

Dear Mr. Hart,

We are writing regarding the current status of the application from Miles Sand and Gravel (Miles) for a Mining Special Use Permit (MSUP) (PL16-0097). As you are aware, Planning and Development Services (PDS) denied this application on April 5, 2018, and Miles subsequently appealed the denial on April 16, 2018. Since then, it is our understanding that settlement discussions were held between the PDS and Miles. Initially those discussions were supposed to be completed by August 14, 2018, but on that date the deadline was extended to September 17, 2018. We were not privy to the settlement discussions between the parties, and there has been no written documentation provided to the public regarding these discussions. We have simply been provided with the "revised application materials" that Miles submitted on September 17, 2018, and were told that the PDS is reviewing these materials to "determine what course of action to take". At this juncture, we wish to raise a number of concerns regarding both the course this application has taken and substance of the recent submittal from Miles.

Has the settlement period just been one more improper application extension? We do not see how the submittal of these revised application materials resolves the many issues that resulted in the denial of the application back in April. The application was denied, among other reasons, because Miles failed to submit information that had been requested by PDS over a year ago. The denial came after several hard deadlines had passed without Miles responding appropriately, including a deadline set by the former planning director that constituted a verbal application extension in violation of County Code. All of this is documented in our previous comment letters. Now it appears that this latest four-month settlement period may have been just one more way for Miles to get even more time, while simultaneously (and conveniently for them) shutting the public completely out of the process. Even if the additional materials comprised a substantively complete application, which they do not, this does not seem like a fair way to conduct the application process.

Absence of transparency and documentation. We are disappointed with the lack of transparency and documentation that has accompanied this settlement process. There has been effectively a four month black-out period during which the public has been told nothing. Throughout this period, we repeatedly asked for clarification about what was happening with the public process. We were told that a report on the settlement would be forthcoming, but two weeks after the settlement deadline, we still have not received either a report or an explanation. Despite repeated polite inquiries, we have no idea what is going to transpire from this point forward. We feel we have been respectful and patient -- the result, we now fear, is that our concerns have once again been ignored.

In addition, these revised application materials have been given to us without any documentation from PDS as to what was requested of Miles during the settlement discussions. Therefore, there is no way for us to determine if Miles provided what was requested of them, and we have no way of knowing if PDS took into consideration the community's concerns during the settlement discussions. Certainly many of the things that we have been asking for are not included in these materials, but we have been unsuccessful in our attempts to intervene, or even to get an audience with PDS staff. If all the "settlement" consisted of was PDS requesting additional information, why was it necessary to keep the public in the dark for four months under the cover of attorney/client privilege? This is just further eroding any confidence the community might have had in PDS. Finally, if there is, in fact, no written record of the items requested from Miles by PDS, then it shows once again a disturbing pattern evident throughout this drawn out application process. This is a pattern of little or no documentation and vague statements from PDS instead of clear requirements. We feel this has allowed Miles to define their own terms.

The applicant is still referring to the original invalid MDNS as if it has merit. This lack of clarity is most obvious is in the fact that Miles is still referring to the flawed Mitigated Determination of Non-Significance (MDNS) that was issued in 2016, even in their recently submitted updated narrative ("Concrete Nor'West Grip Road Special Use Narrative" dated August 2, 2018). The MDNS was invalidated by procedural and substantive errors long ago. We have repeatedly pointed this out, yet somehow the MDNS has never been formally withdrawn. Instead, after acknowledging the serious error that infected both the SEPA and MSUP process from the very beginning, PDS then provided vague language about issuing a "revised MDNS" at a future date; this has enabled the applicant to repeatedly argue that the original staff report/findings and MDNS conditions still somehow apply.

We repeat, yet again, that proper notice was not issued in 2016, and many affected landowners, who were legally entitled to notice, did not have an opportunity to comment, let alone appeal that MDNS. Hundreds of comments poured in from the community after notice was issued to all required neighboring landowners. These comments contained significant new information that PDS had not taken into consideration, information that should have been considered prior to a SEPA threshold determination. Yet somehow the applicant feels justified in ignoring all of these very legitimate concerns and PDS seems to continue to side-step these issues.

There have been other serious and unacknowledged consequences of this. We believe that PDS' failure to withdraw the MDNS allowed Miles to apply for and receive a Class IV-General Forest Practices Activity (FPA) permit from the DNR in order to log its proposed mine site as part of converting it from forestry to mining use. This then led to the justification for the major road work Miles conducted this summer on their private haul road, as discussed below.

Private haul road improvements under pretext of forest practices. During this last four-month period while the application was technically denied and the denial under appeal, Miles was busy building their two-mile long haul road to the mine site without any County regulatory oversight. Miles claimed repeatedly that no improvements to the existing forest roads were necessary for their mining project. In May of 2017 in correspondence with the PDS, they stated "the Forest Road standards and existing roadway

are sufficient and all that is necessary to transport the mine materials to the County Road and provide for adequate emergency response." This was their justification for not including the internal road work as part of the MSUP application. Yet the road received a major rebuild this summer -- it has been widened, graded and many tons of new fine, crushed gravel spread and compacted. When we inquired to PDS about this last summer, we were provided with an email forwarded from Miles' attorney stating that they were conducting "routine maintenance" of their forest roads. This is patently absurd. The only road on their 700 acre property that has received said "maintenance" is the one from the Grip Road entrance to the mine site. This is not a road designed for forest management. When we contacted WA State Department of Natural Resources, we were told that that no permits for forest road maintenance are required under State Forest Practice Rules, and that the County has jurisdiction over conversions, so if we have concerns we should talk with the County about it. PDS completely ignored our letter of complaint about the road work. This work should not have been done until Miles had an approved MSUP, and should have been subject to Critical Areas review. Instead the applicant has used loopholes in the Forest Practice Rules, along with a FPA permit enabled by an invalid MDNS, to build the road without answering to concerns about environmental impacts associated with conversion of the road to heavy industrial use. The County should have asserted its authority to regulate the conversion, stopped the work, and required Miles to follow County regulations. Now, in a fait accompli, Miles has submitted a "Private Internal Road As Built" survey in their updated application materials. This drawing shows a new widened, compacted graded road that is ready to handle hundreds of gravel trucks a day, all accomplished during the period of the "settlement talks". To say the least, this too has further eroded the public's confidence in the fairness of this process.

Revised application materials are inadequate. We have reviewed the revised application materials submitted on September 17th. We will refrain from a point by point critique at this time, but we find the package astonishingly inadequate. Simply put, there is nothing very new about these materials. In the "Revised Grip Road Special Use Narrative" very little of consequence has changed from CNW's original application from 2016. CNW has not even bothered to submit a new MSUP application form, despite the inaccuracies and misstatements included in the original submitted on March, 2016. The revised Narrative still contains most of the wording from the original submission. The applicant once again refers to the County's determination, issued March 22, 2016, that the application is "complete". Subsequent events, submissions, and lack thereof have clearly made that determination legally void, so this statement is, at best, misleading.

There is still no Traffic Impact Analysis. Most notably, we have repeatedly asked for a full Level 2 Traffic Impact Analysis as is required by County Code. The road and traffic safety concerns have been very well documented in previous comment letters. Not only has this traffic study not been provided, but Miles is still referencing the same completely outdated and inadequate DN Traffic Consultants "Traffic Report", which is actually a memo with the subject "Preliminary Traffic Information" (emphasis ours), dated November 30, 2016, and an update to the same dated April 24, 2017. After more than two years into this process, how can it be that this basic element of the application has still not been addressed? There is no new information in the revised Narrative about the volume of truck traffic expected. The applicant states that the number of truck trips per day will be based on market demand and that it is described in the DN Traffic Consultants "Traffic Report". By way of reminder, this memo identifies no clear maximum number of truck trips per hour or per day. The consultant says in his update that a "suggested" limit would be 60

trips per hour, but that there could be up to 110 trips per hour without violating county Level of Service (LOS) requirements. As we have been saying for two years, the notion that this volume of gravel truck traffic on these roads would not pose a serious safety hazard is ludicrous.

The new narrative proposes only one traffic safety mitigation measure: the installation of a flashing yellow warning light at the Grip/Prairie Road intersection. This is not new and it is entirely inadequate. This intersection was identified by the consultant (and this is obvious to anyone who has ever driven through it) as having a major issue with limited sight distance. The consultant describes the flashing light measure only as a possible "interim solution". None of the other serious inadequacies of the roads and intersections on the proposed mine haul route are mentioned.

We have not even touched on the existing condition of Grip and Prairie Roads, which are substandard now and patched together every year with more little fixes by Public Works. The impact of this volume of truck traffic on these roads has never been addressed despite dozens of individuals asking for an explanation. Interestingly, the applicant includes lengthy excerpts from the ***Skagit County's Comprehensive Plan*** in an apparent attempt to bolster the legitimacy of the project as it is currently proposed. The most critical of these policies is under *Goal 4D-5: Safe Operations*. As cited in the Miles' Narrative, *Policy 4D-5.3* states "*Existing roads and bridges shall be improved as needed as each new extraction operation is developed. Cost sharing for the improvement of roads and bridges shall be negotiated between the permitting authorities and the Applicant*" (*emphasis ours*). The applicant makes no attempt to address or explain how their project complies with this policy. Presumably they were asked to address compliance with the Comprehensive Plan; instead they have made glaringly obvious to us that this proposal is seriously lacking in substance.

In summary. We see no possible justification for the County to accept this recent submittal of revised application materials as somehow completing Miles application or satisfying the settlement of the appeal. If there is no more than this to the "settlement", then the settlement is seriously flawed, and the Denial issued in April needs to stand. The applicant has manipulated and distorted the County's rules long enough in a blatant attempt to resurrect an invalid SEPA determination. Please do what should have been done over a year ago and require Miles to start the process over again with a new application, so that a proper SEPA process can be followed and the public can truly participate.

Finally, we feel it is past time for the community to get an explanation and update about what is happening with this process. And, we respectfully request a meeting with you and PDS staff to discuss our concerns prior to the department issuing a decision regarding further actions.

Thank you for your time and consideration.

Sincerely,

Martha Bray and John Day

cc. Lisa Janicki
Julie Nicoll
John Cooper

September 17, 2018

Jim Wiggins
Abbe Rolnick
21993 Grip Road
Sedro-Woolley, WA 98284

Dear Mr.'s Wiggins and Rolnick,

Thank you for your comment letter in regards to class IV General FPA 2816283. I'll try to address your comments and concerns related to DNR, Forest Practices' jurisdiction on these activities.

As you are likely aware, Skagit County was the SEPA lead for this project and issued a MDNS on June 24, 2016. The applicant then submitted FPA 2816283 for the removal of timber associated with the conversion of approximately 51 acres of forest land. I field-reviewed the FPA and approved it on April 4, 2018 with conditions and no appeal was filed during the 30-day appeal period. The FPA's two conditions were related to two specific areas of road maintenance requirements on the access road that I observed on my field visit. The first was a need for sediment traps on the bridge approaches over Swede Creek and the second was the addition of a ditch relief culvert further in on the forest road. Both of these were to minimize the potential of sediment from entering typed waters. These two areas were the only required maintenance activities that were associated with the class IV General FPA.

The access road is defined by the Forest Practices rules as a "forest road" and crosses "forest land" (WAC 222-16-010). Though this road accesses FPA 2816283 and the future commercial mining operation, it also accesses several hundred acres of forest land and will presumably be used for future timber harvest, rock and log haul, all activities under the jurisdiction of DNR, Forest Practices on forest land. Therefore, unless the surrounding forest land is converted, the road will be considered a forest road that is regulated by DNR under the Forest Practices Rules (WAC 222). Skagit County may have additional requirements on non-forest lands associated with the commercial mining operations and County roads.

The applicant elected to perform additional road maintenance activities which began in late spring 2018. I visited the road maintenance operations on three separate occasions to confirm all activities fell under the thresholds of a class I Forest Practice as defined in WAC 222-16-050(3), which do not require an approved FPA/N. I observed that ditches had been cleaned out, cross-drain culverts replaced and added, rock check-dams constructed in the ditch lines, and crushed-rock road surfacing had been spread and compacted with a roller. I did not observe that the road subgrade had been widened or that any sediment delivery to typed waters had occured. Limited brush and non-merchantable trees had been cut in places where ditches were overgrown or for ditch relief culvert- associated work. All activities observed were in compliance with the Forest Practices Rules and confirmed to be class I activities. The road maintenance required by the conditions of FPA 2816283 were also completed concurrently with the class I road maintenance.

Thank you for your comments. Please let me know if I can answer any further questions.

Sincerely,

David Klingbiel
Chuckanut Forest Practices Forester
Washington Department of Natural Resources
Northwest Region
(360)856-3500
David.klingbiel@dnr.wa.gov

John Cooper

From: Jim Wiggins <jimwiggins@fidalgo.net>
Sent: Wednesday, October 17, 2018 8:48 AM
To: John Cooper
Cc: abbe@abberolnick.com
Subject: Grip Mine access road

Good morning John. I sent you an email when you were on vacation a while back and want to follow up on it. I expressed concern about the FPA that was issued for the Mine site that is a conversion. Because the access road and recent work are a part of that FPA, the access road, by default, is a part of said FPA. Therefore a critical areas review should have been completed for the road work, especially since there are adjacent wetlands and a crossing of Swede Creek. Consequently a moratorium should be placed on the project until a Critical Areas review is completed for the recent road work to determine impacts to CA's and CA buffers.

I would like to call you sometime this week. Is there a good time for me to call?

Jim Wiggins
360-856-2139

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Monday, October 22, 2018 3:16 PM
To: John Cooper
Subject: FW: PDS Comments

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Saturday, October 20, 2018 1:05 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Ellen Martin
Address : 4929 Ida Drive
City : Sedro-Woolley
State : WA
Zip : 98284
email : ellenkmartin39@gmail.com
Phone : 360-840-4390
PermitProposal : Special Use Permit Application PL16-0097
Comments : I am completely opposed to the Concrete Nor'west Gravel Operation Near Grip Road. I am also very disappointed the the County's lack of transparency with the public in the permit process. I have been awaiting a public hearing and have recently learned that it is Tuesday's at 11:30. As you can guess this is difficult to attend for working individuals. Please consider the affect going forward with this plan will have on the people who live in this area.

From Host Address: 73.11.12.126

Date and time received: 10/20/2018 1:02:55 PM

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Friday, June 22, 2018 9:06 AM
To: Hal Hart
Cc: Betsy D. Stevenson; John Cooper
Subject: RE: PL-0097 Grip/Prairie Gravel Mine

Dear Mr. Hart,

It has been three weeks since we talked on the phone, regarding the status of the application to develop a Gravel Mine near Grip and Prairie Roads, and six weeks since the pre-hearing conference with the Hearing Examiner on Miles Sand and Gravel / CNW's appeal of the County's decision to deny their permit.

Based on our phone conversation on May 31, I had the impression that the County would be issuing some sort of report soon. There is nothing new on on the County website, and we still have no information regarding the apparent settlement of the appeal, or any clarity regarding what the process will be going forward with this application.

Please let us know when you expect to have an update regarding the appeal, and the apparent settlement, and/or any other expected actions regarding Miles Sand and Gravel/ CNW's application. In addition, we would really appreciate some time estimates as to when we might expect the next County actions regarding this application.

Thank you,
Martha Bray

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Thursday, May 31, 2018 1:09 PM
To: hhart@co.skagit.wa.us
Cc: betsyds@co.skagit.wa.us; johnc@co.skagit.wa.us
Subject: PS: PL-0097 Grip/Prairie Gravel Mine

Hello again,

I apologize for the additional email. But I meant to summarize our phone conversation: the issue of faulty notice is not just a technical concern. I believe that less than 20% of the landowners who legally were entitled to notification were actually notified in March of 2016 when the original Notice of Application was issued.

We sincerely believe that if proper notice had been issued to all the landowners directly affected, that the feedback from the community would have revealed, much earlier in the application process the significant safety concerns related to roads and traffic. This would at the least have triggered a much more rigorous review of these issues by the County, and possibly resulted in either an MDNS not being issued, or being much more heavily conditioned, or a real traffic impact analysis being required, or even an appeal of the MDNS by community members.

This is why we were so concerned by the Hearing Examiner's comment at the May 9, 2018 Pre-Hearing Conference on Miles Sand and Gravel's appeal, when he said something like: "well the original MDNS wasn't appealed, and since it wasn't appealed, we just need to get this project to a hearing".

In our view the applicant is doing everything they can to hold on to the old faulty MDNS that should have been withdrawn long ago.

In addition, if you go back and read the project description presented in the Pre-Application materials, it describes a much smaller gravel extraction project. This smaller scale project was the basis for the information and reports that the County required of the applicant. There was an incredible amount of project creep as they crossed the SEPA threshold.

I appreciate you taking the time to understand what got us to this point.

Thank you,
Martha Bray

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Thursday, May 31, 2018 12:37 PM
To: hhart@co.skagit.wa.us
Cc: betsyds@co.skagit.wa.us; johnc@co.skagit.wa.us
Subject: PL-0097 Grip/Prairie Gravel Mine

Dear Mr. Hart,

Thank you for talking with us today regarding our concerns about the permitting process for the Grip Rd. gravel mine.

The letter we discussed that was sent by our attorney in March of 2017 is attached for your convenience. Please see page 2 that outlines the issues regarding "defective SEPA process" and "defective notice".

We understand that you and your team are very busy. We do look forward to receiving an update soon regarding Miles Sand and Gravel's appeal, and the apparent settlement that has been reached.

Thank you,
Martha Bray

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Thursday, June 28, 2018 1:37 PM
To: Hal Hart
Cc: John Cooper; Betsy D. Stevenson
Subject: FW: PL-0097 Grip/Prairie Gravel Mine

Importance: High

Mr. Hart,

Again, I would really appreciate an update regarding the status of the proposed Grip Road gravel mine before our group meets tonight. Despite several commitments from you for an update, we have heard nothing since the May 9th pre-hearing conference. And, no information was provided to us at that May 9 conference.

Below are some specific questions. I will try to call you later this afternoon if I don't hear back.

Thank you,
Martha Bray

1. Based on what we heard at the pre-conference hearing on May 9, 2018, we presume there is there a settlement in the works between CNW/Miles Sand and Gravel and the County regarding the County's decision to deny their application. If this is not the case, please explain the status of the decision to deny the application, and the appeal of that decision.
2. If there is a settlement in the works, when will the terms of the settlement be released to the public?
3. Can you give us some idea of what the terms of the settlement will be?
4. What is the public review process moving forward from the settlement – is there a separate process for the settlement that occurs prior to the application moving forward, or will it all happen simultaneously?
5. Can you please give us some sort of estimate of timing regarding the next phases of these actions.
6. Will a revised threshold determination still be issued as is stated on the County website?
7. Is the County requiring additional information and clarity regarding CNW's proposal prior to the project going to a SUP hearing and if so, what will be required?
8. What is the status of the third party traffic review?

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Tuesday, June 26, 2018 11:24 AM
To: 'Hal Hart'
Subject: RE: PL-0097 Grip/Prairie Gravel Mine

Hello again Mr. Hart,
Our group is meeting this Thursday evening. It would be very helpful to get that promised update before then.
Thank you,
Martha Bray

From: Hal Hart [mailto:hhart@co.skagit.wa.us]
Sent: Friday, June 22, 2018 12:24 PM
To: 'Martha Bray'
Subject: RE: PL-0097 Grip/Prairie Gravel Mine

Thank you for contacting our office.

I will discuss this with the staff team who have been out of the office and give you a quick update today by 5 PM.

Sincerely,

Hal Hart, AICP
Director

Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1328 | HHart@co.skagit.wa.us

From: Martha Bray <mbray1107@gmail.com>
Sent: Friday, June 22, 2018 9:06 AM
To: Hal Hart <hhart@co.skagit.wa.us>
Cc: Betsy D. Stevenson <betsyds@co.skagit.wa.us>; John Cooper <johnc@co.skagit.wa.us>
Subject: RE: PL-0097 Grip/Prairie Gravel Mine

Dear Mr. Hart,

It has been three weeks since we talked on the phone, regarding the status of the application to develop a Gravel Mine near Grip and Prairie Roads, and six weeks since the pre-hearing conference with the Hearing Examiner on Miles Sand and Gravel / CNW's appeal of the County's decision to deny their permit.

Based on our phone conversation on May 31, I had the impression that the County would be issuing some sort of report soon. There is nothing new on on the County website, and we still have no information regarding the apparent settlement of the appeal, or any clarity regarding what the process will be going forward with this application.

Please let us know when you expect to have an update regarding the appeal, and the apparent settlement, and/or any other expected actions regarding Miles Sand and Gravel/ CNW's application. In addition, we would really appreciate some time estimates as to when we might expect the next County actions regarding this application.

Thank you,
Martha Bray

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Thursday, May 31, 2018 1:09 PM
To: hhart@co.skagit.wa.us
Cc: betsyds@co.skagit.wa.us; johnc@co.skagit.wa.us
Subject: PS: PL-0097 Grip/Prairie Gravel Mine

Hello again,

I apologize for the additional email. But I meant to summarize our phone conversation: the issue of faulty notice is not just a technical concern. I believe that less than 20% of the landowners who legally were entitled to notification were actually notified in March of 2016 when the original Notice of Application was issued.

We sincerely believe that if proper notice had been issued to all the landowners directly affected, that the feedback from the community would have revealed, much earlier in the application process the significant safety concerns related to roads and traffic. This would at the least have triggered a much more rigorous review of these issues by the County, and possibly resulted in either an MDNS not being issued, or being much more heavily conditioned, or a real traffic impact analysis being required, or even an appeal of the MDNS by community members.

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In our view the applicant is doing everything they can to hold on to the old faulty MDNS that should have been withdrawn long ago.

In addition, if you go back and read the project description presented in the Pre-Application materials, it describes a much smaller gravel extraction project. This smaller scale project was the basis for the information and reports that the County required of the applicant. There was an incredible amount of project creep as they crossed the SEPA threshold.

I appreciate you taking the time to understand what got us to this point.

Thank you,
Martha Bray

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Thursday, May 31, 2018 12:37 PM
To: hhart@co.skagit.wa.us
Cc: betsyds@co.skagit.wa.us; johnc@co.skagit.wa.us
Subject: PL-0097 Grip/Prairie Gravel Mine

Dear Mr. Hart,

Thank you for talking with us today regarding our concerns about the permitting process for the Grip Rd. gravel mine.

The letter we discussed that was sent by our attorney in March of 2017 is attached for your convenience. Please see page 2 that outlines the issues regarding "defective SEPA process" and "defective notice".

We understand that you and your team are very busy. We do look forward to receiving an update soon regarding Miles Sand and Gravel's appeal, and the apparent settlement that has been reached.

Thank you,
Martha Bray

Virus-free. www.avast.com

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Wednesday, July 25, 2018 9:18 AM
To: John Cooper
Subject: FW: PDS Comments

From dept email... is this yours?

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Monday, July 23, 2018 10:00 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Paula Shafransky
Address : 22461 Prairie Road
City : Sedro Woolley
State : Outside Canada
Zip : 98284
email : pshafransky@gmail.com
Phone : 3608561637
PermitProposal : Gravel Pit on Grip Road
Comments : I am concerned about the lack of disclosure in the most recent negotiations regarding this gravel pit proposal. It seems the public has been shut out of the planning process. I'm wondering why the planning staff is unavailable for comment. Why are the County attorneys calling all the shots? What will the public process be after the settlement is announced on Aug. 14th?
I would appreciate a response to these questions.
Thank you.

From Host Address: 172.92.224.131

Date and time received: 7/23/2018 9:56:04 AM

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Wednesday, July 25, 2018 9:31 AM
To: John Cooper
Subject: FW: PDS Comments

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Sunday, July 22, 2018 3:35 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Renee Kenady
Address : 5319 Cedar Ridge Place
City : Sedro Woolley
State : WA
Zip : 98284
email : rkenady44@gmail.com
Phone : (360) 661-1272
PermitProposal : Special Use Permit Application PL16-0097
Comments : Planning Department,

It is with great frustration, concern and growing anger over the way the proposed gravel pit by Miles Sand & Gravel is being handled. The closed door approach is not a good faith effort to take care of the community. Our lives are the ones that are going to be affected by this gravel pit in a negative way. Not yours. You stand to gain revenues. Not fair.

We have raised legitimate concerns that have not been addressed by the county or Miles Sand & Gravel. Even though the denied petition states that, it doesn't seem to us that that is being stressed anymore.

An Environmental Impact Study is a perfectly reasonable thing to ask of the county and Miles Sand & Gravel.

I am contacting my senator and will also be talking to different media platforms regarding this.

We have invested are all to build a good home and neighborhood in which to live.

Please do the right thing.

Renee Kenady

From Host Address: 50.34.97.70

Date and time received: 7/22/2018 3:30:44 PM

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Monday, July 30, 2018 9:53 AM
To: Hal Hart; John Cooper
Cc: Betsy D. Stevenson; Julie S. Nicoll
Subject: Community Concerns about Concrete Nor'West construction activity at Grip Road gravel mine site

Importance: High

Dear Mr. Hart and Mr. Cooper,

We are hearing from community members that Concrete Nor'west (CNW) is actively working at their Grip Road gravel mine site. Quotes from some of the messages we have received from community members are shown below. Reports include ongoing sounds of heavy equipment, perhaps excavators, and a lot of gravel hauling into the site.

There is a concern in the community about what this means and why CNW is able to begin work at the site without an approved permit. If they are improving their private haul road, this seems to contradict their repeated claims that the "existing logging road" does not need improvement, and therefore does not require critical areas review.

Regardless it appears that they are actively developing the mine site – Under what authority are they conducting this activity? Has the County given them approval to move forward after denying their application, and before a settlement of their appeal is announced? It is past time for the community to be provided clear explanations about what is going on, and for our safety concerns to be addressed.

Please provide an explanation at your earliest convenience.

Thank you,
Martha Bray

Message received from community member:

Concrete nor West is working vigorously behind closed doors at the gravel pit on the grip Road. The last month and a half or so I've been seeing trucks going in early in the morning and coming out late at night and locking the gate behind them as they enter or exit. Not every day.

Now the last two weeks they have been working vigorously in there every day they have a dump trucks entering and exiting throughout the day and again they close the gate behind them.

This morning when I left to go to work at 4:30 AM there was a concrete nor west pick up truck opening the gate and going in.

my wife has been seeing them during the days with dump trucks going up and down the hill into the pit so they are not abiding by the rules it's illegal and I guess a lot of what they are doing is illegal. They are trying to be sneaky.

Another message received:

I see loaded trucks rolling in with crushed rock. Have they obtained a fill and grade permit. At 6 am the equipment is already running back there. Less than 2 months ago the county had to fix a washout on Grip road coming up the hill before you get to the entrance and now they're going to have a bunch of trucks running on it. I guess when it happens again they can use more of the taxpayers money to fix it for Miles.

Another one:

So Miles has started work on the pit. I passed 6 empty trucks on Prairie rd coming from the pit and followed a truck full of crushed rock to the driveway and turn in.

John Cooper

From: Paula Shafransky <pshafransky@gmail.com>
Sent: Tuesday, July 31, 2018 7:30 AM
To: John Cooper
Subject: Re: Concrete Nor'west gravel mine proposal

With all due respect John this doesn't answer any of my questions.

On Mon, Jul 30, 2018 at 8:02 AM, John Cooper <johnc@co.skagit.wa.us> wrote:

> Ms. Shafransky,
>
> Thank you for your interest in Skagit County. I am the Project Manager for Planning & Development Services on this project. The matter is currently under appeal with the Hearing Examiner. Pursuant to the attached order, a status update will be provided by the parties to the Hearing Examiner on August 14, 2018. This order is also available on the Hearing Examiner's website:
>
> https://www.skagitcounty.net/Departments/OfficeOfLandUseHearings/decisions.htm
>
> Sincerely,
>
> *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*
>
> *(360) 416-1334*

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Wednesday, August 1, 2018 9:18 AM
To: John Cooper
Subject: Re: Community Concerns about Concrete Nor'West construction activity at Grip Road gravel mine site

Thank you John.
Martha

On Aug 1, 2018, at 7:45 AM, John Cooper <johnc@co.skagit.wa.us> wrote:

> Ms. Bray,
>
> PDS contacted Concrete Nor'wests attorney, Mr. Bill Lynn, for an explanation of the recent activities observed onsite. Concrete Nor'west indicated that they are responding to a requirement from the Washington Department of Natural Resources for maintenance of the existing forest practice road onsite. Please see the email from Mr. Lynn below.
>
> Sincerely,
>
> *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*
> *(360) 416-1334*
>
> **From:** Julie S. Nicoll
> **Sent:** Tuesday, July 31, 2018 11:59 PM
> **To:** John Cooper <johnc@co.skagit.wa.us>; Hal Hart <hhart@co.skagit.wa.us>; Betsy D. Stevenson <betsyds@co.skagit.wa.us>; Bronlea Mishler <bronleam@co.skagit.wa.us>
> **Subject:** Fwd: Community Concerns about Concrete Nor'West construction activity at Grip Road gravel mine site
>
> FYI. John- can u please forward this response to Martha and copy everyone on this email?
>
> Thanks,
>
> Julie
>
> Begin forwarded message:

From: "Lynn, Bill" <BLynn@gth-law.com>
Date: July 30, 2018 at 2:52:48 PM PDT
To: "Julie S. Nicoll" <julien@co.skagit.wa.us>
Subject: RE: Community Concerns about Concrete Nor'West construction activity at Grip Road gravel mine site

Thank you for the email-I contacted the owners and am happy to have a chance to respond. As I expected, the only work that has occurred is maintenance activity under the existing Forest Practice Permit (FPP). Actually, CNW holds two FPPs for the Grip Road property. CNW is not operating the mine or developing the mine site. The FPP allows maintenance of roads and CNW has made that right clear throughout the process. The work underway is normal road maintenance—grading to re-establish the width and shape of the road for drainage and travel purposes, reshaping and cleaning the ditches, and resurfacing with gravel. Some of the needed work was identified by the DNR representative in a site visit; all is permissible as a standard forest practice. We would be happy to discuss at your convenience.

From: Julie S. Nicoll [mailto:julien@co.skagit.wa.us]
Sent: Monday, July 30, 2018 1:22 PM
To: Lynn, Bill
Subject: FW: Community Concerns about Concrete Nor'West construction activity at Grip Road gravel mine site
Importance: High

Bill,

FYI. Can you please look into this?

Thanks,

Julie

Deputy Prosecuting Attorney
Skagit County
Civil Division – Planning & Development Services
(360) 416-1638

From: Martha Bray <mbray1107@gmail.com>
Sent: Monday, July 30, 2018 9:53 AM
To: Hal Hart <hhart@co.skagit.wa.us>; John Cooper <johnc@co.skagit.wa.us>
Cc: Betsy D. Stevenson <betsyds@co.skagit.wa.us>; Julie S. Nicoll <julien@co.skagit.wa.us>
Subject: Community Concerns about Concrete Nor'West construction activity at Grip Road gravel mine site
Importance: High

Dear Mr. Hart and Mr. Cooper,

We are hearing from community members that Concrete Nor'west (CNW) is actively working at their Grip Road gravel mine site. Quotes from some of the messages we have received from community members are shown below. Reports include ongoing

sounds of heavy equipment, perhaps excavators, and a lot of gravel hauling into the site.

There is a concern in the community about what this means and why CNW is able to begin work at the site without an approved permit. If they are improving their private haul road, this seems to contradict their repeated claims that the "existing logging road" does not need improvement, and therefore does not require critical areas review.

Regardless it appears that they are actively developing the mine site – Under what authority are they conducting this activity? Has the County given them approval to move forward after denying their application, and before a settlement of their appeal is announced? It is past time for the community to be provided clear explanations about what is going on, and for our safety concerns to be addressed.

Please provide an explanation at your earliest convenience.

Thank you,
Martha Bray

Message received from community member:

Concrete nor West is working vigorously behind closed doors at the gravel pit on the grip Road. The last month and a half or so I've been seeing trucks going in early in the morning and coming out late at night and locking the gate behind them as they enter or exit. Not every day.

Now the last two weeks they have been working vigorously in there every day they have a dump trucks entering and exiting throughout the day and again they close the gate behind them.

This morning when I left to go to work at 4:30 AM there was a concrete nor west pick up truck opening the gate and going in.

my wife has been seeing them during the days with dump trucks going up and down the hill into the pit so they are not abiding by the rules it's illegal and I guess a lot of what they are doing is illegal. They are trying to be sneaky.

Another message received:

I see loaded trucks rolling in with crushed rock. Have they obtained a fill and grade permit. At 6 am the equipment is already running back there. Less than 2 months ago the county had to fix a washout on Grip road coming up the hill before you get to the entrance and now they're going to have a bunch of trucks running on it. I guess when it happens again they can use more of the taxpayers money to fix it for Miles.

Another one:

So Miles has started work on the pit. I passed 6 empty trucks on Prairie rd coming from the pit and followed a truck full of crushed rock to the driveway and turn in.

John Cooper

From: John Day <jday0730@gmail.com>
Sent: Sunday, August 12, 2018 3:03 PM
To: John Cooper
Cc: Hal Hart; Julie S. Nicoll
Subject: Road work by Miles Sand and Gravel on Grip Road property, ref. PL16-0097 and PL18-0200

Mr. Cooper,

I am concerned that Miles' statements regarding its recent intensive re-working of the internal road system on the properties contiguous with its proposed gravel mine site are, at best, disingenuous. It seems obvious to all concerned here that Miles is using Forest Practices Rules as a cover for conversion of its internal mine site access road from forestry use to commercial/industrial use prior to receiving approval from the county for its mine special use permit application. Regardless of whether it may have been allowable under Forest Practices Rules, since road use conversion is proposed, the work is in violation of the provisions of Skagit County Code Chapters 14.06, 14.12, and 14.24.

The county should immediately 1) issue a stop work order, 2) halt any further efforts to reach a settlement with Miles on its appeal of the county's denial of its mine special use permit application, 3) re-affirm the application denial, and 4) initiate enforcement proceedings against the company for a) any damage to critical areas that has already occurred or is likely to occur as a result of the work and b) not having obtained the required environmental review and permit approval for the road conversion.

John Day
6268 Erwin Ln
Sedro-Woolley, WA 98284
360-856-0644 (H)
360-854-8415 (M)
Jday0730@gmail.com

Virus-free. www.avast.com

John Cooper

From: Gresham, Doug (ECY) <DGRE461@ECY.WA.GOV>
Sent: Monday, August 20, 2018 8:48 AM
To: John Cooper
Subject: Gravel mine on Grip Road

John,
I wonder if you could provide an update on Concrete NorWest expansion of a gravel mine on Grip Road? I just received a complaint call from someone with the "Central Samish Valley Neighbors" group about road improvements to the haul road. Supposedly the DNR forest practices permit allows road improvements separate from the gravel mine expansion. Do you know what is allowed because I assume the gravel mine is tied up in appeal? Thanks.

Doug Gresham, Wetland Specialist
Washington State Department of Ecology
3190 - 160th Ave. SE
Bellevue, WA 98008
Phone: (425) 649-7199
Email: Doug.Gresham@ecy.wa.gov

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Tuesday, August 21, 2018 4:22 PM
To: Hal Hart
Cc: John Cooper; Betsy D. Stevenson
Subject: requesting meeting with planning staff regarding PL-160097)/ Grip Road Gravel Mine

Dear Mr. Hart,

This is to follow up on my phone message yesterday. Again, we respectfully request an in-person meeting with you and planning staff who are involved in reviewing the application from Miles Sand and Gravel for a mining special use permit (PL-160097).

The community continues to have many questions and concerns about this proposed project, and we have not received any information or update on the status of this application and the settlement in more than 3 months, even though we have repeatedly asked for an in-person meeting and sent inquiries by email.

We have no idea what happens after the settlement agreement is announced in September. The public deserves to understand what the process will be like moving forward. It is past time for planning department staff to respond to community members.

Please let me know some times that would work for you and staff. I would expect perhaps 4 to 6 members of the community to attend. We would not bring legal counsel. We simply would like to get some questions answered and have some confidence that planning dept staff are listening to our concerns.

In addition, we would appreciate it if the link on the public website would be updated with more recent comments and communications that you have received from the public. It has not been updated since June 1st. And there is no information on the site regarding the settlement discussions.

I look forward to hearing from you.

Thank you,
Martha Bray

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Thursday, August 30, 2018 3:20 PM
To: John Cooper
Subject: FW: PDS Comments

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Sunday, August 12, 2018 3:15 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : JOHN W DAY
Address : 6368 ERWIN RD
City : SEDRO WOOLLEY
State : WA
Zip : 98284
email : jday0730@gmail.com
Phone : 3608560644
PermitProposal : PL16-0097, PL18-0200
Comments : I am concerned that Miles' statements regarding its recent intensive re-working of the internal road system on the properties contiguous with its proposed Grip Road gravel mine site are, at best, disingenuous. It seems obvious to all concerned here that Miles is using Forest Practices Rules as a cover for conversion of its internal mine site access road from forestry use to commercial/industrial use prior to receiving approval from the county for its mine special use permit application. Regardless of whether it may have been allowable under Forest Practices Rules, since road use conversion is proposed, the work is in violation of the provisions of Skagit County Code Chapters 14.06, 14.12, and 14.24.

The county should immediately 1) issue a stop work order, 2) halt any further efforts to reach a settlement with Miles on its appeal of the county's denial of its mine special use permit application, 3) re-affirm the application denial, and 4) initiate enforcement proceedings against the company for a) any damage to critical areas that has already occurred or is likely to occur as a result of the work and b) not having obtained the required environmental review and permit approval for the road conversion.

From Host Address: 50.34.100.230

Date and time received: 8/12/2018 3:12:55 PM

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Thursday, August 30, 2018 3:31 PM
To: John Cooper
Subject: FW: PDS Comments

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Tuesday, August 21, 2018 6:25 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Andrea Garcia
Address : 22199 Grip RD
City : Sedro Woolley
State : WA
Zip : 98284
email : garcia4@wavecable.com
Phone : 3609821715
PermitProposal : Miles Sand and Gravel PL 18-0200
Comments : Once again big business is at it again and my county is letting them get away with it. Miles Sand and Gravel has been given the green light by Skagit County to do whatever the heck they want without any public meetings. Miles has been hauling in tons of material to make haul road improvements. Hmmm, I thought the road to destruction was ready to go? This information is based on what Miles said months ago. What about environmental studies? What about traffic studies? Has anyone from the county ever driven on Grip Road? Is the county prepared to answer questions after the first double trailer fatality at one of the hairpin turns or a child riding his/her bike to the creek is killed by a Miles truck? How about the proposed operating hours? Do you want them hauling gravel up and down your street 18 hours a day?

It's time there is a public hearing and all the backroom deals stop. We are not a bunch of "stupid country folk" living on a country road. Now is the time the county open this up to the public.

Andrea Garcia

From Host Address: 172.92.234.197

Date and time received: 8/21/2018 6:20:50 AM

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Tuesday, September 4, 2018 12:26 PM
To: Hal Hart; Betsy D. Stevenson
Cc: John Cooper
Subject: RE: Concrete Nor'West Update

Hello Hal,

It is discouraging not to have any new information, and to not have an opportunity to meet with planning staff, especially in light of the work that CNW has done in the last several months to their road system.

At a minimum, it seems appropriate for the County to update the website link to the gravel mine proposal documents to explain the current state of the application and appeal, and to update the letters and comments that have been received. Again, as I have pointed out several times, this site has not been updated since the beginning of June, and contains no information about the appeal.

Thank you,
Martha

From: Hal Hart [mailto:hhart@co.skagit.wa.us]
Sent: Tuesday, August 28, 2018 6:16 PM
To: 'Martha Bray'; Betsy D. Stevenson
Subject: Concrete Nor'West Update

Hi Martha,

Thanks for your email. I have been on vacation.

Per the attached e-mail from the Hearing Examiner's Office, the County will provide an update on or before September 17th regarding the status of the settlement.

We anticipate the next steps will be Concrete Nor'West's submittal of updated application materials, which will be available for review and public comment upon receipt. To date, the County has not received any updated materials from Concrete Nor'West. We are happy to meet after updated application materials are received and reviewed by the Department.

Sincerely,

Hal Hart, AICP
Director

Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1328 | HHart@co.skagit.wa.us

John Cooper

From: Travis Huisman <travis@flexureaccounting.com>
Sent: Thursday, September 6, 2018 8:12 AM
To: John Cooper
Subject: Miles Sand & Gravel proposed project on Grip Road

Good morning John,

My name is Travis Huisman. I am a property owner on Grip Road. I am writing for two reasons.

First, I am not clear what the current status is regarding the project. I see that there was a denial of the project, but I understand it is in appeals? Can I please be added to the notification list?

Second, I have been walking on that gravel road for the better part of 10 years. It was my understanding the property classification allowed public access as long as it was not motorized. Can you confirm for me the classification of the property and if that is accurate? I was contacted today by a very nice gentleman from Miles who suggested I was not supposed to be on the property and I would like to clarify this technically.

Thank you,

Travis Huisman
22718 Grip Road
360.856.6137

GORDON THOMAS HONEYWELL

William T. Lynn
Direct: (253) 620-6416
E-mail: blynn@gth-law.com

May 11, 2018

Julie Nicoll
Skagit County Attorney's Office
605 S. Third
Mount Vernon, WA 98273

RE: Concrete Nor'west/Miles Sand & Gravel

Dear Julie:

I wanted to follow up and set out what I understand our plan of action is for getting additional information to the County. We have 90 days (to August 7) to respond to the Hearing Examiner so I want to make sure we are on the same page. We agreed to submit the following:

1. An alternative site plan showing a 300 foot buffer from the wetland edge. This will be submitted without any waiver of our right to contend to the Hearing Examiner that only a 200 foot buffer is required.

2. We will resubmit the Noise Report or provide a supplement to the report that responds to the concerns set forth in the County's letter dated April 5, 2018 on that subject.

3. On traffic, you will obtain the input from Gibson, the County's third-party expert, on the traffic information that the Applicant has previously submitted. Please let us know when we should expect to receive those comments. If possible, we would like to have our traffic consultant communicate with the County's expert so that we can begin to address any comments as soon as possible. We will then either resubmit the report or submit a supplemental report addressing any comments by the County's consultant.

4. We will submit a revised narrative discussion of how the Applicant believes the proposal meets the criteria for a special use permit. Our revised submittal will make reference to the various reports and studies that have been submitted since the time the original hearing was scheduled and will address other mitigation measures or project elements that help ensure the criteria are met.

5. We will submit a water quality plan that describes the equipment and facilities that could provide potential sources of contamination, and identify ways in which potential risks are avoided or addressed by the proposal. That will likely attach the provisions of the Washington State Department of Ecology Sand And Gravel General Permit with appropriate references to sections where mitigation is provided. We will also provide a conceptual drawing showing implementation of measures to protect water quality and show any sensitive areas.

6. With respect to the private mine access road, the Applicant's consultants will be contacting the Public Works Department representatives who were unable to attend our meeting in hopes of working out a mutually acceptable condition of approval that will identify how the proposal can be conditioned to require compliance with applicable standards. In any event we will submit a proposed condition.

We can provide a more definite time line once we have information about the expected timing of the Gibson input.

The expectation of both the Applicant and the County is that this information will address the requirements of the County so that the current Application can proceed to hearing, hopefully shortly after the materials are submitted. That would allow us to dismiss the currently pending appeal.

We appreciated the productive communications we had Wednesday and hopefully we can continue that as this last remaining information is put together. From our conversation I know we share a commitment to establishing a record that will provide all of the information the Hearing Examiner needs to decide this matter in accordance with legal requirements.

Very truly yours,

William T. Lynn

WTL:lb
cc: Hal Hart, Director, Planning & Development Services
Betsy Stevenson, Senior Planner/Team Supervisor, Planning & Development Services
Dan Cox
Brad Barton
Mike Schuh
Patricia Larson

[4821-5567-9077]

John Cooper

From: PDS comments
Sent: Tuesday, April 3, 2018 10:02 AM
To: Hal Hart
Cc: Julie S. Nicoll; John Cooper
Subject: FW:

FYI...this came into the PDS comments email.

Sincerely,

Kathy Jewell
Administrative Coordinator
Skagit County Planning and Development Services
direct: 360-416-1338
www.skagitcounty.net/planning

From: David Miller <davidmiller8080@icloud.com>
Sent: Saturday, March 24, 2018 5:43 AM
To: PDS comments <pdscomments@co.skagit.wa.us>
Subject:

March 17, 2018

Hal Hart
Director of Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine Community Letter

Dear Mr. Hart,
As proposed this mine poses unacceptable environmental damage and major risks to public safety due to large volumes of truck traffic on substandard County roads. The application was illegally extended by Skagit County Planning and Development Services and is still incomplete. It's past time for the County to deny CNW's application. CNW needs to start over again with a clear proposal, and the County needs to require a full Environmental Impact Statement, including a full Traffic Impact Analysis.

The applicant, Concrete Nor'West, aka Miles Sand and Gravel, has proposed an open pit Gravel Mine on 68 acres in our Community. It is only thousands of feet from Prairie Road, borders the Samish River on the eastern side-facing Prairie Lane and will be hauling material with 101,500 GVW truck and trailers approximately 2 miles north on a graveled forest road which crosses wetlands. According to paperwork their truck and trailers will then exit the forest road onto Grip Road and in about .7 miles they will enter Prairie Road at the blind corners, pass the left turn at F & S Grade and making a left hand turn onto Old Hwy 99.

CNW has not made it clear if they will be selling to private market and if so of course other routes could used and would also need evaluated. They still insist that 30 trucks per hour up to 720 in a day will not have any impact on our Community. CNW also insists they should be allowed to operate unlimited hours. They have stated this industrial activity will have No Impact on us and our environmentl CNW insist the noise and vibrations will have No Impact. We disagree.

We have talked to countless numbers of people in our community and they agree a project of this size and scope needs to have an Environment Impact Statement (EIS) which will include a complete Traffic Analysis. The impacts of this project are not reversible nor temporary and therefore thorough evaluations are needed to avoid unnecessary negative impacts. It is apparent that CNW, Miles Sand & Gravel, has no regard for our safety, well-being or our environment, since they continue to ignore all the facts about our legitimate issues which we have documented for over a year.

We the undersigned are very concerned about CNW's proposed gravel mine near Grip and Prairie Road. We have been given the opportunity to review documents from the County, CNW, Attorney and Community comments before signing this letter. (RE: Permit #PL16-0097 Mining Special Use Permit, Concrete Nor'West Gravel Mine Community Letter)

See attached signatures
Sent from my iPhone

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Wednesday, April 18, 2018 11:49 AM
To: John Cooper
Cc: Hal Hart
Subject: Questions per appeal of decision to deny application PL16-0097

Hello John,

I hope you are well.

We have received the notice that CNW has appealed the County's decision to deny their application PL 16-0097.

I have a couple of questions regarding procedures. I have read the relevant section of County Code (14.06.110 and 14.06.160).

1. Are the comments we (and other community members) have already submitted on this project automatically a part of the record for this appeal hearing, or do we need to resubmit them?

2. Is there a particular procedure for submitting new comments regarding the appeal?

3. I assume that we are parties of record, and as such will receive copies of the notice of hearing and other relevant documents in a timely fashion. Please confirm.

4. Please note that I have heard from some community members that they received in the mail, a copy of the County's 4/12/2018 Notice of Decision (to deny application). I received a copy of the 4/5/2018 letter from the County to CNW denying the application, directly from Julie Nicoll, and appreciate such. However, neither my husband nor I received the Notice of Decision, except through the attorney representing Central Samish Valley Neighbors.

   Since the timing and notice regarding the appeal hearing is very short, I would like to understand who will receive these notices and who will not. Since we are presumably parties of record, it seems we should be receiving such notices directly. (Email transmittal of such documents would be adequate.)

5. We would very much appreciate as much lead time as possible regarding the scheduling of the appeal hearing. If possible please give me some idea of when it may be scheduled.

Thank you,
Martha Bray

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Friday, April 20, 2018 11:41 AM
To: John Cooper
Cc: Hal Hart
Subject: FW: PDS Comments

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 19, 2018 10:10 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Terri Wilde
Address : PO Box 5
City : Rockport
State : WA
Zip : 98283
email : terriwilde@yahoo.com
Phone : 360 654-3734
PermitProposal : CNW/Miles Sand and Gravel Mining Special Use Permit
Comments : Thank you for denying CNW/Miles Sand and Gravel Mining Special Use Permit. We were concerned with the inaccuracies in their application. And frankly, I believe the County would be much better served protecting the natural environment than opening up yet another gravel pit.
Thank you for your hard work.
Terri

From Host Address: 71.212.143.117

Date and time received: 4/19/2018 10:07:14 AM

John Cooper

From: John Day <jday0730@gmail.com>
Sent: Tuesday, May 1, 2018 3:36 PM
To: Tawnee Clearbrook
Cc: John Cooper
Subject: CNW Grip Rd Gravel Mine PL16-0097 permit application notice of completeness

Hi Tawnee,

From reading SCC 14.06.100 and the September 12, 2016 Staff Report referring to the application being deemed complete on March 22, 2016, I assume PDS sent a letter/notice of completeness to CNW around that time. I can't seem to find this in the online permit documents. Would it be possible for you to locate this document and email me a copy? It would be great if it were included in the online docs as well.

Thanks,
John Day

Virus-free. www.avast.com

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Wednesday, May 2, 2018 12:46 PM
To: John Cooper
Subject: FW: PDS Comments

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Wednesday, April 25, 2018 10:55 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Holly Hunter
Address : 22372 Nita Lane
City : Sedro Woolley
State : WA
Zip : 98284
email : hollyhunter1234@outlook.com
Phone : (425) 387-1815
PermitProposal : CNW Permit # 16-0097
Comments : 04212018 Grip Road Land Slide

The road is a modest upgrade and a "S curve" approximately 1/2 mile from the entrance of the purposed gravel mine. An approximate 25ft section of road has been damaged by the movement of the land (should of road).

This kind of damage has occurred just from the normal traffic that travels on the road daily, yet CNW insists that the HEAVY double trailer truck's massive weight will not cause excess wear and that they should not have to pay for any road repair, maintenance of upgrades when the purposed 100 - 150 trucks travel on these already fragile road.

The impact of the weight of these trucks is going to be significant and over the 25 year period common sense says there will be excessive damage incurred.

Will the County continue to repair the damage at no cost to CNW? If yes, were is the money coming from?

Surely you don't expect the property owners and tax payers to carry the burden for the repairs needed due to the excessive weight of the gravel moving trucks.

The roads are already telling you they can't handle the impact the purposed mine will have on them.

CNW should be required to conduct a comprehensive road and traffic study, to complete improvements and be responsible for at least some of the costs of maintenance and repair over the entire duration of the project.

Please consider limiting the routes the trucks are allowed to travel which might limit the damage to a smaller area.

I have pictures, but don't see a way to attach them.

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Thursday, May 31, 2018 12:37 PM
To: Hal Hart
Cc: Betsy D. Stevenson; John Cooper
Subject: PL-0097 Grip/Prairie Gravel Mine
Attachments: Sitkin Ltr to J. Cooper_3-2-17.PDF

Dear Mr. Hart,

Thank you for talking with us today regarding our concerns about the permitting process for the Grip Rd. gravel mine.

The letter we discussed that was sent by our attorney in March of 2017 is attached for your convenience. Please see page 2 that outlines the issues regarding "defective SEPA process" and "defective notice".

We understand that you and your team are very busy. We do look forward to receiving an update soon regarding Miles Sand and Gravel's appeal, and the apparent settlement that has been reached.

Thank you,
Martha Bray

CHMELIK SITKIN & DAVIS P.S.
ATTORNEYS AT LAW

Jonathan K. Sitkin
ATTORNEY
e) jsitkin@chmelik.com

March 2, 2017

VIA REGULAR U.S. MAIL AND E-MAIL
johnc@co.skagit.wa.us

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

RE: SPECIAL USE PERMIT APPLICATION NO. PL 16-0097
PROPOSED PROJECT: CONCRETE NOR'WEST GRAVEL MINE
APPLICANT: CONCRETE NOR'WEST

Dear Mr. Cooper:

As I have mentioned in my previous correspondence to you, we represent a group of citizens who live near the above-referenced proposed project. Our clients have a number of concerns with both the project and the direct, indirect, and cumulative significant impacts of the project, the lack of consistency of the project with the comprehensive plan policy and goals, and the errors in the County processing of the application, which have effectively denied our clients' ability to meaningfully participate in the SEPA process which resulted in a lack of disclosure of the project impacts and potential mitigation contrary to SEPA and the County's SEPA rules. This letter is intended to be the first in a series of installments outlining our concerns and objections. One of the reasons for the installment responses is due to the County's installment responses to our public records request. We have just recently received the 2nd and 3rd installment responses, but we have not been advised if these are the final installments or if additional responses are anticipated.

I have attempted to reach you by telephone a few times over the past week or so to discuss the project and our clients' concerns. I understand that you were out of the office on vacation during part of this time. Previously, I sent a letter to your office asking for notice of any matters that arise with regard to the project. Earlier this week, I sent to your office and the Hearing Examiner's office a Notice of Unavailability to assure that any pre-hearing conferences, scheduling of matters such as pre-hearing discovery, briefing, and the hearing are coordinated with my schedule. At the conclusion of this letter, you will find an invitation for County staff and the applicant to attend a community meeting regarding the project. We will arrange a suitable location and a facilitator for the meeting to ensure there's a constructive dialogue so that you and the applicant can hear the community's concerns and address potential solutions.

1500 Railroad Avenue
Bellingham, WA 98225
p) 360.671.1796
f) 360.671.3781
www.chmelik.com

We also request that you outline what anticipated actions by the County are forthcoming, such as the timing for deciding whether to withdraw the MDNS, when a new threshold determination would be made, when a hearing schedule will be proposed, and other key decision points. We request that you keep our firm advised in advance of all such actions.

We ask that you forward to my attention all communication from the applicant or any agency or tribe, as well as all documents received by the County provided by the applicant or their representatives in response to those other agencies or tribes.

DEFECTIVE SEPA PROCESS

For the initial reasons outlined herein, the County is requested to immediately withdraw the SEPA Threshold Determination of a Mitigated Non-Significance due to the lack of compliance with notice requirements, the effective violation of the fundamental disclosure and notice requirements of SEPA, and the resulting violation of our clients' procedural due process rights. When properly noticed, such a comment hearing assures that the County has provided the public with a reasonable and meaningful opportunity to provide comments regarding the project and the SEPA Checklist when conducting its threshold determination under SEPA. When proper notice is not provided, then the public is denied this opportunity.

DEFECTIVE NOTICE UNDER COUNTY CODE AND SEPA RULES

As you know, the original Notice of Application was issued in error in March 2016, due to the failure to provide mail of the notice to the proper parties.[1] The Skagit County Code requires that the Notice of Application be sent to the property owners surrounding the boundaries of the adjacent properties owned by the applicant—but it was not. The failure to mail the Notice of Application to the correct parties was a material nondisclosure and a failure to comply with disclosure requirements. This resulted in the cancellation of the public hearing scheduled for last fall and the re-issuance of the Notice of Application in December of 2016. However, SEPA, the County Code, and procedural due process requirements require that the Notice of Application be properly issued in advance of the SEPA determination and SEPA comment period. Proper issuance of the Notice of Application is fundamental to the required SEPA notice process. SEPA is fundamentally a public notice and public disclosure statute.[2]

The defective Notice of Application in March of 2016 infected the SEPA threshold determination process and the SEPA MDNS itself. The defective Notice of Application resulted in a denial of an opportunity to timely comment on the SEPA Checklist, depriving our clients of their rights and

[1] SCC 14.06.150(2) requires that a Notice of Application be mailed to all physical addresses and all owners of real property within 300 feet of any portion of the boundaries of such adjacent properties owned by the applicant. *See* SCC 14.06.150(2)(d)(iii). The County's Notice of Application issued in March of 2016 did not comply with this requirement.

[2] "[T]he procedural provisions of SEPA constitute an environmental full disclosure law." *Norway Hill Pres. & Prot. Ass'n v. King Cty Council*, 87 Wn.2d 267, 272, 552 P.2d 674, 677 (1976). "The act's procedures promote the policy of fully informed decision making by government bodies when undertaking 'major actions significantly affecting the quality of the environment.'" *Id.* (quoting RCW 43.21C.010; RCW 43.21C.030).

prejudicing our clients. Because the notice was defective, our clients were denied their ability to participate in the SEPA process. This is significant, substantial, and sufficient prejudice and harm to our clients that if the County were not to withdraw the MDNS immediately, we would anticipate that the Hearing Examiner or Court would require that a permit and a MDNS be invalidated with a requirement that the County re-commence the SEPA process.

As the Court of Appeals noted, "[o]ne purpose of specific statutory requirements for public notice of an impending land use decision is to ensure that the decision makers receive enough information from those who may be affected by the action to make an intelligent decision" and "defective notice undermines the information-gathering process." *Prosser Hill Coal. v. Cty. of Spokane*, 176 Wn. App. 280, 291, 309 P.3d 1202, 1208 (2013).

The lead agency is required to consider the timely comments from the general public regarding a threshold determination. WAC 197-11-340(2)(c) and (f).[3] Recognizing the importance of the Notice of Application and the ability of the public to meaningfully comment on the SEPA Checklist and threshold determination, Skagit County has integrated the SEPA review process with the Notice of Application.[4]

The SEPA Rules (WAC 197-11) contemplate a situation where DNS was issued are a result of a misrepresentation or a lack of material disclosure, as is the case here, due to the failure to properly issue the Notice of Application. In such instances, the lead agency has no choice but to withdraw the DNS. And, in this case, the County or its consultant must prepare the SEPA Checklist at the expense of the applicant. WAC 197-11-340(3)(a) provides, in part, (emphasis added):

> The lead agency shall withdraw a DNS if:
>
> ...
>
> (iii) The DNS was procured by misrepresentation or lack of material disclosure; if such DNS resulted from the actions of an applicant, **any subsequent environmental checklist on the proposal shall be prepared directly by the lead agency or its consultant at the expense of the applicant**.

State agencies have also complained to the County regarding the lack of proper notice of the application and of the SEPA threshold determination. For example, the Department of Archaeology and Historic Preservation ("DAHP") informed the County that "[w]e were not notified of the project in order to provide timely comments. One of our tribal partners notified us and we share his concerns that cultural resources may be damaged by this project."

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[3] SCC 16.12.070 adopts WAC 197-11-340.

[4] *See* SCC 14.06.070(2)(c). The Skagit County Code allows a SEPA threshold determination notice to be issued with the Notice of Application, provided that a determination of non-significance may not be issued until after the expiration of the comment period. The County's SEPA ordinance requires that if a SEPA document is issued with the Notice of Application, the public notice requirements for the Notice of Application suffice to meet the SEPA notice requirements. SCC 16.12.160 (2)(c). *See, also,* SCC 16.12.160(3).

Due to the lack of proper disclosure of the adjacent property owners and state agencies, and potentially others, as required by Skagit County Code, Skagit County is obligated to withdraw the MDNS.

MATERIAL DISCREPANCIES IN THE APPLICATION

In addition to the above procedural defects in the SEPA process, there are material discrepancies regarding the project description and its impact between the special use permit application, the SEPA Checklist prepared by the applicant, and other material submitted regarding the application. These discrepancies are so significant that one cannot discern what is proposed, other than it is a gravel mine at a particular location. The following is a summary of these discrepancies:

- Traffic Figures: A May 2015 traffic study presumed 25,000 tons of gravel would be removed from the mine each year, and used this figure to calculate that there would be an average of 6 truck trips per day. The same traffic study was apparently reissued in February 2016 with new figures—200,000 tons of gravel to be removed annually, and 46 truck trips per day—but no new conclusions. Both traffic studies were identified by the author as "preliminary" and stated that "additional traffic analysis will be required," which was never undertaken. The applicant's Special Use Permit Application, which was filed with the County on March 7, 2016, refers only to the earlier May 2015 study. However, the applicant's SEPA Checklist refers to the later February 2016 study. The Staff Report issued by Skagit County Planning & Development doesn't specify which study it relies upon but uses the later February 2016 figures (and contemplates a theoretical maximum of 720 truck trips per day).

- Hours of Operation: The Special Use Permit Application proposes that the mine's hours of operation will be "unlimited." The applicant then suggests that "normal" hours of operation would be 7:00 a.m. to 5:00 p.m., Monday through Friday. Elsewhere in the application, the applicant suggests these "normal" hours would actually be Monday through Saturday. An email from the applicant to the County explains that the mine would operate "in general" from 6:00 a.m. to 6:00 p.m., Monday through Saturday, but the applicant reserved the right to work through the night "without restriction." The Staff Report lists the hours of operation as "Monday through Saturday, dawn to dusk," with expanded hours depending on "market conditions" and "seasonal demands."

- Hazardous Substances: The Special Use Permit Application states that hazardous substances will be stored on site, including a 2,000-gallon diesel fuel tank. The Staff Report contradicts the application, stating that "no hazardous materials or fuels are proposed to be stored on site." The Staff Report, then, contradicts *itself*, stating that "relatively minor" amounts of fuel will be stored on site.

- Depth of the Mine: The SEPA Checklist and Staff Report both state a proposed depth of 154 to 163 feet above mean sea level ("msl"), which is purportedly "ten feet above the water table." However, the hydrogeological site assessment performed by Associated

Earth Sciences states that the water table ranges from 145 to 155 feet above msl. If the applicant mines to a depth of 154 feet msl, as proposed, the mine could be below the water table, not ten feet above it.

- Amount of Gravel to be Removed: The SEPA Checklist, Special Use Permit Application, and Staff Report all say 4.28 million cubic yards of gravel are proposed to be excavated over the life of the mine. But, the traffic studies relied upon figures of 25,000 tons (earlier May 2015 study) and 200,000 tons (later February 2016 study) to be removed annually. There is no explanation of how those figures were calculated in reference to the cubic yards of excavation, or why the figure was apparently off by a factor of ten in the earlier study.

- On Site Processing: The fish and wildlife site assessment conducted by Graham-Bunting Associates states that "[n]o processing or industrial activity will occur on site." However, the hydrogeological report states that certain processing—including stockpiling and dry screening—will be performed on site. The MDNS and the Staff Report both state that no on site processing is proposed "at this time," suggesting that on site processing is contemplated in the future.

- Noise: In the Special Use Permit Application, the applicant cites unspecified personal experience for the assertion that there will be no effect from noise, vibration, or dust. The Staff Report gives three contradictory assessments of noise. First, it states that "[t]he applicant has indicated that the proposal would not result in noise or vibration impact beyond the site boundaries." The Staff Report then states that "[t]he applicant has indicated the noise at receiving properties is expected to be relatively low" and identifies certain noise mitigation measures. Elsewhere, the Staff Report states that "[p]otential impacts from noise, dust and traffic to surrounding, existing or potential dwelling units from the proposed operation are possible and exceed those currently experienced in the area."

The inconsistent project descriptions and analysis identified above is effectively material nondisclosure and misrepresentation requiring withdrawal of the MDNS. *See WAC 197-11-340(3)(a)(iii), discussed above.* The applicant has not disclosed an accurate, consistent project description capable of environmental review. The inconsistencies are significant and functionally a material misrepresentation of the project because the actual project and its potential impacts cannot be readily discerned. This misrepresentation undermines and defeats the public's ability to review and comment upon the SEPA environmental review process. Because the MDNS was procured due to such misrepresentation resulting from inconsistent project information, Skagit County is obligated to withdraw the MDNS and require the applicant to provide a specific and detailed project description in one definitive document.

WAC 197-11-340, cited in part above, also requires that the lead agency shall withdraw an MDNS where there are substantial changes to the proposal, or significant new information indicating probable significant adverse impact. *See WAC 197-11-340 (3)(a)(ii).* The application itself is sufficiently unclear and inconsistent with other submissions by the applicant that there are either substantial changes to the proposal since the SEPA Checklist was submitted or the

more recent submissions that expand the scope and potential impact of the project requiring withdrawal of the MDNS by Skagit County.

AGENCY COMMENTS

We also note from our initial cursory review of the County's installments provided in response to our records request, that an archeological review has been required since the SEPA MDNS was issued, and the Department of Ecology has questioned the moderate use intensity evaluation of the wetland by the applicant's consultant. These two comments alone warrant and require withdrawal of the MDNS by the County under WAC 197-11-340(3)(a). Indeed, the Skagit County Code encourages withdrawal when a mitigation measure is not included in an MDNS, such as the requirement to conduct an archeological study. *See SCC 16.12.110(8).* In addition, as to the wetland report, initially it does not appear that a wetland delineation and assessment occurred. Rather, the applicant sought the bare minimum reconnaissance review which, not surprisingly, limits the scope and detail review that the consultant could perform, and results in material questions as to whether the assessment was accurate as noted by the Department of Ecology. The County should require a full wetland delineation and assessment as part of the full disclosure associated with a SEPA review.

WAC 197-11-350(2)

It is noted that the MDNS indicates that it was issued pursuant to WAC 197-11-350(2). This provision of the SEPA Rules allows an applicant to seek early notice of whether a Determination of Significance is likely, and that the applicant may change the project and submit a revised SEPA Checklist to bring the project below the level of significance. There is no indication in the MDNS that a revised SEPA Checklist was submitted. Perhaps when we have a complete record from Skagit County we will receive a copy of the revised SEPA Checklist. If not, then this is a procedural error in the environmental review process and/or the issuance of the MDNS itself necessitating withdrawal of the MDNS and requiring a revised SEPA Checklist to be submitted, or re-issuing the MDNS under a correct provision of the SEPA Rules.

The forgoing are our initial comments on the SEPA procedural errors and defects. We anticipate further substantive comments on the application and the SEPA process once we have received the complete record and any additional reports submitted by the applicant.

INVITATION

To date, neither the applicant nor the County has directly and meaningfully engaged the adjacent property owners regarding the proposed project. We are arranging for a community/neighborhood meeting where the County Planning Staff, Public Works staff, and the applicant will be invited to discuss the neighborhood's concern with the project. We are working to retain an independent facilitator for such a meeting. The time and place for such a meeting is forthcoming. I am happy to speak with Tim Holloran, Dale Pernula, or others, as necessary to ensure the County's involvement.

I look forward to an opportunity to discuss these concerns with you.

Sincerely,

CHMELIK SITKIN & DAVIS P.S.

Jonathan K. Sitkin
Nolan F. Davidson

JKS/NFD/rsv
cc: Clients

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Thursday, May 31, 2018 1:09 PM
To: Hal Hart
Cc: Betsy D. Stevenson; John Cooper
Subject: PS: PL-0097 Grip/Prairie Gravel Mine
Attachments: Sitkin Ltr to J. Cooper_3-2-17.PDF

Hello again,

I apologize for the additional email. But I meant to summarize our phone conversation: the issue of faulty notice is not just a technical concern. I believe that less than 20% of the landowners who legally were entitled to notification were actually notified in March of 2016 when the original Notice of Application was issued.

We sincerely believe that if proper notice had been issued to all the landowners directly affected, that the feedback from the community would have revealed, much earlier in the application process the significant safety concerns related to roads and traffic. This would at the least have triggered a much more rigorous review of these issues by the County, and possibly resulted in either an MDNS not being issued, or being much more heavily conditioned, or a real traffic impact analysis being required, or even an appeal of the MDNS by community members.

This is why we were so concerned by the Hearing Examiner's comment at the May 9, 2018 Pre-Hearing Conference on Miles Sand and Gravel's appeal, when he said something like: "well the original MDNS wasn't appealed, and since it wasn't appealed, we just need to get this project to a hearing".

In our view the applicant is doing everything they can to hold on to the old faulty MDNS that should have been withdrawn long ago.

In addition, if you go back and read the project description presented in the Pre-Application materials, it describes a much smaller gravel extraction project. This smaller scale project was the basis for the information and reports that the County required of the applicant. There was an incredible amount of project creep as they crossed the SEPA threshold.

I appreciate you taking the time to understand what got us to this point.

Thank you,
Martha Bray

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Thursday, May 31, 2018 12:37 PM
To: hhart@co.skagit.wa.us
Cc: betsyds@co.skagit.wa.us; johnc@co.skagit.wa.us
Subject: PL-0097 Grip/Prairie Gravel Mine

Dear Mr. Hart,

Thank you for talking with us today regarding our concerns about the permitting process for the Grip Rd. gravel mine.

The letter we discussed that was sent by our attorney in March of 2017 is attached for your convenience. Please see page 2 that outlines the issues regarding "defective SEPA process" and "defective notice".

We understand that you and your team are very busy. We do look forward to receiving an update soon regarding Miles Sand and Gravel's appeal, and the apparent settlement that has been reached.

Thank you,
Martha Bray

CHMELIK SITKIN & DAVIS P.S.
ATTORNEYS AT LAW

RECEIVED
SKAGIT COUNTY
PROSECUTING ATTORNEY
2017 JUL 31 AM 10:55

Jonathan K. Sitkin
ATTORNEY
e) jsitkin@chmelik.com

July 27, 2017

VIA REGULAR U.S. MAIL & E-MAIL
julien@co.skagit.wa.us

Julie S. Nicoll
Deputy Prosecuting Attorney
Skagit County
Civil Division – Planning & Development Services
605 S. 3rd Street
Mount Vernon, WA 98273-3867

RE: THIRD-PARTY REVIEW OF DN TRAFFIC CONSULTANTS' TRAFFIC STUDY

Dear Ms. Nicoll:

I am following up on my July 19 letter regarding issues raised in recent correspondence between the County and Concrete Nor'West ("CNW")—as well as third party traffic consultants—that require further clarification. Having now had a chance to review the scope of work for the proposed third-party review of DN Traffic Consultants' traffic study (the "DN Study") by Gibson Traffic Consultants, Inc. ("Gibson"), several issues merit further clarification.[1] A third-party review of the DN Study is undoubtedly warranted; however, there are many significant issues that Gibson's proposed scope of work fails to address. While the eventual report from Gibson may very well encompass many of the concerns highlighted in this letter, it is nonetheless advantageous for all parties involved to clearly specify these concerns now to ensure they are included in Gibson's scope of work. It is clear that, at a minimum, a complete Level II traffic impact analysis is necessary per the County standards and code.[2]

Gibson's proposed scope of work overlooks several crucial deficiencies in the DN Study that any third-party review should consider. Some of those deficiencies are (without limitation):

- The only intersections evaluated for Level of Service ("LOS") issues in the DN Study were Prairie Road and Grip Road, and Prairie Road and Old Highway 99. While these are certainly crucial intersections to evaluate, other intersections are no less important, including the intersection at F&S Grade Road and Prairie Road, and the intersection at the site access point. There are undoubtedly other intersections along other potential haul routes (which, it is worth noting, have never been identified).

[1] Please note that additional comments regarding the gravel mine project's impact on emergency medical response are anticipated.
[2] Section 4.02 of the Skagit County Road Standards

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www.chmelik.com

- The only intersections evaluated for sight distance issues were Prairie Road and Grip Road, and the site access intersection. Gibson has proposed to review the site access, but other intersections are equally important, including those listed above.
- The DN Study should also have encompassed LOS evaluations, sight distance assessments, and other issues and conditions at crucial areas of potential haul routes that have no intersection, such as the S-curves on Prairie Road near Friday Creek.
- The DN Study did not include a map, description, or evaluation of the proposed haul route and no reference whatsoever to other potential haul routes. A proper evaluation of the traffic impacts of the mine must encompass not only CNW's proposed route but also any potential haul routes, which are reasonable alternatives that must be reviewed under SEPA.
- On the issue of turning, the DN Study did not include turning templates and did not otherwise address the ability of trucks with pup trailers to stay in their assigned lane through curves and intersections. Gibson intends to assess "[t]rip turning moving assignments" but doesn't specify the scope of this review.
- The DN Study never considers the impact of increased passing as motorists encounter truck traffic from the mine—including impacts on sight distance and LOS.
- The DN Study never considers the impact on other roads and routes as motorists divert from their normal routes to avoid truck traffic from the mine.
- CNW has repeatedly acknowledged that the volume of truck traffic will fluctuate seasonally and in proportion to market demand; however, no evaluation of such fluctuations is ever taken into account in the DN Study.
- The DN Study does not address concurrency requirements at all.
- The DN Study does not address impacts to school bus routes (which include Grip Road) or school bus stops).
- The DN Study identifies sight distance deficiencies at the site access intersection, but offers no proposed mitigation measures.
- The only mitigation measure proposed in the DN Study—a flashing beacon at the Prairie Road and Grip Road intersection—would not mitigate the sight distance deficiency identified in the study. The DN Study even acknowledges that anything other than reconstructing the intersection is at most a temporary mitigation measure for the sight distance deficiency.
- The DN Study does not address the impact of gravel and materials from the access road spreading into the Grip Road intersection.
- The DN Study does not address impacts to pedestrians and bicyclists along the proposed haul route or any potential haul route. The Skagit County Comprehensive Plan (Appendix A3) clearly designates both Grip Road and Prairie Road as bicycle routes.

None of these deficiencies are properly identified or addressed in Gibson's scope of work, indicating that Gibson's review of the DN Study is inadequate. Additionally, several of the review tasks identified by Gibson are, at least as phrased in the scope of work, likely inadequate to properly evaluate the relevant traffic issues. For example, Gibson proposes to evaluate the adequacy of the 2013 traffic counts relied on in the DN Study while simultaneously ruling out any new counts from its scope of work. The adequacy of the 2013 data cannot be properly

evaluated until new data is obtained, which necessitates new counts. It is also unclear when and where Gibson intends to perform the proposed site surveys, relevant conditions for which can vary widely depending on time and place. Site conditions at a given location are not necessarily representative of conditions at other sites or at other times, but Gibson does not identify the time, place, or number of its proposed site surveys. Gibson's scope of work also includes the task of "check[ing] LOS," but it does not state whether that analysis will presume (as it should) that each truck will have a pup trailer, which will impact LOS evaluations.

Gibson's scope of work also does not encompass several issues highlighted by the County. For example, in the July 6 letter from John Cooper of Skagit County Planning & Development Services to Dan Cox of CNW, et al., Mr. Cooper stated that a third-party review of the DN Study would consider "safety concerns relating to pedestrians, bicycle riders, and school bus stops." This concern is not included in Gibson's scope of work.

As a more general matter, while a third-party review of the DN Study is a step in the right direction, it does little in the way of providing the County—and just as importantly, the public—with a proper evaluation of the actual traffic impacts from the proposed gravel mine. That is, Gibson's review may very well highlight some of the traffic problems not considered by DN Traffic Consultants, but it will do nothing toward curing any actual adverse impacts.

In order to properly evaluate the impacts of the proposed gravel mine, a complete Level II traffic impact analysis is plainly necessary. Indeed, given the number of proposed truck trips (up to 110 per hour according to DN Traffic Consultants) and the roadway deficiencies identified in the DN Study—to say nothing of the numerous deficiencies *not* identified in the DN Study—a Level II analysis is clearly required under Section 4.02 of the Skagit County Road Standards. A Level II analysis should also be required as part of the environmental review that, for all the reasons discussed in previous correspondence, this permit clearly requires under SEPA.

Under the Skagit County Road Standards, a Level II traffic impact analysis would encompass a number of issues not contemplated in either the DN Study or in Gibson's scope of work,[3] including:

- Traffic signal location, phasing, coordination and timing
- Existing congested locations within the study area as identified by the County or previous traffic studies
- Accident history for 3 years adjacent to the site, and on major roadway links and intersections within the study area
- Adopted local and regional transportation plans, including any future bicycle, pedestrian and transit plans
- Planned future roadways within the study area
- Planned future roadway improvements within the study area, identifying those with secured funding and those in planning stages
- Location of bus stops, service and usage

[3] I would point out that, as a general matter, a Level II traffic impact analysis would cover not only the proposed haul route but also the area roadway system.

- Pedestrian and bicycle linkages and usage
- Available curb and off-site parking facilities
- Any temporary anomalies in the current road system that would influence the data or outcome of the analysis, e.g. road construction
- Private and public schools in the study area
- Hospitals, police and fire stations in the area

This last point is perhaps the most important issue from a public health and safety standpoint (and one which, again, has never been addressed). The proposed truck traffic is likely to have a monumental impact on response time and service levels for police, firefighters, EMS, and other emergency responders. Truck traffic will not only make it more difficult for public safety officials to respond to emergencies, it will likely make such emergencies more frequent. Yet there is no mention of evaluating this impact in either the DN Study, Gibson's scope of work, or in any correspondence between the County and CNW.

Our clients' own data and analysis of motor vehicle accidents on the proposed haul route further demonstrate the need for a comprehensive traffic analysis.[4] First, the data shows that the highest rate of accidents occurs between 9:00 am and 3:30 pm—precisely when CNW's truck traffic is expected to be at full force. Second, the data demonstrates that, over a period of years, traffic enforcement along the proposed haul route is generally decreasing while the accident rate is slowly trending up—a problem that will be compounded by the introduction of a significant volume of truck traffic. Taking into account that a significant number of accidents go unreported,[5] this data demonstrates a clear need for a Level II traffic impact analysis.

As a final matter, it is troubling that Gibson's fee proposal letter touts their ability "to obtain a successful approval." Although it may have been a form letter generally used by Gibson with private clients seeking permit approval, Gibson's apparent advocacy of permit approval is inappropriate in a third-party review such as this. This concern is compounded by the County's documented history of offering the gravel mine project far less rigorous environmental scrutiny than is required under SEPA.[6] The process, the community, and the tenets of good government require third party consultants to be free from bias or prejudice, which is in question here as a result of Gibson's proposal. Of similar concern is the County's apparent lack of attention to this issue in reviewing Gibson's proposal.

A third-party review of the DN Study is unquestionably justified, and represents a step toward the level of scrutiny this project plainly requires under SEPA. To that extent, we look forward to an unbiased third party traffic engineer's review of the DN Study and to the further environmental review and mitigation measures that will presumably follow. But given the clear

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[4] Enclosed with this letter is an excel spreadsheet of traffic incident data prepared by our client group using the Skagit County Crime Map, limited in scope to roads along the proposed haul route.
[5] A National Highway Traffic Safety Administration study conducted in 2015 estimated that roughly 30% of crashes go unreported.
[6] Some of the responses Gibson apparently gave to inquiries from members of Skagit County Public Works—such as Gibson's contention that "land use dictates road use"—also suggest the County has engaged a third-party consultant with a predisposition toward advocating for approval.

environmental impact of a potential 24-hour mining operation (of which truck traffic is only one element), both SEPA and the Skagit County Code require not only that the issues identified in this letter and in Gibson's eventual review be addressed and mitigated, but also that a proper Level II traffic impact analysis be conducted pursuant to a full environmental review of the proposed gravel mine's environmental impacts. A full environmental impact statement is necessary to provide the County—and the public—with the information needed to properly evaluate the impacts of the proposed gravel mine.

Thank you for your consideration.

Sincerely,

CHMELIK SITKIN & DAVIS P.S.

Jonathan K. Sitkin
Nolan F. Davidson

JKS/NFD/
Encl.
cc: Client
John Cooper, Skagit County Planning & Development (hard copy only)
\\Chmelik Local\DFS\Shared_Docs\CLIENTS A-H\Cougar Peak LLC\Gravel Mine\Correspondence\Letter to Julie Nicoll_07-26-17.JS.doc

CNW Proposed Haul Route Accidents, Enforcement, Hazards

NatureDesc — Vehicle Accident

Count of Category / Count of Category	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Grand Total	Average Per Year
Prairie Rd / Old 99 Intersection	11	2	9	2	2	4	3	7	9	5	4	5		**63**	5.0
Prairie Rd - S-Curves, Near Friday Ck	2		3	3		1	3	1	5		2		2	**22**	1.8
Prairie Rd - Park Ridge Ln / Water Hazard Area	1			1	1	1	1	1		1	1			**8**	0.6
Prairie Rd - Water Hazard to F&S Grade Rd			1	1	1				1		1			**5**	0.4
Prairie Rd / F&S Grade Rd Intersection	3		1	2	3		1	2	1	2	1	4	1	**21**	1.7
Prairie Rd / Grip Rd Intersection	4	2	1	1		2	1					1	3	**15**	1.2
Grip Rd - Prairie Rd to Proposed Pit Entrance						1		1	1	1			1	**5**	0.4
Old 99 - Prairie Rd to Samish River	1	1					1				2	5		**10**	0.8
Old 99 - Samish River to CNW Pit Entrance	12		4	1	4	5	3	5	1	2	4	5	2	**48**	3.8
Grand Total	**34**	**5**	**19**	**11**	**11**	**14**	**13**	**17**	**18**	**11**	**15**	**20**	**9**	**197**	**15.8**

NatureDesc — Traffic Enforcement

Count of Category / Row Labels	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Grand Total	Average Per Year
Prairie Rd / Old 99 Intersection	4		8	8	11	6	9	7	12	13	13	9	5	105	8.4
Prairie Rd - S-Curves, Near Friday Ck		2				2						1		5	0.4
Prairie Rd - Park Ridge Ln / Water Hazard Area	1		1		1		1	1		8			1	14	1.1
Prairie Rd - Water Hazard to F&S Grade Rd					1							1		2	0.2
Prairie Rd / F&S Grade Rd Intersection		1	1	3	8	3	3	1	1	3		1		25	2.0
Prairie Rd / Grip Rd Intersection		1		1	1	2	2						1	8	0.6
Grip Rd - Prairie Rd to Proposed Pit Entrance					1			1		1	1			4	0.3
Old 99 - Prairie Rd to Samish River		1			1			2	5	2	2	3		16	1.3
Old 99 - Samish River to CNW Pit Entrance	9	15	5	14	23	28	21	10	14	15	12	11	6	183	14.6
Grand Total	**14**	**20**	**15**	**26**	**47**	**41**	**36**	**22**	**32**	**42**	**28**	**26**	**13**	**362**	**29.0**

NatureDesc — Traffic Hazard

Count of Category / Row Labels	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Grand Total	Average Per Year
Prairie Rd / Old 99 Intersection	4	6		3	6	7	6	4	3	5	8	3	3	58	4.6
Prairie Rd - S-Curves, Near Friday Ck		1	1				2							4	0.3
Prairie Rd - Park Ridge Ln / Water Hazard Area		1			1	4		1		1	3	4		15	1.2
Prairie Rd / F&S Grade Rd Intersection		3	2	3	5		3	2	4	4	3			29	2.3
Prairie Rd / Grip Rd Intersection	1	1	1			2	1	1						7	0.6
Grip Rd - Prairie Rd to Proposed Pit Entrance								1						1	0.1
Old 99 - Prairie Rd to Samish River	1				1		1	1			1			5	0.4
Old 99 - Samish River to CNW Pit Entrance	8	11	7	1	8	7	4	4	3	1	3	2	2	61	4.9
Grand Total	**14**	**23**	**11**	**7**	**21**	**20**	**17**	**14**	**10**	**11**	**18**	**9**	**5**	**180**	**14.4**

*Data for 2017 is thru 7/17

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CNW Proposed Haul Route Accidents, Enforcement, Hazards

NatureDesc — Vehicle Accident

Count of Category	Column Labels												
Count of Category	**January**	**February**	**March**	**April**	**May**	**June**	**July**	**August**	**September**	**October**	**November**	**December**	**Grand Total**
Prairie Rd / Old 99 Intersection	6	1	4	8	4	5	7	5	6	3	8	6	**63**
Prairie Rd - S-Curves, Near Friday Ck		2		3		5	1	2	4	1		4	**22**
Prairie Rd - Park Ridge Ln / Water Hazard Area	1			1	1			1	1	1	1	1	**8**
Prairie Rd - Water Hazard to F&S Grade Rd							1	2			1	1	**5**
Prairie Rd / F&S Grade Rd Intersection	2	3	2	2	2	2	1	1	2	1	1	2	**21**
Prairie Rd / Grip Rd Intersection	2		1			3	1	2	1	1	3	1	**15**
Grip Rd - Prairie Rd to Proposed Pit Entrance		1		1	1			1	1				**5**
Old 99 - Prairie Rd to Samish River	1	1			1		1			3	2	1	**10**
Old 99 - Samish River to CNW Pit Entrance	8	4	5	9	2	3	2	4	2	5	2	2	**48**
Grand Total	**20**	**12**	**12**	**24**	**11**	**18**	**14**	**18**	**17**	**15**	**18**	**18**	**197**

NatureDesc — Traffic Enforcement

Count of Category	Column Labels												
Row Labels	**January**	**February**	**March**	**April**	**May**	**June**	**July**	**August**	**September**	**October**	**November**	**December**	**Grand Total**
Prairie Rd / Old 99 Intersection	11	6	7	9	8	6	12	11	14	9	6	6	105
Prairie Rd - S-Curves, Near Friday Ck				2			1	1	1				5
Prairie Rd - Park Ridge Ln / Water Hazard Area	1			1	1	2		7		1		1	14
Prairie Rd - Water Hazard to F&S Grade Rd						1	1						2
Prairie Rd / F&S Grade Rd Intersection	3	3	1	1		4	4	3		4	1	1	25
Prairie Rd / Grip Rd Intersection		1		1		2		3			1		8
Grip Rd - Prairie Rd to Proposed Pit Entrance				1		1	1	1					4
Old 99 - Prairie Rd to Samish River		1	1	1	3		2	3	1		1	3	16
Old 99 - Samish River to CNW Pit Entrance	13	18	12	21	15	15	16	11	17	13	14	18	183
Grand Total	**28**	**29**	**21**	**37**	**27**	**31**	**37**	**40**	**33**	**27**	**23**	**29**	**362**

NatureDesc — Traffic Hazard

Count of Category	Column Labels												
Row Labels	**January**	**February**	**March**	**April**	**May**	**June**	**July**	**August**	**September**	**October**	**November**	**December**	**Grand Total**
Prairie Rd / Old 99 Intersection	7	6	1	7	1	8	4	5	5	8	2	4	58
Prairie Rd - S-Curves, Near Friday Ck				1			2	1					4
Prairie Rd - Park Ridge Ln / Water Hazard Area	2	2	1	1	2	1	2	1		2		1	15
Prairie Rd / F&S Grade Rd Intersection	1	3	2	3	1	4	1	3	6	4	1		29
Prairie Rd / Grip Rd Intersection	1	1		1			2	2					7
Grip Rd - Prairie Rd to Proposed Pit Entrance										1			1
Old 99 - Prairie Rd to Samish River				1	1			1		1		1	5
Old 99 - Samish River to CNW Pit Entrance	8	1	7	2	3	4	6	8	3	9	6	4	61
Grand Total	**19**	**13**	**11**	**16**	**8**	**17**	**17**	**21**	**14**	**25**	**9**	**10**	**180**

007495

*Data for 2017 is thru 7/17

CNW Proposed Haul Route Accidents, Enforcement, Hazards

NatureDesc Vehicle Accident

Count of Category	Column Labels							
Count of Category	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Grand Total
Prairie Rd / Old 99 Intersection	6	4	9	7	12	12	13	**63**
Prairie Rd - S-Curves, Near Friday Ck	3	1	2	5	1	3	7	**22**
Prairie Rd - Park Ridge Ln / Water Hazard Area	1	1	1	1	3		1	**8**
Prairie Rd - Water Hazard to F&S Grade Rd		1		3	1			**5**
Prairie Rd / F&S Grade Rd Intersection	5	2	1	4	2	6	1	**21**
Prairie Rd / Grip Rd Intersection	3		1	3	4	3	1	**15**
Grip Rd - Prairie Rd to Proposed Pit Entrance				1	1	1	2	**5**
Old 99 - Prairie Rd to Samish River	1		1		3	3	2	**10**
Old 99 - Samish River to CNW Pit Entrance	8	3	6	11	5	5	10	**48**
Grand Total	**27**	**12**	**21**	**35**	**32**	**33**	**37**	**197**

NatureDesc Traffic Enforcement

Count of Category	Column Labels							
Row Labels	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Grand Total
Prairie Rd / Old 99 Intersection	12	11	10	19	23	21	9	105
Prairie Rd - S-Curves, Near Friday Ck		1	1		3			5
Prairie Rd - Park Ridge Ln / Water Hazard Area		6	5	1	1		1	14
Prairie Rd - Water Hazard to F&S Grade Rd				1			1	2
Prairie Rd / F&S Grade Rd Intersection	5	3	3	3	4	4	3	25
Prairie Rd / Grip Rd Intersection		1		2	1	4		8
Grip Rd - Prairie Rd to Proposed Pit Entrance			3		1			4
Old 99 - Prairie Rd to Samish River		6	1		3	4	2	16
Old 99 - Samish River to CNW Pit Entrance	28	23	31	28	33	20	20	183
Grand Total	**45**	**51**	**54**	**54**	**69**	**53**	**36**	**362**

NatureDesc Traffic Hazard

Count of Category	Column Labels							
Row Labels	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Grand Total
Prairie Rd / Old 99 Intersection	5	8	9	11	8	8	9	58
Prairie Rd - S-Curves, Near Friday Ck		1			1	2		4
Prairie Rd - Park Ridge Ln / Water Hazard Area	1	2	3	2	1	3	3	15
Prairie Rd / F&S Grade Rd Intersection	2	1	7	4	6	2	7	29
Prairie Rd / Grip Rd Intersection		1	1				5	7
Grip Rd - Prairie Rd to Proposed Pit Entrance					1			1
Old 99 - Prairie Rd to Samish River		1	1		1		2	5
Old 99 - Samish River to CNW Pit Entrance	8	3	11	10	10	9	10	61
Grand Total	**16**	**17**	**32**	**27**	**28**	**24**	**36**	**180**

007496

*Data for 2017 is thru 7/17

CNW Proposed Haul Route Accidents, Enforcement, Hazards

NatureDesc: Vehicle Accident

Count of Category / Row Labels	Wee Hours Midnight to 5:30AM	Morning 5:30AM - 9:00AM	Mid Day 9:00AM to 3:30PM	Evening 3:30PM to 7:00PM	Late Evening 7:00PM to Midnight	Grand Total
Prairie Rd / Old 99 Intersection	15	11	28	8	1	63
Prairie Rd - S-Curves, Near Friday Ck	4	4	8	3	3	22
Prairie Rd - Park Ridge Ln / Water Hazard Area		3	3	1	1	8
Prairie Rd - Water Hazard to F&S Grade Rd	1	1	1		2	5
Prairie Rd / F&S Grade Rd Intersection	5	2	10	1	3	21
Prairie Rd / Grip Rd Intersection	7	4	4			15
Grip Rd - Prairie Rd to Proposed Pit Entrance	1		3		1	5
Old 99 - Prairie Rd to Samish River	1		5	1	3	10
Old 99 - Samish River to CNW Pit Entrance	12	11	16	5	4	48
Grand Total	**46**	**36**	**78**	**19**	**18**	**197**

NatureDesc: Traffic Enforcement

Count of Category / Row Labels	Wee Hours Midnight to 5:30AM	Morning 5:30AM - 9:00AM	Mid Day 9:00AM to 3:30PM	Evening 3:30PM to 7:00PM	Late Evening 7:00PM to Midnight	Grand Total
Prairie Rd / Old 99 Intersection	19	20	48	13	5	105
Prairie Rd - S-Curves, Near Friday Ck	1		4			5
Prairie Rd - Park Ridge Ln / Water Hazard Area	5	2	6	1		14
Prairie Rd - Water Hazard to F&S Grade Rd			2			2
Prairie Rd / F&S Grade Rd Intersection	2	6	14	3		25
Prairie Rd / Grip Rd Intersection	1	2	3	1	1	8
Grip Rd - Prairie Rd to Proposed Pit Entrance		1	3			4
Old 99 - Prairie Rd to Samish River	5	6	3	2		16
Old 99 - Samish River to CNW Pit Entrance	36	27	76	35	9	183
Grand Total	**69**	**64**	**159**	**55**	**15**	**362**

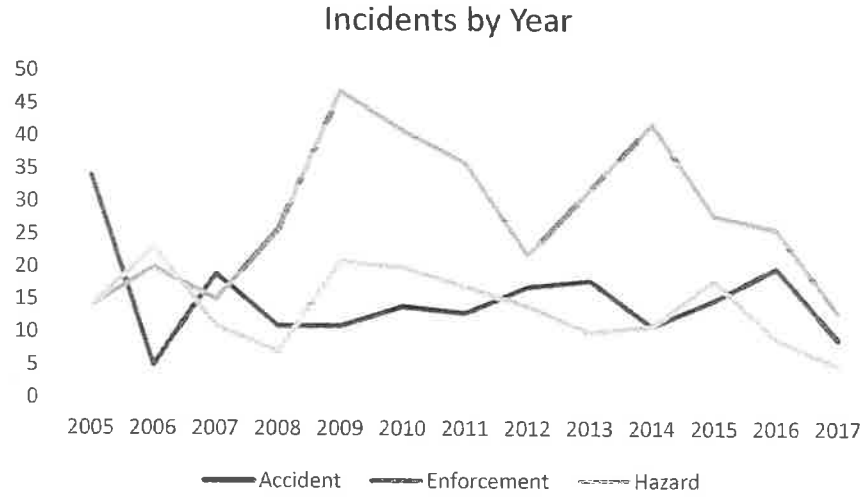
NatureDesc: Traffic Hazard

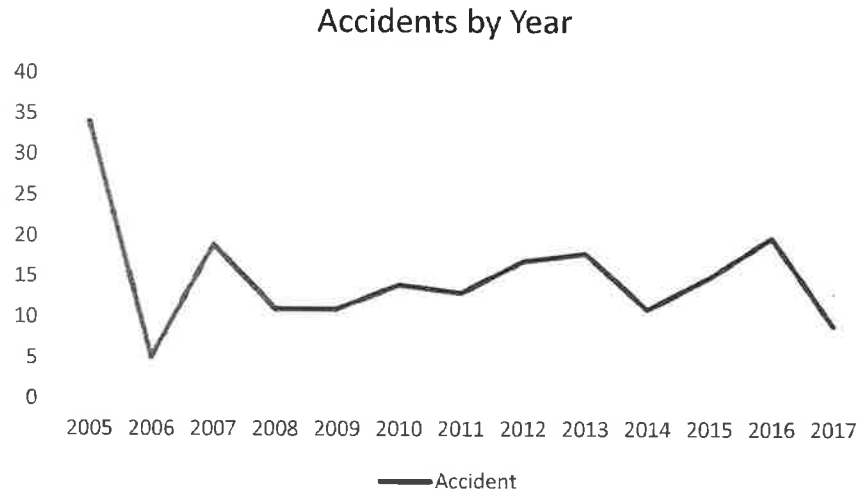
Count of Category / Row Labels	Wee Hours Midnight to 5:30AM	Morning 5:30AM - 9:00AM	Mid Day 9:00AM to 3:30PM	Evening 3:30PM to 7:00PM	Late Evening 7:00PM to Midnight	Grand Total
Prairie Rd / Old 99 Intersection	10	12	19	10	7	58
Prairie Rd - S-Curves, Near Friday Ck			4			4
Prairie Rd - Park Ridge Ln / Water Hazard Area	5		4		6	15
Prairie Rd / F&S Grade Rd Intersection	4	4	11	4	6	29
Prairie Rd / Grip Rd Intersection	1	2	3		1	7
Grip Rd - Prairie Rd to Proposed Pit Entrance				1		1
Old 99 - Prairie Rd to Samish River	2		2		1	5
Old 99 - Samish River to CNW Pit Entrance	18	8	19	5	11	61
Grand Total	**40**	**26**	**62**	**20**	**32**	**180**

*Data for 2017 is thru 7/17

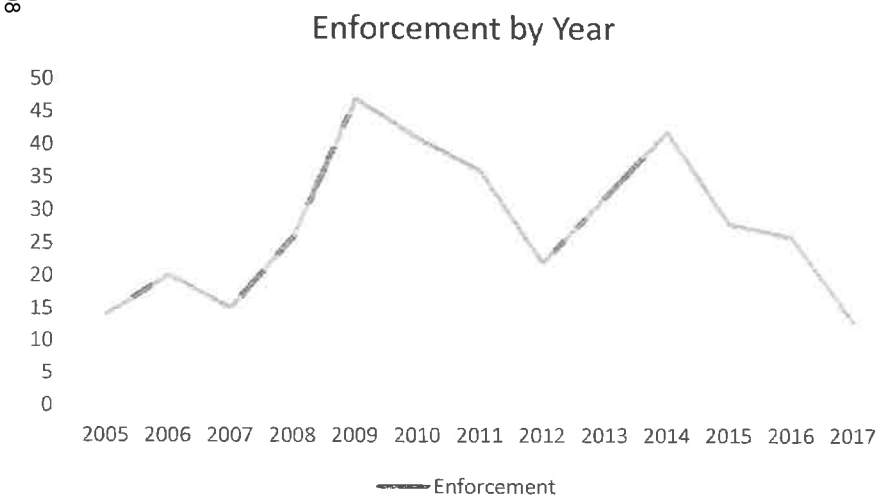
007497

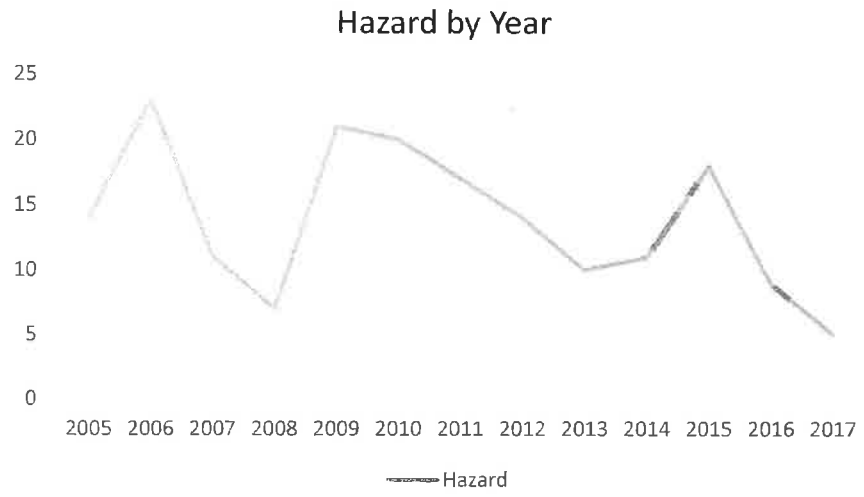
Incidents By Year





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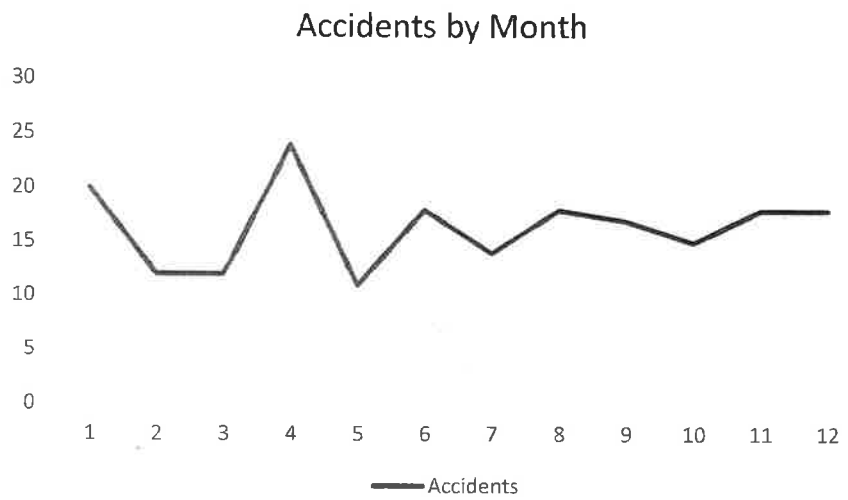




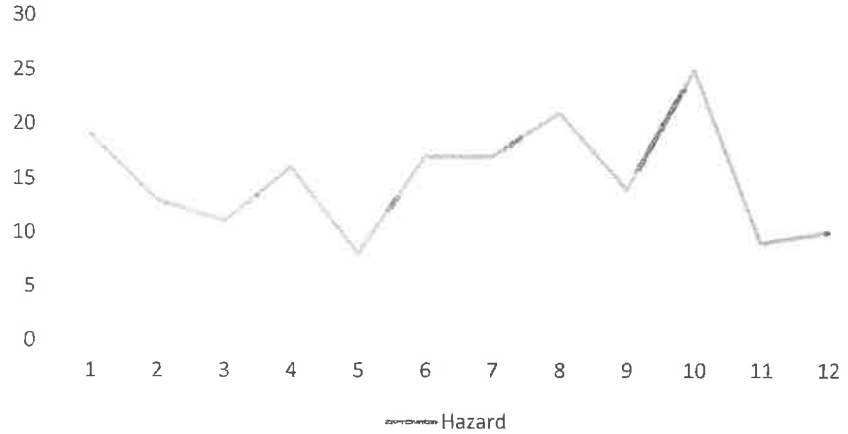
*Data for 2017 is thru 7/17

Incidents By Month





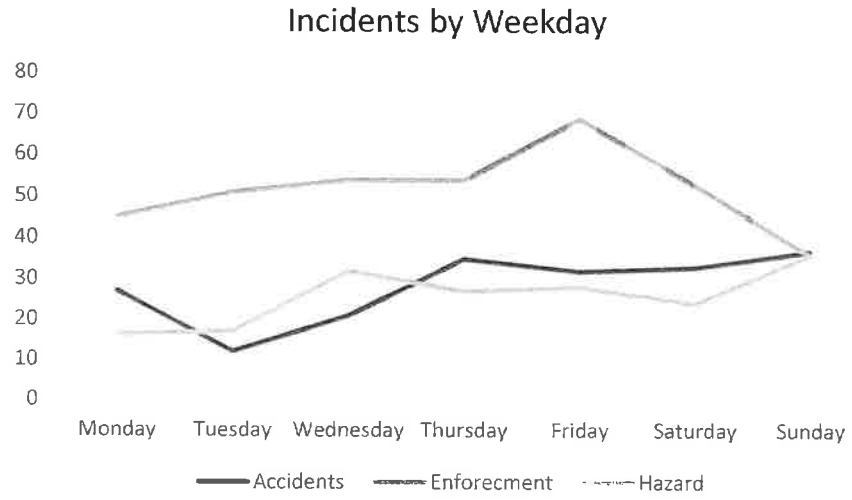


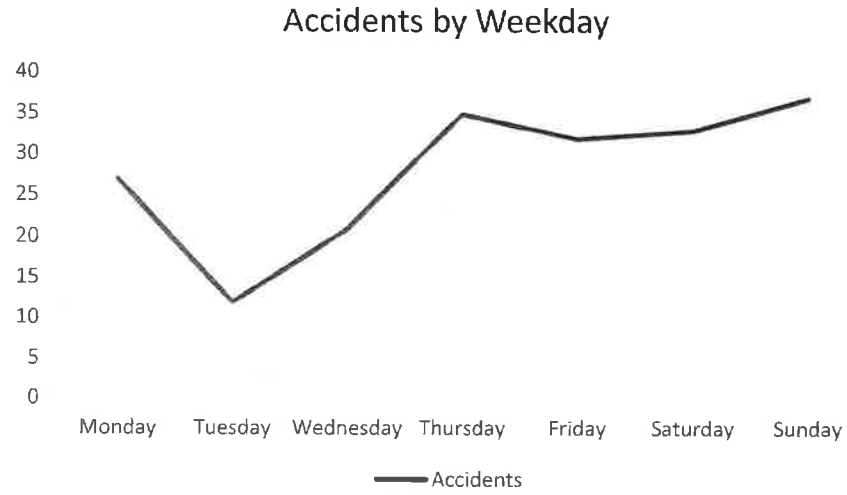


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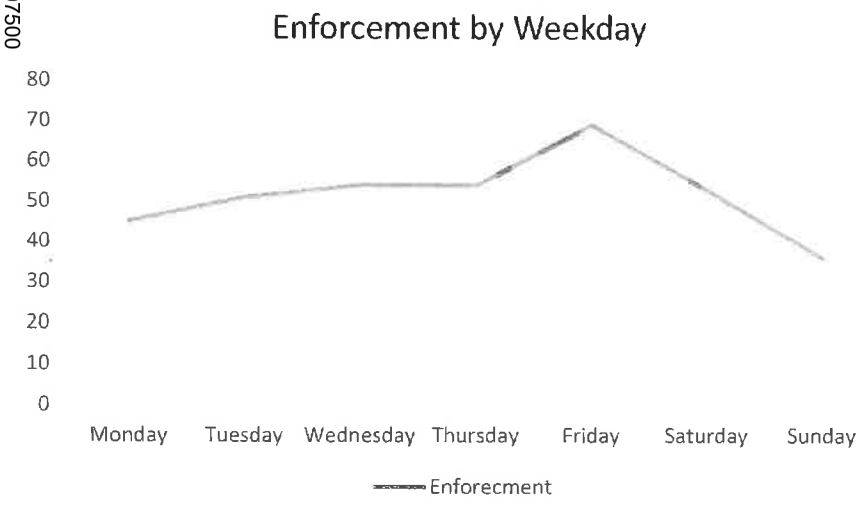
*Data for 2017 is thru 7/17

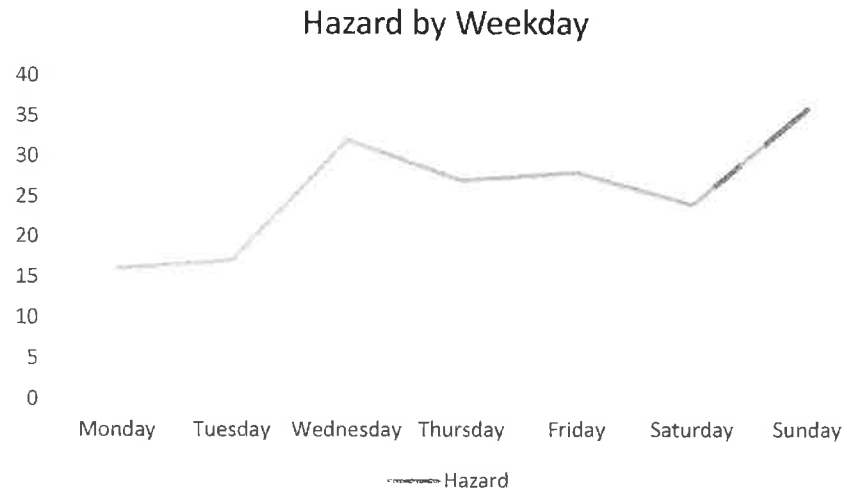
Incidents By Weekday





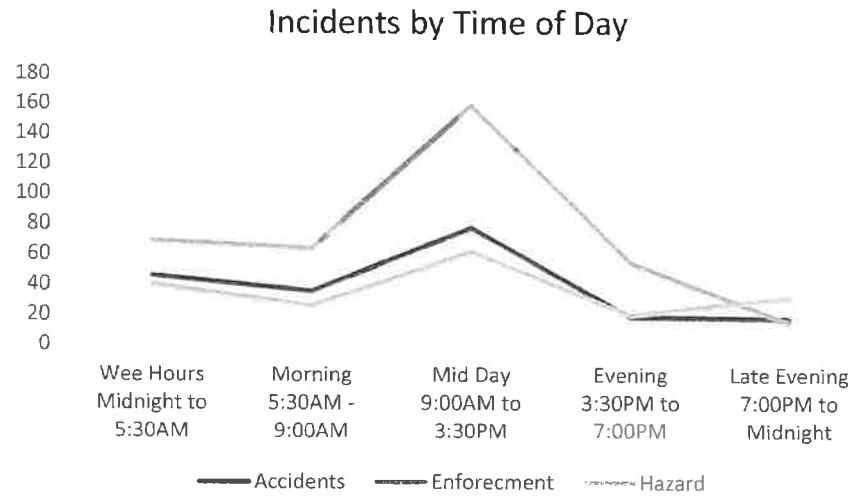
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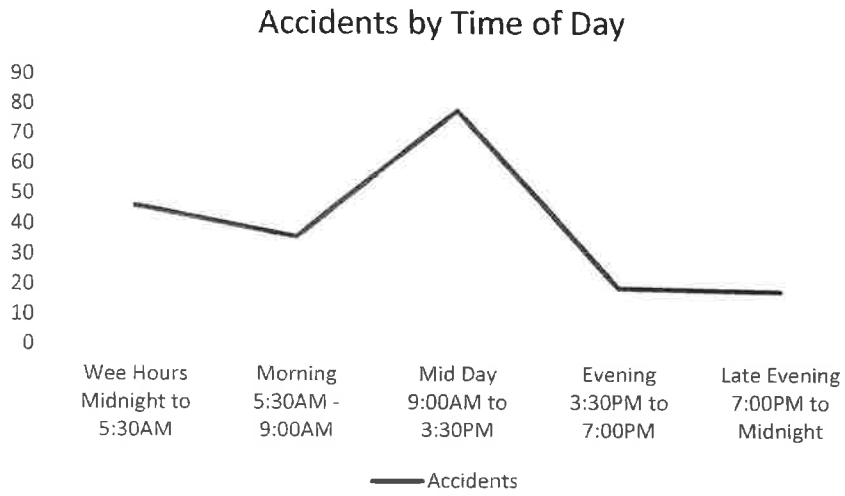




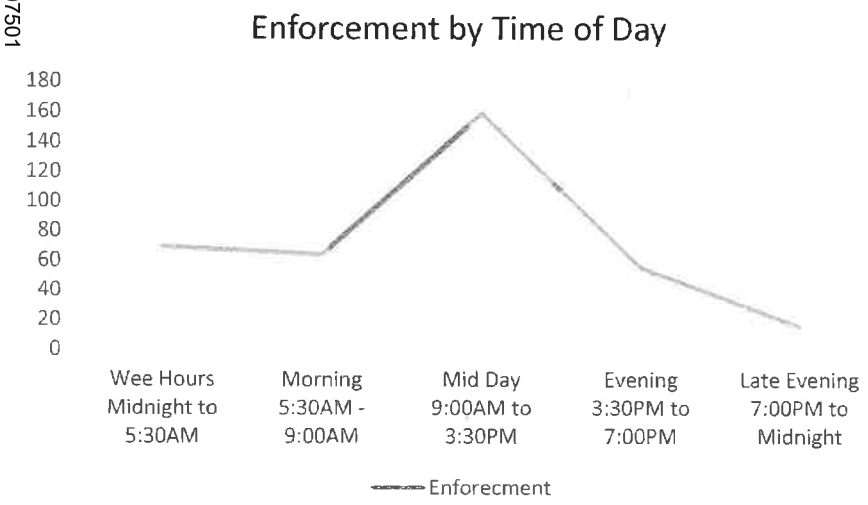
*Data for 2017 is thru 7/17

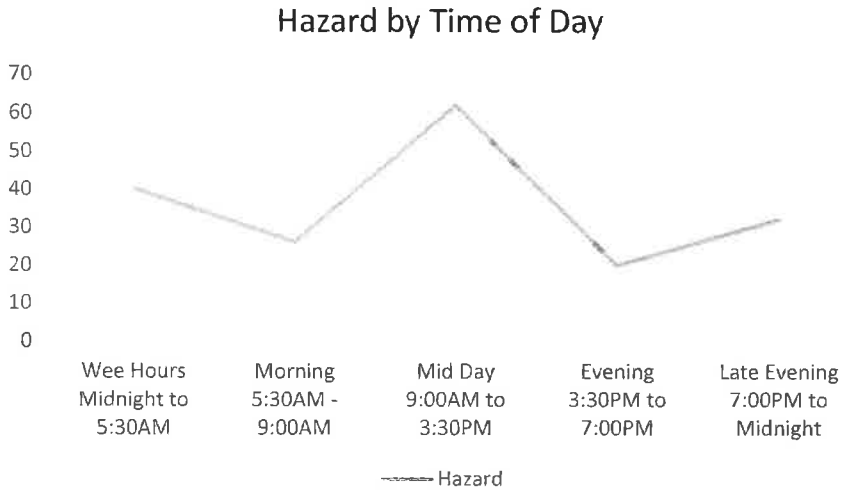
Incidents By Time of Day





007501





*Data for 2017 is thru 7/17

Incidents By Year

Year	Accident
2005	34
2006	5
2007	19
2008	11
2009	11
2010	14
2011	13
2012	17
2013	18
2014	11
2015	15
2016	20
2017	9

Year	Enforcement
2005	14
2006	20
2007	15
2008	26
2009	47
2010	41
2011	36
2012	22
2013	32
2014	42
2015	28
2016	26
2017	13

Year	Hazard
2005	14
2006	23
2007	11
2008	7
2009	21
2010	20
2011	17
2012	14
2013	10
2014	11
2015	18
2016	9
2017	5

Incidents By Month

Month	Accidents
1	20
2	12
3	12
4	24
5	11
6	18
7	14
8	18
9	17
10	15
11	18
12	18

Month	Enforecment
1	28
2	29
3	21
4	37
5	27
6	31
7	37
8	40
9	33
10	27
11	23
12	29

Month	Hazard
1	19
2	13
3	11
4	16
5	8
6	17
7	17
8	21
9	14
10	25
11	9
12	10

Incidents By Weekday

Weekday	Accidents
Monday	27
Tuesday	12
Wednesday	21
Thursday	35
Friday	32
Saturday	33
Sunday	37

Weekday	Enforecment
Monday	45
Tuesday	51
Wednesday	54
Thursday	54
Friday	69
Saturday	53
Sunday	36

Weekday	Hazard
Monday	16
Tuesday	17
Wednesday	32
Thursday	27
Friday	28
Saturday	24
Sunday	36

Incidents By Time of Day

Time of Day	Accidents
Wee Hours Midnight to 5:30AM	46
Morning 5:30AM - 9:00AM	36
Mid Day 9:00AM to 3:30PM	78
Evening 3:30PM to 7:00PM	19
Late Evening 7:00PM to Midnight	18

Time of Day	Enforecment
Wee Hours Midnight to 5:30AM	69
Morning 5:30AM - 9:00AM	64
Mid Day 9:00AM to 3:30PM	159
Evening 3:30PM to 7:00PM	55
Late Evening 7:00PM to Midnight	15

Time of Day	Hazard
Wee Hours Midnight to 5:30AM	40
Morning 5:30AM - 9:00AM	26
Mid Day 9:00AM to 3:30PM	62
Evening 3:30PM to 7:00PM	20
Late Evening 7:00PM to Midnight	32

Estimated Accident Totals Using Cited NHTSA Study

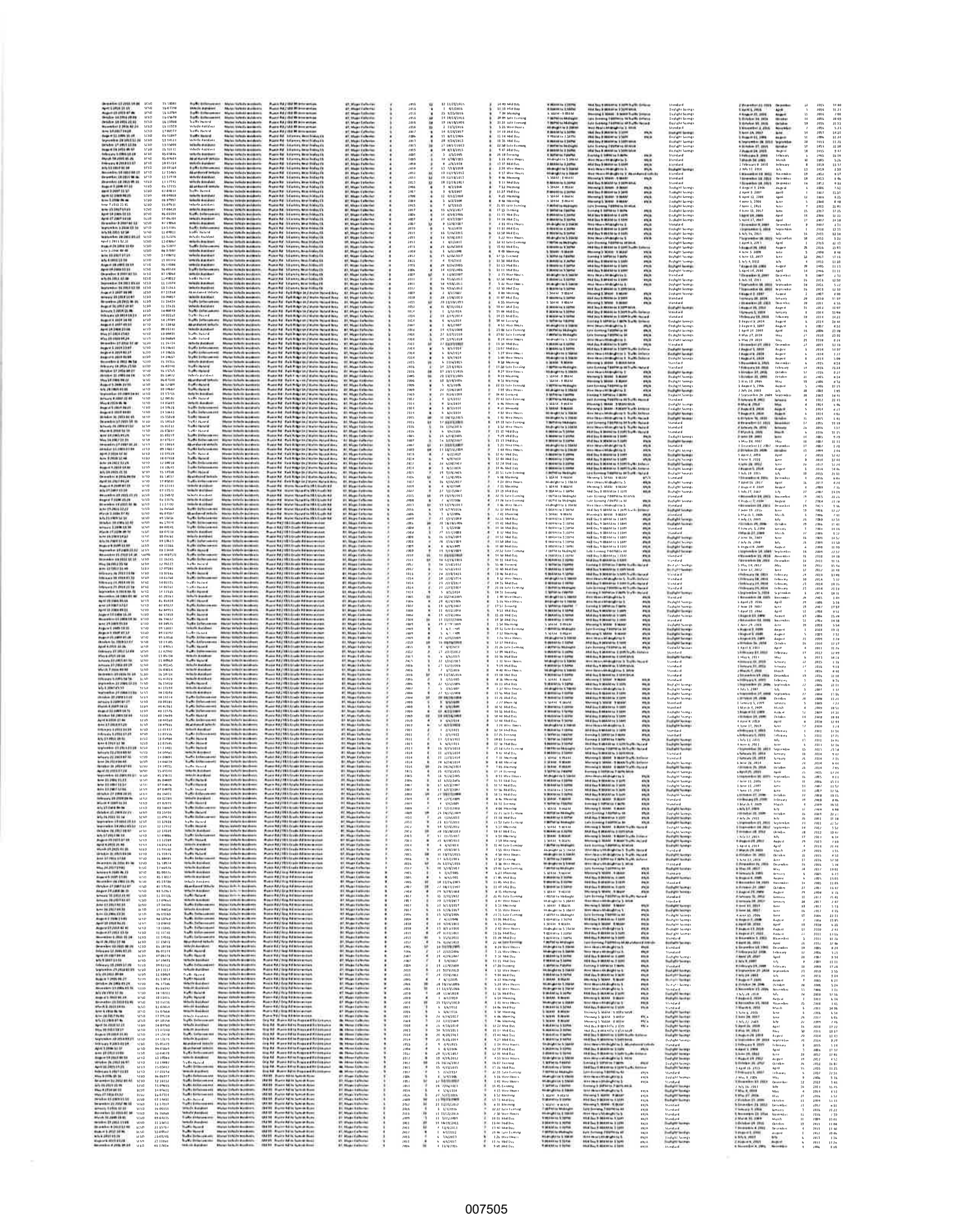
Location	2005-2017	Estimated Unreported	Total Estimated Accidents
Prairie Rd / Old 99 Intersection	63	19	82
Prairie Rd - S-Curves, Near Friday Ck	22	7	29
Prairie Rd - Park Ridge Ln / Water Hazard A	8	2	10
Prairie Rd - Water Hazard to F&S Grade Rd	5	2	7
Prairie Rd / F&S Grade Rd Intersection	21	6	27
Prairie Rd / Grip Rd Intersection	15	5	20
Grip Rd - Prairie Rd to Proposed Pit Entran	5	2	7
Old 99 - Prairie Rd to Samish River	10	3	13
Old 99 - Samish River to CNW Pit Entrance	48	14	62
Grand Total	**197**	**60**	**257**

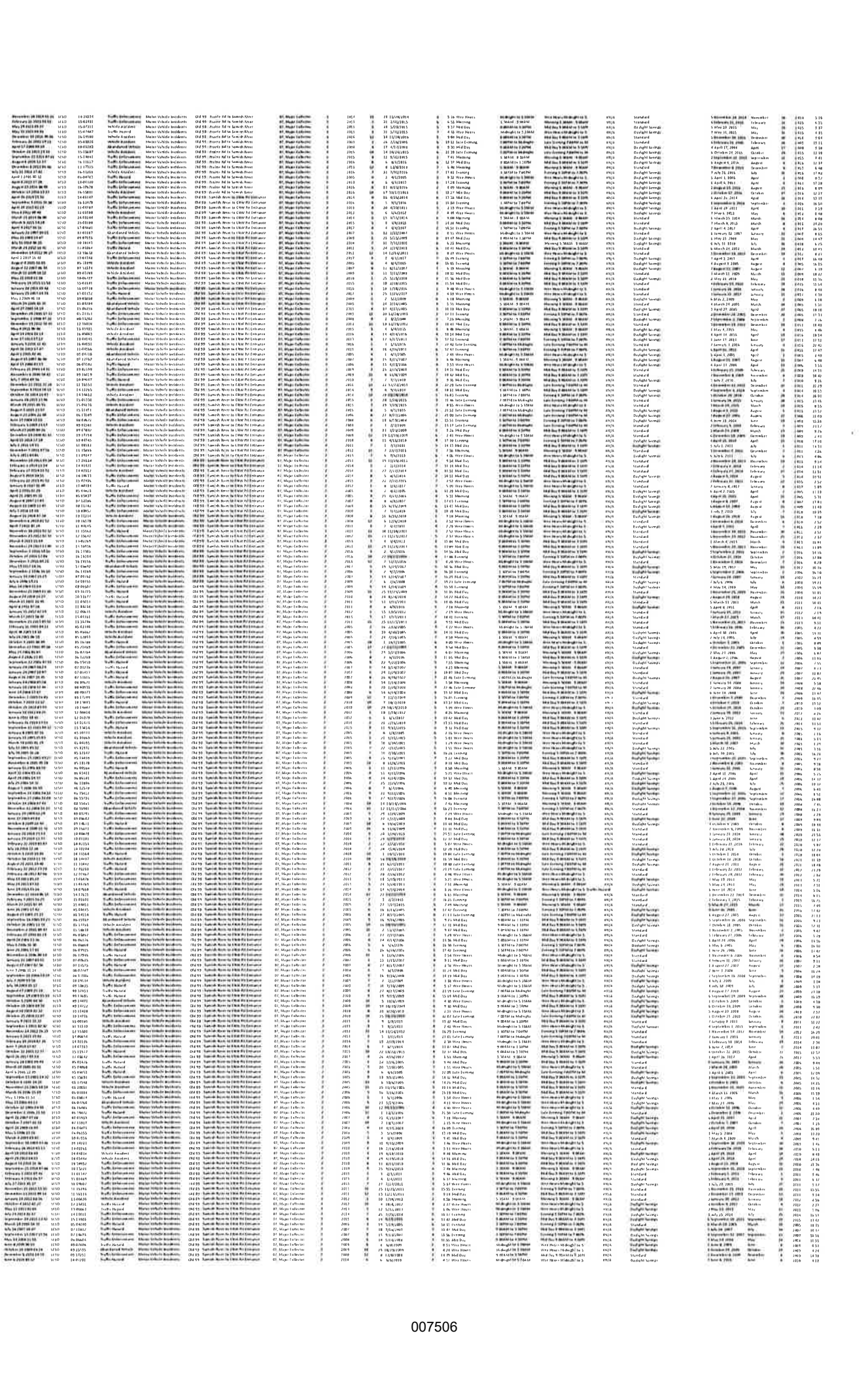
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https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812183

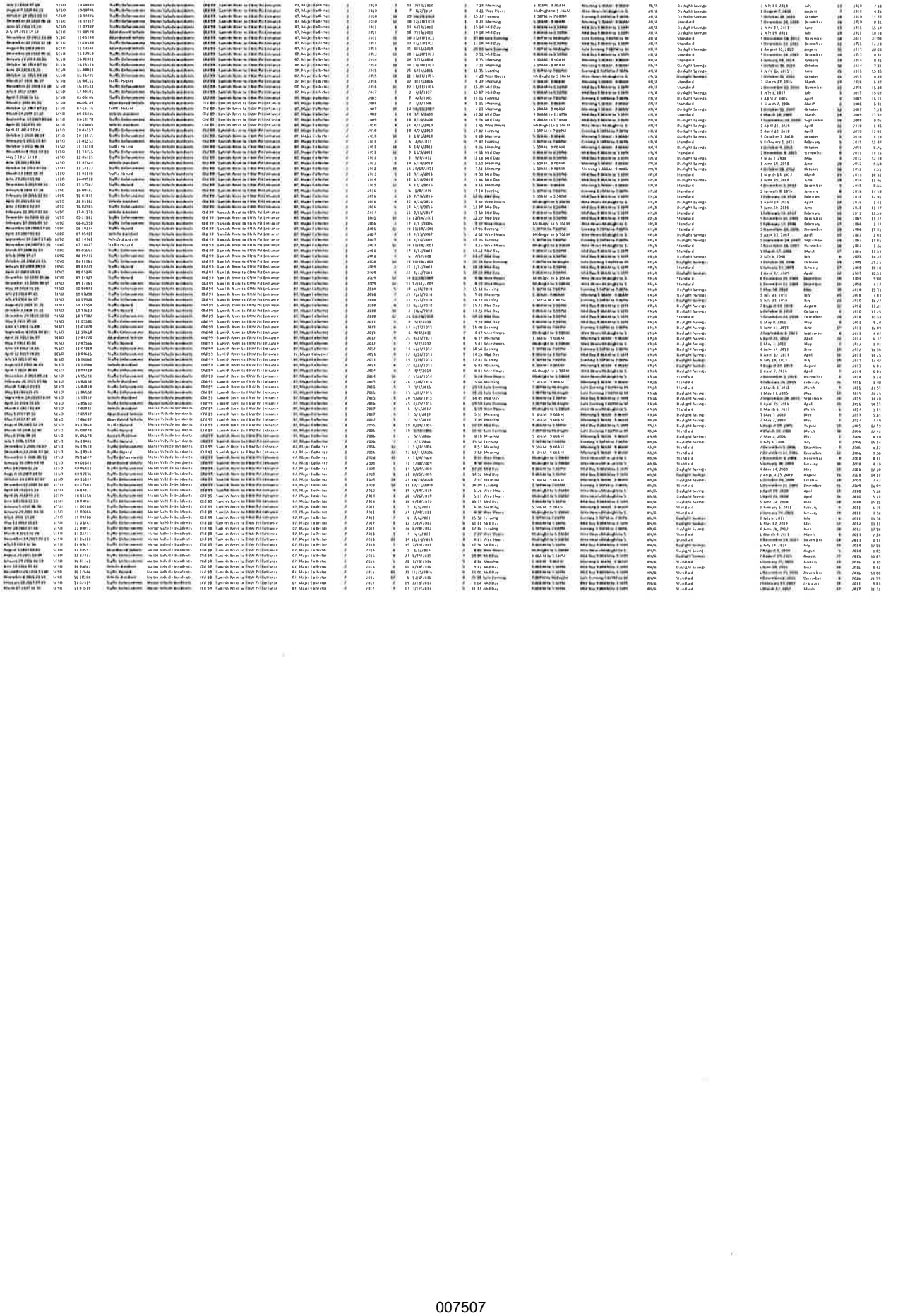


Tom Hagle County Crime Map

Mutual Immobile Added Data







WhereID	Type	Road	WhereDescription	Route	Route Description
1	07, Major Collector	Road	Old 99 - Prairie Rd to Samish River	1	
2	07, Major Collector	Road	Old 99 - Samish River to CNW Pit Entrance	2	
3	07, Major Collector	Intersection	Prairie Rd / Old 99 Intersection	3	
4	07, Major Collector	Road	Prairie Rd - S-Curves, Near Friday Ck	4	
5	07, Major Collector	Road	Prairie Rd - Park Ridge Ln / Water Hazard Area	5	
6	07, Major Collector	Road	Prairie Rd - Water Hazard to F&S Grade Rd	6	
7	07, Major Collector	Intersection	Prairie Rd / F&S Grade Rd Intersection	7	
8	07, Major Collector	Intersection	Prairie Rd / Grip Rd Intersection	8	
9	08, Minor Collector	Road	Grip Rd - Prairie Rd to Proposed Pit Entrance	9	
10				10	
11				11	
12				12	
13				13	
14				14	
15				15	
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ID	Route	Location	Type	Incident	Nature	Area	Agnc	PM Peak	Business Hours	Hour	Minute	Time	Day	Month	Year	Date
1	Haul	6000 Block Old 99 & Prairie Road	Accident	12-06488	MVA	RSC02	SCSO	Other	No	21	34	21:34:52	26	5	2012	5/26/2012
1	Haul	6000 Block Old 99 & Prairie Road	Accident	14-04409	MVA	RSC02	SCSO	Other	Yes	14	3	14:03:21	9	4	2014	4/9/2014
1	Haul	6000 Block Old 99 & Prairie Road	Accident	15-16995	MVA	RSC02	SCSO	Peak PM	Yes	16	28	16:28:06	20	11	2015	11/20/2015
1	Haul	6000 Block Old 99 & Prairie Road	Accident	16-01294	Traffic Hazard	RSC02	SCSO	Other	No	19	20	19:20:21	29	1	2016	1/29/2016
1	Haul	6000 Block Old 99 & Prairie Road	Accident	13-04499	XMVAU	RSC02	SCSO	Peak PM	Yes	17	25	17:25:30	10	4	2013	4/10/2013
1	Haul	6000 Block Old 99 & Prairie Road	Accident	12-08570	MVA	RSC02	SCSO	Other	No	18	17	18:17:56	7	7	2012	7/7/2012
1	Haul	6000 Block Old 99 & Prairie Road	Accident	12-14159	XMVAU	RSC02	SCSO	Other	Yes	12	11	12:11:26	19	10	2012	10/19/2012
1	Haul	6000 Block Old 99 & Prairie Road	Accident	13-13029	XMVAU	RSC02	SCSO	Other	Yes	15	43	15:43:11	9	9	2013	9/9/2013
1	Haul	6000 Block Old 99 & Prairie Road	Abandoned													
1	Haul	6000 Block Old 99 & Prairie Road	Enforcement	12-08570	MVA	RSC02	SCSO	Other	No	18	17	18:17:56	7	7	2012	7/7/2012
1	Haul	6000 Block Old 99 & Prairie Road	Enforcement	13-04499	XMVAU	RSC02	SCSO	Peak PM	Yes	17	25	17:25:30	10	4	2013	4/10/2013
1	Haul	6000 Block Old 99 & Prairie Road	Enforcement	13-13029	XMVAU	RSC02	SCSO	Other	Yes	15	43	15:43:11	9	9	2013	9/9/2013
1	Haul	6000 Block Old 99 & Prairie Road	Enforcement	15-18581	Traffic Enforce	RSC02	SCSO	Other	No	22	0	22:00:02	22	12	2015	12/22/2015
1	Haul	6000 Block Old 99 & Prairie Road	Hazard	12-11771	Traffic Hazard	RSC02	SCSO	Other	No	0	14	0:14:33	3	9	2012	9/3/2012
1	Haul	6000 Block Old 99 & Prairie Road	Hazard	14-05133	Traffic Hazard	RSC02	SCSO	Other	Yes	11	13	11:13:50	24	4	2014	4/24/2014
1	Haul	6000 Block Old 99 & Prairie Road	Hazard	15-16615	Traffic Hazard	RSC02	SCSO	Other	No	3	49	3:49:24	13	11	2015	11/13/2015
1	Haul	6000 Block Old 99 & Prairie Road	Hazard	16-01294	Traffic Hazard	RSC02	SCSO	Other	No	19	20	19:20:21	29	1	2016	1/29/2016
1	Haul	6000 Block Old 99 & Prairie Road	Animal Problem	16-05641	Animal Problem	RSC02	SCSO	Other	No	20	40	20:40:22	25	4	2016	4/25/2016
2	Haul	Old 99 & Bow Hill Road	Accident	16-06193	MVA	RSC02	SCSO	Peak PM	Yes	17	55	17:55:05	6	5	2016	5/6/2016
2	Haul	Old 99 & Bow Hill Road	Accident	12-11649	MVA	RSC02	SCSO	Other	No	21	38	21:38:23	31	8	2012	8/31/2012
2	Haul	Old 99 & Bow Hill Road	Accident	13-12512	MVA	RSC02	SCSO	Other	Yes	14	44	14:44:36	31	8	2013	8/31/2013
2	Haul	Old 99 & Bow Hill Road	Accident	16-17291	MVA	RSC02	SCSO	Peak PM	Yes	17	52	17:52:26	17	11	2016	11/17/2016
2	Haul	Old 99 & Bow Hill Road	Accident	16-16559	MVA	RSC02	SCSO	Other	Yes	12	23	12:23:06	2	11	2016	11/2/2016
2	Haul	Old 99 & Bow Hill Road	Abandoned	15-18538	Abandoned Vehicle	RSC02	SCSO	Other	No	6	55	6:55:03	22	12	2015	12/22/2015
2	Haul	Old 99 & Bow Hill Road	Abandoned	16-15357	Abandoned Vehicle	RSC02	SCSO	Other	Yes	7	32	7:32:39	9	10	2016	10/9/2016
2	Haul	Old 99 & Bow Hill Road	Enforcement	12-08580	DUI	RSC02	SCSO	Other	No	21	30	21:30:31	7	7	2012	7/7/2012
2	Haul	Old 99 & Bow Hill Road	Enforcement	12-11649	MVA	RSC02	SCSO	Other	No	21	38	21:38:23	31	8	2012	8/31/2012
2	Haul	Old 99 & Bow Hill Road	Enforcement	12-14840	Traffic Enforce	RSC02	SCSO	Other	No	20	49	20:49:22	3	11	2012	11/3/2012
2	Haul	Old 99 & Bow Hill Road	Enforcement	12-15695	Traffic Enforce	RSC02	SCSO	Peak PM	Yes	17	57	17:57:57	24	11	2012	11/24/2012
2	Haul	Old 99 & Bow Hill Road	Enforcement	13-02988	Traffic Enforce	RSC02	SCSO	Other	No	21	39	21:39:11	9	3	2013	3/9/2013
2	Haul	Old 99 & Bow Hill Road	Enforcement	13-03299	Traffic Enforce	RSC02	SCSO	Other	No	18	45	18:45:06	16	3	2013	3/16/2013
2	Haul	Old 99 & Bow Hill Road	Enforcement	13-04476	DUI	RSC02	SCSO	Other	No	1	25	1:25:40	10	4	2013	4/10/2013
2	Haul	Old 99 & Bow Hill Road	Enforcement	13-11616	Traffic Enforce	RSC02	SCSO	Other	No	23	42	23:42:10	15	8	2013	8/15/2013
2	Haul	Old 99 & Bow Hill Road	Enforcement	13-11887	Traffic Enforce	RSC02	SCSO	Peak PM	Yes	16	2	16:02:46	20	8	2013	8/20/2013
2	Haul	Old 99 & Bow Hill Road	Enforcement	13-15019	Traffic Enforce	RSC02	SCSO	Other	Yes	12	6	12:06:31	18	10	2013	10/18/2013
2	Haul	Old 99 & Bow Hill Road	Enforcement	14-00610	Traffic Enforce	RSC02	SCSO	Other	No	22	20	22:20:41	14	1	2014	1/14/2014
2	Haul	Old 99 & Bow Hill Road	Enforcement	14-00724	Traffic Enforce	RSC02	SCSO	Other	Yes	15	0	15:00:45	17	1	2014	1/17/2014
2	Haul	Old 99 & Bow Hill Road	Enforcement	14-03932	Traffic Enforce	RSC02	SCSO	Other	No	20	40	20:40:00	29	3	2014	3/29/2014
2	Haul	Old 99 & Bow Hill Road	Enforcement	14-04348	Traffic Enforce	RSC02	SCSO	Other	No	23	44	23:44:52	7	4	2014	4/7/2014
2	Haul	Old 99 & Bow Hill Road	Enforcement	15-09888	Traffic Enforce	RSC02	SCSO	Other	No	22	16	22:16:51	11	7	2015	7/11/2015
2	Haul	Old 99 & Bow Hill Road	Enforcement	15-10101	Traffic Enforce	RSC02	SCSO	Other	No	20	41	20:41:16	15	7	2015	7/15/2015
2	Haul	Old 99 & Bow Hill Road	Enforcement	15-17077	Traffic Enforce	RSC02	SCSO	Other	Yes	13	44	13:44:40	22	11	2015	11/22/2015
2	Haul	Old 99 & Bow Hill Road	Enforcement	16-05576	Traffic Enforce	RSC02	SCSO	Peak PM	Yes	16	10	16:10:20	24	4	2016	4/24/2016
2	Haul	Old 99 & Bow Hill Road	Enforcement	16-12766	Traffic Enforce	RSC02	SCSO	Other	No	23	25	23:25:44	24	8	2016	8/24/2016
2	Haul	Old 99 & Bow Hill Road	Enforcement	16-14834	Traffic Enforce	RSC02	SCSO	Other	No	18	33	18:33:34	29	9	2016	9/29/2016
2	Haul	Old 99 & Bow Hill Road	Enforcement	16-15668	Traffic Enforce	RSC02	SCSO	Other	No	23	27	23:27:16	14	10	2016	10/14/2016
2	Haul	Old 99 & Bow Hill Road	Enforcement	16-15678	Traffic Enforce	RSC02	SCSO	Other	No	3	9	3:09:42	15	10	2016	10/15/2016
2	Haul	Old 99 & Bow Hill Road	Enforcement	16-15669	Agency Assist	RSC02	SCSO	Other	No	23	43	23:43:58	14	10	2016	10/14/2016
2	Haul	Old 99 & Bow Hill Road	Enforcement	16-16559	MVA	RSC02	SCSO	Other	Yes	12	23	12:23:06	2	11	2016	11/2/2016
2	Haul	Old 99 & Bow Hill Road	Enforcement	16-17291	MVA	RSC02	SCSO	Peak PM	Yes	17	52	17:52:26	17	11	2016	11/17/2016
2	Haul	Old 99 & Bow Hill Road	Enforcement	17-00650	Traffic Enforce	RSC02	SCSO	Other	No	22	49	22:49:14	14	1	2017	1/14/2017
2	Haul	Old 99 & Bow Hill Road	Hazard	12-07382	Traffic Hazard	RSC02	SCSO	Other	Yes	12	23	12:23:46	16	6	2012	6/16/2012
2	Haul	Old 99 & Bow Hill Road	Hazard	12-13831	Traffic Hazard	RSC02	SCSO	Other	No	22	0	22:00:39	11	10	2012	10/11/2012
2	Haul	Old 99 & Bow Hill Road	Hazard	13-04211	Traffic Hazard	RSC02	SCSO	Other	No	23	27	23:27:19	4	4	2013	4/4/2013
2	Haul	Old 99 & Bow Hill Road	Hazard	13-08008	Traffic Hazard	RSC02	SCSO	Other	Yes	15	17	15:17:15	15	6	2013	6/15/2013
2	Haul	Old 99 & Bow Hill Road	Hazard	14-02313	Traffic Hazard	RSC02	SCSO	Other	Yes	7	1	7:01:56	23	2	2014	2/23/2014
2	Haul	Old 99 & Bow Hill Road	Hazard	14-07660	Traffic Hazard	RSC02	SCSO	Other	Yes	12	16	12:16:21	14	6	2014	6/14/2014
2	Haul	Old 99 & Bow Hill Road	Hazard	14-10485	Traffic Hazard	RSC02	SCSO	Peak PM	Yes	17	12	17:12:13	3	8	2014	8/3/2014
2	Haul	Old 99 & Bow Hill Road	Hazard	14-00042	Animal Problem	RSC02	SCSO	Peak PM	Yes	17	17	17:17:49	1	1	2014	1/1/2014
2	Haul	Old 99 & Bow Hill Road	Hazard	14-12051	Animal Problem	RSC02	SCSO	Other	Yes	8	29	8:29:02	31	8	2014	8/31/2014
2	Haul	Old 99 & Bow Hill Road	Hazard	15-1396	Traffic Hazard	RSC02	SCSO	Other	No	22	5	22:05:52	23	8	2015	8/23/2015
2	Haul	Old 99 & Bow Hill Road	Hazard	16-00631	Traffic Hazard	RSC02	SCSO	Other	No	18	17	18:17:02	15	1	2016	1/15/2016
2	Haul	Old 99 & Bow Hill Road	Hazard	16-06193	MVA	RSC02	SCSO	Peak PM	Yes	17	55	17:55:05	6	5	2016	5/6/2016
3		Bow Hill - Harrignton Lane to Bob Smith Creek														
4		Bob Smith Creek to Bow Hill Frontage Road	Abandoned	16-16362	MVA	RSC08	SCSO	Other	No	2	4	2:04:35	29	10	2016	10/29/2016
4		Bob Smith Creek to Bow Hill Frontage Road	Enforcement	13-09682	Traffic Enforce	RSC08	SCSO	Other	No	1	10	1:10:07	14	7	2013	7/14/2013
4		Bob Smith Creek to Bow Hill Frontage Road	Enforcement	13-17870	Traffic Enforce	RSC08	SCSO	Other	No	18	57	18:57:04	20	12	2013	12/20/2013
4		Bob Smith Creek to Bow Hill Frontage Road	Enforcement	16-16362	MVA	RSC08	SCSO	Other	No	2	14	2:14:35	29	10	2016	10/29/2016
5	Haul	Friday Creek and Old 99 (both)	Accident	16-15180	MVA	RSC02	SCSO	Peak PM	Yes	16	44	16:44:34	5	10	2016	10/5/2016
5	Haul	Friday Creek and Old 99 (both)	Accident	12-00598	MVA	RSC02	SCSO	Peak PM	Yes	17	39	17:39:01	14	1	2012	1/14/2012
5	Haul	Friday Creek and Old 99 (both)	Accident	16-00045	MVA	RSC02	SCSO	Other	No	21	14	21:14:55	1	1	2016	1/1/2016
5	Haul	Friday Creek and Old 99 (both)	Abandoned	15-18211	Abandoned Vehicle	RSC02	SCSO	Other	Yes	8	30	8:30:14	15	12	2015	12/15/2015
5	Haul	Friday Creek and Old 99 (both)	Abandoned	16-00045	MVA	RSC02	SCSO	Other	No	21	14	21:14:55	1	1	2016	1/1/2016
5	Haul	Friday Creek and Old 99 (both)	Enforcement	13-08444	Traffic Enforce	RSC02	SCSO	Other	No	18	13	18:13:22	23	6	2013	6/23/2013
5	Haul	Friday Creek and Old 99 (both)	Enforcement	15-06160	Traffic Enforce	RSC02	SCSO	Peak PM	Yes	16	20	16:20:29	7	5	2015	5/7/2015
5	Haul	Friday Creek and Old 99 (both)	Enforcement	16-06490	Traffic Enforce	RSC02	SCSO	Other	Yes	13	37	13:37:08	12	5	2016	5/12/2016
5	Haul	Friday Creek and Old 99 (both)	Enforcement	16-10063	Traffic Enforce	RSC02	SCSO	Other	No	20	56	20:56:40	13	7	2016	7/13/2016
5	Haul	Friday Creek and Old 99 (both)	Hazard	14-12851	Animal Problem	RSC02	SCSO	Peak PM	Yes	17	2	17:02:23	14	9	2014	9/14/2014
5	Haul	Friday Creek and Old 99 (both)	Hazard	15-15066	Traffic Hazard	RSC02	SCSO	Other	No	18	2	18:02:44	12	10	2015	10/12/2015
5	Haul	Friday Creek and Old 99 (both)	Hazard	16-01212	Traffic Hazard	RSC02	SCSO	Other	Yes	7	48	7:48:19	28	1	2016	1/28/2016
5	Haul	Friday Creek and Old 99 (both)	Hazard	17-00845	Traffic Hazard	RSC02	SCSO	Other	Yes	11	40	11:40:53	19	1	2017	1/19/2017
6	Haul	Prairie Road and Old 99	Accident	13-03966	DUI	RSC02	SCSO	Other	No	2	24	2:24:39	31	3	2013	3/31/2013
6	Haul	Prairie Road and Old 99	Accident	13-16876	MVA	RSC02	SCSO	Other	Yes	15	8	15:08:42	27	11	2013	11/27/2013
6	Haul	Prairie Road and Old 99	Accident	14-09690	MVA	RSC02	SCSO	Other	No	19	20	19:20:15	19	7	2014	7/19/2014
6	Haul	Prairie Road and Old 99	Accident	16-04390	MVA	RSC02	SCSO	Other	No	18	13	18:13:05	1	4	2016	4/1/2016
6	Haul	Prairie Road and Old 99	Accident	13-06942	MVA	RSC02	SCSO	Other	Yes	12	43	12:43:48	27	5	2013	5/27/2013
6	Haul	Prairie Road and Old 99	Accident	13-11088	MVA	RSC02	SCSO	Other	No	22	2	22:02:47	6	8	2013	8/6/2013
6	Haul	Prairie Road and Old 99	Accident	14-14422	MVA	RSC02	SCSO	Other	Yes	15	20	15:20:45	17	12	2014	12/17/2014
6	Haul	Prairie Road and Old 99	Accident	13-12015	XMVAU	RSC02	SCSO	Other	Yes	15	30	15:30:02	22	8	2013	8/22/2013
6	Haul	Prairie Road and Old 99	Accident	16-08448	MVA	RSC02	SCSO	Other	Yes	12	20	12:20:47	17	6	2016	6/17/2016
6	Haul	Prairie Road and Old 99	Abandoned	13-03966	DUI	RSC02	SCSO	Other	No	2	24	2:24:39	31	3	2013	3/31/2013
6	Haul	Prairie Road and Old 99	Enforcement	12-06737	Traffic Enforce	RSC02	SCSO	Other	Yes	15	28	15:28:56	1	6	2012	6/1/2012
6	Haul	Prairie Road and Old 99	Enforcement	12-09487	Traffic Enforce	RSC02	SCSO	Other	No	20	36	20:36:50	23	4	2012	4/23/2012
6	Haul	Prairie Road and Old 99	Enforcement	12-11220	Traffic Enforce	RSC02	SCSO	Other	No	18	56	18:56:34	23	8	2012	8/23/2012
6	Haul	Prairie Road and Old 99	Enforcement	13-03545	Traffic Enforce	RSC02	SCSO	Peak PM	Yes	16	46	16:46:21	22	3	2013	3/22/2013

6	Haul	Prairie Road and Old 99	Enforcement	13-06942	MVA	RSC02	SCSO	Other	Yes	12	43	12:43:48	27	5	2013	5/27/2013
6	Haul	Prairie Road and Old 99	Enforcement	13-12015	XMVAU	RSC02	SCSO	Other	Yes	15	30	15:30:02	22	8	2013	8/22/2013
6	Haul	Prairie Road and Old 99	Enforcement	13-13567	Traffic Enforce	RSC02	SCSO	Peak PM	Yes	17	28	17:28:52	18	9	2013	9/18/2013
6	Haul	Prairie Road and Old 99	Enforcement	13-17369	Traffic Enforce	RSC02	SCSO	Other	No	20	59	20:59:42	9	12	2013	12/9/2013
6	Haul	Prairie Road and Old 99	Enforcement	13-16876	MVA	RSC02	SCSO	Other	Yes	15	8	15:08:42	27	11	2013	11/27/2013
6	Haul	Prairie Road and Old 99	Enforcement	14-01883	Traffic Enforce	RSC02	SCSO	Other	Yes	11	39	11:39:02	13	2	2014	2/13/2014
6	Haul	Prairie Road and Old 99	Enforcement	14-11036	Traffic Enforce	RSC02	SCSO	Other	Yes	7	38	7:38:30	13	8	2014	8/13/2014
6	Haul	Prairie Road and Old 99	Enforcement	14-17422	MVA	RSC02	SCSO	Other	Yes	15	20	15:20:45	17	12	2014	12/17/2014
6	Haul	Prairie Road and Old 99	Enforcement	15-06132	Traffic Enforce	RSC02	SCSO	Other	No	6	45	6:45:01	7	5	2015	5/7/2015
6	Haul	Prairie Road and Old 99	Enforcement	15-06850	Traffic Enforce	RSC02	SCSO	Other	No	20	33	20:33:44	20	5	2015	5/20/2015
6	Haul	Prairie Road and Old 99	Enforcement	15-08517	Traffic Enforce	RSC02	SCSO	Other	Yes	15	27	15:27:23	20	6	2015	6/20/2015
6	Haul	Prairie Road and Old 99	Enforcement	16-01977	Traffic Enforce	RSC02	SCSO	Peak PM	Yes	16	11	16:11:01	13	2	2016	2/13/2016
6	Haul	Prairie Road and Old 99	Enforcement	16-08448	MVA	RSC02	SCSO	Other	Yes	12	20	12:20:47	17	6	2016	6/17/2016
6	Haul	Prairie Road and Old 99	Enforcement	16-11914	Traffic Enforce	RSC02	SCSO	Peak PM	Yes	17	48	17:48:24	11	8	2016	8/11/2016
6	Haul	Prairie Road and Old 99	Enforcement	16-12789	Traffic Enforce	RSC02	SCSO	Other	Yes	14	8	14:08:39	25	8	2016	8/25/2016
6	Haul	Prairie Road and Old 99	Hazard	12-04520	Traffic Hazard	RSC02	SCSO	Other	Yes	13	28	13:28:01	15	4	2012	4/15/2012
6	Haul	Prairie Road and Old 99	Hazard	12-10359	Traffic Hazard	RSC02	SCSO	Other	Yes	15	33	15:33:39	8	8	2012	8/8/2012
6	Haul	Prairie Road and Old 99	Hazard	14-04209	Animal Problem	RSC02	SCSO	Other	No	0	58	0:58:12	5	4	2014	4/5/2014
6	Haul	Prairie Road and Old 99	Hazard	15-02674	Traffic Hazard	RSC02	SCSO	Other	No	19	17	19:17:36	26	2	2015	2/26/2015
6	Haul	Prairie Road and Old 99	Hazard	15-11778	Traffic Hazard	RSC02	SCSO	Peak PM	Yes	16	34	16:34:42	12	8	2015	8/12/2015
6	Haul	Prairie Road and Old 99	Hazard	16-15908	Traffic Hazard	RSC02	SCSO	Other	No	4	51	4:51:10	20	10	2016	10/20/2016
7a	Haul	6000-6900 Block Prairie Rd	Accident	12-06488	MVA	RSC02	SCSO	Other	No	21	34	21:34:52	26	5	2012	5/26/2012
7a	Haul	6000-6900 Block Prairie Rd	Accident	14-04409	MVA	RSC02	SCSO	Other	Yes	14	3	14:03:21	9	4	2014	4/9/2014
7a	Haul	6000-6900 Block Prairie Rd	Accident	15-16995	MVA	RSC02	SCSO	Peak PM	Yes	16	28	16:28:06	20	11	2015	11/20/2015
7a	Haul	6000-6900 Block Prairie Rd	Accident	16-01294	Traffic Hazard	RSC02	SCSO	Other	No	19	20	19:20:21	29	1	2016	1/29/2016
7a	Haul	6000-6900 Block Prairie Rd	Accident	12-14559	MVA	RSC02	SCSO	Peak PM	Yes	17	47	17:47:21	28	10	2012	10/28/2012
7a	Haul	6000-6900 Block Prairie Rd	Accident	13-04499	XMVAU	RSC02	SCSO	Peak PM	Yes	17	25	17:25:30	10	4	2013	4/10/2013
7a	Haul	6000-6900 Block Prairie Rd	Accident	13-05798	MVA	RSC02	SCSO	Peak PM	Yes	17	18	17:18:52	6	5	2013	5/6/2013
7a	Haul	6000-6900 Block Prairie Rd	Accident	16-01185	MVA	RSC02	SCSO	Peak PM	Yes	17	19	17:19:28	27	1	2016	1/27/2016
7a	Haul	6000-6900 Block Prairie Rd	Accident	16-03064	MVA	RSC02	SCSO	Other	Yes	8	40	8:40:22	7	3	2016	3/7/2016
7a	Haul	6000-6900 Block Prairie Rd	Accident	12-08570	MVA	RSC02	SCSO	Other	No	18	17	18:17:56	7	7	2012	7/7/2012
7a	Haul	6000-6900 Block Prairie Rd	Accident	12-14159	XMVAU	RSC02	SCSO	Other	Yes	12	11	12:11:26	19	10	2012	10/19/2012
7a	Haul	6000-6900 Block Prairie Rd	Accident	13-13029	XMVAU	RSC02	SCSO	Other	Yes	15	43	15:43:11	9	9	2013	9/9/2013
7a	Haul	6000-6900 Block Prairie Rd	Enforcement	12-02042	Traffic Enforce	RSC02	SCSO	Other	No	20	9	20:09:20	17	2	2012	2/17/2012
7a	Haul	6000-6900 Block Prairie Rd	Enforcement	12-08570	MVA	RSC02	SCSO	Other	No	18	17	18:17:56	7	7	2012	7/7/2012
7a	Haul	6000-6900 Block Prairie Rd	Enforcement	12-14559	MVA	RSC02	SCSO	Peak PM	Yes	17	47	17:47:21	28	10	2012	10/28/2012
7a	Haul	6000-6900 Block Prairie Rd	Enforcement	13-04499	XMVAU	RSC02	SCSO	Peak PM	Yes	17	25	17:25:30	10	4	2013	4/10/2013
7a	Haul	6000-6900 Block Prairie Rd	Enforcement	13-05798	MVA	RSC02	SCSO	Peak PM	Yes	17	18	17:18:52	6	5	2013	5/6/2013
7a	Haul	6000-6900 Block Prairie Rd	Enforcement	13-13029	XMVAU	RSC02	SCSO	Other	Yes	15	43	15:43:11	9	9	2013	9/9/2013
7a	Haul	6000-6900 Block Prairie Rd	Enforcement	14-01760	Traffic Enforce	RSC02	SCSO	Other	Yes	11	32	11:32:51	10	2	2014	2/10/2014
7a	Haul	6000-6900 Block Prairie Rd	Enforcement	14-08439	Traffic Enforce	RSC02	SCSO	Other	Yes	15	44	15:44:19	28	6	2014	6/28/2014
7a	Haul	6000-6900 Block Prairie Rd	Enforcement	15-18581	Traffic Enforce	RSC02	SCSO	Other	No	22	0	22:00:02	22	12	2015	12/22/2015
7a	Haul	6000-6900 Block Prairie Rd	Enforcement	16-08491	Traffic Enforce	RSC02	SCSO	Other	No	0	50	0:50:16	15	6	2016	6/15/2016
7a	Haul	6000-6900 Block Prairie Rd	Hazard	12-11771	Traffic Hazard	RSC02	SCSO	Other	No	0	14	0:14:43	3	9	2012	9/3/2012
7a	Haul	6000-6900 Block Prairie Rd	Hazard	12-12432	Traffic Hazard	RSC02	SCSO	Other	Yes	12	52	12:52:10	14	9	2012	9/14/2012
7a	Haul	6000-6900 Block Prairie Rd	Hazard	13-02586	Traffic Hazard	RSC02	SCSO	Other	No	21	8	21:08:56	28	2	2013	2/28/2013
7a	Haul	6000-6900 Block Prairie Rd	Hazard	13-07546	Traffic Hazard	RSC02	SCSO	Other	No	19	38	19:38:39	6	6	2013	6/6/2013
7a	Haul	6000-6900 Block Prairie Rd	Hazard	13-12389	Traffic Hazard	RSC02	SCSO	Other	Yes	14	10	14:10:06	29	8	2013	8/29/2013
7a	Haul	6000-6900 Block Prairie Rd	Hazard	13-13401	Traffic Hazard	RSC02	SCSO	Other	No	6	18	6:18:59	16	9	2013	9/16/2013
7a	Haul	6000-6900 Block Prairie Rd	Hazard	14-02335	Traffic Hazard	RSC02	SCSO	Other	No	18	35	18:35:34	23	2	2014	2/23/2014
7a	Haul	6000-6900 Block Prairie Rd	Hazard	14-02351	Traffic Hazard	RSC02	SCSO	Other	No	5	18	5:18:19	24	2	2014	2/24/2014
7a	Haul	6000-6900 Block Prairie Rd	Hazard	14-05133	Traffic Hazard	RSC02	SCSO	Other	Yes	11	13	11:13:50	24	4	2014	4/24/2014
7a	Haul	6000-6900 Block Prairie Rd	Hazard	14-12355	Traffic Hazard	RSC02	SCSO	Other	No	1	31	1:31:01	6	9	2014	9/6/2014
7a	Haul	6000-6900 Block Prairie Rd	Hazard	14-14931	Traffic Hazard	RSC02	SCSO	Other	Yes	14	5	14:05:46	26	10	2014	10/26/2014
7a	Haul	6000-6900 Block Prairie Rd	Hazard	15-04140	Traffic Hazard	RSC02	SCSO	Other	Yes	10	55	10:55:21	29	3	2015	3/29/2015
7a	Haul	6000-6900 Block Prairie Rd	Hazard	15-15973	Traffic Hazard	RSC02	SCSO	Other	Yes	11	50	11:50:49	31	10	2015	10/31/2015
7a	Haul	6000-6900 Block Prairie Rd	Hazard	15-16615	Traffic Hazard	RSC02	SCSO	Other	No	0	49	0:49:24	13	11	2015	11/13/2015
7a	Haul	6000-6900 Block Prairie Rd	Hazard	16-01294	Traffic Hazard	RSC02	SCSO	Other	No	19	20	19:20:21	29	1	2016	1/29/2016
7a	Haul	6000-6900 Block Prairie Rd	Hazard	16-05641	Animal Problem	RSC02	SCSO	Other	No	20	40	20:40:22	25	4	2016	4/25/2016
7b	Haul	19000-19900 Block Prairie Road	Accident	13-03966	DUI	RSC02	SCSO	Other	No	18	24	42:24:39	31	3	2013	3/31/2013
7b	Haul	19000-19900 Block Prairie Road	Accident	13-04067	MVA	RSC02	SCSO	Other	No	5	33	5:33:52	2	4	2013	4/2/2013
7b	Haul	19000-19900 Block Prairie Road	Accident	1317770	MVA	RSC09	SCSO	Peak PM	Yes	16	46	16:46:53	18	12	2013	12/18/2013
7b	Haul	19000-19900 Block Prairie Road	Accident	13-17772	MVA	RSC09	SCSO	Peak PM	Yes	17	33	17:33:00	18	12	2013	12/18/2013
7b	Haul	19000-19900 Block Prairie Road	Accident	12-11636	MVA	RSC02	SCSO	Peak PM	Yes	17	7	17:07:03	31	8	2012	8/31/2012
7b	Haul	19000-19900 Block Prairie Road	Accident	12-12563	MVA	RSC02	SCSO	Other	No	19	30	19:30:58	16	9	2012	9/16/2012
7b	Haul	19000-19900 Block Prairie Road	Accident	12-15465	Abandoned Vehicle	RSC02	SCSO	Other	Yes	8	17	8:17:16	19	11	2012	11/19/2012
7b	Haul	19000-19900 Block Prairie Road	Accident	13-16876	MVA	RSC02	SCSO	Other	Yes	15	8	15:08:42	27	11	2013	11/27/2013
7b	Haul	19000-19900 Block Prairie Road	Accident	13-17777	XMVAU	RSC02	SCSO	Other	No	19	1	19:01:30	18	12	2013	12/18/2013
7b	Haul	19000-19900 Block Prairie Road	Accident	14-0581	MVA	RSC02	SCSO	Other	Yes	13	46	13:46:52	8	5	2014	5/8/2014
7b	Haul	19000-19900 Block Prairie Road	Accident	14-09690	MVA	RSC02	SCSO	Other	No	19	20	19:20:15	19	7	2014	7/19/2014
7b	Haul	19000-19900 Block Prairie Road	Accident	14-09875	XMVAU	RSC09	SCSO	Other	Yes	13	13	13:13:58	23	7	2014	7/23/2014
7b	Haul	19000-19900 Block Prairie Road	Accident	14-12968	Animal Problem	RSC02	SCSO	Peak PM	Yes	17	54	17:54:41	16	9	2014	9/16/2014
7b	Haul	19000-19900 Block Prairie Road	Accident	15-07821	MVA	RSC02	SCSO	Other	No	4	1	4:01:12	8	6	2015	6/8/2015
7b	Haul	19000-19900 Block Prairie Road	Accident	16-04390	MVA	RSC02	SCSO	Other	No	18	13	18:13:05	1	4	2016	4/1/2016
7b	Haul	19000-19900 Block Prairie Road	Accident	13-06942	MVA	RSC02	SCSO	Other	Yes	12	43	12:43:48	27	5	2013	5/27/2013
7b	Haul	19000-19900 Block Prairie Road	Accident	13-11088	MVA	RSC02	SCSO	Other	No	22	2	22:02:47	6	8	2013	8/6/2013
7b	Haul	19000-19900 Block Prairie Road	Accident	13-15008	MVA	RSC02	SCSO	Other	No	5	58	5:58:10	18	10	2013	10/18/2013
7b	Haul	19000-19900 Block Prairie Road	Accident	14-14722	MVA	RSC02	SCSO	Other	Yes	15	20	15:20:45	17	12	2014	12/17/2014
7b	Haul	19000-19900 Block Prairie Road	Accident	13-00241	MVA	RSC02	SCSO	Other	Yes	11	54	11:54:12	6	1	2013	1/6/2013
7b	Haul	19000-19900 Block Prairie Road	Accident	13-12015	XMVAU	RSC09	SCSO	Other	Yes	15	30	15:30:02	22	8	2013	8/22/2013
7b	Haul	19000-19900 Block Prairie Road	Accident	13-14123	MVA	RSC02	SCSO	Other	No	19	35	19:35:28	28	9	2013	9/28/2013
7b	Haul	19000-19900 Block Prairie Road	Accident	15-16316	MVA	RSC02	SCSO	Peak PM	Yes	16	58	16:58:26	6	11	2015	11/6/2015
7b	Haul	19000-19900 Block Prairie Road	Accident	16-08448	MVA	RSC02	SCSO	Other	Yes	12	20	12:20:47	17	6	2016	6/17/2016
7b	Haul	19000-19900 Block Prairie Road	Abandoned	13-04067	MVA	RSC02	SCSO	Other	No	5	33	5:33:52	2	4	2013	4/2/2013
7b	Haul	19000-19900 Block Prairie Road	Abandoned	13-03966	DUI	RSC02	SCSO	Other	No	2	24	2:24:39	31	3	2013	3/31/2013
7b	Haul	19000-19900 Block Prairie Road	Abandoned	16-01111	Traffic Hazard	RSC02	SCSO	Other	Yes	11	52	11:52:35	26	1	2016	1/26/2016
7b	Haul	19000-19900 Block Prairie Road	Enforcement	12-03479	Traffic Enforce	RSC02	SCSO	Peak PM	Yes	17	16	17:16:38	22	3	2012	3/22/2012
7b	Haul	19000-19900 Block Prairie Road	Enforcement	12-06737	Traffic Enforce	RSC02	SCSO	Other	Yes	15	28	15:28:56	1	6	2012	6/1/2012
7b	Haul	19000-19900 Block Prairie Road	Enforcement	12-08018	Traffic Enforce	RSC02	SCSO	Other	No	19	24	19:24:41	28	6	2012	6/28/2012
7b	Haul	19000-19900 Block Prairie Road	Enforcement	12-09487	Traffic Enforce	RSC02	SCSO	Other	No	20	36	20:36:50	23	7	2012	7/23/2012
7b	Haul	19000-19900 Block Prairie Road	Enforcement	12-11220	Traffic Enforce	RSC02	SCSO	Other	No	18	56	18:56:34	23	8	2012	8/23/2012
7b	Haul	19000-19900 Block Prairie Road	Enforcement	13-03545	Traffic Enforce	RSC02	SCSO	Peak PM	Yes	16	46	16:46:21	22	3	2013	3/22/2013
7b	Haul	19000-19900 Block Prairie Road	Enforcement	13-06942	MVA	RSC02	SCSO	Other	Yes	12	43	12:43:48	27	5	2013	5/27/2013
7b	Haul	19000-19900 Block Prairie Road	Enforcement	13-12015	XMVAU	RSC09	SCSO	Other	Yes	15	30	15:30:02	22	8	2013	8/22/2013
7b	Haul	19000-19900 Block Prairie Road	Enforcement	13-13567	Traffic Enforce	RSC02	SCSO	Peak PM	Yes	17	28	17:28:52	18	9	2013	9/18/2013
7b	Haul	19000-19900 Block Prairie Road	Enforcement	13-14123	MVA	RSC02	SCSO	Other	No	19	35	19:35:28	28	9	2013	9/28/2013

7b	Haul	19000-19900 Block Prairie Road	Enforcement	13-15008	MVA	RSC09	SCSO	Other	No	5	58	5:58:10	18	10	2013	10/18/2013
7b	Haul	19000-19900 Block Prairie Road	Enforcement	13-17369	Traffic Enforce	RSC02	SCSO	Other	No	20	59	20:59:42	9	12	2013	12/9/2013
7b	Haul	19000-19900 Block Prairie Road	Enforcement	13-16876	MVA	RSC02	SCSO	Other	Yes	15	8	15:08:42	27	11	2013	11/27/2013
7b	Haul	19000-19900 Block Prairie Road	Enforcement	14-00049	Traffic Enforce	RSC02	SCSO	Other	No	23	8	23:08:07	1	1	2014	1/1/2014
7b	Haul	19000-19900 Block Prairie Road	Enforcement	14-01883	Traffic Enforce	RSC02	SCSO	Other	Yes	11	39	11:39:02	13	2	2014	2/13/2014
7b	Haul	19000-19900 Block Prairie Road	Enforcement	14-05801	MVA	RSC02	SCSO	Other	Yes	13	46	13:46:52	8	5	2014	5/8/2014
7b	Haul	19000-19900 Block Prairie Road	Enforcement	14-10621	Traffic Enforce	RSC02	SCSO	Other	Yes	15	21	15:21:49	5	8	2014	8/5/2014
7b	Haul	19000-19900 Block Prairie Road	Enforcement	14-10643	Traffic Enforce	RSC02	SCSO	Other	No	20	7	20:07:25	5	8	2014	8/5/2014
7b	Haul	19000-19900 Block Prairie Road	Enforcement	14-10649	Traffic Enforce	RSC02	SCSO	Other	No	21	46	21:46:09	5	8	2014	8/5/2014
7b	Haul	19000-19900 Block Prairie Road	Enforcement	14-10656	Traffic Enforce	RSC02	SCSO	Other	Yes	8	27	8:27:00	6	8	2014	8/6/2014
7b	Haul	19000-19900 Block Prairie Road	Enforcement	14-10661	Traffic Enforce	RSC02	SCSO	Other	Yes	11	2	11:02:01	6	8	2014	8/6/2014
7b	Haul	19000-19900 Block Prairie Road	Enforcement	14-10667	Traffic Enforce	RSC02	SCSO	Other	Yes	12	0	12:00:45	6	8	2014	8/6/2014
7b	Haul	19000-19900 Block Prairie Road	Enforcement	14-10709	Traffic Enforce	RSC02	SCSO	Other	No	1	44	1:44:26	7	8	2014	8/7/2014
7b	Haul	19000-19900 Block Prairie Road	Enforcement	14-11036	Traffic Enforce	RSC02	SCSO	Other	Yes	7	38	7:38:30	13	8	2014	8/13/2014
7b	Haul	19000-19900 Block Prairie Road	Enforcement	14-17422	MVA	RSC02	SCSO	Other	Yes	15	20	15:20:45	17	12	2014	12/17/2014
7b	Haul	19000-19900 Block Prairie Road	Enforcement	15-06132	Traffic Enforce	RSC02	SCSO	Other	No	6	45	6:45:01	7	5	2015	5/7/2015
7b	Haul	19000-19900 Block Prairie Road	Enforcement	15-06850	Traffic Enforce	RSC02	SCSO	Other	No	20	33	20:33:44	20	5	2015	5/20/2015
7b	Haul	19000-19900 Block Prairie Road	Enforcement	15-08517	Traffic Enforce	RSC02	SCSO	Other	Yes	15	27	15:27:23	20	6	2015	6/20/2015
7b	Haul	19000-19900 Block Prairie Road	Enforcement	15-12131	MVA	RSC09	SCSO	Peak PM	Yes	16	47	16:47:40	18	8	2015	8/18/2015
7b	Haul	19000-19900 Block Prairie Road	Enforcement	16-01977	Traffic Enforce	RSC02	SCSO	Peak PM	Yes	16	11	16:11:01	13	2	2016	2/13/2016
7b	Haul	19000-19900 Block Prairie Road	Enforcement	16-08448	MVA	RSC02	SCSO	Other	Yes	12	20	12:20:47	17	6	2016	6/17/2016
7b	Haul	19000-19900 Block Prairie Road	Enforcement	16-12877	Traffic Enforce	RSC09	SCSO	Other	No	22	3	22:03:08	26	8	2016	8/26/2016
7b	Haul	19000-19900 Block Prairie Road	Hazard	12-00192	Traffic Hazard	RSC02	SCSO	Other	No	6	43	6:43:23	5	1	2012	1/5/2012
7b	Haul	19000-19900 Block Prairie Road	Hazard	12-10359	Traffic Hazard	RSC02	SCSO	Other	Yes	15	33	15:33:39	8	8	2012	8/8/2012
7b	Haul	19000-19900 Block Prairie Road	Hazard	14-02162	Traffic Hazard	RSC02	SCSO	Other	No	22	23	22:23:46	19	2	2014	2/19/2014
7b	Haul	19000-19900 Block Prairie Road	Hazard	14-00814	Animal Problem	RSC02	SCSO	Other	No	18	18	18:18:37	19	1	2014	1/19/2014
7b	Haul	19000-19900 Block Prairie Road	Hazard	14-04209	Animal Problem	RSC02	SCSO	Other	No	0	58	0:58:12	5	4	2014	4/5/2014
7b	Haul	19000-19900 Block Prairie Road	Hazard	14-12968	Traffic Hazard	RSC02	SCSO	Peak PM	Yes	17	54	17:54:41	16	9	2014	9/16/2014
7b	Haul	19000-19900 Block Prairie Road	Hazard	15-02674	Traffic Hazard	RSC02	SCSO	Other	No	19	17	19:17:36	26	2	2015	2/26/2015
7b	Haul	19000-19900 Block Prairie Road	Hazard	15-10368	Traffic Hazard	RSC02	SCSO	Other	No	4	51	4:51:42	20	7	2015	7/20/2015
7b	Haul	19000-19900 Block Prairie Road	Hazard	15-11778	Traffic Hazard	RSC02	SCSO	Peak PM	Yes	16	34	16:34:42	12	8	2015	8/12/2015
7b	Haul	19000-19900 Block Prairie Road	Hazard	15-15968	Traffic Hazard	RSC02	SCSO	Other	Yes	8	41	8:41:36	31	10	2015	10/31/2015
7b	Haul	19000-19900 Block Prairie Road	Hazard	15-18360	Traffic Hazard	RSC02	SCSO	Other	No	3	39	3:39:48	18	12	2015	12/18/2015
7b	Haul	19000-19900 Block Prairie Road	Hazard	16-01111	Traffic Hazard	RSC02	SCSO	Other	Yes	11	52	11:52:35	26	1	2016	1/26/2016
7b	Haul	19000-19900 Block Prairie Road	Hazard	16-02040	Traffic Hazard	RSC02	SCSO	Other	Yes	7	50	7:50:36	15	2	2016	2/15/2016
7b	Haul	19000-19900 Block Prairie Road	Hazard	16-03047	Traffic Hazard	RSC02	SCSO	Other	No	19	35	19:35:55	6	3	2016	3/6/2016
7c	Mixed	20000-29000 Block Prairie Road	Accident	14-04214	MVA	RSC02	SCSO	Other	No	4	44	4:44:19	5	4	2014	4/5/2014
7c	Mixed	20000-29000 Block Prairie Road	Accident	14-17432	MVA	RSC09	SCSO	Other	No	19	2	19:02:06	17	12	2014	12/17/2014
7c	Mixed	20000-29000 Block Prairie Road	Accident	15-00849	MVA	RSC09	SCSO	Other	Yes	14	45	14:45:03	19	1	2015	1/19/2015
7c	Mixed	20000-29000 Block Prairie Road	Accident	15-02940	MVA	RSC28	SCSO	Other	No	19	7	19:07:55	4	3	2015	3/4/2015
7c	Mixed	20000-29000 Block Prairie Road	Accident	15-16972	MVA	RSC02	SCSO	Other	No	6	25	6:25:01	20	11	2015	11/20/2015
7c	Mixed	20000-29000 Block Prairie Road	Accident	15-17064	MVA	RSC02	SCSO	Other	No	6	13	6:13:23	22	11	2015	11/22/2015
7c	Mixed	20000-29000 Block Prairie Road	Accident	15-18795	MVA	RSC02	SCSO	Other	No	5	34	5:34:56	28	12	2015	12/28/2015
7c	Mixed	20000-29000 Block Prairie Road	Accident	16-02162	MVA	RSC28	SCSO	Other	Yes	13	39	13:39:59	17	2	2016	2/17/2016
7c	Mixed	20000-29000 Block Prairie Road	Accident	16-02301	MVA	RSC09	SCSO	Other	No	18	11	18:11:35	20	2	2016	2/20/2016
7c	Mixed	20000-29000 Block Prairie Road	Accident	16-06598	MVA	RSC02	SCSO	Other	Yes	13	44	13:44:14	14	5	2016	5/14/2016
7c	Mixed	20000-29000 Block Prairie Road	Accident	16-15006	MVA	RSC02	SCSO	Peak PM	Yes	16	21	16:21:36	2	10	2016	10/2/2016
7c	Mixed	20000-29000 Block Prairie Road	Accident	15-05544	MVA	RSC02	SCSO	Other	No	0	24	0:24:11	26	4	2015	4/26/2015
7c	Mixed	20000-29000 Block Prairie Road	Accident	15-11399	MVA	RSC02	SCSO	Other	Yes	11	4	11:04:00	6	8	2015	8/6/2015
7c	Mixed	20000-29000 Block Prairie Road	Accident	16-17000	MVA	RSC02	SCSO	Other	No	18	52	18:52:15	11	11	2016	11/11/2016
7c	Mixed	20000-29000 Block Prairie Road	Abandoned	12-05072	Abandoned Vehicle	RSC09	SCSO	Other	No	5	48	5:48:51	27	4	2012	4/27/2012
7c	Mixed	20000-29000 Block Prairie Road	Abandoned	13-16964	MVA	RSC09	SCSO	Other	No	3	20	3:20:03	30	11	2013	11/30/2013
7c	Mixed	20000-29000 Block Prairie Road	Abandoned	14-07540	Abandoned Vehicle	RSC09	SCSO	Other	No	19	19	19:19:47	11	6	2014	6/11/2014
7c	Mixed	20000-29000 Block Prairie Road	Abandoned	14-13596	Traffic Hazard	RSC09	SCSO	Other	Yes	11	47	11:47:49	29	9	2014	9/29/2014
7c	Mixed	20000-29000 Block Prairie Road	Abandoned	15-05718	Abandoned Vehicle	RSC09	SCSO	Other	Yes	13	28	13:28:06	29	4	2015	4/29/2015
7c	Mixed	20000-29000 Block Prairie Road	Abandoned	15-11626	Abandoned Vehicle	RSC09	SCSO	Other	No	22	35	22:35:46	9	8	2015	8/9/2015
7c	Mixed	20000-29000 Block Prairie Road	Abandoned	15-10172	MVA	RSC28	SCSO	Other	No	1	20	1:20:47	17	7	2015	7/17/2015
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	12-01521	DUI	RSC02	SCSO	Other	No	0	7	0:07:29	5	2	2012	2/5/2012
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	12-08074	Traffic Enforce	RSC28	SCSO	Other	No	18	32	18:32:50	29	6	2012	6/29/2012
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	12-14223	MVA	RSC02	SCSO	Other	No	22	57	22:57:47	20	10	2012	10/20/2012
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	12-15262	Traffic Enforce	RSC09	SCSO	Other	No	22	19	22:19:55	13	11	2012	11/13/2012
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	13-09886	Traffic Enforce	RSC02	SCSO	Other	Yes	15	14	15:14:41	17	7	2013	7/17/2013
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	13-12578	Traffic Enforce	RSC02	SCSO	Other	No	18	30	18:30:40	1	9	2013	9/1/2013
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	14-00894	Traffic Enforce	RSC02	SCSO	Other	Yes	15	31	15:31:10	21	1	2014	1/21/2014
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	14-00481	MVA	RSC02	SCSO	Peak PM	Yes	17	42	17:42:20	11	1	2014	1/11/2014
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	14-04214	MVA	RSC02	SCSO	Other	No	4	44	4:44:19	5	4	2014	4/5/2014
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	14-05895	Traffic Enforce	RSC02	SCSO	Other	Yes	11	10	11:10:59	10	5	2014	5/10/2014
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	14-06435	Traffic Enforce	RSC09	SCSO	Other	No	21	12	21:12:31	20	5	2014	5/20/2014
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	14-11401	Traffic Enforce	RSC09	SCSO	Other	Yes	14	50	14:50:40	19	8	2014	8/19/2014
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	14-15997	Traffic Enforce	RSC09	SCSO	Other	Yes	12	46	12:46:53	17	11	2014	11/17/2014
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	14-16055	Traffic Enforce	RSC28	SCSO	Other	Yes	15	24	15:24:27	18	11	2014	11/18/2014
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	15-00849	MVA	RSC09	SCSO	Other	Yes	14	45	14:45:03	19	1	2015	1/19/2015
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	15-02736	Traffic Enforce	RSC02	SCSO	Other	No	1	42	1:42:36	28	2	2015	2/28/2015
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	15-02940	MVA	RSC28	SCSO	Other	No	19	7	19:07:55	4	3	2015	3/4/2015
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	15-03715	Traffic Enforce	RSC28	SCSO	Peak PM	Yes	16	38	16:38:23	20	3	2015	3/20/2015
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	15-05606	Suspicious	RSC02	SCSO	Other	Yes	15	23	15:23:33	27	4	2015	4/27/2015
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	15-06685	Traffic Enforce	RSC02	SCSO	Peak PM	Yes	16	6	16:06:19	17	5	2015	5/17/2015
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	15-11399	MVA	RSC02	SCSO	Other	Yes	11	4	11:04:00	6	8	2015	8/6/2015
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	15-15619	Traffic Enforce	RSC02	SCSO	Other	Yes	15	42	15:42:14	23	10	2015	10/23/2015
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	15-17064	MVA	RSC02	SCSO	Other	No	6	13	6:13:23	22	11	2015	11/22/2015
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	15-18795	MVA	RSC02	SCSO	Other	No	5	34	5:34:56	28	12	2015	12/28/2015
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	16-00368	Traffic Enforce	RSC02	SCSO	Other	No	18	46	18:46:20	8	1	2016	1/8/2016
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	16-01376	MVA	RSC09	SCSO	Other	No	21	7	21:07:42	31	1	2016	1/31/2016
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	15-05544	MVA	RSC02	SCSO	Other	No	0	24	0:24:11	26	4	2015	4/26/2015
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	16-02301	MVA	RSC09	SCSO	Other	No	18	11	18:11:35	20	2	2016	2/20/2016
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	16-05682	MVA	RSC28	SCSO	Other	No	18	31	18:31:03	26	4	2016	4/26/2016
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	16-08580	Traffic Enforce	RSC09	SCSO	Other	No	19	22	19:22:54	19	6	2016	6/19/2016
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	16-14772	MVA	RSC02	SCSO	Other	Yes	15	25	15:25:46	28	9	2016	9/28/2016
7c	Mixed	20000-29000 Block Prairie Road	Enforcement	16-17000	MVA	RSC02	SCSO	Other	No	18	52	18:52:15	11	11	2016	11/11/2016
7c	Mixed	20000-29000 Block Prairie Road	Hazard	12-01326	Traffic Hazard	RSC09	SCSO	Other	No	5	41	5:41:50	1	2	2012	2/1/2012
7c	Mixed	20000-29000 Block Prairie Road	Hazard	12-06133	Traffic Hazard	RSC02	SCSO	Other	No	22	48	22:48:18	18	5	2012	5/18/2012
7c	Mixed	20000-29000 Block Prairie Road	Hazard	12-07203	MVA	RSC02	SCSO	Other	No	18	40	18:40:17	12	6	2012	6/12/2012
7c	Mixed	20000-29000 Block Prairie Road	Hazard	12-14873	Animal Problem	RSC09	SCSO	Peak PM	Yes	16	58	16:58:53	4	11	2012	11/4/2012
7c	Mixed	20000-29000 Block Prairie Road	Hazard	12-15956	Traffic Hazard	RSC28	SCSO	Peak PM	Yes	17	24	17:24:02	29	11	2012	11/29/2012
7c	Mixed	20000-29000 Block Prairie Road	Hazard	13-16484	Traffic Hazard	RSC09	SCSO	Other	No	19	11	19:11:12	18	11	2013	11/18/2013
7c	Mixed	20000-29000 Block Prairie Road	Hazard	13-06331	Animal Problem	RSC02	SCSO	Other	No	20	0	20:00:59	16	5	2013	5/16/2013

7c	Mixed	20000-29000 Block Prairie Road	Hazard	14-02359	Traffic Hazard	RSC28	SCSO	Other	Yes	8	14	8:14:25	24	2	2014	2/24/2014
7c	Mixed	20000-29000 Block Prairie Road	Hazard	14-02646	Traffic Hazard	RSC09	SCSO	Other	No	20	21	20:21:53	2	3	2014	3/2/2014
7c	Mixed	20000-29000 Block Prairie Road	Hazard	14-02778	Traffic Hazard	RSC02	SCSO	Other	No	5	12	5:12:16	6	3	2014	3/6/2014
7c	Mixed	20000-29000 Block Prairie Road	Hazard	14-06321	Traffic Hazard	RSC28	SCSO	Other	No	18	2	18:02:45	18	5	2014	5/18/2014
7c	Mixed	20000-29000 Block Prairie Road	Hazard	14-12185	Traffic Hazard	RSC28	SCSO	Peak PM	Yes	16	57	16:57:04	2	9	2014	9/2/2014
7c	Mixed	20000-29000 Block Prairie Road	Hazard	14-13596	Traffic Hazard	RSC09	SCSO	Other	Yes	11	47	11:47:49	29	9	2014	9/29/2014
7c	Mixed	20000-29000 Block Prairie Road	Hazard	15-00334	Traffic Hazard	RSC09	SCSO	Other	No	5	20	5:20:44	8	1	2015	1/8/2015
7c	Mixed	20000-29000 Block Prairie Road	Hazard	15-00969	Traffic Hazard	RSC02	SCSO	Other	Yes	9	31	9:31:16	22	1	2015	1/22/2015
7c	Mixed	20000-29000 Block Prairie Road	Hazard	12-12749	MVA	RSC28	SCSO	Other	Yes	8	54	8:54:53	20	9	2012	9/20/2012
7c	Mixed	20000-29000 Block Prairie Road	Hazard	15-15909	Traffic Hazard	RSC09	SCSO	Other	Yes	7	2	7:02:04	30	10	2015	10/30/2015
7c	Mixed	20000-29000 Block Prairie Road	Hazard	15-17696	Traffic Hazard	RSC09	SCSO	Peak PM	Yes	16	23	16:23:22	5	12	2015	12/5/2015
7c	Mixed	20000-29000 Block Prairie Road	Hazard	15-13253	Animal Problem	RSC02	SCSO	Peak PM	Yes	17	7	17:07:12	8	9	2015	9/8/2015
7c	Mixed	20000-29000 Block Prairie Road	Hazard	15-11266	MVA	RSC28	SCSO	Other	No	0	3	0:03:00	4	8	2015	8/4/2015
7c	Mixed	20000-29000 Block Prairie Road	Hazard	16-03267	Traffic Hazard	RSC09	SCSO	Other	Yes	8	3	8:03:37	10	3	2016	3/10/2016
7c	Mixed	20000-29000 Block Prairie Road	Hazard	16-07396	Traffic Hazard	RSC09	SCSO	Other	No	22	54	22:54:34	28	5	2016	5/28/2016
7c	Mixed	20000-29000 Block Prairie Road	Hazard	16-09661	Traffic Hazard	RSC02	SCSO	Other	No	18	6	18:06:35	7	7	2016	7/7/2016
8a	Haul	F&S Grade / Prairie	Accident	14-10744	MVA	RSC09	SCSO	Other	No	18	24	18:24:44	7	8	2014	8/7/2014
8a	Haul	F&S Grade / Prairie	Accident	16-18974	MVA	RSC02	SCSO	Other	Yes	11	38	11:38:05	26	12	2016	12/26/2016
8a	Haul	F&S Grade / Prairie	Accident	12-14559	MVA	RSC02	SCSO	Peak PM	Yes	17	47	17:47:21	28	10	2012	10/28/2012
8a	Haul	F&S Grade / Prairie	Accident	13-05798	MVA	RSC02	SCSO	Peak PM	Yes	17	18	17:18:52	6	5	2013	5/6/2013
8a	Haul	F&S Grade / Prairie	Accident	16-01185	MVA	RSC02	SCSO	Peak PM	Yes	17	19	17:19:28	27	1	2016	1/27/2016
8a	Haul	F&S Grade / Prairie	Accident	16-03064	MVA	RSC02	SCSO	Other	Yes	8	40	8:40:22	7	3	2016	3/7/2016
8a	Haul	F&S Grade / Prairie	Accident	16-18724	MVA	RSC02	SCSO	Other	No	19	10	19:10:39	19	12	2016	12/19/2016
8a	Haul	F&S Grade / Prairie	Enforcement	12-02042	Traffic Enforce	RSC02	SCSO	Other	No	20	9	20:09:20	17	2	2012	2/17/2012
8a	Haul	F&S Grade / Prairie	Enforcement	12-14559	MVA	RSC02	SCSO	Peak PM	Yes	17	47	17:47:21	28	10	2012	10/28/2012
8a	Haul	F&S Grade / Prairie	Enforcement	13-05798	MVA	RSC02	SCSO	Peak PM	Yes	17	18	17:18:52	6	5	2013	5/6/2013
8a	Haul	F&S Grade / Prairie	Enforcement	14-01760	Traffic Enforce	RSC02	SCSO	Other	Yes	11	32	11:32:51	10	2	2014	2/10/2014
8a	Haul	F&S Grade / Prairie	Enforcement	14-08439	Traffic Enforce	RSC02	SCSO	Other	Yes	15	44	15:44:19	28	6	2014	6/28/2014
8a	Haul	F&S Grade / Prairie	Enforcement	14-10744	MVA	RSC09	SCSO	Other	No	18	24	18:24:44	7	8	2014	8/7/2014
8a	Haul	F&S Grade / Prairie	Enforcement	16-08491	Traffic Enforce	RSC02	SCSO	Other	No	0	50	0:50:16	18	6	2016	6/18/2016
8a	Haul	F&S Grade / Prairie	Enforcement	16-18724	MVA	RSC02	SCSO	Other	No	19	10	19:10:39	19	12	2016	12/19/2016
8a	Haul	F&S Grade / Prairie	Enforcement	16-18974	MVA	RSC02	SCSO	Other	Yes	11	38	11:38:05	26	12	2016	12/26/2016
8a	Haul	F&S Grade / Prairie	Hazard	12-07564	Traffic Hazard	RSC09	SCSO	Other	No	23	20	23:20:08	19	6	2012	6/19/2012
8a	Haul	F&S Grade / Prairie	Hazard	12-12432	Traffic Hazard	RSC02	SCSO	Other	Yes	12	52	12:52:10	14	9	2014	9/14/2014
8a	Haul	F&S Grade / Prairie	Hazard	13-00292	Traffic Hazard	RSC09	SCSO	Other	Yes	14	45	14:45:30	7	1	2013	1/7/2013
8a	Haul	F&S Grade / Prairie	Hazard	13-02586	Traffic Hazard	RSC02	SCSO	Other	No	21	8	21:08:56	28	2	2013	2/28/2013
8a	Haul	F&S Grade / Prairie	Hazard	13-07546	Traffic Hazard	RSC02	SCSO	Other	No	19	38	19:38:39	6	6	2013	6/6/2013
8a	Haul	F&S Grade / Prairie	Hazard	13-12389	Traffic Hazard	RSC02	SCSO	Other	Yes	14	10	14:10:06	29	8	2013	8/29/2013
8a	Haul	F&S Grade / Prairie	Hazard	13-13401	Traffic Hazard	RSC02	SCSO	Other	No	6	18	6:18:59	16	9	2013	9/16/2013
8a	Haul	F&S Grade / Prairie	Hazard	14-02335	Traffic Hazard	RSC02	SCSO	Other	No	18	35	18:35:34	23	2	2014	2/23/2014
8a	Haul	F&S Grade / Prairie	Hazard	14-02351	Traffic Hazard	RSC02	SCSO	Other	No	5	18	5:18:19	24	2	2014	2/24/2014
8a	Haul	F&S Grade / Prairie	Hazard	14-12355	Traffic Hazard	RSC02	SCSO	Other	No	1	31	1:31:01	6	9	2014	9/6/2014
8a	Haul	F&S Grade / Prairie	Hazard	14-14931	Traffic Hazard	RSC02	SCSO	Other	Yes	14	5	14:05:46	26	10	2014	10/26/2014
8a	Haul	F&S Grade / Prairie	Hazard	15-04140	Traffic Hazard	RSC02	SCSO	Other	Yes	10	55	10:55:21	29	3	2015	3/29/2015
8a	Haul	F&S Grade / Prairie	Hazard	15-15973	Traffic Hazard	RSC02	SCSO	Other	Yes	11	50	11:50:49	31	10	2015	10/31/2015
8b	Mixed	F&S Grade 6000-6900	Accident	12-04711	MVA	RSC09	SCSO	Other	No	6	49	6:49:41	20	4	2012	4/20/2012
8b	Mixed	F&S Grade 6000-6900	Accident	12-14559	MVA	RSC02	SCSO	Peak PM	Yes	17	47	17:47:21	28	10	2012	10/28/2012
8b	Mixed	F&S Grade 6000-6900	Accident	13-05798	MVA	RSC02	SCSO	Peak PM	Yes	17	18	17:18:52	6	5	2013	5/6/2013
8b	Mixed	F&S Grade 6000-6900	Accident	16-01185	MVA	RSC02	SCSO	Peak PM	Yes	17	19	17:19:28	27	1	2016	1/27/2016
8b	Mixed	F&S Grade 6000-6900	Accident	16-03064	MVA	RSC02	SCSO	Other	Yes	8	40	8:40:22	7	3	2016	3/7/2016
8b	Mixed	F&S Grade 6000-6900	Accident	15-01133	XMVAU	RSC09	SCSO	Other	Yes	13	8	13:08:38	25	1	2015	1/25/2015
8b	Mixed	F&S Grade 6000-6900	Abandoned	12-04711	MVA	RSC09	SCSO	Other	No	6	49	6:49:41	20	4	2012	4/20/2012
8b	Mixed	F&S Grade 6000-6900	Abandoned	14-14115	Abandoned Vehicle	RSC09	SCSO	Other	No	0	45	0:45:43	9	10	2014	10/9/2014
8b	Mixed	F&S Grade 6000-6900	Enforcement	12-02042	Traffic Enforce	RSC02	SCSO	Other	No	20	9	20:09:20	17	2	2012	2/17/2012
8b	Mixed	F&S Grade 6000-6900	Enforcement	12-14559	MVA	RSC02	SCSO	Peak PM	Yes	17	47	17:47:21	28	10	2012	10/28/2012
8b	Mixed	F&S Grade 6000-6900	Enforcement	12-15638	Traffic Enforce	RSC09	SCSO	Other	Yes	9	34	9:34:04	23	11	2012	11/23/2012
8b	Mixed	F&S Grade 6000-6900	Enforcement	13-05798	MVA	RSC02	SCSO	Peak PM	Yes	17	18	17:18:52	6	5	2013	5/6/2013
8b	Mixed	F&S Grade 6000-6900	Enforcement	13-13012	Traffic Enforce	RSC09	SCSO	Other	Yes	11	35	11:35:58	9	9	2013	9/9/2013
8b	Mixed	F&S Grade 6000-6900	Enforcement	14-01760	Traffic Enforce	RSC02	SCSO	Other	Yes	11	32	11:32:51	10	2	2014	2/10/2014
8b	Mixed	F&S Grade 6000-6900	Enforcement	14-08439	Traffic Enforce	RSC02	SCSO	Other	Yes	15	44	15:44:19	28	6	2014	6/28/2014
8b	Mixed	F&S Grade 6000-6900	Enforcement	16-08491	Traffic Enforce	RSC02	SCSO	Other	No	0	50	0:50:16	18	6	2016	6/18/2016
8b	Mixed	F&S Grade 6000-6900	Hazard	12-12432	Traffic Hazard	RSC02	SCSO	Other	Yes	12	52	12:52:10	14	9	2012	9/14/2012
8b	Mixed	F&S Grade 6000-6900	Hazard	13-02586	Traffic Hazard	RSC02	SCSO	Other	No	21	8	21:08:56	28	2	2013	2/28/2013
8b	Mixed	F&S Grade 6000-6900	Hazard	13-07546	Traffic Hazard	RSC02	SCSO	Other	No	19	38	19:38:39	6	6	2013	6/6/2013
8b	Mixed	F&S Grade 6000-6900	Hazard	13-12389	Traffic Hazard	RSC02	SCSO	Other	Yes	14	10	14:10:06	29	8	2013	8/29/2013
8b	Mixed	F&S Grade 6000-6900	Hazard	13-13401	Traffic Hazard	RSC02	SCSO	Other	No	6	18	6:18:59	16	9	2013	9/16/2013
8b	Mixed	F&S Grade 6000-6900	Hazard	13-17697	Traffic Hazard	RSC09	SCSO	Other	No	2	53	2:53:57	17	12	2013	12/17/2013
8b	Mixed	F&S Grade 6000-6900	Hazard	14-02335	Traffic Hazard	RSC02	SCSO	Other	No	18	35	18:35:34	23	2	2014	2/23/2014
8b	Mixed	F&S Grade 6000-6900	Hazard	14-02338	Traffic Hazard	RSC028	SCSO	Other	No	19	12	19:12:15	23	2	2014	2/23/2014
8b	Mixed	F&S Grade 6000-6900	Hazard	14-02351	Traffic Hazard	RSC02	SCSO	Other	No	5	18	5:18:19	24	2	2014	2/24/2014
8b	Mixed	F&S Grade 6000-6900	Hazard	14-12355	Traffic Hazard	RSC02	SCSO	Other	No	1	31	1:31:01	6	9	2014	9/6/2014
8b	Mixed	F&S Grade 6000-6900	Hazard	14-14931	Traffic Hazard	RSC02	SCSO	Other	Yes	14	5	14:05:46	26	10	2014	10/26/2014
8b	Mixed	F&S Grade 6000-6900	Hazard	15-04140	Traffic Hazard	RSC02	SCSO	Other	Yes	10	55	10:55:21	29	3	2015	3/29/2015
8b	Mixed	F&S Grade 6000-6900	Hazard	15-15973	Traffic Hazard	RSC02	SCSO	Other	Yes	11	50	11:50:49	31	10	2015	10/31/2015
8c	No	Samish River Bridge & F&S Grade														
9	Haul	Prairie Road and Grip	Accident	13-16964	MVA	RSC09	SCSO	Other	No	3	20	3:20:03	30	11	2013	11/30/2013
9	Haul	Prairie Road and Grip	Accident	16-07868	MVA	RSC02	SCSO	Other	Yes	13	58	13:58:33	6	6	2016	6/6/2016
9	Haul	Prairie Road and Grip	Accident	14-17432	MVA	RSC09	SCSO	Other	No	19	2	19:02:06	17	12	2014	12/17/2014
9	Haul	Prairie Road and Grip	Accident	16-02301	MVA	RSC09	SCSO	Other	No	18	11	18:11:35	20	2	2016	2/20/2016
9	Haul	Prairie Road and Grip	Accident	17-00883	MVA	RSC09	SCSO	Other	Yes	10	47	10:47:04	20	1	2017	1/20/2017
9	Haul	Prairie Road and Grip	Abandoned	13-16964	MVA	RSC09	SCSO	Other	No	3	20	3:20:03	30	11	2013	11/30/2013
9	Haul	Prairie Road and Grip	Abandoned	14-07540	Abandoned Vehicle	RSC09	SCSO	Other	No	19	19	19:19:47	11	6	2014	6/11/2014
9	Haul	Prairie Road and Grip	Abandoned	14-13596	Traffic Hazard	RSC09	SCSO	Other	Yes	11	47	11:47:49	29	9	2014	9/29/2014
9	Haul	Prairie Road and Grip	Abandoned	15-05718	Abandoned Vehicle	RSC09	SCSO	Other	Yes	13	28	13:28:06	29	4	2015	4/29/2015
9	Haul	Prairie Road and Grip	Enforcement	12-15262	Traffic Enforce	RSC09	SCSO	Other	No	22	19	22:19:55	13	11	2012	11/13/2012
9	Haul	Prairie Road and Grip	Enforcement	14-06435	Traffic Enforce	RSC09	SCSO	Other	No	21	12	21:12:31	20	5	2014	5/20/2014
9	Haul	Prairie Road and Grip	Enforcement	14-11401	Traffic Enforce	RSC09	SCSO	Other	Yes	14	50	14:50:40	19	8	2014	8/19/2014
9	Haul	Prairie Road and Grip	Enforcement	14-15997	Traffic Enforce	RSC09	SCSO	Other	Yes	12	46	12:46:53	17	11	2014	11/17/2014
9	Haul	Prairie Road and Grip	Hazard	12-14873	Animal Problem	RSC09	SCSO	Peak PM	Yes	16	58	16:58:53	4	11	2012	11/4/2012
9	Haul	Prairie Road and Grip	Hazard	14-02646	Traffic Hazard	RSC09	SCSO	Other	No	20	21	20:21:53	2	3	2014	3/2/2014
9	Haul	Prairie Road and Grip	Hazard	14-13596	Traffic Hazard	RSC09	SCSO	Other	Yes	11	47	11:47:49	29	9	2014	9/29/2014
9	Haul	Prairie Road and Grip	Hazard	15-17696	Traffic Hazard	RSC09	SCSO	Peak PM	Yes	16	23	16:23:22	5	12	2015	12/5/2015
9	Haul	Prairie Road and Grip	Hazard	16-07396	Traffic Hazard	RSC09	SCSO	Other	No	22	54	22:54:34	28	5	2016	5/28/2016
10	Haul	Grip Road & Swede Creek	Hazard	14-00086	Traffic Hazard	RSC28	SCSO	Other	No	20	16	20:16:47	2	1	2014	1/2/2014
11	Haul	21600 Block of Grip Road	Accident	14-12857	MVA	RSC28	SCSO	Other	No	20	50	20:50:07	14	9	2014	9/14/2014
11	Haul	21600 Block of Grip Road	Accident	12-06912	MVA	RSC28	SCSO	Other	Yes	11	8	11:08:42	5	6	2012	6/5/2012

11	Haul	21600 Block of Grip Road	Hazard	14-12857	MVA	RSC28	SCSO	Other	No	20	50	20:50:07	14	9	2014	9/14/2014
11	Haul	21600 Block of Grip Road	Hazard	15-16282	Traffic Hazard	RSC28	SCSO	Other	No	3	3	3:03:51	6	11	2015	11/6/2015
11	Alternative	Prairie Road & Parson Creek Road	Accident	15-14425	Traffic Hazard	RSC02	SCSO	Other	No	0	17	0:17:58	30	9	2015	9/30/2015
11	Alternative	Prairie Road & Parson Creek Road	Accident	13-08955	MVA	RSC02	SCSO	Other	No	18	33	18:33:30	1	7	2013	7/1/2013
11	Alternative	Prairie Road & Parson Creek Road	Accident	14-10520	MVA	RSC02	SCSO	Other	Yes	7	32	7:32:17	4	8	2014	8/4/2014
11	Alternative	Prairie Road & Parson Creek Road	Enforcement	12-15031	Traffic Enforce	RSC02	SCSO	Other	Yes	8	55	8:55:38	8	11	2012	11/8/2012
11	Alternative	Prairie Road & Parson Creek Road	Enforcement	13-08955	MVA	RSC02	SCSO	Other	No	18	33	18:33:30	1	7	2013	7/1/2013
11	Alternative	Prairie Road & Parson Creek Road	Enforcement	14-06974	Traffic Enforce	RSC02	SCSO	Peak PM	Yes	16	3	16:03:20	31	5	2014	5/31/2014
11	Alternative	Prairie Road & Parson Creek Road	Enforcement	14-10303	Traffic Enforce	RSC02	SCSO	Other	Yes	11	39	11:39:46	31	7	2014	7/31/2014
11	Alternative	Prairie Road & Parson Creek Road	Enforcement	14-10309	Traffic Enforce	RSC02	SCSO	Other	Yes	12	24	12:24:03	31	7	2014	7/31/2014
11	Alternative	Prairie Road & Parson Creek Road	Enforcement	14-10552	Traffic Enforce	RSC02	SCSO	Other	Yes	14	22	14:22:23	4	8	2014	8/4/2014
11	Alternative	Prairie Road & Parson Creek Road	Enforcement	14-10554	Traffic Enforce	RSC02	SCSO	Other	Yes	14	40	14:40:05	4	8	2014	8/4/2014
11	Alternative	Prairie Road & Parson Creek Road	Enforcement	14-10520	Traffic Enforce	RSC02	SCSO	Other	Yes	7	32	7:32:17	4	8	2014	8/4/2014
11	Alternative	Prairie Road & Parson Creek Road	Enforcement	14-17253	Traffic Enforce	RSC02	SCSO	Other	No	0	22	0:22:34	14	12	2014	12/14/2014
11	Alternative	Prairie Road & Parson Creek Road	Enforcement	15-09852	Traffic Enforce	RSC02	SCSO	Other	Yes	9	21	9:21:52	11	7	2015	7/11/2015
11	Alternative	Prairie Road & Parson Creek Road	Enforcement	16-07427	Traffic Enforce	RSC02	SCSO	Other	Yes	15	52	15:52:12	29	5	2016	5/29/2016
11	Alternative	Prairie Road & Parson Creek Road	Hazard	13-04998	Traffic Hazard	RSC02	SCSO	Other	Yes	11	2	11:02:52	21	4	2013	4/21/2013
11	Alternative	Prairie Road & Parson Creek Road	Hazard	13-08955	MVA	RSC02	SCSO	Other	No	18	33	18:33:30	1	7	2013	7/1/2013
11	Alternative	Prairie Road & Parson Creek Road	Hazard	15-09786	Traffic Hazard	RSC02	SCSO	Other	Yes	7	32	7:32:23	10	7	2015	7/10/2015
11	Alternative	Prairie Road & Parson Creek Road	Hazard	15-14425	Traffic Hazard	RSC02	SCSO	Other	No	0	17	0:17:58	30	9	2015	9/30/2015
11	Alternative	Prairie Road & Parson Creek Road	Hazard	16-03590	Animal Problem	RSC02	SCSO	Other	Yes	15	40	15:40:58	16	3	2016	3/16/2016
12	Alternative	21000 Block of Prairie Road	Accident	16-16194	MVA	RSC28	SCSO	Other	No	19	43	19:43:36	25	10	2016	10/25/2016
12	Alternative	21000 Block of Prairie Road	Accident	15-14425	Traffic Hazard	RSC02	SCSO	Other	No	0	17	0:17:58	30	9	2015	9/30/2015
12	Alternative	21000 Block of Prairie Road	Accident	16-05004	MVA	RSC02	SCSO	Other	Yes	11	58	11:58:20	13	4	2016	4/13/2016
12	Alternative	21000 Block of Prairie Road	Accident	12-00305	MVA	RSC02	SCSO	Other	No	20	9	20:09:44	7	1	2012	1/7/2012
12	Alternative	21000 Block of Prairie Road	Accident	13-08955	MVA	RSC02	SCSO	Other	No	18	33	18:33:30	1	7	2013	7/1/2013
12	Alternative	21000 Block of Prairie Road	Accident	14-10520	MVA	RSC02	SCSO	Other	Yes	7	32	7:32:17	4	8	2014	8/4/2014
12	Alternative	21000 Block of Prairie Road	Accident	16-10673	MVA	RSC02	SCSO	Other	Yes	7	23	7:23:43	23	7	2016	7/23/2016
12	Alternative	21000 Block of Prairie Road	Accident	13-09520	MVA	RSC02	SCSO	Other	Yes	7	50	7:50:21	11	7	2013	7/11/2013
12	Alternative	21000 Block of Prairie Road	Abandoned	15-13767	Abandoned Vehicle	RSC02	SCSO	Other	Yes	11	13	11:13:47	17	9	2015	9/17/2015
12	Alternative	21000 Block of Prairie Road	Enforcement	12-00305	MVA	RSC02	SCSO	Other	No	20	9	20:09:44	7	1	2012	1/7/2012
12	Alternative	21000 Block of Prairie Road	Enforcement	12-15031	Traffic Enforce	RSC02	SCSO	Other	Yes	8	55	8:55:38	8	11	2012	11/8/2012
12	Alternative	21000 Block of Prairie Road	Enforcement	13-09855	MVA	RSC02	SCSO	Other	No	18	33	18:33:30	1	7	2013	7/1/2013
12	Alternative	21000 Block of Prairie Road	Enforcement	13-09520	MVA	RSC02	SCSO	Other	Yes	7	50	7:50:21	11	7	2013	7/11/2013
12	Alternative	21000 Block of Prairie Road	Enforcement	14-06974	Traffic Enforce	RSC02	SCSO	Peak PM	Yes	16	3	16:03:20	31	5	2014	5/31/2014
12	Alternative	21000 Block of Prairie Road	Enforcement	14-10303	Traffic Enforce	RSC02	SCSO	Other	Yes	11	39	11:39:46	31	7	2014	7/31/2014
12	Alternative	21000 Block of Prairie Road	Enforcement	14-10309	Traffic Enforce	RSC02	SCSO	Other	Yes	12	24	12:24:03	31	7	2014	7/31/2014
12	Alternative	21000 Block of Prairie Road	Enforcement	14-10552	Traffic Enforce	RSC02	SCSO	Other	Yes	14	22	14:22:23	4	8	2014	8/4/2014
12	Alternative	21000 Block of Prairie Road	Enforcement	14-10554	Traffic Enforce	RSC02	SCSO	Other	Yes	14	40	14:40:05	4	8	2014	8/4/2014
12	Alternative	21000 Block of Prairie Road	Enforcement	14-10749	Traffic Enforce	RSC28	SCSO	Other	No	19	58	19:58:22	7	8	2014	8/7/2014
12	Alternative	21000 Block of Prairie Road	Enforcement	14-10520	MVA	RSC02	SCSO	Other	Yes	7	32	7:32:17	4	8	2014	8/4/2014
12	Alternative	21000 Block of Prairie Road	Enforcement	14-17253	Traffic Enforce	RSC02	SCSO	Other	No	0	22	0:22:34	14	12	2014	12/14/2014
12	Alternative	21000 Block of Prairie Road	Enforcement	15-05571	Traffic Enforce	RSC02	SCSO	Other	No	19	0	19:00:53	26	4	2015	4/26/2015
12	Alternative	21000 Block of Prairie Road	Enforcement	15-09852	Traffic Enforce	RSC02	SCSO	Other	Yes	9	21	9:21:52	11	7	2015	7/11/2015
12	Alternative	21000 Block of Prairie Road	Enforcement	16-03163	Traffic Enforce	RSC02	SCSO	Other	Yes	9	41	9:41:47	9	3	2016	3/9/2016
12	Alternative	21000 Block of Prairie Road	Enforcement	16-07427	Traffic Enforce	RSC02	SCSO	Other	Yes	15	52	15:52:12	29	5	2016	5/29/2016
13	Alternative	22000 Block of Prairie Road	Accident	12-00140	XMVAU	RSC02	SCSO	Other	No	21	56	21:56:27	21	4	2013	4/21/2013
13	Alternative	22000 Block of Prairie Road	Accident	14-01747	MVA	RSC02	SCSO	Other	No	23	16	23:16:17	29	8	2013	8/29/2013
13	Alternative	22000 Block of Prairie Road	Accident	14-16884	Public Works	RSC02	SCSO	Other	Yes	12	29	12:29:57	1	7	2013	7/1/2013
13	Alternative	22000 Block of Prairie Road	Accident	16-01124	MVA	RSC02	SCSO	Peak PM	Yes	17	33	17:33:24	10	7	2015	7/10/2015
13	Alternative	22000 Block of Prairie Road	Accident	17-00021	MVA	RSC02	SCSO	Other	Yes	11	7	11:07:23	30	9	2015	9/30/2015
13	Alternative	22000 Block of Prairie Road	Accident	13-13848	MVA	RSC02	SCSO	Other	Yes	15	54	15:54:58	13	6	2016	6/13/2016
13	Alternative	22000 Block of Prairie Road	Accident	15-15230	MVA	RSC02	SCSO	Other	No	6	50	6:50:20	16	3	2016	3/16/2016
13	Alternative	22000 Block of Prairie Road	Accident	12-08807	MVA	RSC02	SCSO	Other	No	19	19	19:19:23	23	7	2016	7/23/2016
13	Alternative	22000 Block of Prairie Road	Abandoned	12-10699	Abandoned Vehicle	RSC28	SCSO	Other	Yes	11	6	11:06:15	14	8	2012	8/14/2012
13	Alternative	22000 Block of Prairie Road	Enforcement	12-09402	Traffic Enforce	RSC02	SCSO	Other	Yes	11	24	11:24:47	22	7	2012	7/22/2012
13	Alternative	22000 Block of Prairie Road	Enforcement	13-02920	Traffic Enforce	RSC28	SCSO	Other	Yes	14	3	14:03:12	8	3	2013	3/8/2013
13	Alternative	22000 Block of Prairie Road	Enforcement	13-08970	Traffic Enforce	RSC28	SCSO	Other	No	22	24	22:24:05	1	7	2013	7/1/2013
13	Alternative	22000 Block of Prairie Road	Enforcement	13-13848	MVA	RSC02	SCSO	Other	Yes	15	54	15:54:58	23	9	2013	9/23/2013
13	Alternative	22000 Block of Prairie Road	Enforcement	14-01747	MVA	RSC02	SCSO	Other	No	23	16	23:16:17	9	2	2014	2/9/2014
13	Alternative	22000 Block of Prairie Road	Enforcement	14-07348	Traffic Enforce	RSC28	SCSO	Other	No	18	48	18:48:59	7	6	2014	6/7/2014
13	Alternative	22000 Block of Prairie Road	Enforcement	14-10762	Traffic Enforce	RSC02	SCSO	Other	Yes	8	2	8:02:22	8	8	2014	8/8/2014
13	Alternative	22000 Block of Prairie Road	Enforcement	14-10764	Traffic Enforce	RSC02	SCSO	Other	Yes	9	16	9:16:44	8	8	2014	8/8/2014
13	Alternative	22000 Block of Prairie Road	Enforcement	14-16262	Traffic Enforce	RSC28	SCSO	Other	Yes	14	58	14:58:31	22	11	2014	11/22/2014
13	Alternative	22000 Block of Prairie Road	Enforcement	15-11428	Traffic Enforce	RSC02	SCSO	Other	No	19	5	19:05:33	6	8	2015	8/6/2015
13	Alternative	22000 Block of Prairie Road	Hazard	12-03020	Traffic Hazard	RSC02	SCSO	Other	Yes	11	26	11:26:15	12	3	2012	3/12/2012
13	Alternative	22000 Block of Prairie Road	Hazard	12-08807	MVA	RSC28	SCSO	Other	No	19	19	19:19:23	11	7	2012	7/11/2012
13	Alternative	22000 Block of Prairie Road	Hazard	12-10426	Traffic Hazard	RSC02	SCSO	Other	Yes	14	55	14:55:58	9	8	2012	8/9/2012
13	Alternative	22000 Block of Prairie Road	Hazard	13-00646	Traffic Hazard	RSC02	SCSO	Other	Yes	13	14	13:14:25	15	1	2013	1/15/2013
13	Alternative	22000 Block of Prairie Road	Hazard	13-13143	Traffic Hazard	RSC28	SCSO	Peak PM	Yes	17	54	17:54:21	11	9	2013	9/11/2013
13	Alternative	22000 Block of Prairie Road	Hazard	13-18146	Traffic Hazard	RSC02	SCSO	Other	No	19	32	19:32:22	27	12	2013	12/27/2013
13	Alternative	22000 Block of Prairie Road	Hazard	13-07122	Animal Problem	RSC28	SCSO	Other	Yes	12	16	12:16:25	30	5	2013	5/30/2013
13	Alternative	22000 Block of Prairie Road	Hazard	14-16884	Public Works	RSC02	SCSO	Other	Yes	12	29	12:29:57	6	12	2014	12/6/2014
13	Alternative	22000 Block of Prairie Road	Hazard	12-00140	XMVAU	RSC02	SCSO	Other	No	21	56	21:56:27	3	1	2012	1/3/2012
13	Alternative	22000 Block of Prairie Road	Hazard	15-13582	Animal Problem	RSC28	SCSO	Other	Yes	12	52	12:52:48	14	9	2015	9/14/2015
13	Alternative	22000 Block of Prairie Road	Hazard	15-15230	MVA	RSC02	SCSO	Other	No	6	50	6:50:20	16	10	2015	10/16/2015
13	Alternative	22000 Block of Prairie Road	Hazard	16-01124	MVA	RSC02	SCSO	Peak PM	Yes	17	33	17:33:24	26	1	2016	1/26/2016
14	Alternative	23000 Block of Prairie Road	Accident	14-12450	XMVAU	RSC02	SCSO	Other	No	19	15	19:15:20	7	9	2014	9/7/2014
14	Alternative	23000 Block of Prairie Road	Accident	15-00306	MVA	RSC28	SCSO	Other	Yes	13	41	13:41:51	7	1	2015	1/7/2015
14	Alternative	23000 Block of Prairie Road	Accident	16-03110	MVA	RSC28	SCSO	Other	No	0	41	0:41:24	8	3	2016	3/8/2016
14	Alternative	23000 Block of Prairie Road	Accident	16-17139	MVA	RSC02	SCSO	Other	Yes	12	24	12:24:12	14	11	2016	11/14/2016
14	Alternative	23000 Block of Prairie Road	Accident	12-14568	MVA	RSC28	SCSO	Other	No	20	16	20:16:07	28	10	2012	10/28/2012
14	Alternative	23000 Block of Prairie Road	Accident	14-16057	MVA	RSC15	SCSO	Peak PM	Yes	17	32	17:32:17	18	11	2014	11/18/2014
14	Alternative	23000 Block of Prairie Road	Accident	15-10006	MVA	RSC02	SCSO	Other	Yes	9	40	9:40:05	14	7	2015	7/14/2015
14	Alternative	23000 Block of Prairie Road	Accident	13-07653	MVA	RSC02	SCSO	Peak PM	Yes	16	50	16:50:47	8	6	2013	6/8/2013
14	Alternative	23000 Block of Prairie Road	Accident	13-12328	MVA	RSC02	SCSO	Other	Yes	11	12	11:12:32	28	8	2013	8/28/2013
14	Alternative	23000 Block of Prairie Road	Accident	13-13515	MVA	RSC02	SCSO	Other	No	0	33	0:33:05	18	9	2013	9/18/2013
14	Alternative	23000 Block of Prairie Road	Accident	16-17696	MVA	RSC28	SCSO	Other	No	2	40	2:40:20	27	11	2016	11/27/2016
14	Alternative	23000 Block of Prairie Road	Accident	13-04556	XMVAU	RSC15	SCSO	Other	No	18	34	18:34:19	11	4	2013	4/11/2013
14	Alternative	23000 Block of Prairie Road	Accident	15-01392	MVA	RSC15	SCSO	Peak PM	Yes	16	13	16:13:06	30	1	2015	1/30/2015
14	Alternative	23000 Block of Prairie Road	Abandoned	13-07570	Abandoned Vehicle	RSC02	SCSO	Other	Yes	8	7	8:07:13	7	6	2013	6/7/2013
14	Alternative	23000 Block of Prairie Road	Abandoned	13-08321	Abandoned Vehicle	RSC02	SCSO	Other	Yes	13	18	13:18:13	21	6	2013	6/21/2013
14	Alternative	23000 Block of Prairie Road	Abandoned	13-08253	Traffic Enforce	RSC02	SCSO	Other	No	19	33	19:33:13	19	6	2013	6/19/2013
14	Alternative	23000 Block of Prairie Road	Abandoned	16-03110	MVA	RSC28	SCSO	Other	No	0	41	0:41:16	8	3	2016	3/8/2016
14	Alternative	23000 Block of Prairie Road	Abandoned	16-07032	Abandoned Vehicle	RSC02	SCSO	Other	No	20	56	20:56:16	21	5	2016	5/21/2016
14	Alternative	23000 Block of Prairie Road	Abandoned	16-08144	Abandoned Vehicle	RSC15	SCSO	Other	No	18	45	18:45:16	11	6	2016	6/11/2016

14	Alternative	23000 Block of Prairie Road	Abandoned	16-14613	Abandoned Vehicle	RSC15	SCSO	Other	Yes	10	47	10:47:16	26	9	2016	9/26/2016
14	Alternative	23000 Block of Prairie Road	Enforcement	12-01532	Traffic Enforce	RSC02	SCSO	Other	Yes	10	24	10:24:23	5	2	2012	2/5/2012
14	Alternative	23000 Block of Prairie Road	Enforcement	12-02102	Traffic Enforce	RSC02	SCSO	Other	Yes	12	22	12:22:45	19	2	2012	2/19/2012
14	Alternative	23000 Block of Prairie Road	Enforcement	12-11557	Traffic Enforce	RSC02	SCSO	Other	Yes	8	33	8:33:53	30	8	2012	8/30/2012
14	Alternative	23000 Block of Prairie Road	Enforcement	13-00957	Traffic Enforce	RSC02	SCSO	Peak PM	Yes	16	45	16:45:24	22	1	2013	1/22/2013
14	Alternative	23000 Block of Prairie Road	Enforcement	13-02648	Traffic Enforce	RSC02	SCSO	Other	No	3	13	3:13:59	2	3	2013	3/2/2013
14	Alternative	23000 Block of Prairie Road	Enforcement	13-08253	Traffic Enforce	RSC02	SCSO	Other	No	19	33	19:33:54	19	6	2013	6/19/2013
14	Alternative	23000 Block of Prairie Road	Enforcement	13-12328	MVA	RSC02	SCSO	Other	Yes	11	12	11:12:32	28	8	2013	8/28/2013
14	Alternative	23000 Block of Prairie Road	Enforcement	13-13515	MVA	RSC02	SCSO	Other	No	0	33	0:33:05	18	9	2013	9/18/2013
14	Alternative	23000 Block of Prairie Road	Enforcement	13-15811	Traffic Enforce	RSC02	SCSO	Other	No	1	54	1:54:05	3	11	2013	11/3/2013
14	Alternative	23000 Block of Prairie Road	Enforcement	14-13210	Traffic Enforce	RSC28	SCSO	Other	Yes	12	18	12:18:44	21	9	2014	9/21/2014
14	Alternative	23000 Block of Prairie Road	Enforcement	1501715	Traffic Enforce	RSC02	SCSO	Peak PM	Yes	17	5	17:05:23	6	2	2015	2/6/2015
14	Alternative	23000 Block of Prairie Road	Enforcement	15-06147	Traffic Enforce	RSC02	SCSO	Other	Yes	12	45	12:45:55	7	5	2015	5/7/2015
14	Alternative	23000 Block of Prairie Road	Enforcement	15-14839	Traffic Enforce	RSC02	SCSO	Other	No	19	5	19:05:38	7	10	2015	10/7/2015
14	Alternative	23000 Block of Prairie Road	Enforcement	16-07924	Traffic Enforce	RSC28	SCSO	Other	Yes	15	20	15:20:58	7	6	2016	6/7/2016
14	Alternative	23000 Block of Prairie Road	Enforcement	16-08484	Traffic Enforce	RSC02	SCSO	Other	No	21	11	21:11:41	17	6	2016	6/17/2016
14	Alternative	23000 Block of Prairie Road	Hazard	12-00694	Traffic Hazard	RSC02	SCSO	Other	No	4	22	4:22:49	17	1	2012	1/17/2012
14	Alternative	23000 Block of Prairie Road	Hazard	12-08689	Traffic Hazard	RSC02	SCSO	Other	Yes	15	50	15:50:47	9	7	2012	7/9/2012
14	Alternative	23000 Block of Prairie Road	Hazard	13-14561	Animal Problem	RSC28	SCSO	Peak PM	Yes	17	42	17:42:24	7	10	2013	10/7/2013
14	Alternative	23000 Block of Prairie Road	Hazard	14-04110	Animal Problem	RSC02	SCSO	Other	No	18	17	18:17:45	2	4	2014	4/2/2014
14	Alternative	23000 Block of Prairie Road	Hazard	14-16530	Animal Problem	RSC02	SCSO	Other	Yes	12	2	12:02:07	28	11	2014	11/28/2014
14	Alternative	23000 Block of Prairie Road	Hazard	15-01392	MVA	RSC15	SCSO	Peak PM	Yes	16	13	16:13:06	30	1	2015	1/30/2015
14	Alternative	23000 Block of Prairie Road	Hazard	15-09317	Traffic Hazard	RSC02	SCSO	Other	Yes	13	21	13:21:24	3	7	2015	7/3/2015
14	Alternative	23000 Block of Prairie Road	Hazard	15-17459	Traffic Hazard	RSC02	SCSO	Other	Yes	9	18	9:18:48	1	12	2015	12/1/2015
14	Alternative	23000 Block of Prairie Road	Hazard	15-05077	Animal Problem	RSC02	SCSO	Other	Yes	7	1	7:01:18	17	4	2015	4/17/2015
14	Alternative	23000 Block of Prairie Road	Hazard	15-10006	MVA	RSC02	SCSO	Other	Yes	9	40	9:40:05	14	7	2015	7/14/2015
14	Alternative	23000 Block of Prairie Road	Hazard	16-02084	Traffic Hazard	RSC02	SCSO	Other	No	20	49	20:49:41	15	2	2016	2/15/2016
14	Alternative	23000 Block of Prairie Road	Hazard	16-02133	Traffic Hazard	RSC15	SCSO	Other	No	18	45	18:45:34	16	2	2016	2/16/2016
14	Alternative	23000 Block of Prairie Road	Hazard	16-03294	Animal Problem	RSC02	SCSO	Other	Yes	15	53	15:53:19	10	3	2016	3/10/2016
14	Alternative	23000 Block of Prairie Road	Hazard	16-15957	Animal Problem	RSC02	SCSO	Other	No	4	50	4:50:01	21	10	2016	10/21/2016
15	Alternative	Prairie Road & Upper Samish Road	Accident	15-10006	MVA	RSC02	SCSO	Other	Yes	9	40	9:40:05	14	7	2015	7/14/2015
15	Alternative	Prairie Road & Upper Samish Road	Accident	13-07653	MVA	RSC02	SCSO	Peak PM	Yes	16	50	16:50:47	8	6	2013	6/8/2013
15	Alternative	Prairie Road & Upper Samish Road	Accident	13-13515	MVA	RSC02	SCSO	Other	No	0	33	0:33:05	18	9	2013	9/18/2013
15	Alternative	Prairie Road & Upper Samish Road	Abandoned	16-07032	Abandoned Vehicle	RSC02	SCSO	Other	No	20	56	20:56:31	21	5	2016	5/21/2016
15	Alternative	Prairie Road & Upper Samish Road	Enforcement	12-02102	Traffic Enforce	RSC28	SCSO	Other	Yes	12	22	12:22:45	19	2	2012	2/19/2012
15	Alternative	Prairie Road & Upper Samish Road	Enforcement	12-10412	Traffic Enforce	RSC02	SCSO	Other	Yes	12	56	12:56:39	9	8	2012	8/9/2012
15	Alternative	Prairie Road & Upper Samish Road	Enforcement	12-11557	Traffic Enforce	RSC02	SCSO	Other	Yes	8	33	8:33:53	30	8	2012	8/30/2012
15	Alternative	Prairie Road & Upper Samish Road	Enforcement	13-13515	MVA	RSC02	SCSO	Other	No	0	33	0:33:05	18	9	2013	9/18/2013
15	Alternative	Prairie Road & Upper Samish Road	Enforcement	13-15811	Traffic Enforce	RSC02	SCSO	Other	No	1	54	1:54:05	3	11	2013	11/3/2013
15	Alternative	Prairie Road & Upper Samish Road	Enforcement	16-08484	Traffic Enforce	RSC02	SCSO	Other	No	21	11	21:11:41	17	6	2016	6/17/2016
15	Alternative	Prairie Road & Upper Samish Road	Enforcement	12-00694	Traffic Hazard	RSC02	SCSO	Other	No	4	22	4:22:49	17	1	2012	1/17/2012
15	Alternative	Prairie Road & Upper Samish Road	Enforcement	12-08693	Traffic Hazard	RSC28	SCSO	Peak PM	Yes	16	11	16:11:17	9	7	2012	7/9/2012
15	Alternative	Prairie Road & Upper Samish Road	Enforcement	15-10006	MVA	RSC02	SCSO	Other	Yes	9	40	9:40	14	7	2015	7/14/2015
19	Alternative	Prairie Road & State Route 9	Abandoned	13-08253	Abandoned Vehicle	RSC02	SCSO	Other	No	19	33	19:33:54	19	6	2013	6/19/2013
19	Alternative	Prairie Road & State Route 9	Enforcement	12-08304	Traffic Enforce	RSC28	SCSO	Peak PM	Yes	16	8	16:08:23	3	7	2012	7/3/2012
19	Alternative	Prairie Road & State Route 9	Enforcement	13-08253	Traffic Enforce	RSC02	SCSO	Other	No	19	33	19:33:54	19	6	2013	6/19/2013
19	Alternative	Prairie Road & State Route 9	Enforcement	15-01715	Traffic Enforce	RSC02	SCSO	Peak PM	Yes	17	5	17:05:23	6	2	2015	2/6/2015
19	Alternative	Prairie Road & State Route 9	Enforcement	15-06147	Traffic Enforce	RSC02	SCSO	Other	Yes	12	45	12:45:55	7	5	2015	5/7/2015
19	Alternative	Prairie Road & State Route 9	Enforcement	15-08314	Traffic Enforce	RSC28	SCSO	Other	No	18	47	18:47:45	16	6	2015	6/16/2015
19	Alternative	Prairie Road & State Route 9	Enforcement	16-07924	Traffic Enforce	RSC28	SCSO	Other	Yes	15	20	15:20:58	7	6	2016	6/7/2016
19	Alternative	Prairie Road & State Route 9	Hazard	12-08689	Traffic Hazard	RSC02	SCSO	Other	Yes	15	50	15:50:47	9	7	2012	7/9/2012
19	Alternative	Prairie Road & State Route 9	Hazard	15-05077	Animal Problem	RSC02	SCSO	Other	Yes	7	1	7:01:18	17	4	2015	4/17/2015
19	Alternative	Prairie Road & State Route 9	Hazard	16-02084	Traffic Hazard	RSC02	SCSO	Other	No	20	49	20:49:41	15	2	2016	2/15/2016
19	Alternative	Prairie Road & State Route 9	Hazard	16-04617	Animal Problem	RSC02	SCSO	Other	No	20	56	20:56:09	5	4	2016	4/5/2016
20a	Alternative	3000 Block of Upper Samish Road	Enforcement	16-08163	Traffic Enforce	RSC02	SCSO	Other	No	0	57	0:57:13	12	6	2016	6/12/2016
20a	Alternative	3000 Block of Upper Samish Road	Hazard	15-16583	Traffic Hazard	RSC02	SCSO	Other	Yes	14	58	14:58:25	12	11	2015	11/12/2015
20b	Alternative	3000 Block of Upper Samish Road	Accident	12-05364	MVA	RSC02	SCSO	Other	Yes	7	6	7:06:01	3	5	2012	5/3/2012
20b	Alternative	3000 Block of Upper Samish Road	Accident	14-09708	XMVAU	RSC02	SCSO	Other	No	1	45	1:45:31	20	7	2014	7/20/2014
20b	Alternative	3000 Block of Upper Samish Road	Accident	14-11845	MVA	RSC02	SCSO	Other	Yes	12	15	12:15:58	27	8	2014	8/27/2014
20b	Alternative	3000 Block of Upper Samish Road	Accident	15-00504	MVA	RSC02	SCSO	Other	Yes	10	36	10:36:21	12	1	2015	1/12/2015
20b	Alternative	3000 Block of Upper Samish Road	Abandoned	12-05364	MVA	RSC02	SCSO	Other	Yes	7	6	7:06:01	3	5	2012	5/3/2012
20b	Alternative	3000 Block of Upper Samish Road	Abandoned	13-05703	Abandoned Vehicle	RSC02	SCSO	Other	No	23	22	23:22:54	4	5	2013	5/4/2013
20b	Alternative	3000 Block of Upper Samish Road	Enforcement	12-05364	MVA	RSC02	SCSO	Other	Yes	7	6	7:06:01	3	5	2012	5/3/2012
20b	Alternative	3000 Block of Upper Samish Road	Enforcement	14-15509	Traffic Enforce	RSC02	SCSO	Other	Yes	14	33	14:33:17	6	11	2014	11/6/2014
20b	Alternative	3000 Block of Upper Samish Road	Hazard	12-15067	Traffic Hazard	RSC02	SCSO	Other	No	23	48	23:48:24	8	11	2012	11/8/2012
20b	Alternative	3000 Block of Upper Samish Road	Hazard	14-11935	Traffic Hazard	RSC02	SCSO	Other	No	21	53	21:53:48	28	8	2014	8/28/2014
20b	Alternative	3000 Block of Upper Samish Road	Hazard	15-01640	Animal Problem	RSC02	SCSO	Other	Yes	7	40	7:40:48	5	2	2015	2/5/2015
21	Alternative	State Route 9 & Upper Samish Road	Accident	12-00311	MVA	RSC02	SCSO	Other	No	23	56	23:56:25	7	1	2012	1/7/2012
21	Alternative	State Route 9 & Upper Samish Road	Accident	12-03108	MVA	RSC02	SCSO	Other	Yes	8	14	8:14:37	14	3	2012	3/14/2012
21	Alternative	State Route 9 & Upper Samish Road	Accident	12-08441	MVA	RSC02	SCSO	Other	Yes	15	18	15:18:03	5	7	2012	7/5/2012
21	Alternative	State Route 9 & Upper Samish Road	Accident	13-07587	MVA	RSC02	SCSO	Other	Yes	13	12	13:12:49	7	6	2013	6/7/2013
21	Alternative	State Route 9 & Upper Samish Road	Enforcement	16-04247	Traffic Enforce	RSC02	SCSO	Other	Yes	12	19	12:19:43	30	3	2016	3/30/2016
21	Alternative	State Route 9 & Upper Samish Road	Enforcement	16-04661	Traffic Enforce	RSC02	SCSO	Peak PM	Yes	17	30	17:30:24	6	4	2016	4/6/2016
21	Alternative	State Route 9 & Upper Samish Road	Hazard	14-07807	Traffic Hazard	RSC02	SCSO	Other	Yes	14	12	14:12:43	17	6	2014	6/17/2014
21	Alternative	State Route 9 & Upper Samish Road	Hazard	15-03446	Traffic Hazard	RSC02	SCSO	Other	Yes	13	54	13:54:21	15	3	2015	3/15/2015
21	Alternative	State Route 9 & Upper Samish Road	Hazard	15-17639	Traffic Hazard	RSC02	SCSO	Peak PM	Yes	17	50	17:50:45	4	12	2015	12/4/2015
21	Alternative	State Route 9 & Upper Samish Road	Hazard	16-03230	Traffic Hazard	RSC02	SCSO	Other	No	0	26	0:26:08	10	3	2016	3/10/2016
22	Alternative	Parson Creek & Skaarup	Accident	12-15061	MVA	RSC02	SCSO	Peak PM	Yes	17	5	17:05:36	8	11	2012	11/8/2012
22	Alternative	Parson Creek & Skaarup	Accident	14-03420	MVA	RSC02	SCSO	Other	No	21	27	21:27:14	19	3	2014	3/19/2014
22	Alternative	Parson Creek & Skaarup	Accident	16-04097	MVA	RSC02	SCSO	Other	No	1	11	1:11:06	27	3	2016	3/27/2016
22	Alternative	Parson Creek & Skaarup	Accident	16-00080	MVA	RSC02	SCSO	Peak PM	Yes	16	16	16:16:59	2	1	2016	1/2/2016
22	Alternative	Parson Creek & Skaarup	Abandoned	13-15967	Abandoned Vehicle	RSC02	SCSO	Other	Yes	12	13	12:13:47	6	11	2013	11/6/2013
22	Alternative	Parson Creek & Skaarup	Abandoned	13-16042	Recovered Veh	RSC02	SCSO	Other	Yes	10	36	10:36:53	8	11	2013	11/8/2013
22	Alternative	Parson Creek & Skaarup	Enforcement	12-16639	Traffic Enforce	RSC02	SCSO	Other	Yes	8	38	8:38:49	14	12	2012	12/14/2012
22	Alternative	Parson Creek & Skaarup	Enforcement	13-03602	Traffic Enforce	RSC02	SCSO	Other	No	19	32	19:32:34	23	3	2013	3/23/2013
22	Alternative	Parson Creek & Skaarup	Enforcement	13-05550	Traffic Enforce	RSC02	SCSO	Other	Yes	9	30	9:30:49	2	5	2013	5/2/2013
22	Alternative	Parson Creek & Skaarup	Enforcement	15-15426	Traffic Enforce	RSC02	SCSO	Other	Yes	7	25	7:25:44	20	10	2015	10/20/2015
22	Alternative	Parson Creek & Skaarup	Enforcement	15-18156	Traffic Enforce	RSC02	SCSO	Other	Yes	7	7	7:07:16	14	12	2015	12/14/2015
22	Alternative	Parson Creek & Skaarup	Enforcement	16-00080	MVA	RSC02	SCSO	Peak PM	Yes	16	16	16:16:59	2	1	2016	1/2/2016
22	Alternative	Parson Creek & Skaarup	Enforcement	16-04097	MVA	RSC02	SCSO	Other	No	1	11	1:11:06	27	3	2016	3/27/2016
22	Alternative	Parson Creek & Skaarup	Enforcement	16-07903	Traffic Enforce	RSC02	SCSO	Peak PM	Yes	17	33	17:33:23	6	6	2016	6/6/2016
22	Alternative	Parson Creek & Skaarup	Hazard	12-15061	MVA	RSC02	SCSO	Peak PM	Yes	17	5	17:05:36	8	11	2012	11/8/2012
22	Alternative	Parson Creek & Skaarup	Hazard	16-04854	Traffic Hazard	RSC02	SCSO	Other	Yes	13	30	13:30:58	10	4	2016	4/10/2016
22	Alternative	Parson Creek & Skaarup	Hazard	16-05864	Traffic Hazard	RSC02	SCSO	Other	Yes	7	33	7:33:28	30	4	2016	4/30/2016
23	Alternative	Parson Creek & Old Highway 99	Accident	12-04713	Drug Problem	RSC02	SCSO	Other	Yes	8	0	8:00:26	20	4	2012	4/20/2012
23	Alternative	Parson Creek & Old Highway 99	Accident	13-05992	MVA	RSC02	SCSO	Other	No	20	20	20:20:26	10	5	2013	5/10/2013

23	Alternative	Parson Creek & Old Highway 99	Accident	14-14994	Traffic Enforce	RSC02	SCSO	Other	Yes	15	39	15:39:39	27	10	2014	10/27/2014
23	Alternative	Parson Creek & Old Highway 99	Enforcement	15-13274	Traffic Hazard	RSC02	SCSO	Other	Yes	7	7	7:07:50	9	9	2015	9/9/2015
23	Alternative	Parson Creek & Old Highway 99	Enforcement	13-05992	MVA	RSC02	SCSO	Other	No	20	20	20:20:26	10	5	2013	5/10/2013
23	Alternative	Parson Creek & Old Highway 99	Hazard	15-13274	Traffic Hazard	RSC02	SCSO	Other	Yes	7	7	7:07:50	9	9	2015	9/9/2015
24a	Haul	21000 Block of Grip Road	Accident	12-03800	MVA	RSC28	SCSO	Other	No	3	49	3:49:36	30	3	2012	3/30/2012
24a	Haul	21000 Block of Grip Road	Accident	14-13171	MVA	RSC28	SCSO	Peak PM	Yes	16	27	16:27:06	20	9	2014	9/20/2014
24a	Haul	21000 Block of Grip Road	Accident	12-10984	MVA	RSC28	SCSO	Other	Yes	11	53	11:53:22	19	8	2012	8/19/2012
24a	Haul	21000 Block of Grip Road	Accident	12-16003	MVA	RSC28	SCSO	Peak PM	Yes	17	0	17:00:13	30	11	2012	11/30/2012
24a	Haul	21000 Block of Grip Road	Accident	14-12857	MVA	RSC28	SCSO	Other	No	20	50	20:50:07	14	9	2014	9/14/2014
24a	Haul	21000 Block of Grip Road	Accident	15-06889	XMVAU	RSC28	SCSO	Peak PM	Yes	16	39	16:39:09	21	5	2015	5/21/2015
24a	Haul	21000 Block of Grip Road	Accident	13-02952	MVA	RSC28	SCSO	Other	No	2	31	2:31:52	9	3	2013	3/9/2013
24a	Haul	21000 Block of Grip Road	Accident	13-07140	MVA	RSC28	SCSO	Peak PM	Yes	17	17	17:17:23	30	5	2013	5/30/2013
24a	Haul	21000 Block of Grip Road	Accident	15-00788	XMVAU	RSC28	SCSO	Other	No	21	53	21:53:08	17	1	2015	1/17/2015
24a	Haul	21000 Block of Grip Road	Accident	15-04472	MVA	RSC28	SCSO	Other	Yes	13	4	13:04:26	5	4	2015	4/5/2015
24a	Haul	21000 Block of Grip Road	Accident	15-06137	MVA	RSC28	SCSO	Other	Yes	8	15	8:15:50	7	5	2015	5/7/2015
24a	Haul	21000 Block of Grip Road	Accident	12-06912	MVA	RSC28	SCSO	Other	Yes	11	8	11:08:42	5	6	2012	6/5/2012
24a	Haul	21000 Block of Grip Road	Abandoned	13-02952	MVA	RSC28	SCSO	Other	No	2	31	2:31:52	9	3	2013	3/9/2013
24a	Haul	21000 Block of Grip Road	Abandoned	15-01829	Abandoned Vehicle	RSC09	SCSO	Other	Yes	9	14	9:14:00	9	2	2015	2/9/2015
24a	Haul	21000 Block of Grip Road	Enforcement	12-03800	MVA	RSC28	SCSO	Other	No	3	49	3:49:36	30	3	2012	3/30/2012
24a	Haul	21000 Block of Grip Road	Enforcement	12-08079	Traffic Enforce	RSC09	SCSO	Other	No	19	1	19:01:23	29	6	2012	6/29/2012
24a	Haul	21000 Block of Grip Road	Enforcement	12-10984	MVA	RSC28	SCSO	Other	Yes	11	53	11:53:22	19	8	2012	8/19/2012
24a	Haul	21000 Block of Grip Road	Enforcement	13-06596	Suspicious	RSC28	SCSO	Peak PM	Yes	17	0	17:00:07	21	5	2013	5/21/2013
24a	Haul	21000 Block of Grip Road	Enforcement	14-11470	Traffic Enforce	RSC28	SCSO	Other	No	20	43	20:43:08	20	8	2014	8/20/2014
24a	Haul	21000 Block of Grip Road	Enforcement	15-00788	XMVAU	RSC28	SCSO	Other	No	21	53	21:53:08	17	1	2015	1/17/2015
24a	Haul	21000 Block of Grip Road	Enforcement	15-05012	Traffic Enforce	RSC28	SCSO	Other	No	20	25	20:25:51	15	4	2015	4/15/2015
24a	Haul	21000 Block of Grip Road	Enforcement	15-04472	MVA	RSC28	SCSO	Other	Yes	13	4	13:04:26	5	4	2015	4/5/2015
24a	Haul	21000 Block of Grip Road	Enforcement	15-06137	MVA	RSC28	SCSO	Other	Yes	8	15	8:15:50	7	5	2015	5/7/2015
24a	Haul	21000 Block of Grip Road	Hazard	14-08269	Animal Problem	RSC28	SCSO	Other	No	18	34	18:34:10	25	6	2014	6/25/2014
24a	Haul	21000 Block of Grip Road	Hazard	12-16003	MVA	RSC28	SCSO	Peak PM	Yes	17	0	17:00:13	30	11	2012	11/30/2012
24a	Haul	21000 Block of Grip Road	Hazard	14-12857	MVA	RSC28	SCSO	Other	No	20	50	20:50:07	14	9	2014	9/14/2014
24a	Haul	21000 Block of Grip Road	Hazard	15-16282	Traffic Hazard	RSC28	SCSO	Other	No	3	3	3:03:51	6	11	2015	11/6/2015
24a	Haul	21000 Block of Grip Road	Hazard	15-00788	XMVAU	RSC28	SCSO	Other	No	21	53	21:53:08	17	1	2015	1/17/2015
24a	Haul	21000 Block of Grip Road	Hazard	15-06137	MVA	RSC28	SCSO	Other	Yes	8	15	8:15:50	7	5	2015	5/7/2015
24b	Alternative	22000 Block of Grip Road	Accident	13-10870	MVA	RSC28	SCSO	Other	No	5	18	5:18:07	3	8	2013	8/3/2013
24b	Alternative	22000 Block of Grip Road	Accident	15-11389	MVA	RSC28	SCSO	Other	No	5	54	5:54:43	6	8	2015	8/6/2015
24b	Alternative	22000 Block of Grip Road	Accident	12-00045	MVA	RSC28	SCSO	Other	No	19	3	19:03:57	1	1	2012	1/1/2012
24b	Alternative	22000 Block of Grip Road	Accident	12-03131	MVA	RSC28	SCSO	Other	No	20	8	20:08:42	14	3	2012	3/14/2012
24b	Alternative	22000 Block of Grip Road	Accident	12-08300	MVA	RSC28	SCSO	Other	Yes	15	17	15:17:47	3	7	2012	7/3/2012
24b	Alternative	22000 Block of Grip Road	Accident	13-04196	MVA	RSC28	SCSO	Other	No	19	13	19:13:43	4	4	2013	4/4/2013
24b	Alternative	22000 Block of Grip Road	Accident	13-13770	MVA	RSC28	SCSO	Other	No	6	45	6:45:44	22	9	2013	9/22/2013
24b	Alternative	22000 Block of Grip Road	Accident	14-00890	MVA	RSC28	SCSO	Other	Yes	14	52	14:52:34	21	1	2014	1/21/2014
24b	Alternative	22000 Block of Grip Road	Accident	15-12409	MVA	RSC28	SCSO	Other	Yes	8	4	8:04:09	24	8	2015	8/24/2015
24b	Alternative	22000 Block of Grip Road	Accident	15-15257	MVA	RSC28	SCSO	Peak PM	Yes	17	56	17:56:23	16	10	2015	10/16/2015
24b	Alternative	22000 Block of Grip Road	Accident	12-08730	MVA	RSC28	SCSO	Other	Yes	14	30	14:30:43	10	7	2012	7/10/2012
24b	Alternative	22000 Block of Grip Road	Accident	12-14257	XMVAU	RSC28	SCSO	Other	No	5	20	5:20:28	22	10	2012	10/22/2012
24b	Alternative	22000 Block of Grip Road	Accident	13-05489	MVA	RSC28	SCSO	Other	Yes	7	12	7:12:53	1	5	2013	5/1/2013
24b	Alternative	22000 Block of Grip Road	Accident	14-00420	MVA	RSC28	SCSO	Peak PM	Yes	16	51	16:51:36	10	1	2014	1/10/2014
24b	Alternative	22000 Block of Grip Road	Accident	15-03658	MVA	RSC28	SCSO	Peak PM	Yes	16	9	16:09:28	19	3	2015	3/19/2015
24b	Alternative	22000 Block of Grip Road	Accident	15-14939	MVA	RSC28	SCSO	Other	No	21	36	21:36:10	9	10	2015	10/9/2015
24b	Alternative	22000 Block of Grip Road	Accident	17-00504	MVA	RSC28	SCSO	Other	No	19	41	19:41:06	11	1	2017	1/11/2017
24b	Alternative	22000 Block of Grip Road	Accident	14-09943	MVA	RSC28	SCSO	Other	No	1	51	1:51:01	25	7	2014	7/25/2014
24b	Alternative	22000 Block of Grip Road	Abandoned	13-00076	Abandoned Vehicle	RSC28	SCSO	Other	Yes	13	39	13:39:03	2	1	2013	1/2/2013
24b	Alternative	22000 Block of Grip Road	Abandoned	14-13064	Suspicious	RSC28	SCSO	Other	Yes	15	10	15:10:41	18	9	2014	9/18/2014
24b	Alternative	22000 Block of Grip Road	Abandoned	15-17974	Traffic Hazard	RSC28	SCSO	Other	Yes	14	40	14:40:46	10	12	2015	12/10/2015
24b	Alternative	22000 Block of Grip Road	Abandoned	16-03740	Abandoned Vehicle	RSC28	SCSO	Other	Yes	11	6	11:06:32	19	3	2016	3/19/2016
24b	Alternative	22000 Block of Grip Road	Enforcement	12-08300	MVA	RSC28	SCSO	Other	Yes	15	17	15:17:47	3	7	2012	7/3/2012
24b	Alternative	22000 Block of Grip Road	Enforcement	12-11801	Traffic Enforce	RSC28	SCSO	Other	Yes	15	3	15:03:11	3	9	2012	9/3/2012
24b	Alternative	22000 Block of Grip Road	Enforcement	12-13313	Traffic Enforce	RSC28	SCSO	Other	Yes	15	25	15:25:01	1	10	2012	10/1/2012
24b	Alternative	22000 Block of Grip Road	Enforcement	12-08730	MVA	RSC28	SCSO	Other	Yes	14	30	14:30:43	10	7	2012	7/10/2012
24b	Alternative	22000 Block of Grip Road	Enforcement	12-13497	Traffic Enforce	RSC28	SCSO	Other	Yes	7	41	7:41:14	5	10	2012	10/5/2012
24b	Alternative	22000 Block of Grip Road	Enforcement	12-14391	Traffic Enforce	RSC28	SCSO	Peak PM	Yes	17	7	17:07:32	24	10	2012	10/24/2012
24b	Alternative	22000 Block of Grip Road	Enforcement	12-14562	Domestic	RSC28	SCSO	Other	No	18	47	18:47:47	28	10	2012	10/28/2012
24b	Alternative	22000 Block of Grip Road	Enforcement	13-00841	Traffic Enforce	RSC28	SCSO	Other	No	20	33	20:33:14	19	1	2013	1/19/2013
24b	Alternative	22000 Block of Grip Road	Enforcement	13-02466	Traffic Enforce	RSC28	SCSO	Other	No	23	6	23:06:50	25	2	2013	2/25/2013
24b	Alternative	22000 Block of Grip Road	Enforcement	13-05489	MVA	RSC28	SCSO	Other	Yes	7	12	7:12:53	1	5	2013	5/1/2013
24b	Alternative	22000 Block of Grip Road	Enforcement	13-12430	Traffic Enforce	RSC28	SCSO	Other	Yes	7	33	7:33:35	30	8	2013	8/30/2013
24b	Alternative	22000 Block of Grip Road	Enforcement	13-15586	Traffic Enforce	RSC28	SCSO	Other	Yes	11	10	11:10:09	29	10	2013	10/29/2013
24b	Alternative	22000 Block of Grip Road	Enforcement	14-00777	Traffic Enforce	RSC28	SCSO	Other	No	18	26	18:26:21	18	1	2014	1/18/2014
24b	Alternative	22000 Block of Grip Road	Enforcement	14-00420	MVA	RSC28	SCSO	Peak PM	Yes	16	51	16:51:36	10	1	2014	1/10/2014
24b	Alternative	22000 Block of Grip Road	Enforcement	14-05275	Traffic Enforce	RSC28	SCSO	Other	Yes	15	49	15:49:51	27	4	2014	4/27/2014
24b	Alternative	22000 Block of Grip Road	Enforcement	14-09752	Traffic Enforce	RSC28	SCSO	Other	Yes	9	26	9:26:05	21	7	2014	7/21/2014
24b	Alternative	22000 Block of Grip Road	Enforcement	14-12458	Traffic Enforce	RSC28	SCSO	Other	No	21	12	21:12:42	7	9	2014	9/7/2014
24b	Alternative	22000 Block of Grip Road	Enforcement	15-03658	MVA	RSC28	SCSO	Peak PM	Yes	16	9	16:09:28	19	3	2015	3/19/2015
24b	Alternative	22000 Block of Grip Road	Enforcement	15-15257	MVA	RSC28	SCSO	Peak PM	Yes	17	56	17:56:23	16	10	2015	10/16/2015
24b	Alternative	22000 Block of Grip Road	Enforcement	16-0392	Traffic Enforce	RSC28	SCSO	Other	Yes	12	51	12:51:28	23	3	2016	3/23/2016
24b	Alternative	22000 Block of Grip Road	Enforcement	16-06116	Traffic Enforce	RSC28	SCSO	Other	Yes	11	19	11:19:38	5	5	2016	5/5/2016
24b	Alternative	22000 Block of Grip Road	Enforcement	16-09466	Traffic Enforce	RSC28	SCSO	Other	No	18	18	18:18:09	4	7	2016	7/4/2016
24b	Alternative	22000 Block of Grip Road	Enforcement	17-00504	MVA	RSC28	SCSO	Other	No	19	41	19:41:06	11	1	2017	1/11/2017
24b	Alternative	22000 Block of Grip Road	Hazard	12-04586	Traffic Hazard	RSC28	SCSO	Other	Yes	8	23	8:23:01	17	4	2012	4/17/2012
24b	Alternative	22000 Block of Grip Road	Hazard	12-16899	Traffic Hazard	RSC28	SCSO	Other	Yes	10	8	10:08:16	19	12	2012	12/19/2012
24b	Alternative	22000 Block of Grip Road	Hazard	13-02294	Traffic Hazard	RSC28	SCSO	Other	Yes	11	25	11:25:05	22	2	2013	2/22/2013
24b	Alternative	22000 Block of Grip Road	Hazard	13-02983	Traffic Hazard	RSC28	SCSO	Other	No	19	33	19:33:56	9	3	2013	3/9/2013
24b	Alternative	22000 Block of Grip Road	Hazard	14-15024	Traffic Hazard	RSC28	SCSO	Other	No	4	41	4:41:12	28	10	2014	10/28/2014
24b	Alternative	22000 Block of Grip Road	Hazard	14-15485	Traffic Hazard	RSC28	SCSO	Other	Yes	9	42	9:42:23	6	11	2014	11/6/2014
24b	Alternative	22000 Block of Grip Road	Hazard	14-15490	Traffic Hazard	RSC28	SCSO	Other	Yes	10	15	10:15:05	6	11	2014	11/6/2014
24b	Alternative	22000 Block of Grip Road	Hazard	14-05651	Traffic Hazard	RSC28	SCSO	Other	Yes	10	43	10:43:03	5	5	2014	5/5/2014
24b	Alternative	22000 Block of Grip Road	Hazard	15-00177	Traffic Hazard	RSC28	SCSO	Other	No	5	30	5:30:53	5	1	2015	1/5/2015
24b	Alternative	22000 Block of Grip Road	Hazard	13-13770	MVA	RSC28	SCSO	Other	No	6	45	6:45:44	22	9	2013	9/22/2013
24b	Alternative	22000 Block of Grip Road	Hazard	12-03131	MVA	RSC28	SCSO	Other	No	20	8	20:08:42	14	3	2012	3/14/2012
24b	Alternative	22000 Block of Grip Road	Hazard	15-17974	Traffic Hazard	RSC28	SCSO	Other	Yes	14	40	14:40:46	10	12	2015	12/10/2015
24b	Alternative	22000 Block of Grip Road	Hazard	15-10834	Animal Problem	RSC28	SCSO	Other	Yes	9	12	9:12:38	28	7	2015	7/28/2015
24b	Alternative	22000 Block of Grip Road	Hazard	15-10705	Animal Problem	RSC28	SCSO	Other	No	18	54	18:54:54	25	7	2015	7/25/2015
24b	Alternative	22000 Block of Grip Road	Hazard	15-12409	MVA	RSC28	SCSO	Other	Yes	8	4	8:04:09	24	8	2015	8/24/2015
24b	Alternative	22000 Block of Grip Road	Hazard	15-13788	Animal Problem	RSC28	SCSO	Peak PM	Yes	16	12	16:12:51	17	9	2015	9/17/2015
24b	Alternative	22000 Block of Grip Road	Hazard	15-16187	Animal Problem	RSC28	SCSO	Other	Yes	8	31	8:31:27	4	11	2015	11/4/2015
24b	Alternative	22000 Block of Grip Road	Hazard	15-14939	MVA	RSC28	SCSO	Other	No	21	36	21:36:10	9	10	2015	10/9/2015

24b	Alternative	22000 Block of Grip Road	Hazard	16-08555	Traffic Enforce	RSC28	SCSO	Other	Yes	10	52	10:52:14	19	6	2016	6/19/2016
24b	Alternative	22000 Block of Grip Road	Hazard	16-09241	Traffic Hazard	RSC28	SCSO	Peak PM	Yes	16	59	16:59:10	1	7	2016	7/1/2016
24b	Alternative	22000 Block of Grip Road	Hazard	16-01906	Animal Problem	RSC28	SCSO	Other	No	18	41	18:41:42	11	2	2016	2/11/2016
24b	Alternative	22000 Block of Grip Road	Hazard	16-15719	Traffic Hazard	RSC28	SCSO	Other	No	22	24	22:24:19	15	10	2016	10/15/2016
24b	Alternative	22000 Block of Grip Road	Hazard	16-16533	Traffic Hazard	RSC28	SCSO	Peak PM	Yes	17	49	17:49:35	1	11	2016	11/1/2016
25a	Alternative	6000 Block of Grip Road	Accident	14-02650	MVA	RSC28	SCSO	Other	No	1	4	1:04:11	3	3	2014	3/3/2014
25a	Alternative	6000 Block of Grip Road	Accident	16-05835	MVA	RSC28	SCSO	Other	Yes	15	5	15:05:49	29	4	2016	4/29/2016
25a	Alternative	6000 Block of Grip Road	Abandoned	14-02650	MVA	RSC28	SCSO	Other	No	1	4	1:04:11	3	3	2014	3/3/2014
25a	Alternative	6000 Block of Grip Road	Abandoned	16-05835	MVA	RSC28	SCSO	Other	Yes	15	5	15:05:49	29	4	2016	4/29/2016
25c	Alternative	Grip Road & Bassett Road	Accident	16-06839	Traffic Enforce	RSC28	SCSO	Other	Yes	13	43	13:43:04	18	5	2016	5/18/2016
25c	Alternative	Grip Road & Bassett Road	Accident	13-12460	Domestic	RSC28	SCSO	Other	No	19	53	19:53:36	30	8	2013	8/30/2013
25c	Alternative	Grip Road & Bassett Road	Enforcement	12-07646	Traffic Enforce	RSC28	SCSO	Other	Yes	13	58	13:58:16	21	6	2012	6/21/2012
25c	Alternative	Grip Road & Bassett Road	Enforcement	13-12460	DUI	RSC28	SCSO	Other	No	19	53	19:53:36	30	8	2013	8/30/2013
25c	Alternative	Grip Road & Bassett Road	Hazard	16-15718	Traffic Hazard	RSC28	SCSO	Other	No	21	44	21:44:29	15	10	2016	10/15/2016
25d	Alternative	23000 Block of Grip Road	Accident	16-06839	Traffic Enforce	RSC28	SCSO	Other	Yes	13	43	13:43:04	18	5	2016	5/18/2016
25d	Alternative	23000 Block of Grip Road	Accident	13-11145	MVA	RSC28	SCSO	Other	Yes	8	20	8:20:31	8	8	2013	8/8/2013
25d	Alternative	23000 Block of Grip Road	Accident	13-04220	MVA	RSC28	SCSO	Other	Yes	7	2	7:02:00	5	4	2013	4/5/2013
25d	Alternative	23000 Block of Grip Road	Accident	13-12460	DUI	RSC28	SCSO	Other	No	19	53	19:53:36	30	8	2013	8/30/2013
26	Alternative	7000 Block of F&S Grade Road	Accident	13-08849	MVA	RSC09	SCSO	Other	No	3	49	3:49:03	30	6	2013	6/30/2013
26	Alternative	7000 Block of F&S Grade Road	Accident	13-06393	MVA	RSC28	SCSO	Other	No	23	18	23:18:21	17	5	2013	5/17/2013
26	Alternative	7000 Block of F&S Grade Road	Accident	13-09206	MVA	RSC09	SCSO	Peak PM	Yes	16	13	16:13:00	5	7	2013	7/5/2013
26	Alternative	7000 Block of F&S Grade Road	Accident	13-14686	MVA	RSC28	SCSO	Other	No	6	24	6:24:42	11	10	2013	10/11/2013
26	Alternative	7000 Block of F&S Grade Road	Accident	14-00080	MVA	RSC09	SCSO	Other	No	18	35	18:35:04	2	1	2014	1/2/2014
26	Alternative	7000 Block of F&S Grade Road	Accident	14-08015	MVA	RSC09	SCSO	Other	Yes	9	54	9:54:23	21	6	2014	6/21/2014
26	Alternative	7000 Block of F&S Grade Road	Accident	14-09867	MVA	RSC09	SCSO	Other	Yes	8	40	8:40:03	23	7	2014	7/23/2014
26	Alternative	7000 Block of F&S Grade Road	Accident	14-14151	Traffic Hazard	RSC09	SCSO	Other	No	19	8	19:08:26	9	10	2014	10/9/2014
26	Alternative	7000 Block of F&S Grade Road	Accident	15-09936	MVA	RSC09	SCSO	Other	No	20	27	20:27:21	12	7	2015	7/12/2015
26	Alternative	7000 Block of F&S Grade Road	Accident	16-05763	MVA	RSC09	SCSO	Other	No	6	48	6:48:55	28	4	2016	4/28/2016
26	Alternative	7000 Block of F&S Grade Road	Accident	16-05853	MVA	RSC09	SCSO	Other	No	22	0	22:00:54	29	4	2016	4/29/2016
26	Alternative	7000 Block of F&S Grade Road	Accident	12-02722	MVA	RSC09	SCSO	Other	No	6	6	6:06:21	5	3	2012	3/5/2012
26	Alternative	7000 Block of F&S Grade Road	Accident	12-12460	XMVAU	RSC28	SCSO	Other	No	21	36	21:36:44	14	9	2012	9/14/2012
26	Alternative	7000 Block of F&S Grade Road	Accident	14-04852	MVA	RSC28	SCSO	Other	Yes	11	50	11:50:20	18	4	2014	4/18/2014
26	Alternative	7000 Block of F&S Grade Road	Accident	14-07040	XMVAU	RSC09	SCSO	Other	No	21	23	21:23:01	1	6	2014	6/1/2014
26	Alternative	7000 Block of F&S Grade Road	Accident	14-08029	MVA	RSC09	SCSO	Other	Yes	13	9	13:09:49	21	6	2014	6/21/2014
26	Alternative	7000 Block of F&S Grade Road	Accident	16-08425	MVA	RSC09	SCSO	Other	No	21	53	21:53:39	16	6	2016	6/16/2016
26	Alternative	7000 Block of F&S Grade Road	Accident	16-16146	MVA	RSC28	SCSO	Other	No	21	47	21:47:22	24	10	2016	10/24/2016
26	Alternative	7000 Block of F&S Grade Road	Accident	16-19184	MVA	RSC28	SCSO	Peak PM	Yes	17	27	17:27:21	30	12	2016	12/30/2016
26	Alternative	7000 Block of F&S Grade Road	Accident	16-19194	MVA	RSC28	SCSO	Other	No	19	49	19:49:17	30	12	2016	12/30/2016
26	Alternative	7000 Block of F&S Grade Road	Abandoned	15-08936	Abandoned Vehicle	RSC09	SCSO	Other	Yes	15	26	15:26:23	27	6	2015	6/27/2015
26	Alternative	7000 Block of F&S Grade Road	Abandoned	16-06452	Traffic Hazard	RSC09	SCSO	Other	No	18	46	18:46:47	11	5	2016	5/11/2016
26	Alternative	7000 Block of F&S Grade Road	Abandoned	16-18853	Recovered Veh	RSC28	SCSO	Other	No	19	56	19:56:21	22	12	2016	12/22/2016
26	Alternative	7000 Block of F&S Grade Road	Enforcement	12-02083	Traffic Enforce	RSC09	SCSO	Other	No	19	40	19:40:47	18	2	2012	2/18/2012
26	Alternative	7000 Block of F&S Grade Road	Enforcement	12-01837	DUI	RSC09	SCSO	Peak PM	Yes	17	16	17:16:29	12	2	2012	2/12/2012
26	Alternative	7000 Block of F&S Grade Road	Enforcement	12-03095	Traffic Enforce	RSC09	SCSO	Other	No	22	46	22:46:04	13	3	2012	3/13/2012
26	Alternative	7000 Block of F&S Grade Road	Enforcement	12-04451	Traffic Enforce	RSC09	SCSO	Other	No	22	9	22:09:42	13	4	2012	4/13/2012
26	Alternative	7000 Block of F&S Grade Road	Enforcement	12-04779	Traffic Enforce	RSC28	SCSO	Peak PM	Yes	16	23	16:23:42	21	4	2012	4/21/2012
26	Alternative	7000 Block of F&S Grade Road	Enforcement	12-05215	Traffic Enforce	RSC09	SCSO	Other	No	18	15	18:15:48	29	4	2012	4/29/2012
26	Alternative	7000 Block of F&S Grade Road	Enforcement	12-07883	Traffic Enforce	RSC28	SCSO	Other	Yes	8	8	8:08:01	26	6	2012	6/26/2012
26	Alternative	7000 Block of F&S Grade Road	Enforcement	12-12460	XMVAU	RSC28	SCSO	Other	No	21	36	21:36:44	14	9	2012	9/14/2012
26	Alternative	7000 Block of F&S Grade Road	Enforcement	12-16008	Traffic Enforce	RSC09	SCSO	Other	No	18	55	18:55:44	30	11	2012	11/30/2012
26	Alternative	7000 Block of F&S Grade Road	Enforcement	12-16432	Traffic Enforce	RSC09	SCSO	Other	No	18	52	18:52:03	9	12	2012	12/9/2012
26	Alternative	7000 Block of F&S Grade Road	Enforcement	12-16436	Traffic Enforce	RSC09	SCSO	Other	No	19	22	19:22:11	9	12	2012	12/9/2012
26	Alternative	7000 Block of F&S Grade Road	Enforcement	13-00048	Traffic Enforce	RSC09	SCSO	Other	No	20	1	20:01:55	1	1	2013	1/1/2013
26	Alternative	7000 Block of F&S Grade Road	Enforcement	13-06208	Traffic Enforce	RSC09	SCSO	Other	No	18	30	18:30:47	14	5	2013	5/14/2013
26	Alternative	7000 Block of F&S Grade Road	Enforcement	13-06393	MVA	RSC28	SCSO	Other	No	23	18	23:18:21	17	5	2013	5/17/2013
26	Alternative	7000 Block of F&S Grade Road	Enforcement	13-08572	Traffic Enforce	RSC09	SCSO	Other	No	19	59	19:59:02	25	6	2013	6/25/2013
26	Alternative	7000 Block of F&S Grade Road	Enforcement	13-11229	Traffic Enforce	RSC28	SCSO	Other	Yes	15	15	15:15:06	9	8	2013	8/9/2013
26	Alternative	7000 Block of F&S Grade Road	Enforcement	13-11538	Traffic Enforce	RSC28	SCSO	Other	No	19	24	19:24:03	14	8	2013	8/14/2013
26	Alternative	7000 Block of F&S Grade Road	Enforcement	13-11657	Traffic Enforce	RSC09	SCSO	Other	Yes	15	48	15:48:58	16	8	2013	8/16/2013
26	Alternative	7000 Block of F&S Grade Road	Enforcement	13-16112	Traffic Enforce	RSC28	SCSO	Peak PM	Yes	17	17	17:17:03	9	11	2013	11/9/2013
26	Alternative	7000 Block of F&S Grade Road	Enforcement	13-17239	Traffic Enforce	RSC09	SCSO	Other	No	20	29	20:29:12	6	12	2013	12/6/2013
26	Alternative	7000 Block of F&S Grade Road	Enforcement	14-01504	Traffic Enforce	RSC09	SCSO	Other	Yes	12	47	12:47:18	4	2	2014	2/4/2014
26	Alternative	7000 Block of F&S Grade Road	Enforcement	14-04622	Traffic Enforce	RSC09	SCSO	Other	Yes	15	10	15:10:22	13	4	2014	4/13/2014
26	Alternative	7000 Block of F&S Grade Road	Enforcement	14-04852	MVA	RSC28	SCSO	Other	Yes	11	50	11:50:20	18	4	2014	4/18/2014
26	Alternative	7000 Block of F&S Grade Road	Enforcement	14-06460	Traffic Enforce	RSC28	SCSO	Other	Yes	13	26	13:26:26	21	5	2014	5/21/2014
26	Alternative	7000 Block of F&S Grade Road	Enforcement	14-07040	XMVAU	RSC09	SCSO	Other	No	21	23	21:23:01	1	6	2014	6/1/2014
26	Alternative	7000 Block of F&S Grade Road	Enforcement	14-09246	Traffic Enforce	RSC09	SCSO	Other	No	20	51	20:51:20	11	7	2014	7/11/2014
26	Alternative	7000 Block of F&S Grade Road	Enforcement	14-13000	Traffic Enforce	RSC09	SCSO	Other	Yes	10	31	10:31:14	17	9	2014	9/17/2014
26	Alternative	7000 Block of F&S Grade Road	Enforcement	14-13479	Traffic Enforce	RSC28	SCSO	Peak PM	Yes	16	14	16:14:28	26	9	2014	9/26/2014
26	Alternative	7000 Block of F&S Grade Road	Enforcement	14-13144	Domestic	RSC28	SCSO	Other	No	23	45	23:45:37	19	9	2014	9/19/2014
26	Alternative	7000 Block of F&S Grade Road	Enforcement	15-10258	Traffic Enforce	RSC09	SCSO	Other	Yes	12	23	12:23:07	18	7	2015	7/18/2015
26	Alternative	7000 Block of F&S Grade Road	Enforcement	15-18681	Traffic Enforce	RSC28	SCSO	Other	Yes	12	44	12:44:00	25	12	2015	12/25/2015
26	Alternative	7000 Block of F&S Grade Road	Enforcement	16-01969	Traffic Enforce	RSC28	SCSO	Other	Yes	13	11	13:11:16	13	2	2016	2/13/2016
26	Alternative	7000 Block of F&S Grade Road	Enforcement	16-05763	MVA	RSC09	SCSO	Other	No	6	48	6:48:55	28	4	2016	4/28/2016
26	Alternative	7000 Block of F&S Grade Road	Enforcement	16-08419	Traffic Enforce	RSC09	SCSO	Other	No	20	55	20:55:05	16	6	2016	6/16/2016
26	Alternative	7000 Block of F&S Grade Road	Hazard	12-05214	Traffic Hazard	RSC09	SCSO	Peak PM	Yes	17	35	17:35:54	29	4	2012	4/29/2012
26	Alternative	7000 Block of F&S Grade Road	Hazard	12-08219	Welfare Check	RSC09	SCSO	Other	No	22	23	22:23:12	1	7	2012	7/1/2012
26	Alternative	7000 Block of F&S Grade Road	Hazard	12-14665	Traffic Hazard	RSC09	SCSO	Other	No	6	1	6:01:58	31	10	2012	10/31/2012
26	Alternative	7000 Block of F&S Grade Road	Hazard	13-06666	Traffic Hazard	RSC09	SCSO	Other	No	21	45	21:45:15	22	5	2013	5/22/2013
26	Alternative	7000 Block of F&S Grade Road	Hazard	14-00452	Traffic Hazard	RSC09	SCSO	Other	No	3	50	3:50:12	11	1	2014	1/11/2014
26	Alternative	7000 Block of F&S Grade Road	Hazard	14-02321	Traffic Hazard	RSC09	SCSO	Other	Yes	12	7	12:07:35	23	2	2014	2/23/2014
26	Alternative	7000 Block of F&S Grade Road	Hazard	14-14151	Traffic Hazard	RSC09	SCSO	Other	No	19	8	19:08:26	9	10	2014	10/9/2014
26	Alternative	7000 Block of F&S Grade Road	Hazard	14-09867	MVA	RSC09	SCSO	Other	Yes	8	40	8:40:03	23	7	2014	7/23/2014
26	Alternative	7000 Block of F&S Grade Road	Hazard	15-01064	Traffic Hazard	RSC09	SCSO	Other	No	3	35	3:35:14	24	1	2015	1/24/2015
26	Alternative	7000 Block of F&S Grade Road	Hazard	13-09206	MVA	RSC09	SCSO	Peak PM	Yes	16	13	16:13:00	5	7	2013	7/5/2013
26	Alternative	7000 Block of F&S Grade Road	Hazard	14-04852	MVA	RSC28	SCSO	Other	Yes	11	50	11:50:20	18	4	2014	4/18/2014
26	Alternative	7000 Block of F&S Grade Road	Hazard	14-08029	MVA	RSC09	SCSO	Other	Yes	13	9	13:09:49	21	6	2014	6/21/2014
26	Alternative	7000 Block of F&S Grade Road	Hazard	15-04601	Traffic Hazard	RSC09	SCSO	Peak PM	Yes	17	21	17:21:37	7	4	2015	4/7/2015
26	Alternative	7000 Block of F&S Grade Road	Hazard	16-06452	Traffic Hazard	RSC09	SCSO	Other	No	18	46	18:46:47	11	5	2016	5/11/2016
26	Alternative	7000 Block of F&S Grade Road	Hazard	16-05853	MVA	RSC09	SCSO	Other	No	22	0	22:00:54	29	4	2016	4/29/2016
26	Alternative	7000 Block of F&S Grade Road	Hazard	16-19184	MVA	RSC28	SCSO	Peak PM	Yes	17	27	17:27:21	30	12	2016	12/30/2016
27	Alternative	F&S Grade Road & Kelleher Road	Accident	16-16326	MVA	RSC28	SCSO	Other	Yes	11	46	11:46:53	28	10	2016	10/28/2016
27	Alternative	F&S Grade Road & Kelleher Road	Accident	16-08425	MVA	RSC28	SCSO	Other	No	21	53	21:53:39	16	6	2016	6/16/2016
27	Alternative	F&S Grade Road & Kelleher Road	Accident	16-17095	MVA	RSC28	SCSO	Other	Yes	14	11	14:11:58	13	11	2016	11/13/2016
27	Alternative	F&S Grade Road & Kelleher Road	Enforcement	13-11229	Traffic Enforce	RSC28	SCSO	Other	Yes	15	15	15:15:06	9	8	2013	8/9/2013
27	Alternative	F&S Grade Road & Kelleher Road	Enforcement	13-11538	Traffic Enforce	RSC28	SCSO	Other	No	19	24	19:24:03	14	8	2013	8/14/2013

27	Alternative	F&S Grade Road & Kelleher Road	Enforcement	13-16112	Traffic Enforce	RSC28	SCSO	Peak PM	Yes	17	17	17:17:03	9	11	2013	11/9/2013
27	Alternative	F&S Grade Road & Kelleher Road	Enforcement	15-18981	Traffic Enforce	RSC28	SCSO	Other	Yes	12	44	12:44:00	25	12	2015	12/25/2015
27	Alternative	F&S Grade Road & Kelleher Road	Enforcement	16-01969	Traffic Enforce	RSC28	SCSO	Other	Yes	13	11	13:11:16	13	2	2016	2/13/2016
27	Alternative	F&S Grade Road & Kelleher Road	Hazard	12-15299	Traffic Hazard	RSC09	SCSO	Other	No	23	52	23:52:39	14	11	2012	11/14/2012
27	Alternative	F&S Grade Road & Kelleher Road	Hazard	16-16326	MVA	RSC28	SCSO	Other	Yes	11	46	11:46:53	28	10	2016	10/28/2016
27b	Alternative	F&S Grade Road & Collins Road	Accident	12-10147	MVA	RSC28	SCSO	Other	No	18	29	18:29:35	4	8	2012	8/4/2012
27b	Alternative	F&S Grade Road & Collins Road	Accident	15-00087	XMVAU	RSC28	SCSO	Other	No	4	57	4:57:37	3	1	2015	1/3/2015
27b	Alternative	F&S Grade Road & Collins Road	Accident	16-03908	MVA	RSC28	SCSO	Other	No	6	22	6:22:10	23	3	2016	3/23/2016
27b	Alternative	F&S Grade Road & Collins Road	Enforcement	13-02776	Traffic Enforce	RSC28	SCSO	Other	Yes	7	35	7:35:43	5	3	2013	3/5/2013
27b	Alternative	F&S Grade Road & Collins Road	Enforcement	14-07768	Traffic Enforce	RSC28	SCSO	Other	No	19	47	19:47:19	16	6	2014	6/16/2014
27b	Alternative	F&S Grade Road & Collins Road	Enforcement	15-01453	Traffic Enforce	RSC28	SCSO	Other	No	20	44	20:44:42	31	1	2015	1/31/2015
27b	Alternative	F&S Grade Road & Collins Road	Hazard	13-08146	Traffic Hazard	RSC28	SCSO	Other	No	0	22	0:22:05	18	6	2013	6/18/2013
27b	Alternative	F&S Grade Road & Collins Road	Hazard	13-13050	Traffic Hazard	RSC28	SCSO	Other	No	20	57	20:57:00	9	9	2013	9/9/2013
27b	Alternative	F&S Grade Road & Collins Road	Hazard	14-07089	Traffic Hazard	RSC28	SCSO	Other	No	22	52	22:52:16	2	6	2014	6/2/2014
27b	Alternative	F&S Grade Road & Collins Road	Hazard	14-14371	Traffic Hazard	RSC28	SCSO	Other	Yes	14	10	14:10:50	14	10	2014	10/14/2014
27b	Alternative	F&S Grade Road & Collins Road	Hazard	14-13785	Animal Problem	RSC28	SCSO	Other	Yes	8	1	8:01:53	3	10	2014	10/3/2014
27b	Alternative	F&S Grade Road & Collins Road	Hazard	15-03407	Animal Problem	RSC28	SCSO	Peak PM	Yes	16	51	16:51:26	14	3	2015	3/14/2015
27c	Alternative	8000 Block of F&S Grade Road	Accident	12-10147	MVA	RSC28	SCSO	Other	No	18	29	18:29:35	4	8	2012	8/4/2012
27c	Alternative	8000 Block of F&S Grade Road	Accident	15-00087	XMVAU	RSC28	SCSO	Other	No	4	57	4:57:37	3	1	2015	1/3/2015
27c	Alternative	8000 Block of F&S Grade Road	Accident	15-09687	MVA	RSC28	SCSO	Peak PM	Yes	17	5	17:05:57	8	7	2015	7/8/2015
27c	Alternative	8000 Block of F&S Grade Road	Accident	12-13392	XMVAU	RSC28	SCSO	Other	No	1	3	1:03:20	3	10	2012	10/3/2012
27c	Alternative	8000 Block of F&S Grade Road	Accident	16-03908	MVA	RSC28	SCSO	Other	No	6	22	6:22:10	23	3	2016	3/23/2016
27c	Alternative	8000 Block of F&S Grade Road	Abandoned	13-06979	Abandoned Vehicle	RSC28	SCSO	Other	Yes	9	29	9:29:38	28	5	2013	5/28/2013
27c	Alternative	8000 Block of F&S Grade Road	Enforcement	12-02330	Traffic Enforce	RSC28	SCSO	Other	No	1	32	1:32:12	25	2	2012	2/25/2012
27c	Alternative	8000 Block of F&S Grade Road	Enforcement	12-05001	Traffic Enforce	RSC28	SCSO	Other	Yes	13	20	13:20:42	25	4	2012	4/25/2012
27c	Alternative	8000 Block of F&S Grade Road	Enforcement	12-09215	Traffic Enforce	RSC28	SCSO	Other	No	19	53	19:53:28	18	7	2012	7/18/2012
27c	Alternative	8000 Block of F&S Grade Road	Enforcement	12-11936	Traffic Enforce	RSC28	SCSO	Other	Yes	15	26	15:26:04	5	9	2012	9/5/2012
27c	Alternative	8000 Block of F&S Grade Road	Enforcement	12-13392	XMVAU	RSC28	SCSO	Other	No	1	3	1:03:20	3	10	2012	10/3/2012
27c	Alternative	8000 Block of F&S Grade Road	Enforcement	12-13605	Traffic Enforce	RSC28	SCSO	Other	No	1	19	1:19:49	7	10	2012	10/7/2012
27c	Alternative	8000 Block of F&S Grade Road	Enforcement	12-14459	Traffic Enforce	RSC28	SCSO	Other	Yes	10	43	10:43:07	26	10	2012	10/26/2012
27c	Alternative	8000 Block of F&S Grade Road	Enforcement	13-02174	Traffic Enforce	RSC28	SCSO	Other	No	20	19	20:19:21	19	2	2013	2/19/2013
27c	Alternative	8000 Block of F&S Grade Road	Enforcement	13-02776	Traffic Enforce	RSC28	SCSO	Other	Yes	7	35	7:35:43	5	3	2013	3/5/2013
27c	Alternative	8000 Block of F&S Grade Road	Enforcement	13-15016	Traffic Enforce	RSC28	SCSO	Other	Yes	11	20	11:20:18	18	10	2013	10/18/2013
27c	Alternative	8000 Block of F&S Grade Road	Enforcement	14-04832	Traffic Enforce	RSC28	SCSO	Other	No	0	25	0:25:55	18	4	2014	4/18/2014
27c	Alternative	8000 Block of F&S Grade Road	Enforcement	14-05652	Traffic Enforce	RSC28	SCSO	Other	Yes	10	58	10:58:09	5	5	2014	5/5/2014
27c	Alternative	8000 Block of F&S Grade Road	Enforcement	14-05653	Traffic Enforce	RSC28	SCSO	Other	Yes	11	14	11:14:55	5	5	2014	5/5/2014
27c	Alternative	8000 Block of F&S Grade Road	Enforcement	14-06949	Traffic Enforce	RSC28	SCSO	Other	Yes	9	34	9:34:20	31	5	2014	5/31/2014
27c	Alternative	8000 Block of F&S Grade Road	Enforcement	14-07768	Traffic Enforce	RSC28	SCSO	Other	No	19	47	19:47:19	16	6	2014	6/16/2014
27c	Alternative	8000 Block of F&S Grade Road	Enforcement	15-01453	Traffic Enforce	RSC28	SCSO	Other	No	20	44	20:44:42	31	1	2015	1/31/2015
27c	Alternative	8000 Block of F&S Grade Road	Enforcement	15-03835	Traffic Enforce	RSC28	SCSO	Other	Yes	10	47	10:47:01	23	3	2015	3/23/2015
27c	Alternative	8000 Block of F&S Grade Road	Enforcement	15-07375	Traffic Enforce	RSC28	SCSO	Other	No	18	58	18:58:54	30	5	2015	5/30/2015
27c	Alternative	8000 Block of F&S Grade Road	Enforcement	15-14479	Traffic Enforce	RSC28	SCSO	Other	No	2	21	2:21:26	1	10	2015	10/1/2015
27c	Alternative	8000 Block of F&S Grade Road	Enforcement	16-01699	Traffic Enforce	RSC28	SCSO	Other	No	19	52	19:52:10	7	2	2016	2/7/2016
27c	Alternative	8000 Block of F&S Grade Road	Enforcement	16-06014	Traffic Enforce	RSC28	SCSO	Other	No	21	55	21:55:01	2	5	2016	5/2/2016
27c	Alternative	8000 Block of F&S Grade Road	Hazard	12-04776	Traffic Hazard	RSC28	SCSO	Other	Yes	14	50	14:50:18	21	4	2012	4/21/2012
27c	Alternative	8000 Block of F&S Grade Road	Hazard	12-07804	Traffic Enforce	RSC28	SCSO	Other	Yes	13	12	13:12:32	24	6	2012	6/24/2012
27c	Alternative	8000 Block of F&S Grade Road	Hazard	13-08146	Traffic Hazard	RSC28	SCSO	Other	No	0	22	0:22:05	18	6	2013	6/18/2013
27c	Alternative	8000 Block of F&S Grade Road	Hazard	13-08584	Traffic Hazard	RSC28	SCSO	Other	No	23	8	23:08:07	25	6	2013	6/25/2013
27c	Alternative	8000 Block of F&S Grade Road	Hazard	13-12556	Traffic Hazard	RSC28	SCSO	Other	Yes	12	49	12:49:21	1	9	2013	9/1/2013
27c	Alternative	8000 Block of F&S Grade Road	Hazard	13-13050	Traffic Hazard	RSC28	SCSO	Other	No	20	57	20:57:00	9	9	2013	9/9/2013
27c	Alternative	8000 Block of F&S Grade Road	Hazard	13-14108	Wires	RSC28	SCSO	Other	Yes	14	17	14:17:47	28	9	2013	9/28/2013
27c	Alternative	8000 Block of F&S Grade Road	Hazard	14-07089	Traffic Hazard	RSC28	SCSO	Other	No	22	52	22:52:16	2	6	2014	6/2/2014
27c	Alternative	8000 Block of F&S Grade Road	Hazard	14-14371	Traffic Hazard	RSC28	SCSO	Other	Yes	14	10	14:10:50	14	10	2014	10/14/2014
27c	Alternative	8000 Block of F&S Grade Road	Hazard	14-15649	Traffic Hazard	RSC28	SCSO	Other	Yes	8	2	8:02:14	9	11	2014	11/9/2014
27c	Alternative	8000 Block of F&S Grade Road	Hazard	14-13343	Animal Problem	RSC28	SCSO	Other	No	22	37	22:37:50	23	9	2014	9/23/2014
27c	Alternative	8000 Block of F&S Grade Road	Hazard	14-14284	Animal Problem	RSC28	SCSO	Peak PM	Yes	17	2	17:02:24	12	10	2014	10/12/2014
27c	Alternative	8000 Block of F&S Grade Road	Hazard	14-13785	Animal Problem	RSC28	SCSO	Other	Yes	8	1	8:01:53	3	10	2014	10/3/2014
27c	Alternative	8000 Block of F&S Grade Road	Hazard	15-03407	Animal Problem	RSC28	SCSO	Peak PM	Yes	16	51	16:51:26	14	3	2015	3/14/2015
27c	Alternative	8000 Block of F&S Grade Road	Hazard	15-09687	MVA	RSC28	SCSO	Peak PM	Yes	17	5	17:05:57	8	7	2015	7/8/2015
27c	Alternative	8000 Block of F&S Grade Road	Hazard	16-15635	Traffic Hazard	RSC28	SCSO	Other	Yes	13	11	13:11:18	14	10	2016	10/14/2016

30 September 2017

John Cooper
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98283

Re: Reply to 20 September 2017 Miles Sand and Gravel letter (PL16-0097)

Dear Mr. Cooper.

This letter is intended to provide our opinion regarding the above referenced letter written to you by Mr. Dan Cox of Miles Sand & Gravel (Miles). Mr. Cox's letter regards the County, 6 July 2017, letter requesting additional information in order to continue processing the Miles application (PL16-0097).

It is apparent the contents of said letter did not adequately address the county's request for additional information. Generally, they only superficially responded with no substantive new information.

Our concern was and remains adherence to their SEPA checklist as it pertains to the safety and welfare of the people that use the roads of the proposed gravel extraction operation—environmental impacts, the likelihood of increased large truck traffic, noise and dust levels.

The numbering below reference quotes within the Miles letter and our brief response.

1. The unlimited hours of truck trips that would be generated by the operation of the pit will not mitigate for the concerns expressed in the above referenced paragraph. SCC 14.16.440 (10) (i) states; *Hours of Operation. Hours of operation shall vary according to the location of the site as stated below and may be shortened by the Hearing Examiner (HE) based on site-specific circumstances.*

Because this section states the *HE* may limit the hours of operation, and includes other subsections concerning limiting hours of operation. We highly recommend the county request that the *HE* limit said hours of operation to no more than 8am to 5pm Monday through Friday, and require the applicant limit said hours. This recommendation will mitigate for some impacts the operation of the pit will have on the safety and welfare to the surrounding land owners and drivers that will be significantly affected by the increase in truck traffic the pit generates.

2. SCC 14.16.900 (1)(b)(v) states: *The burden of proof shall be on the applicant to provide evidence in support of the application. The criteria for approval or denial shall include the following.* (To rebut the statement by Miles) The burden of proof is on the applicant and

not the county, nor us, i.e. the affected neighbors. Therefore, this statement is erroneous.

3. The DN Traffic Consultants study is only a **Draft**. Therefore, as we have previously expressed, a full Level II traffic analysis is needed to truly determine the impacts the proposed pit will have on all proposed roads and intersections that are likely to be used by trucks leaving and returning to the pit operation. We also respectfully request a full physical description of all trucks (size, turn radius, etc.) that will be used by Miles to transport gravel.

4. Because the "private road" to be used by Miles for their pit operation will be modified and maintained to allow for truck traffic, we request Miles provide the county with a realistic description of modifications and maintenance to said private road. SCC 14.24.060 Authorizations Required, of the county Critical Areas Ordinance, states: *With the exception of activities identified as Allowed without Standard Review under SCC 14.24.107, any land use activity that can impair the functions and values of critical areas or their buffers including suspect or known geologically hazardous areas, through a development activity or by disturbance of the soil or water, and/or by removal of, or damage to existing vegetation shall require critical areas review and written authorization pursuant to this Chapter.*

The permit application submitted by Miles is inadequate (see the above statement) due to lack of information of their proposed pit operation impacts and the lack of report preparation of said critical areas. As we have previously expressed, county code requires a critical areas report be prepared on the land the proposed pit will impact by their proposed land use activities. To date, Miles has not submitted a critical areas report on the pit site, the "private road" and/or on all impacts the increased truck traffic will have on the roads that are intended and likely to be used during hauling gravel.

5. We appreciate the submittal of the draft boiler plate Spill Control Plan submitted and have the following comments.

There are several references to a "Site Map". We need to see said site map. Said site map should include the pit site and the private access road.

Page 4, A, mentions "process water". If the pit operation is for gravel extraction and trucking to another facility, what is the purpose of "process water". Please explain.

Page 4, B, f, lists "constructed wetlands". Where will said constructed wetlands be constructed?

Page 5, E, 1 and 2 mention Chemical Liquids, fluids, petroleum products, Used Oil, Spent Solvents, Fertilizers, and Pesticides. What type of products are these, their purpose, and why are they included with this project when all that is proposed is gravel extraction and hauling to a secondary location?

Page 6, 7,b., ii, refers to concrete truck wash-outs? What is the purpose of this reference when all that is proposed is gravel extraction? Same page item 8 refers to

Storage of unhardened concrete, what is the purpose of this? Same page item 11 refers to paving equipment, what is the purpose of this when all that is proposed is gravel extraction?

Same page 6, item 12 mentions the management of sediment track out. We assume this references the entrance to the pit site from Grip Road ingress/egress. If said entrance to said access road will be widened, it is apparent said entrance road will have some construction completed. Said construction needs to be described and where appropriate, a critical areas report needs to be completed for the proposed construction.

Page 7 throughout...there are references to a "closed loop", cleaning of off-site roads, fueling stations, mobile fueling, and dust control. These proposed features require additional mapping and descriptions, and, their purpose.

Page 9 discusses potential spills and "doesn't allow a discharge to surface waters". Where are the surface waters this language refers to? We request all said surface waters be identified.

Page 10, C, 2, and D. Storage requirements refer to "tank's". What tanks?

6. Because Miles has not submitted a critical areas report for the entire impact area (pit site, private road, and adjacent public roads) it is not known what type of impacts and County buffers will be required. However, the critical areas report completed by Graham Bunting for the wetland associated with the Samish River recommends a 200' buffer. While, SCC 14.24.230 Wetland Protection Standards, requires a 300' buffer for High Intensity Land use, which a gravel pit is per the definitions section of the SCC CAO as follows: *Land Use Intensity, High; Land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium-and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and commercial and industrial land uses*.

We therefore request the County limit all impacts to all wetlands, those currently known and to be identified, and their regulated buffers in the pit area, and "private road" and likely areas of disturbance, be identified and required to have a 300' buffer or the buffers per code (the CAO).

7. We respectfully request the county to address this question by Miles.

Respectfully,

Jim Wiggins Abbe Rolnick

21993 Grip Road
Sedro-Woolley, WA 98284

October 1, 2017

John Cooper
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98283

Re: Proposed gravel mine / Miles Sand and Gravel 9/20/17 response to County (PL16-0097)

Dear Mr. Cooper,

In your letter of July 6, 2017, you again asked Miles Sand and Gravel ("Miles") to provide the County with additional information necessary to process their application for a Mining Special Use Permit. This proposal is to develop a large new gravel mine on the Samish River near Prairie and Grip Roads. We have reviewed Miles' latest (Sept 20, 2017) response to the County. Miles' submission again fails to respond to the requirements set out in your July 6, 2017 letter, and does not even attempt to address numerous substantive issues raised by the community. Miles continues to insist that their application is complete and ready to go to public hearing. They substantiate this claim with repeated references to the original staff report issued in September 2016. This rationale is simply erroneous. Miles is aware that there were serious flaws with the original public notice process – flaws that rendered the original Mitigated Determination of NonSignificance (MDNS) and staff report invalid. Miles is still not acknowledging this fundamental fact. The failure to notify surrounding landowners of the original application and SEPA process was not a harmless error. Many people were literally uninformed and therefore could not participate or comment prior to the issuance of the original staff report and SEPA determination. Because of these flaws, the Hearing Examiner canceled the public hearing last December. After the public had a chance to comment, the County did the right thing by asking Miles to respond to the community's legitimate concerns – these concerns are not "unsupported public sentiment" as claimed by Miles. Community members have documented in detail numerous specific public safety issues, dangerous road deficiencies and many other environmental impacts that were simply not evaluated or addressed in the original proposal. Numerous omissions and errors in the original application materials and the original staff report have also been pointed out repeatedly. These issues cannot simply be addressed at the public hearing – they require additional study and evaluation, as should have been done in the first place. Until Miles provides the information necessary to fully evaluate the potential impacts of its proposal, it is incumbent on the County to continue to consider the application incomplete, and do no more to evaluate or process it.

Please find below some additional comments regarding specific numbered issues listed in the County's July letter and Miles' September response:

1. Regarding proposed hours of operation: In its July 2017 letter, the County clearly documented the Hearing Examiner's authority to regulate hours of operation, and it is appropriate for staff to make recommendations to the Hearing Examiner regarding this. Many households will be impacted by the noise from on-site operations from this mine, as well as from the noise from heavy gravel truck traffic – there is currently no similar industrial activity in this neighborhood – we deserve to have some reasonable limits put on hours of operation. Furthermore, without a noise study, we do indeed have only "unsupported public sentiment" as claimed by Miles – this is perhaps the most compelling reason to conduct such a study. Please see additional comments regarding the "isolated" nature of the site under item #2 below.

2. Regarding conducting a noise study: Miles claims that the site is "very isolated". According to our ArcGIS calculations from a center pin-point, approximately 100 households are within a mile of the mine site, 375 households are within 2 miles and 750 households are within 3 miles. This hardly qualifies as isolated.

Furthermore 25 years of continuous mining activity and associated truck traffic is not comparable to "any construction site where earthwork is underway" as claimed by Miles.

In addition, this section of the County's letter asked Miles to provide sufficient evidence to support specific criteria for Special Use Permits as set out in SCC 14.16.900(1)(b)(v). The full list of criteria was quoted, not just those dealing with noise and vibration. Notably: paragraphs *(G) The proposed use is not in conflict with the health and safety of the community;* and *(H) The proposed use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding areas, or conditions can be established to mitigate adverse impacts on such facilities.* County roads constitute *public facilities and services.* Public comments have repeatedly documented the inadequacy of the existing County road system to accommodate the proposed gravel truck traffic and the significant public safety issues associated with this increased volume of traffic. The number of households which use the proposed haul route (Prairie Road and Grip Road) on a daily basis is close to 1,000, with the number using Highway 99 / Bow Hill Road being much higher. There are also at least three school bus runs in the morning and again in the afternoon along Prairie Road and Grip Road. This further confounds Miles' claim of the site's remoteness. The burden of proof is on the applicant to demonstrate that the safety of the community is not at risk, and to describe the mitigation that is intended to make our roads safe despite the huge increase in gravel truck traffic that is proposed.

3. Regarding truck trips: Miles claims that the County's letter "does not accurately represent what [Miles] has proposed," stating that the information is "clearly presented" in the DN traffic 'reports'. And yet, the County lifted the numbers of truck trips directly from the DN consultants' report which states: *Assuming this volume is spread evenly across 260 working days a year the resultant daily volume would be approximately 46 vehicles per day.* The key word is "assuming". Everyone knows that the gravel truck traffic will not be spread evenly across the calendar year, but instead will be seasonal and market driven, and therefore we must expect much higher than 'average' numbers of truck trips during the summer, and whenever it is expedient for Miles. Even the 'average' of 46 trips per day, itself represents a significant threat to public safety. However, in lieu of any firm commitment from Miles to limit numbers of trucks per day, we have no choice but to assume any number of trips up to the 60 per hour/720 per day, which was suggested as a "more realistic" limit by DN traffic consultants in their November 30, 2016 addendum to the traffic report.

   Many letters have been written to the County on this topic and we will refrain from further comment at this time, except to reiterate that the DN traffic "reports" are woefully inadequate. A full Level 2 Traffic Impact Analysis is not only needed, but is required to comply with the County's Road Standards. The County's stated intention to retain an unbiased qualified third party traffic consultant to review this issue is a good first step. We feel strongly that this review should be done at the applicant's, not Skagit County taxpayers', expense.

4. Regarding the private haul road: This is a two-mile-long largely unimproved dirt road that crosses a fish bearing stream and is adjacent to several large wetlands. The use of this road is changing from a very light occasional use (forest management) to very heavy industrial traffic. Miles is completely disregarding these impacts. Nor did Miles address the County's request for additional Critical Areas review of the private road.

5. Regarding the "example" Environmental Protection Plan: The status of this document is somewhat unclear. Is it an actual, submitted document of record or is it only meant to be an "example" of what Miles

might submit to the Department of Ecology to cover its Grip Road operations? If it is only an "example" and not an actual submission, we question the validity of this document as a response to the request you made for a site-specific spill control plan in your July 6, 2017 letter. The Stormwater Pollution Prevention Plan appears to be a "catch-all" of BMPs that might be applied on this site. It isn't really clear which ones would actually be used, potentially leaving the door open for expanded operations. Furthermore, this document does not address the potential impacts and BMPs for both the private haul road and off-site haul routes.

6. Regarding a 200' vs. 300' buffer on the Samish River. What "development permit" has already been issued? How does this relate to the proposed Mining Special Use Permit? Numerous previous comments by citizens and agencies have made the clear case that an open pit mine is not a "medium intensity use".

7. Regarding "numerous factual discrepancies". There are so many disparate conflicting documents submitted over a long stretch of time, it's incredibly difficult to sort out what information is correct and most recent. If Miles would take the time to review the previous letters sent by the County, the public comments, and the letters from our attorneys have submitted, they will find plenty of corrections and clarifications to address. Asking for these to be stated again is simply stonewalling. The time is over for delay tactics. If Miles wants to develop this mine, they should start over with new clean application and new detailed SEPA checklist that addresses the community's concerns and truly address all of the environmental impacts.

Thank you for your time and consideration.

Sincerely,

Martha Bray and John Day
6368 Erwin Ln
Sedro-Woolley, WA

Cc: Dale Pernula
Commissioner Lisa Janicki

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RECEIVED
OCT 10 2017
SKAGIT COUNTY
PDS

October 4, 2017

VIA REGULAR U.S. MAIL & E-MAIL
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Julie S. Nicoll
Deputy Prosecuting Attorney
Skagit County
Civil Division – Planning & Development Services
605 S. 3rd Street
Mount Vernon, WA 98273-3867

RE: CONCRETE NOR'WEST'S SEPTEMBER 20 RESPONSE TO SKAGIT COUNTY'S REQUEST FOR INFORMATION

Dear Ms. Nicoll:

Thank you for forwarding the letter from Concrete Nor'West ("CNW") dated September 20 responding to Skagit County's July 6 request for more information regarding CNW's permit applications PL 16-0097 AND PL 16-0098. While CNW purports to respond to the County's requests, they provide no substantive information and, in several instances, make assertions that are demonstrably false. This letter is intended to highlight some of these issues.

As a general matter, CNW's letter does not respond in any meaningful way to any of the County's requests for more information identified in its July 6 letter. Pursuant to SCC 14.16.105, CNW's failure to adequately respond within the timeframe prescribed in that ordinance results in the expiration of its permit application. This is mandatory by the County Code. There is no discretion in this matter. The County has the affirmative duty and obligation to deny the application. In fact, many of the requests articulated in the County's July 6 letter are reiterations of identical requests for information made in its March 14 letter to CNW—requests which, it must be noted, CNW still has not adequately responded to. Under SCC 14.16.105, CNW has repeatedly failed to timely respond to the County's requests for information. The County is obligated to deny the application.

Even if CNW had provided the required information before the expiration of its application, that would not correct the underlying problem: the inadequate environmental review this project has been given by the County under SEPA. For example, in its letter, CNW repeatedly points to the County's September 12, 2016 Staff Report as proof of the completeness of its permit

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application. The Staff Report is proof of no such thing,[1] but CNW's point is nonetheless indicative of the inconsistency in the rigor of the County's review of the proposed project—including lapses in public notice that have been extensively detailed in previous correspondence. While the County has undertaken important steps toward rebuilding the trust of the public and properly involving the public in the permit review process, such efforts do not resolve the inconsistencies on which CNW (albeit baselessly) relies. The only way to ensure that the proposed project is subject to the appropriate level of environmental review and the required processes that have *always* been necessitated under SEPA—is to formally withdraw the MDNS and re-commence the environmental review process from the beginning. CNW's most recent refusal to comply with the County's requests merely reinforces this conclusion.

In that context, the items raised in CNW's September 20 letter are each addressed in detail below.

1. Hours of Operation

In response to the County's proposed restriction of the proposed mine's hours of operation to Monday through Friday, 7:00 a.m. to 5:00 p.m., CNW reiterates its baseless contention that the County effectively lacks the authority to restrict its hours of operation under SCC 14.16.440(10)(i)(i).

CNW has made this argument in previous correspondence. The Hearing Examiner has the authority to impose conditions on a permit under SEPA's substantive authority to mitigate the proposed project's adverse environmental impacts. *See* WAC 197-11-660 and RCW 43.21C.060. Because CNW's proposed project will result in documented adverse impacts related to noise and truck traffic (among other impacts), CNW's permit must be conditioned with restricted hours of operation. The adverse impacts from noise and truck traffic were discussed in our July 27 letter to the County, which also provided documentation of such impacts.

Moreover, since CNW has repeatedly asserted its right to unlimited hours of operation, its permit application must be reviewed under the presumption that the proposed gravel mine will be operating 24 hours per day, 7 days per week, every day of the year, which is not what was indicated in the Staff Report. It is simply impossible that such a project would, under a proper SEPA review, result in a threshold determination of nonsignificance, mitigated or otherwise. This indicates that the original SEPA threshold analysis was inadequate, and should be formally withdrawn.

2. Special Use Permit Criteria

The County's July 6 letter identified nine (9) special use permit criteria that required further supporting evidence from CNW and expressly requested a noise and vibration study. Rather than respond to this request for more information, CNW suggests that the County cannot require a noise and vibration study because, first, the County's September 12 Staff Report

[1] To the extent the Staff Report made any assertions, erroneous or otherwise, regarding the completeness of CNW's permit application, SCC 14.16.100(5) permits the County to request more information even after a determination of completeness is issued.

concluded that CNW's proposed project was in compliance with the special use criteria of SCC 14.16.900(1)(b)(v), and second, because CNW believes the site is "very isolated and no processing is proposed."

First, CNW paradoxically argues on the one hand that the County cannot impose certain conditions, but on the other hand seeks to use the County's Staff Report as a final arbiter of an issue necessitating further study. In any case, regardless of whether the September 12 Staff Report correctly deemed CNW's application complete, SCC 14.16.100(5) expressly permits the County to request more information subsequent to a determination of completeness. The County made precisely such a request, and CNW may not now point to the Staff Report as proof of its compliance with the special use criteria.

Second, the site of the proposed mine is not nearly as remote as CNW suggests. According to data obtained from ArcGIS, within one mile of the proposed gravel mine there are 100 households and nearly 250 residents; within two miles there are 374 households and nearly 1,000 residents; within three miles there are 752 households and nearly 2,000 residents. And this is only in reference to the mine itself—the truck trips generated by the mine would undoubtedly produce significant noise and vibration along Prairie Road and Grip Road (not to mention likely alternative haul routes that CNW's traffic analysis has never considered). The same data shows that the number of households that would be affected by the noise and vibration from truck traffic is close to 1,000. Pedestrians and cyclists use these roads as well, as do school buses. This is hardly the isolated operation that CNW depicts, and CNW offers no explanation for why these thousands of Skagit County residents would not be affected by a 68-acre gravel mine theoretically running up to 110 trucks *per hour* through their backyard. Simple logic and basic understanding of living in this environment reveals the adverse impact this proposal has on this neighborhood and community. A noise and vibration study would clarify the extent to which these neighbors would be affected by this aspect of the proposed project, and CNW's resistance to such a study is revealing. By its resistance, CNW suggests that its operation is likely to be more disruptive to the local community than it is willing to disclose.

Moreover, CNW's statement that "no processing is proposed" is inconsistent with statements from both CNW and the County regarding future on-site processing. Although certain of CNW's initial application materials suggested that no on-site processing would occur, both the MDNS and the Staff Report state that no on-site processing is proposed "at this time"—implying that future on-site processing was contemplated. When pressed to clarify this point, CNW's May 15 letter to the County stated only that no processing was proposed "in this application"—again implying that future on-site processing was contemplated. CNW's refusal to categorically state whether or not processing will occur on-site strongly suggests that it intends to process on-site at some point. Under SEPA, the full scope of the proposed project must be considered in order to prevent inappropriate phased or piecemeal review. See WAC 197-11-060(5)(d)(ii). Given that CNW has expressly reserved the right to pursue processing at this site in the future, CNW's project must now be reviewed on the basis of what has been reserved as a potential future activity—that such processing *will* occur at this site, as CNW has repeatedly indicated.

For these reasons, the County's request for more information regarding special use criteria, including a noise and vibration study, is more than justified, and CNW's refusal to comply with the County's request should be treated as a failure to respond under SCC 14.06.105.

3. Truck Trips

The County's July 6 letter suggested that the maximum number of truck trips should be 46 per day, subject to the results of a third-party review of CNW's traffic analysis. CNW rejects this limit and again refers the County to the report and addendum from DN Traffic Consultants, but avoids acknowledging what that report and addendum actually say. The addendum proposed a theoretical limit of 110 truck trips per hour, but pointed out that there weren't enough trucks with pups in Skagit County to actually reach this limit. Effectively, then, CNW is refusing any limit to the number of truck trips, and the County's SEPA review of the proposed project must be based on the operation of a mine that will result in up to 110 trips per hour. As with the hours of operation issue discussed above, the MDNS was therefore erroneous and should be formally withdrawn.

4. Private Road Standards Applicable to the Access Road

In response to the County's request to CNW to amend its application to ensure the access road's compliance with private road standards, CNW acknowledges the need for emergency vehicle access and agrees to a "reasonable performance standard that requires the access road be maintained to private road standards." However, CNW expressly excludes the existing approach and the Swede Creek bridge from this proposal. In essence, CNW recognizes the applicability of private road standards everywhere except where it is likely to trigger further critical areas review.

This is simply an effort to avoid the critical areas regulation by seeking a waiver of the private road standards in critical areas. The presence of critical areas is no basis for a waiver of private road standards. More importantly, there is no authority for such a waiver. *See* SCC 14.36.010; Skagit County Road Standards Section 2.03 ("In all cases, the application of these Standards shall be in conformance with the Critical Areas Ordinance"). There is no question that private road standards are applicable to the access road—the *entire* access road. *See* SCC 14.36.010; Skagit County Road Standards Section 3.02 and 3.05.B. There are, in addition, other critical areas near and along the access road—wetlands in particular—that are subject to critical areas review. It is not within CNW's authority to pick and choose the portions of the road that it will maintain in compliance with such standards in order to avoid critical areas review, and CNW's refusal to comply with the County's request for an amended application should be treated as a failure to submit requested information under SCC 14.16.105.

5. Spill Control Plan

In response to the County's request for a site-specific spill control plan, CNW provides for the first time its Sand & Gravel General Permit, including a spill control plan. The spill control plan is a generic plan that contains no site-specific information other than the address and the plain

statement that "[t]he Grip Road site includes above ground mining." This does not satisfy the County's request for information.

The Sand & Gravel General Permit also raises a number of questions regarding the nature and scope of the proposed project. For example, there are references to a site plan that has never been shared with the public. There are, furthermore, references to a number of materials or processes that suggest CNW has not disclosed the full scope of its proposed project. These include chemical liquids, petroleum products, used oil, spent solvents, fertilizers, and pesticides, the purpose of which is never specified. There are likewise references to unhardened concrete, concrete truck washouts, and tanks that aren't clearly consistent with a proposal to extract *and not process* gravel. The Sand & Gravel General Permit at one point refers to on-site tanks being subject to requirements regarding their construction, but elsewhere states that no tanks will be stored on-site. These discrepancies must be clarified before the project can be properly evaluated.

6. Land Use Intensity Rating

CNW continues to assert that a gravel mine is a moderate intensity land use under the land use impact definitions in SCC 14.04.020, and is therefore subject to only a 200-foot critical areas buffer under Skagit County's Critical Area's Ordinance, Chapter 14.24 SCC. "Moderate impact land use" is defined as:

> land uses which are associated with moderate levels of human disturbance or substantial habitat impacts including, but not limited to, low-density residential (no more than one home per five acres), active recreation, and moderate agricultural land uses.

That definition could not possibly encompass an industrial gravel mine. Such a position is baseless. It is clear that under the County Code *all* commercial and industrial uses fall under the definition of "high impact land use" which is defined as:

> land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and *commercial and industrial land uses*.

The County correctly pointed out, in its July 6 letter, that CNW's project is a high intensity land use, and required CNW to amend its application materials to reflect this. In response, CNW, again, claims that the County has already "decided and approved" the project as a moderate impact land use subject to a 200-foot critical areas buffer. Again, though, the County has authority to request more information from a permit applicant under SCC 14.06.105. CNW cannot point to previous correspondence with the County as proof that its proposed mine would constitute a "moderate impact land use." And, again, on the one hand CNW argues the County cannot impose conditions, seek new information or even change its determination based on new information, and on the other hand seeks to use the Staff Report as a final arbiter of an issue to avoid an accurate and lawful determination that restrains their activity. CNW's refusal

to amend or even clarify its application to correctly identify the intensity of the land use constitutes a failure to respond under SCC 14.06.105, and the County should therefore deny the application.

7. Factual Discrepancies

The County requested updated application materials in its March 14 letter, a request reiterated in the July 6 request. In response, CNW requests specific identification of the factual discrepancies contained in its application materials. Many of these discrepancies have been identified numerous times in previous correspondence between the County and CNW. They include:

- Inconsistencies regarding the hours of operation, which remain unresolved.
- Inconsistencies regarding the number of truck trips, which remain unresolved.
- Inconsistencies regarding on-site processing, which remain unresolved.
- Inconsistencies regarding noise, which remain unresolved.
- Inconsistencies regarding whether CNW plans to store fuel on-site. CNW indicated that fuel *will* be stored on-site, but has not amended its application to so indicate.
- Inconsistencies regarding the amount of gravel to be removed, which remain unresolved.
- Inconsistencies regarding the depth of the mine, which remain unresolved.

All of these discrepancies were discussed in detail in our March 3 letter to John Cooper of Skagit County Planning and Development and again in later correspondence. The County has followed up on several of these, but none of them have been meaningfully or sufficiently clarified.

The County's March 14 request for updated materials has, as of the date of this letter, been ignored by CNW for more than 200 days. This is well beyond the time limit prescribed in SCC 14.16.105. Accordingly, the County has a nondiscretionary obligation to deny the permit application for failure to timely submit requested information. CNW is free to reinitiate review by submitting a new application consistent with all current requirements. SCC 14.16.105(4). This would have the added benefit of allowing the public to make informed comments throughout the SEPA process.

Our clients recognize and appreciate the steps the County has undertaken to regain the public's trust following the deficiencies in SEPA review and public notice that have been highlighted in previous correspondence and need not be discussed in detail here. CNW, on the other hand, has made clear its intention to shirk proper review under SEPA in any way it can, including an open refusal to respond to the County's requests for information. The County must recognize CNW's response—or rather, its refusal to respond—as a failure to submit requested information under SCC 14.06.105, and accordingly deny the permit.

Thank you for your consideration.

Sincerely,

CHMELIK SITKIN & DAVIS P.S.

Jonathan K. Sitkin
Nolan F. Davidson

JKS/NFD/rsv
cc: Client
John Cooper, Skagit County Planning & Development (hard copy only)

November 2, 2017

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

Re: Concrete Nor'west Gravel Mine Permit Application PL16-0097

Dear Mr. Pernula:

We have generally been encouraged by the way that Skagit County has stepped up to the plate since early in 2017 with regard to the Concrete Nor'west (CNW) gravel mine permit application. We were especially heartened by the recent notice you issued to CNW that its application would be rejected if it does not submit the additional information the County has requested by the November 2017 deadline. However, your apparent subsequent granting of a 120-day extension to CNW has caused us to seriously question the County's adherence to County code and its commitment to a transparent process.

On October 25, 2017, attorneys and other representatives for Central Samish Valley Neighbors (CSVN) received an email message from Deputy Prosecuting Attorney Julie Nicoll that included an October 24, 2017 email memo from you to CNW. This memo responded to CNW's September 20, 2017 letter to PDS. Your memo to CNW states that CNW has not yet provided the additional information for its permit application that was requested by PDS, pursuant to Skagit County Code (SCC) 14.06.100(5), in its letters to CNW of March 14, 2017 and July 6, 2017. The memo goes on to state that, per SCC 14.06.105(1), if CNW fails to submit the requested information by 120 days from July 6, 2017 (November 3, 2017), PDS will reject CNW's application.

We believe that your memo of October 24, 2017 correctly states the applicable requirements of SCC 14.06.105 and that this decision should stand.

On October 30, 2017, Ms. Nicoll forwarded to CSVN an email exchange, dated October 27, 2017, between CNW and you. In an email sent at 10:36 AM, Dan Cox of CNW refers to what was apparently a phone discussion between the two of you that had taken place earlier the same day, and thanks you for your willingness to grant CNW an extension under SCC 14.06.105. Cox goes on to state, "As we discussed, we would like to set up a time to meet with you and your staff anytime on or after November 8th."

In a response to Cox at 4:27 PM, you confirm that PDS has granted CNW's request for an extension to February 25, 2018, provided that CNW transmits to PDS a schedule for submittal of the requested additional information by November 3, 2017. You go on to indicate that if Cox would like to set up a meeting, he should provide specific dates and times he is available the week of November 13th.

In a reply to you at 4:49 PM, Cox thanks you for PDS' approval of the extension request and states, "As we discussed this afternoon, beyond committing to the February 25, 2018 timeline it will be impossible for us to submit a reasonable schedule until we are able to meet with PDS to clarify the additional requested information. You indicated this approach will suffice and will not jeopardize this extension."

The conclusion we draw from this somewhat vague email exchange is that you have granted a permit extension. If this is so, and if there is no other written record of a timely, written extension request from CNW, as required by County Code (none is posted on the County website in the public record), then we strenuously object to these back door methods, and especially to the County not requiring submittal of the additional requested information by the end of the 120-day period ending November 3, 2017.

SCC 14.06.105(1) states as follows:

> If additional information is requested pursuant to SCC 14.06.100(5), an applicant has 120 days to submit the required information. If all of the requested information is not received within 120 days, the Administrative Official or designee shall deny the application for failure to timely submit requested information consistent with Subsection (3) of this Section, unless the following exception applies:
>
> > (a) The Department may grant 1 or more (although not exceeding 3) 3-month extensions to this time frame if the following criteria are met:
> >
> > > (i) A written request for extension is submitted at least 21 days prior to the expiration date; and
> > >
> > > (ii) The applicant demonstrates that circumstances beyond the control of the applicant prevent timely submittal of the requested information; and
> > >
> > > (iii) The applicant provides a reasonable schedule for submittal of the requested information.

Subparagraph (a) above requires that ALL of the listed criteria (i) through (iii) be met in order for PDS to grant a 120-day extension. CNW has met NONE of these criteria:

1. To meet criterion (i) above, CNW would have had to submit a written request for extension by 21 days prior to November 3, 2017, or October 13, 2017. To our knowledge, CNW submitted no such request. Neither is there any reference in the October 24, 2017 and October 30, 2017 correspondence between Dan Cox and you to any such written request from CNW by the required date.

2. CNW has at no point demonstrated that circumstances beyond its control have prevented timely submission of the requested information. CNW has had since July 6, 2017 (arguably since March 14, 2017) to either submit the information requested or demonstrate why it is unable to do so. Its response thus far has been to stonewall the request by disagreeing with its validity.

3. CNW has not provided a reasonable schedule for submittal of the requested information.

You may cite SCC 14.06.105(5) as the justification for your informal and cursory granting of an extension to CNW. 14.06.105(5) states as follows:

> The Administrative Official or designee may, at their discretion, extend this 120-day time frame for submitting additional information when the information requested is dependent upon another County department or outside agency review, or under similar circumstances.

We strongly believe that 14.06.105(5) does not apply to this situation. None of the information requested in PDS' letter to CNW of July 6, 2017 was dependent on another County department or outside agency review, nor have any "similar circumstances" been identified by PDS that would justify granting this extension. Also, CNW would presumably still have had to submit a written request for an extension by October 13, 2017 in order for the request to be valid. Its failure to do so is emblematic of its lack of a "good faith" effort to comply with PDS requirements thus far. PDS needs to hold CNW accountable for this now, not drag out the process even further.

We are very concerned about this turn of events. This extension has seemingly been granted informally, without any written record, counter to requirements of County code. And even more concerning, it appears that the stage is being set for very important decisions – regarding any additional assessments or evaluations that will be required for the project – to be made in a closed door meeting between CNW and planning officials. Once again, we find this most recent PDS decision completely lacking in transparency; it will further undermine public confidence in the permitting process and the proposal.

The appropriate course of action for Skagit County at this point is to clarify the intent of the email exchange, rescind the extension and deny the permit application if CNW fails to provide the additional information requested by the November 3, 2017 deadline. In addition, the proceedings of any meetings held between the County and CNW to "clarify" information requests need to be very clearly reported in the public record.

Sincerely,

Martha Bray and John Day

Cc: Skagit County Commissioners
Julie Nicoll
Jon Sitkin

MILES
SAND & GRAVEL

OFFICE: 360.757.3121
FAX: 360.757.3816

PO Box 285
Mount Vernon, WA 98273-0285

November 21, 2017

Via E-mail: Dale Pernula <dalep@co.skagit.wa.us>, Johnc@co.skagit.wa.us

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

RE: Proposed schedule - PL16-0097

Dear Mr. Pernula,

Since receipt of your October 24, 2017 letter, we have requested and you have approved an extension to submit additional information on or before February 25, 2018. In that letter you also requested we provide a reasonable schedule for submittal of the additional information. Further, we agreed that prior to submitting the schedule, we would have a meeting to clarify several of the County's requests, which we were able to accomplish yesterday and we thank you for meeting with us. Based on our meeting and the clarifications you provided, we wanted to provide the proposed schedule as requested.

One of the remaining items is to submit a Noise and Vibration Study which will need to be prepared by a consultant. We are in the process of hiring a consultant and approving the scope of work. Our goal is to be able to provide the finished report on or before February 25, 2018.

Beyond the Noise and Vibration Study, the remaining issues can be addressed by our existing team who are working through each item. Since several items like hours of operation and truck trips may be impacted by the Noise and Vibration Study, we do not feel it is appropriate to piecemeal our response. For that reason, and in an effort to provide the additional information in an organized and cohesive fashion, we are proposing one submittal with all of the requested information, on or before February 25, 2018. If we are able to complete this work sooner, we will certainly do so.

We also look forward to the County's consultant completing the third party review of the traffic impacts. We would appreciate receiving this report or at least a schedule update from Public Works no later than January 29, 2017. This will give our team adequate time to review and complete our submittal or request a schedule change.

We appreciate the communication with the County, and are looking forward to providing the additional information in a timely fashion so that you may continue review of the application. I will provide a schedule update on or before January 5th reporting progress and timeline for the Noise and Vibration Study and completion of work. Please contact me directly with any further information you may need.

Sincerely,

Dan Cox

General Manger

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Thursday, December 14, 2017 12:56 PM
To: Ryan Walters; John Cooper
Cc: Julie S. Nicoll
Subject: FW: CNW proposed mine - Grip-Prairie Roads (PL16-0097)

Dear Mr. Cooper and Mr. Walters:

Since Dale Pernula is gone, I am writing to you. We are, just now, in receipt of Concrete Nor'West's latest letter to the County dated November 21, 2017. Dale had assured me that he would let me know the outcome of the meeting between the County and CNW. I see in CNW's letter that the meeting occurred on November 20th. The only record of this meeting seems to be the (Nov 21) letter from CNW. In this letter, there is reference to conducting a noise and vibration study; a contracted third party review of the traffic impacts, and some vague reference to "remaining issues" to be addressed by [CNW's] "existing team". Is there some further communication from the County to CNW regarding the specifics of what additional information is being required? Surely the County has put something in writing regarding the specific requirements that were discussed at the meeting, and not just left it up to CNW to summarize and interpret.

As you know, there are a number of significant concerns that have been repeatedly brought to light by many residents of our community -- concerns that require additional assessment and evaluation, and which are not mentioned in CNW's latest letter. Further, without knowing the scope of the third party review of traffic impacts, we have no assurances that it will be adequate.

Finally, we have never seen anything from the County in writing concerning the extension of the permit deadlines. The only reason we knew about the extension is because Ms. Nicoll forwarded email communications between the County and CNW, and even in those emails, there was never any clear acknowledgment from County personnel that the extension had been granted. Per our November 2, 2017 letter, this appears contrary to County code. Beyond that, the process seems to have become increasingly ill-defined, poorly documented, and certainly not transparent for concerned citizens.

None of this is instilling much confidence in us that the community's concerns are being addressed. Lastly, our November 2, 2017 letter has still not been posted on the public website. We would appreciate seeing it there along with the other public records.

Thank you for your time and consideration. I look forward to hearing back.

Sincerely,

Martha Bray

— CHMELIK SITKIN & DAVIS P.S.
ATTORNEYS AT LAW

Nolan F. Davidson
ATTORNEY
e] ndavidson@chmelik.com

December 28, 2017

VIA REGULAR U.S. MAIL & E-MAIL
julien@co.skagit.wa.us

Julie S. Nicoll
Deputy Prosecuting Attorney
Skagit County
Civil Division – Planning & Development Services
605 S. 3rd Street
Mount Vernon, WA 98273-3867

RE: EXTENSION GRANTED TO CONCRETE NOR'WEST IN VIOLATION OF SKAGIT COUNTY CODE

Dear Ms. Nicoll:

This letter is written in response to the County's October 24, 2017 decision to grant Concrete Nor'West ("CNW") an extension to provide the County with requested information regarding CNW's deficient permit application.[1] This extension was granted in flagrant violation of the Skagit County Code, which expressly requires that the permit application be denied.

SCC 14.06.105 is clear and unambiguous. Extensions to requests for information may *only* be granted if three specific conditions are met. First, a written request for extension must be submitted 21 days prior to the specified deadline. Second, the applicant must demonstrate that circumstances beyond the control of the applicant prevented timely submittal of the requested information. Third, the applicant must provide a reasonable schedule for submittal of the requested information. There is no authority for the County to grant an extension if these conditions have not been met.

None of these conditions were met in CNW's case. CNW did not submit a written request for an extension until an email on October 27 memorializing an off-the-record discussion with the County's Director of Planning & Development Services. Thus, CNW's request for an extension, such as it was, came only 7 days prior to the deadline—two weeks beyond the last date to request an extension. Second, CNW made no attempt to explain how circumstances beyond their control prevented a timely

[1] The Skagit County Planning Department has issued multiple requests for more information related to CNW's permit application over the past year. CNW has yet to provide the County with the requested information, yet the County granted an extension in violation of the County Code. The County's most recent request for information from CNW was dated July 6, 2017. CNW's response on September 21, 2017, over two months later, provided no substantive information, arguing instead that the information had either already been provided or was not within the County's authority to request. The Skagit County Code sets a 120-day time limit on such responses. The County wrote to CNW on October 24 to state that CNW's failure to respond with the requested information by November 3 would constitute an abandonment of the permit application pursuant to SCC 14.06.105. On October 30, we were provided an email chain between CNW and the County indicating that, after an October 27 discussion with CNW (no record of which has been provided), the County had decided to grant an extension through February 25, 2018, on the condition that CNW provide, by November 3, a reasonable schedule for producing the requested information.

1500 Railroad Avenue
Bellingham, WA 98225
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f] 360.671.3781
www.chmelik.com

submittal of the information. Indeed, CNW's previous correspondence indicated that CNW simply did not believe the County had the authority to request such information, which is incorrect for the various reasons discussed in our previous correspondence on this matter. Third, as for the required "reasonable schedule," the County gave CNW until November 3, 2017, to submit it. CNW immediately repudiated this deadline, stating that they would not provide a schedule until after a meeting with the County that, at the time, had not been scheduled.

Furthermore, a decision to grant an extension is an act taken by the County, the findings for which must be documented in a final decision in order to allow for appeal. The County has never issued a final decision on this extension; the most it has done is privately email CNW to confirm that an extension had been granted. The County has yet to post any final decision or formal writing to its website to disclose to the public that an extension was granted. Indeed, the only indication on the County's website that an extension has been granted is a November 21 letter not from the County but from CNW.[2] There is no confirmation from the County that the terms outlined in this letter accurately reflect the County's expectations regarding the information that CNW is required to provide.

The County's grant of an extension to CNW is in plain violation of the County Code, and CNW's permit application must therefore be administratively denied, as the County expressly stated in its October 25 letter to CNW. SCC 14.06.105 is a mandatory provision; it states that the failure to timely respond to a request for more information "shall" effect a denial of the application. The County staff has no discretion to bend the rules or make up new rules for CNW. Moreover, even if the County's offer of an extension had been valid, CNW has plainly failed to comply with the stated conditions by refusing to provide a reasonable schedule for submittal of the requested information within the prescribed deadline. The County cannot simply disregard the County Code in this manner.

The meeting between CNW and the County to discuss the "reasonable schedule" requirement raises other concerns. The County originally required a schedule by November 3, which CNW rejected out of hand. This meeting did not occur until several weeks later, and despite repeated requests for updates, the public did not learn of the meeting until several weeks after that—and then only when we were provided a copy of the November 21 letter from CNW memorializing the meeting (which was not posted to the County's website until mid-December). CNW's November 21 letter indicates that the County provided certain "clarifications" regarding the earlier requests for information. No written account of the meeting from the County's perspective has yet been provided, so it remains unclear to what extent CNW is being held to the County's original requests for information (which, it is worth noting, did not lack for clarity in any case).

The meeting plainly *did* result in changes to the requirements imposed on CNW's permit application by the County. For example, the County has apparently decided to pursue a third-party review of CNW's traffic study—which we only became aware of through CNW's November 21 letter. Given that this review process had previously been put on hold due to CNW's failure to adequately respond to the County's requests for information, it's not clear what was discussed at the meeting or what (if anything) has changed so as to justify the third-party review now. Moreover, although an objective review of CNW's traffic study is clearly warranted and necessary, CNW's traffic study is now nearly two years out of date. Before taxpayer funds are spent on a third-party review of that study, the County should require CNW to provide a revised traffic study with more current data based upon a revised scope of work, as we have communicated in the past. More importantly, the scope of any third-party review should have been disclosed to the public for comment. Concerned citizens have

[2] At the time of this writing, the link to CNW's November 21 letter on the County's website is not even functional.

expressed significant and substantial comments to the County staff regarding road, pedestrian, and traffic safety. The depth and scope of any traffic assessment—whether CNW's own traffic study or a third-party review thereof—is a matter necessitating public input.

The public frustrations regarding the County's lack of transparency on this permit application has been repeatedly expressed to County officials. The County has now negotiated the terms of an (already unlawful) extension behind closed doors with no public participation or awareness, making it difficult to ignore the growing suspicion that the County's lack of transparency is, at this point, not simply an accident or oversight. While the County had taken steps toward providing for some public awareness by maintaining all correspondence with CNW on the County's website, that practice appears to have been abandoned, opting instead for closed door meetings with decisions of the County prepared and memorialized by CNW. To abandon the practice of open, written communication with CNW at this stage would be a tremendous disservice to the public and a violation of the tenets of good government. If CNW had valid questions that they believed required answers prior to their submittal of a reasonable schedule—which is unlikely, given the clarity of the County's requests—then CNW should have put those questions in writing and the County should have responded in writing, consistent with past practice. The closed-door meeting with CNW and subsequent actions and inactions by the County has damaged the public trust, which the County had appeared to be attempting to regain.

In the end, CNW's stalling on providing the requested information is indicative of its disregard for the environmental review necessitated by its permit applications under both state law and the County Code, and its open repudiation of an extension whose terms were already more favorable than the County Code allows is merely the latest expression of this disregard. Now, the County's grant of an unlawful extension indicates the County's apparent intent to accommodate CNW's disdain to the detriment of the public. The County should—and indeed, is required to under SCC 14.06.105—deny CNW's permit application for failure to timely respond to a request for more information.

Thank you for your consideration.

Sincerely,

CHMELIK SITKIN & DAVIS P.S.



Nolan F. Davidson

JKS/NFD/rsv
cc: Client
John Cooper, Skagit County Planning & Development (hard copy only)

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Wednesday, March 08, 2017 4:02 PM
To: John Cooper
Subject: FW: PDS Comments

From Dept Email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Wednesday, March 08, 2017 3:40 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Linda Parks
Address : 5402 Parkridge Pl
City : Sedro Woolley
State : Washington
Zip : 98284
email : dldmm@yahoo.com
Phone : 9713370581
PermitProposal : Permit PL16-0097
Comments : To whom it may concerned.

I am very concerned with the Concrete NW gravel operation proposed off Grip Road, Permit PL16-0097.

Issues are 24 hour operation, noise, property values, road upkeep, road improvements that would be needed, road and accident safety, car damage from gravel, school bus safety. .
I would like to your attention this is an old highway that has many curves that are quite small and short to next turn.
Your traffic figures are old, you cannot compare July 2013 to today. There has been increase of traffic every year as I have driven this way every time I go to town, work, or anywhere.
I do not believe you have considered the severe traffic concerns that will occur and probably increase in severe traffic accidents with large Trucks holding tons of gravel.
Your map does justly show the short quick curves on Prairie Road as it comes off Highway 99 going to the cite from I5.
There are school Buses and left hand turn off Prairie Road to Parkridge lane just after the curves as trucks cross highway and enter Prairie Road
This is our only access to this large neighborhood and School Buses pick up and drop off here as well as other

homes which driveways are left and right turns for access.
Also, I question that the bridge going over the Friday Creek will stay in good condition and can support the continual traffic of Gravel trucks carrying their 34 ton each loads of gravel daily.
The sharp turns and bridge as well as the condition of this road will definitely need continual additional upkeep and improvements for safe travel.
Safety and accident concerns me greatly, Road signs and speed limits are also a concern, in a short distance it goes from 15 mph to 35 mph to 50 mph just before this left on Parkridge lane where all the residents as well as school buses continually pull in and out to access our homes.
The large number of gravel trucks will assuredly create many broken windshields and dented vehicles, this also will cost the county plenty of money should they not address this as well as possible accidents with the slowing and stopping of cars to make turns off this highway to access property. Several times I have had small car drivers don't see (especially in fog) or ignore my left blinker signals as they speed up to 50 MPH and almost miss hitting me or end up passing me on the road on the left as I am getting ready to turn left; what about a large truck with a huge load of gravel that is beginning to accelerate? Or if someone's blinker happens to go out for turn signal? I cannot imagine a large truck just starting to accelerate; trying to hit the brakes for those of us and school buses as they stop to make our left hand turns into Parkridge lane (and other driveways). I know occasionally gravel trucks drive road to take to individuals, but it is not common or often, so I think drivers would be more careful when not familiar with the road. However, as a daily driving of multiple large loaded trucks; Is the county going to maintain the road for safety and signs to ensure prevention of accidents, and have some kind of an indemnify plan families if injuries and or loss of life created due to this Gravel pit heavy load trucks traveling daily on the road?

The noise with explosives (explosives at some future date) and gravel will definitely impact our property values.
These will be daily noise when I try to sell our property people will not want to purchase in this area.
Many of us have high end homes and are planning to sell for retirement within the next 3-5 years; Is the counting willing to compensate the property owners for loss of value and buy our homes for the value they should have sold for if no-one will buy our property due to this gravel pit? This could have a huge financial impact to those of us including ourselves. Our property taxes are too high to afford to maintain and live in this area during retirement and I cannot afford this financial impact! There needs to be payment to property owners and guarantee for those who fall in this category if you allow this Gravel Pit to open!

I know there are many other concerns; the above are the main issues I have with this Concrete NW gravel operation. I just found out recently and your first meeting for public comment is already past. This is such a short period to notify of concerns and to top that off it is after you allowed years of planning (your planning for road volume is from 2013). That seems a little dishonest for the people living in the area! Is this going to end up like a typical bureaucratic procedural thing the county does and then the county just bypass neighbor concerns and does not put in place indemnification plans? I hope that is not what happens with this proposed Gravel pit!

Concerned Citizen,
Linda Parks

From Host Address: 75.233.105.64

Date and time received: 3/8/2017 3:35:14 PM

John Cooper

From: Paula Shafransky <pshafransky@gmail.com>
Sent: Sunday, March 12, 2017 5:26 PM
To: John Cooper
Subject: March 29th meeting

Dear Mr. Cooper,
I sent a comment letter in December and expressed my concerns and ideas regarding CNW Special Use Permit #PL-0097 and as of March XX, 2017 I have still have not received or seen the County's response or actions regarding these concerns. As a concerned community member, please let me know what is being done to address these serious issues.
I request that the County and Concrete Nor'West representatives attend the Community Meeting scheduled for Wednesday March 29th at the Samish School.

Thank you.

John Cooper

From: NICK & NICOLE <NICNICK31@msn.com>
Sent: Monday, March 13, 2017 11:00 AM
To: John Cooper
Subject: Gravel Mine

Dear Mr. Cooper,

I submitted a comment letter on December 30th, 2016 expressing my concerns and ideas regarding CNW Special Use Permit #PL-0097 and as of March 13, 2017 I have still have not received or seen the County's response or actions regarding these concerns. As a concerned community member, please let me know what is being done to address these serious issues.
I also request that the County and Concrete Nor'West have representatives attend the Community meeting at Samish Elementary School that is scheduled for March 29th, 2017 at 6:30.

Sincerely,
Nicole Nickelson

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Tuesday, March 14, 2017 1:50 PM
To: John Cooper; 'Dan Cox'
Cc: Commissioners; Dale Pernula; Dan Berentson; 'Linda Walsh'
Subject: Invitation to Community Meeting 3/29/17 regarding proposed gravel mine

Dear John Cooper and Dan Cox;

I am writing on behalf of a group of local residents in regard to the proposed gravel mine near Grip and Prairie Road. As you know there is considerable concern about this proposal in our neighborhood; community members have many unanswered questions, and do not know if their concerns are being addressed or taken seriously.

We respectfully request your attendance at a Community Meeting on Wednesday March 29th at 6:30 to 8:30PM at Samish Elementary School (located at the corner of Prairie Road and State Route 9).

The purpose of the meeting is to inform the community of the status of the proposal, answer our questions, and to give people a chance to talk directly with County officials and CNW representatives about their concerns. At our expense, we are hiring an independent facilitator (Max Collette) to ensure that we have a productive and respectful discussion.

After months of comment submission with no substantive information forthcoming, it's time to for the County and Concrete Nor'West to speak directly to the community about this proposal. We feel this meeting is separate and different from any forthcoming public hearing, and could in-fact help clear up misunderstandings and misinformation. It serves no one to keep the public in the dark, and we have a right to be truly informed in advance of a formal hearing. We ask that a representative from County Planning as well as Public Works attend this meeting since many of our concerns are related to traffic and roads.

So that we can plan appropriately, please let us know as soon as possible if representatives will be attending, and if so who. **If we do not hear from you by Friday March 24th, we will assume that you and/or your representatives will not be attending.**

Please let me know if I can answer any questions. Thank you for your time and consideration.

Sincerely,

Martha Bray

John Cooper

From: Brandon Black
Sent: Wednesday, March 15, 2017 4:21 PM
To: John Cooper
Cc: Linda Christensen
Subject: FW: PDS Comments

This would be for John.

Brandon Black
Senior Planner – Team Supervisor
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

PHONE: (360) 416-1326
EMAIL: brandonb@co.skagit.wa.us

"Helping You Plan and Build Better Communities"

From: Planning & Development Services
Sent: Wednesday, March 15, 2017 4:08 PM
To: Brandon Black
Subject: FW: PDS Comments

Is this yours?

Linda

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Wednesday, March 15, 2017 11:50 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Rick Brumfield
Address : 5318 Cedar Ridge Pl
City : Sedro-Woolley
State : WA
Zip : 98284
email : rbb123@frontier.com
Phone : 2536703606
PermitProposal : PL16-0097
Comments : 1. Traffic Flow & Safety:
a. Additional traffic flow from volume of truck trips call for new round abouts at:
i. Old 99 and Prairie (traffic is already getting heavier and heavier all the time … the additional truck trip would seem to mandate a round about at this location), and at
ii. Grip and Prairie (A very dangerous intersection already. Additional truck volumes would only make it much worse.)
b. Trucks exiting to the gravel pit from Grip presumably be coming from the west. New truck traffic calls for an

extended (300 ft.?) center lane for the left turning trucks to allow traffic to pass and not back up.
c. The truck trip volume estimates vary widely (the 12/08/2016 Skagit Valley Herald article mentioned 46 truck trips per day (23 in and 23 out) but also mentioned 30 per hour (one every two minutes or 720 per day!) … so, which is it?) … implications for limiting operating hours?
2. Road Maintenance:
a. Heavy trucks will damage Grip (shoulders on Grip already rapidly deteriorate with existing traffic. New truck trips would only exacerbate the problem) … require periodic maintenance and inspections … maintain to county specs.
b. White line the road edges on Grip (similar to how Prairie is lined now). Currently Grip only has a center line marked.
3. Property Values:
If there is a negative effect on surrounding property values from the gravel pit operation, there should be corresponding compensation.

4. Noise [The existing race track is about 3 miles due west (as the crow flies). The proposed gravel pit would be much closer to homes in the area and presumably create an unacceptable level of noise for much longer and sustained periods of time.]:
Excess noise gives rise to issues such as limited operations hours, maximum noise levels allowed, noise dampening required?
All these issues would seem to require a full EIS … if in fact an MDNS has been issued without following proper protocols there would appear to be a legal problem.

I have these comments in a Word file if that would help ... little better formatting.

Rick Brumfield
rbb123@frontier.com

From Host Address: 50.34.100.190

Date and time received: 3/15/2017 11:44:58 AM

John Cooper

From: Brandon Black
Sent: Wednesday, March 15, 2017 4:21 PM
To: John Cooper
Cc: Linda Christensen
Subject: FW: PDS Comments

This would be for John.

Brandon Black
Senior Planner – Team Supervisor
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

PHONE: (360) 416-1326
EMAIL: brandonb@co.skagit.wa.us

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I have these comments in a Word file if that would help ... little better formatting.

Rick Brumfield
rbb123@frontier.com

From Host Address: 50.34.100.190

Date and time received: 3/15/2017 11:44:58 AM

John Cooper

From: Julie S. Nicoll
Sent: Thursday, March 16, 2017 9:00 AM
To: John Cooper; Dale Pernula; Betsy D. Stevenson
Subject: FW: Concrete Nor'West Project

FYI

From: CSD - Jon Sitkin [mailto:jsitkin@Chmelik.com]
Sent: Wednesday, March 15, 2017 4:53 PM
To: Julie S. Nicoll
Cc: CSD - Nolan Davidson; CSD - Rhonda Vogelzang
Subject: RE: Concrete Nor'West Project

Thank you Julie. I have been intending on calling you to discuss your earlier email to me regarding contact with City staff. I will do so in a day or two.

When your email arrived, I was working on a letter to you. Your letter addressed some of the questions that I was working on in the letter. My clients have additional comments regarding the improper notice and that defect also denying their rights under the SEPA process. My clients will have more comments regarding the proposal, and believe that a new SEPA threshold determination is necessary, and that the MDNS must be withdrawn now.

The County issued the MDNS in May of 2016—more than six (6) months *prior* to the Notice of Development Application ("NDA") issued in compliance with the County Code. Effectively, the landowners who were entitled to receive the NDA in March were unaware of the MDNS until months after it was issued denying these land owns the right to comment and the right to pursue an administrative appeal of the MDNS within the prescribed time period. Furthermore, there is nothing in the revised NDA indicating that environmental review has been completed. The NDA did indicated that an environmental checklist had been submitted which leaves one to believe that a SEPA threshold determination would be forthcoming. In essence, the defective notice that undermined the NDA issued in March of 2016 continues to undermine the MDNS and renders it invalid.

The SCC clearly contemplates that a SEPA threshold determination such as an MDNS *must follow* a properly issued NDA (unless the two are combined under SCC 14.06.070). For example, SCC 16.12.110, which governs the MDNS determination, provides that an applicant may request early notice of whether a determination of significance ("DS") is likely—but such request must be made *after* the submission of a permit application (and by extension the corresponding NDA), and *before* the County's threshold determination. This is impossible if the County makes its threshold determination prior to properly issuing the NDA.

More fundamentally, a threshold determination must follow an NDA so that the general public and the parties notified pursuant to the NDA may identify their interest and participate in the SEPA process. As we noted in our previous letter, the Washington Supreme Court has described SEPA as an "environmental full disclosure law." *Norway Hill Pres. & Prot. Ass'n v. King Cty. Council*, 87 Wn.2d 267, 272, 552 P.2d 674, 677 (1976). This policy of full disclosure is obstructed if a SEPA threshold determination is made prior to the NDA since interested parties may not learn of the SEPA determination until after their opportunity to challenge it has expired.

This is precisely the issue in our case, our clients as interested neighbors, including some who were deprived of proper notice of the application originally, were thereby also deprived of the opportunity to comment on or challenge the SEPA threshold determination. If our clients had been properly provided with the NDA as required by SCC 14.06.150, they would have had the opportunity to submit a request to be notified of any

SEPA threshold determination prior to its issuance and, more importantly, they would have had the opportunity to file an administrative challenge the MDNS, if they so desired. The County's failure to follow notice requirements for the NDA prevented our clients from exercising their right to comment on and appeal the MDNS. For these reasons, we request that the County formally and immediately withdraw the MDNS and recommence the SEPA review process for the CNW permit applications.

Jon Sitkin
Chmelik Sitkin & Davis P.S.
1500 Railroad Ave.
Bellingham, WA
98225

e: jsitkin@chmelik.com
d: 360.306.3007
p: 360.671.1796 ext. 214
f: 360.671.3781

Legal Assistant to Jon Sitkin is Rhonda Vogelzang at ext. 211

Confidential Communication:
Attorney-Client Privileged and
Attorney Work Product

From: Julie S. Nicoll [mailto:julien@co.skagit.wa.us]
Sent: Wednesday, March 15, 2017 4:38 PM
To: CSD - Jon Sitkin <jsitkin@Chmelik.com>; 'Mbray1107@gmail.com' <Mbray1107@gmail.com>
Cc: John Cooper <johnc@co.skagit.wa.us>; Dale Pernula <dalep@co.skagit.wa.us>; 'Dan.Cox@miles.rocks' <Dan.Cox@miles.rocks>; 'BLynn@gth-law.com' <BLynn@gth-law.com>
Subject: Concrete Nor'West Project

Mr. Sitkin and Ms. Bray,

Please find the attached letter and enclosure regarding the Concrete Nor'West project. Please do not hesitate to contact me with any questions.

Thank you,

Julie Nicoll

Deputy Prosecuting Attorney
Skagit County
Civil Division – Planning & Development Services
(360) 416-1638

John Cooper

From: Dan Cox <Dan.Cox@miles.rocks>
Sent: Monday, March 20, 2017 10:58 AM
To: 'Martha Bray'
Cc: Commissioners; Dale Pernula; Dan Berentson; 'Linda Walsh'; John Cooper; john@semrau.com; Brad Barton; 'Lynn, Bill'
Subject: RE: Invitation to Community Meeting 3/29/17 regarding proposed gravel mine

Martha,

The County has requested some additional information from us and we will be responding to that request through our consultants. We will not be participating in your meeting, but do look forward to addressing your concerns and questions when the public hearing is scheduled.

Sincerely,

MILES SAND & GRAVEL

DAN COX
LAND USE / ENVIRONMENTAL / SAFETY
Direct: 360.757.3121
Mobile: 360.770.0494
P.O. Box 280 • Mount Vernon, WA 98273-0280
WWW.MILES.ROCKS

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Tuesday, March 14, 2017 1:50 PM
To: 'John Cooper' <johnc@co.skagit.wa.us>; Dan Cox <Dan.Cox@miles.rocks>
Cc: commissioners@co.skagit.wa.us; dalep@co.skagit.wa.us; danb@co.skagit.wa.us; 'Linda Walsh' <walshL2006@hotmail.com>
Subject: Invitation to Community Meeting 3/29/17 regarding proposed gravel mine

Dear John Cooper and Dan Cox;

I am writing on behalf of a group of local residents in regard to the proposed gravel mine near Grip and Prairie Road. As you know there is considerable concern about this proposal in our neighborhood; community members have many unanswered questions, and do not know if their concerns are being addressed or taken seriously.

We respectfully request your attendance at a Community Meeting on Wednesday March 29th at 6:30 to 8:30PM at Samish Elementary School (located at the corner of Prairie Road and State Route 9).

The purpose of the meeting is to inform the community of the status of the proposal, answer our questions, and to give people a chance to talk directly with County officials and CNW representatives about their concerns. At our expense, we are hiring an independent facilitator (Max Collette) to ensure that we have a productive and respectful discussion.

After months of comment submission with no substantive information forthcoming, it's time to for the County and Concrete Nor'West to speak directly to the community about this proposal. We feel this meeting is separate and different from any forthcoming public hearing, and could in-fact help clear up misunderstandings and misinformation. It serves no one to keep the public in the dark, and we have a right to be truly informed in advance of a formal hearing.

We ask that a representative from County Planning as well as Public Works attend this meeting since many of our concerns are related to traffic and roads.

So that we can plan appropriately, please let us know as soon as possible if representatives will be attending, and if so who. **If we do not hear from you by Friday March 24th, we will assume that you and/or your representatives will not be attending.**

Please let me know if I can answer any questions. Thank you for your time and consideration.

Sincerely,

Martha Bray

RECEIVED
MAR 22 2017
SKAGIT COUNTY
PDS

MILES
SAND & GRAVEL

OFFICE: 360.757.3121
FAX: 360.757.3816

PO Box 280
Mount Vernon, WA 98273-0280

March 20, 2017

Via E-mail: Johnc@co.skagit.wa.us

Skagit County Planning and Development Services

Attn: John Cooper

1800 Continental Place

Mount Vernon, WA. 98273

RE: March 14, 2017 Request for Additional Information (PL16-0097)

Dear Mr. Cooper,

Thank you for your March 14, 2017 letter request for additional information relative to the above noted application. We are in the process of gathering the requested supplemental information, and are relying on consultants for several of the items. If there is a hard deadline for our reply, please advise me of that, otherwise we will provide the information as soon as we are able.

Please contact me if there are other issues that should be addressed at this time.

Sincerely,

Dan Cox

Environmental, Land Use & Safety Manger

John Cooper

From: Dan Cox <Dan.Cox@miles.rocks>
Sent: Monday, March 20, 2017 11:28 AM
To: John Cooper
Cc: 'BLynn@gth-law.com'; 'john@semrau.com'; Brad Barton
Subject: RE: CNW Request for additional information
Attachments: 3-20-17 Reply Skagit County.pdf

John,

Attached please find our response to the request for additional information.

Thank you,

MILES SAND & GRAVEL

DAN COX
LAND USE / ENVIRONMENTAL / SAFETY
Direct: 360.757.3121
Mobile: 360.770.0494
P.O. Box 280 • Mount Vernon, WA 98273-0280
WWW.MILES.ROCKS

From: John Cooper [mailto:johnc@co.skagit.wa.us]
Sent: Wednesday, March 15, 2017 3:00 PM
To: Dan Cox <Dan.Cox@miles.rocks>; 'BLynn@gth-law.com' <BLynn@gth-law.com>; 'john@semrau.com' <john@semrau.com>
Subject: CNW Request for additional information

Please find attached our letter request for additional information for the Concrete Nor'West Grip Road gravel mining proposal.

Sincerely,

John Cooper, LG. LHg
Senior Natural Resource Planner/Geologist
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
www.skagitcounty.net/planning
Ph 360-416-1334
johnc@co.skagit.wa.us

John Cooper

From: Paula Shafransky <pshafransky@gmail.com>
Sent: Wednesday, April 05, 2017 5:05 PM
To: John Cooper
Subject: EIS

Dear Mr. Cooper,

I am writing to request a full environmental impact statement/review be done on the proposed open pit gravel mine near Grip and Prairie Roads. Thank you for your consideration in this matter.

Sincerely,
Paula Shafransky

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Wednesday, March 08, 2017 4:02 PM
To: John Cooper
Subject: FW: PDS Comments

From Dept Email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Wednesday, March 08, 2017 3:40 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Linda Parks
Address : 5402 Parkridge Pl
City : Sedro Woolley
State : Washington
Zip : 98284
email : dldmm@yahoo.com
Phone : 9713370581
PermitProposal : Permit PL16-0097
Comments : To whom it may concerned.

I am very concerned with the Concrete NW gravel operation proposed off Grip Road, Permit PL16-0097.

Issues are 24 hour operation, noise, property values, road upkeep, road improvements that would be needed, road and accident safety, car damage from gravel, school bus safety. .
I would like to your attention this is an old highway that has many curves that are quite small and short to next turn.
Your traffic figures are old, you cannot compare July 2013 to today. There has been increase of traffic every year as I have driven this way every time I go to town, work, or anywhere.
I do not believe you have considered the severe traffic concerns that will occur and probably increase in severe traffic accidents with large Trucks holding tons of gravel.
Your map does justly show the short quick curves on Prairie Road as it comes off Highway 99 going to the cite from I5.
There are school Buses and left hand turn off Prairie Road to Parkridge lane just after the curves as trucks cross highway and enter Prairie Road
This is our only access to this large neighborhood and School Buses pick up and drop off here as well as other

homes which driveways are left and right turns for access.
Also, I question that the bridge going over the Friday Creek will stay in good condition and can support the continual traffic of Gravel trucks carrying their 34 ton each loads of gravel daily.
The sharp turns and bridge as well as the condition of this road will definitely need continual additional upkeep and improvements for safe travel.
Safety and accident concerns me greatly, Road signs and speed limits are also a concern, in a short distance it goes from 15 mph to 35 mph to 50 mph just before this left on Parkridge lane where all the residents as well as school buses continually pull in and out to access our homes.
The large number of gravel trucks will assuredly create many broken windshields and dented vehicles, this also will cost the county plenty of money should they not address this as well as possible accidents with the slowing and stopping of cars to make turns off this highway to access property. Several times I have had small car drivers don't see (especially in fog) or ignore my left blinker signals as they speed up to 50 MPH and almost miss hitting me or end up passing me on the road on the left as I am getting ready to turn left; what about a large truck with a huge load of gravel that is beginning to accelerate? Or if someone's blinker happens to go out for turn signal? I cannot imagine a large truck just starting to accelerate; trying to hit the brakes for those of us and school buses as they stop to make our left hand turns into Parkridge lane (and other driveways). I know occasionally gravel trucks drive road to take to individuals, but it is not common or often, so I think drivers would be more careful when not familiar with the road. However, as a daily driving of multiple large loaded trucks; Is the county going to maintain the road for safety and signs to ensure prevention of accidents, and have some kind of an indemnify plan families if injuries and or loss of life created due to this Gravel pit heavy load trucks traveling daily on the road?

The noise with explosives (explosives at some future date) and gravel will definitely impact our property values.
These will be daily noise when I try to sell our property people will not want to purchase in this area.
Many of us have high end homes and are planning to sell for retirement within the next 3-5 years; Is the counting willing to compensate the property owners for loss of value and buy our homes for the value they should have sold for if no-one will buy our property due to this gravel pit? This could have a huge financial impact to those of us including ourselves. Our property taxes are too high to afford to maintain and live in this area during retirement and I cannot afford this financial impact! There needs to be payment to property owners and guarantee for those who fall in this category if you allow this Gravel Pit to open!

I know there are many other concerns; the above are the main issues I have with this Concrete NW gravel operation. I just found out recently and your first meeting for public comment is already past. This is such a short period to notify of concerns and to top that off it is after you allowed years of planning (your planning for road volume is from 2013). That seems a little dishonest for the people living in the area! Is this going to end up like a typical bureaucratic procedural thing the county does and then the county just bypass neighbor concerns and does not put in place indemnification plans? I hope that is not what happens with this proposed Gravel pit!

Concerned Citizen,
Linda Parks

From Host Address: 75.233.105.64

Date and time received: 3/8/2017 3:35:14 PM

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Wednesday, April 12, 2017 2:35 PM
To: John Cooper
Cc: 'linda wa'
Subject: status of CNW Gravel mine proposal

Hello John,

I am checking in on the status of the CNW Grip Road gravel mine project. Have you heard anything from CNW since your March 14, 2017? Do you know when you might expect the additional information from CNW that was requested, and what the SEPA review timeline might look like from this point forward?

Also, we continue to believe, based on our reading of the County Road Standards** (shown below), that at least a Level I Traffic Impact Analysis should be required. If it is not being required, what is the rationale for this decision? Your March 14 letter cites "additional traffic models and road tests" that Public Works is going to do. But how do we know what work is actually being done, and how do we access that information in a format that makes sense? How can community members know if our questions are being addressed when there is so little public information provided on this key topic?

I appreciate your time and consideration.

Thank you,
Martha Bray

**County Road Standards 2000, incorporated into SCC 14.36 by reference:

4.00 TRAFFIC ANALYSIS
All applications for land division and changes of land use shall include sufficient data to determine the amount of additional traffic generated by the development. Such data shall also be used as a guideline for access road and/or driveway requirements.

4.01 Traffic Impact Analysis
The purpose of a Traffic Impact Analysis (TIA) is to:
A. Determine the safety impacts a particular development will have on the regional road network;
B. Establish whether the development will meet the County's level of service standards as adopted within the County's Comprehensive Plan;
C. Determine mitigating measures necessary to alleviate safety issues and to meet the adopted level of service standards;
D. Developments that are small and generate less than 25 AM or PM peak hour trips may be reviewed for concurrency without an in-depth TIA by identifying influence zones for roads that are approaching or have exceeded their capacity.

4.02 Level of Analysis and Warrants
A. A Level I TIA (trip generation and distribution study) shall be required if any one of the following warrants are met:
1. The project generates 25 or more PM peak hour trips; or
2. The project is not categorically exempt under the County's SEPA provisions in Skagit County Code Chapter 14.12
A Level I TIA may be required by the County to determine the need and

scope of a Level II TIA. A level I TIA shall be expanded to a Level II TIA if any of the Level II warrants are met.

B. A complete Level II TIA shall be required if the project generates more than 50 peak hour trips and any one of the following warrants is met:

1. The development is within the Urban Growth Area and there is not an interlocal agreement with the city to use city design standards;
2. The development is within the Urban Growth Area and a TIA is required by the city where there is an interlocal agreement for the use of city design standards between the city and the County;
3. The development will generate 100 or more AM or PM peak hour trips within the rural areas as defined by the Urban Growth Boundary;
4. The County has required that an Environmental Assessment or Impact Statement be prepared;
5. A rezone of the subject property is being proposed;
6. If there exists any current traffic problems in the local area as identified by the County or a previous traffic study has identified high accident locations, poor roadway alignment or capacity deficiencies.
7. The current or projected level of service of the roadway system in the vicinity of the development will exceed County adopted level of service standards.

John Cooper

From: website
Sent: Sunday, April 16, 2017 10:40 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Jonathan Fish
Address : 5043 Wildlife Acres Lane
City : Sedro-Woolley
State : WA
Zip : 98284
email : jfish326@gmail.com
Phone : 3607089526
PermitProposal : Special Use Permit Application PL16-0097
Comments : We own property adjacent to the proposed gravel pit and are very concerned about the impact this will have on our quality of life, property values, and safety on local roads. Additionally we are very concerned about the environmental impact of this area. To this end, we would like for the county to reconsider its decision not to ask for a full environmental impact statement. We believe that this decision is extremely short sided. Please order a formal EIS before this project proceeds any further.
Thank you,
Jonathan Fish

From Host Address: 162.72.158.1

Date and time received: 4/16/2017 10:39:09 PM

John Cooper

From: website
Sent: Sunday, April 16, 2017 8:55 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Charles Michael Schultz
Address : 2302 20th PL
City : Anacortes
State : WA
Zip : 98221
email : tbcschultz@comcast.net
Phone : (360) 293-3098
PermitProposal : PL16-0097; Concrete NW Gravel Mine on Grip Road
Comments : I request that the County require an EIS for the proposed gravel quarry. My primary concern is road safety, both for vehicle drivers/passengers and for bicyclists. Secondary concerns that an EIS should address are impacts to the ground water/storm water in the area of the mine.

Thank you.

From Host Address: 174.61.143.71

Date and time received: 4/16/2017 8:50:50 PM

John Cooper

From: PDS comments
Sent: Monday, April 17, 2017 1:44 PM
To: John Cooper
Subject: FW: Gravel mine

-----Original Message-----
From: David Goehring [mailto:davidgoehring@gmail.com]
Sent: Monday, April 17, 2017 1:00 PM
To: PDS comments
Subject: Gravel mine

I am one of the county residents who will be impacted by the proposed gravel mine in the Samish River valley. In fact I am the one resident who has already been impacted to the tune of a $1500 car repair bill when I was side-swiped while parked alongside Grip Road at one of the community meetings held to discuss this proposal. I was stuck with a cheap rental car almost all winter.

My neighbors tell me we should be respectful when submitting comments to the county, but it is getting increasingly difficult to do so frankly. I feel as if the county should be the entity showing more respect here. It is the county after all that was ready to approve this proposal, endangering the lives of every one of us who use either Grip Road, Prairie Road, or both, without even bothering to notify us. I have now been informed that the county is conducting its own traffic analysis rather than commissioning an independent study. This is not acceptable. Personally, I feel as if one drive up and down Grip and out onto Prairie should be enough to convince any reasonable person of the dangers of this proposal. If we are going to expend our tax dollars to determine that the obvious is true, however, then this should be done by independent experts, not by the county themselves. If the proposal were to be approved without having an independent traffic study performed, the county would bear significant liability when the inevitable collisions occur, especially after they have been publicly warned.

I am also very disappointed that an EIS has not yet been required as a condition of this permit. We are talking about a 600+ acre mining site adjacent to one of the most productive salmon streams in Washington State. I have been a supporter of all of the efforts that have been made to clean up the Samish River, even though I have to pay more for septic inspections than other residents in the watershed, and I am disturbed that my county government would even consider approving something like this proposal without an EIS. It really saddens me actually that my county is not more environmentally conscious.

I frankly don't care that this area is zoned for resource extraction, or how much money the gravel company has spent to acquire this land. If the gravel can't be extracted without harming the environment, and without physically endangering the local residents, then the mine proposal shouldn't be approved. The fact that the gravel company couldn't even be bothered to attend the most recent community meeting, after they were invited to do so, tells me all I need to know about how much they care about our concerns.

David Goehring
20002 Double Creek Lane
Sedro Woolley
360-661-0818

John Cooper

From: website
Sent: Monday, April 17, 2017 4:45 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Andrea Garcia
Address : 22199 Grip RD
City : Sedro Woolley
State : WA
Zip : 98284
email : garcia4@wavecable.com
Phone : 360/982/1715
PermitProposal : PL 16-0097
Comments : Dear John,

We have lived on Grip Road for 20 years. This is where my children have been and are currently being raised. This is a safe, quiet community.

My daugher (17 years old) jogs, as well as drives, on Grip and the surronding roads. My son (13 years old) rides his bike to friend's houses on Grip Road. Often times, during the summer, they will ride down to Samish River for an afternoon of swimming. I am an expert on this community and I don't want the safety or peacefulness, of my community, destroyed by Concrete Northwest.

Some of my concerns are as follows:
1. Road safety, and destruction to the road created by large trucks, especially on Grip Road. There are no fog line strips. It's a struggle to keep vehicles from using the unpaved outside edges of the road. Yet, many vehicles do use the unpaved gravel/dirt edges of the road creating a problem for our ditches, which in turn, during the rainy season, creates large pools/rivers of water on roadways. As for road safety isn't it obvious, there are many 90 degree twists and turns on Grip Road how can a double trailer, empty or full, navigate this without using the oncoming lanes? Impossible! Not to mention the exit onto Prairie Road from Grip Rd. Only a fool would think this was safe! A full traffic impact study must be done by an independent consultant.

2. The environment! Good grief, I have to have my septic system inspected every three years, to the tune of a couple of hundred dollars, and now it's okay for a gravel pit, full of equipment running oil and diesel fuel to be digging into my water table, polluting Samish Creek and various other creeks? This is unacceptable, it is recipie for disaster. Our community cares about the preservation of the Samish Creek. This is a salmon safe area and we would like to keep it that way. A full enviromental impact statement must be done, how could it NOT be done? My environment will be impacted as well as my natural environment.

3. What about my property values? How do you think a 50-700 acre mine will affect my property value? Increase or decrease? This mine will bring noise, vibration, traffic, destruction of roads, destruction of wildlife, and destruction of the peaceful gentlemen farmer's community that we live in.

We do not want a 50-700 acre gravel pit in our backyard! Would you?

Andrea Garcia

John Cooper

From: website
Sent: Monday, April 17, 2017 2:05 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Nancy Swalling
Address : 22649 Grip Rd
City : Sedro-Woolley
State : WA
Zip : 98294
email : swalling@wavecable.com
Phone : 360 856-6549
PermitProposal : Proposed Grip Rd Gravel Mine
Comments : I am requesting a complete EIS on this project as it will directly effect my life style and possibly my safety.

From Host Address: 204.195.10.178

Date and time received: 4/17/2017 2:03:52 PM

John Cooper

From: website
Sent: Monday, April 17, 2017 3:20 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Dale R. Abbott
Address : P.O. Box 804
City : Burlington
State : WA
Zip : 98233
email : d_abbott@hotmail.com
Phone : 360-856-0418
PermitProposal : PL16-0097
Comments : I have serious concerns about the potential impact that the proposed Concrete Norwest mine (Special Use Permit Application PL16-0097) will have on the environment of the Samish River drainage system. In particular, I am disturbed by the proximity of the mine to the river itself and whether the 200 ft. setback is sufficienct to protect the groundwater and surface run-off from entering the Samish (particularly during heavy rainstorms). Then there is the effect this mine will have on the indiginous wildlife of that area. I have seen a bobcat within half a mile of the proposed mine, and my neighbor has seen cougar within a mile of the mine. Of course deer, raccoons, opposums, bald eagles, great blue herons, red tailed and sharp shinned hawks, barn and barred owls are frequently seen in this area as well as western tanagers, piliated woodpeckers, Steller's jays and more. In the 25 years that I have lived on Prairie road, I have seen all of those critters on my property which is located within 1 mile of the proposed mine.
I wonder what all the truck oil, gasoline fumes, grease, exhaust, noise, and dust will do to this region. In addition to all the heavy truck traffic on those narrow roads which are not built to handle heavy commercial traffic, I understand that the mine operators will be hauling 20+ water trucks daily to the mine site since they are prohibited from drilling a well for water there. Presumably they will also have to haul human waste and garbage away from the work site, and that will entail additional truck traffic and the potential for toxic spills.
It is only a matter of time before the operators will decide to request a transfer of water rights from some other property they own in the area to this new mine, and we all know that there is a big difference between locations in a river drainage when considering the hydrology. Pulling water from their pit on the west side of I-5 would clearly not have the same impact as pulling water from upriver at the proposed mine site. Although they claim that they will not try to obtain groundwater rights, they have a history of requesting and receiving a transfer of water rights from one location to another, and I believe that we need to know now what kind of impact that would have on the river system in anticipation of their request in the future.
When will the county need to replace the old bridges in this area after heavy truck traffic has worn them down? How much will that cost? It is clear to me that the Samish River bridges at F&S and Grip roads will be particularly affected.
For these reasons I believe that the county should request that a full and complete Environmental Impact Statement before giving final approval for the proposed Concrete Norwest Samish gravel mine. Thank you for your consideration.

Sincerely,

Dale R. Abbott
22290 Prairie Road
Sedro-Woolley, WA 98284

John Cooper

From: website
Sent: Monday, April 17, 2017 11:05 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Paula Shafransky
Address : 22461 Prairie Road
City : Sedro Woolley
State : WA
Zip : 98284
email : pshafransky@gmail.com
Phone : 3608561637
PermitProposal : Permit Application PL16-0097
Comments : I am asking the county to require an environmental impact statement for the proposed Grip Road gravel mine.
Thank you for your consideration in this matter.

From Host Address: 24.113.225.148

Date and time received: 4/17/2017 11:00:48 AM

Name: John W. Day
Address: 6368 Erwin Ln.
City: Sedro-Woolley
State: WA
Zip: 98284
email: jday0730@gmail.com
Phone: 360-856-0644
Permit Proposal: Concrete Nor'west Gravel Operation Near Grip Road, Special Use Permit Application PL16-0097

Skagit County Senior Planner John Cooper's letter dated March 14, 2017 to Concrete Nor'West (CNW) is a step in the right direction with regard to the additional information it requires CNW provide for its Grip Road gravel mine application, but it still falls far short of the mark. Given the potential significant environmental impacts associated with the proposed mine, Skagit County should **require that the applicant prepare a full Environmental Impact Statement (EIS)**. At a minimum, these impacts include traffic and road safety, damage to streams and wetlands, impacts associated with upgrading the private access road to meet county standards, onsite hazardous materials storage, disturbance/damage to cultural resources, offsite noise and dust pollution, hours of operation, the potential future expansion of the mine to include more of CNW's contiguous ownership in the Mineral Resource Overlay, and the potential future addition of gravel processing to the project.

With regard to traffic and road safety, Cooper's letter includes the following statement:

> As you know, the second public comment period for Concrete Nor'West's gravel mining application has resulted in over one hundred comment letters. The comments indicated great concern about truck traffic and road safety. To address these concerns, Skagit County Public Works will run additional traffic models and road tests to ensure compliance.

I very much appreciate that Skagit County PDS is now paying attention to the concerns of local residents with regard to the traffic and road safety implications of CNW's proposed gravel mine. However, I believe that the above statement is seriously flawed. Given the significance of the traffic and road safety concerns in conjunction with the other potential impacts of the mine, Skagit County needs to require that Concrete Nor'West provide a Level II Traffic Impact Analysis per Skagit County Road Standards (2000).

Skagit County Road Standards (2000) 4.00, Traffic Analysis, states as follows:

> All applications for land division and changes of land use shall include sufficient data to determine the amount of additional traffic generated by the development. Such data shall also be used as a guideline for access road and/or driveway requirements.

Under 4.02, Level of Analysis and Warrants, the regulation states that if the project is not categorically exempt under the County's SEPA provisions in Skagit County Code Chapter 14.12, at least a Level I Traffic Impact Analysis (TIA) is required. It goes on to state that the Level I TIA shall be expanded to a Level II TIA if **any** of the Level II warrants are met. Included in the Level II warrants are the following:

4. The County has required that an Environmental Assessment or Impact Statement be prepared;

6. If there exists [sic] any current traffic problems in the local area as identified by the County or a previous traffic study has identified high accident locations, poor roadway alignment or capacity deficiencies.

7. The current or projected level of service of the roadway system in the vicinity of the development will exceed County adopted level of service standards.

I believe that warrant numbers 6 and 7 above are already met and, as stated previously, number 4 should also be met.

Another aspect of Cooper's statement that concerns me is that he says that "Skagit County Public Works will run additional traffic models and road tests to ensure compliance". Does this mean that Skagit County Public Works will conduct the required study for the project to meet its own Level II TIA requirements? If so, this should be clearly stated. On the other hand, why would Skagit County Public Works even conduct this work, presumably at county taxpayers' expense, when the burden of proof is clearly on the applicant? This makes no sense to me and raises the additional concern of a potential conflict of interest on the part of Public Works, which should be participating in the review of the applicant's submissions, not conducting work effectively on behalf of the applicant.

The time for half-measures with regard to this project application is over. Skagit County needs to step up NOW and really do its job.

John Cooper

From: website
Sent: Monday, April 17, 2017 8:00 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Frank L Phillips
Address : 22461 Prairie RdConcrete Nor
City : Sedro Woolley
State : WA
Zip : 98284
email : fphillips67@gmail.com
Phone : 3608561637
PermitProposal : PL16-0097
Comments : I am a concerned citizen living on Prairie within a mile of the proposed gravel mine by Miles sand and gtavel. I want a full EIS done to determine the full impact this mine will have on our community and our lives. I have enjoyed living in this area for over 25 years and now own our property. We are now retired and look forward to more good years living here, but I believe this mine will lower our hard earned property values, be cause of unwanted pollutions, and unsafe roads too drive on. In fact I will and think other neighbors will now go to Bellingham and Whatcom county to shop as to drive Prairie Rd into Burlington/Mt Vernon. This is tax revenue now leaving Skagit county. I also feel that Miles sand and gravel have future plans for this area and need to be transparent in these plans.

Thank you
Frank Phillips

From Host Address: 24.113.225.148

Date and time received: 4/17/2017 7:58:54 AM

John Cooper

From: website
Sent: Monday, April 17, 2017 7:55 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Jim Morrell`
Address : 22777 Nature View Dr
City : Sedro-Woolley
State : WASHINGTON
Zip : 98284
email : jmrrll@frontier.com
Phone : 3608549319
PermitProposal : Special Use Permit Application PL16-0097
Comments : I live in proximity of a gravel mine, off of Grip Road, proposed by Miles Sand and Gravel. I have grave concerns about the impact this mine would have on those of us in the surrounding area. Maintenance of water quality, wildlife, noise pollution, traffic on a poorly designed road are some of the concerns. As we live on a well, what is to insure the aquifer that supplies are well is going to be maintained and not breached? The quality of life that we have come to know could be tainted by such a mine and the above concerns. I am requesting that a full EIS (environmental impact statement) be done in order for this mine to receive a permit. There are too many concerns that have not been addressed by the county's permit application process.

Your consideration will be greatly valued.

Thank you,

Jim Morrell
22777 Nature View Dr.
Sedro-Woolley, WA. 98284
360/854-9319

From Host Address: 24.19.60.63

Date and time received: 4/17/2017 7:50:07 AM

John Cooper

From: PDS comments
Sent: Tuesday, April 18, 2017 6:52 AM
To: John Cooper
Subject: FW: Special Use Permit Application PL16-0097

From: Nadine Degolier [mailto:nadinedegolier@yahoo.com]
Sent: Monday, April 17, 2017 6:09 PM
To: PDS comments
Subject: Special Use Permit Application PL16-0097

Skagit County Planning and Development Services, April 17, 2017

I am writing to request that an Environmental Impact Statement be required for Concrete Nor'west for their planned sand and gravel pit near Prairie Road and Grip Road. Their permit application number (Special Use Permit Application PL16-0097).

I am Nadine M. DeGolier, 32620 – 80th Drive NW, Stanwood, WA 98292. I own property in Skagit County, Parcel # P 130919. My father, Elmer S. Wolf bought this property in 1948 and it has been in our family for 69 years. We border the Concrete Nor'west property and are downhill from them. I am very concerned about having a noisy gravel pit uphill from my property. I request that the Concrete Nor'west Environmental Impact Statement include a clear review of the following areas:

1. Road safety and damage to road infrastructure
2. Noise pollution and visual blight
3. Decline in property values and quality of life
4. Habitat degradation and impacts of wildlife
5. Groundwater, well-water and storm-water concerns

My father, Elmer S. Wolf farmed this property for 50 years and then he passed his 65 acres down to me and my brother and sister. We each own 20 acres and a 5 acre easement into the property. We each have plans to build on our property and pass the land on to our children. Our property is not "throw away" property that no one cares about. A large company should not be allowed to put a gravel pit right beside us and destroy the value of our property.

Thank you for your consideration,

Nadine DeGolier

32620 – 80th Drive NW

Stanwood, WA 98292

RECEIVED
APR 17 2017
SKAGIT COUNTY
PDS

Name: John W. Day
Address: 6368 Erwin Ln.
City: Sedro-Woolley
State: WA
Zip: 98284
email: jday0730@gmail.com
Phone: 360-856-0644
Permit Proposal: Concrete Nor'west Gravel Operation Near Grip Road, Special Use Permit Application PL16-0097

Skagit County Senior Planner John Cooper's letter dated March 14, 2017 to Concrete Nor'West (CNW) is a step in the right direction with regard to the additional information it requires CNW provide for its Grip Road gravel mine application, but it still falls far short of the mark. Given the potential significant environmental impacts associated with the proposed mine, Skagit County should **require that the applicant prepare a full Environmental Impact Statement (EIS)**. At a minimum, these impacts include traffic and road safety, damage to streams and wetlands, impacts associated with upgrading the private access road to meet county standards, onsite hazardous materials storage, disturbance/damage to cultural resources, offsite noise and dust pollution, hours of operation, the potential future expansion of the mine to include more of CNW's contiguous ownership in the Mineral Resource Overlay, and the potential future addition of gravel processing to the project.

With regard to traffic and road safety, Cooper's letter includes the following statement:

> As you know, the second public comment period for Concrete Nor'West's gravel mining application has resulted in over one hundred comment letters. The comments indicated great concern about truck traffic and road safety. To address these concerns, Skagit County Public Works will run additional traffic models and road tests to ensure compliance.

I very much appreciate that Skagit County PDS is now paying attention to the concerns of local residents with regard to the traffic and road safety implications of CNW's proposed gravel mine. However, I believe that the above statement is seriously flawed. Given the significance of the traffic and road safety concerns in conjunction with the other potential impacts of the mine, Skagit County needs to require that Concrete Nor'West provide a Level II Traffic Impact Analysis per Skagit County Road Standards (2000).

Skagit County Road Standards (2000) 4.00, Traffic Analysis, states as follows:

> All applications for land division and changes of land use shall include sufficient data to determine the amount of additional traffic generated by the development. Such data shall also be used as a guideline for access road and/or driveway requirements.

Under 4.02, Level of Analysis and Warrants, the regulation states that if the project is not categorically exempt under the County's SEPA provisions in Skagit County Code Chapter 14.12, at least a Level I Traffic Impact Analysis (TIA) is required. It goes on to state that the Level I TIA shall be expanded to a Level II TIA if **any** of the Level II warrants are met. Included in the Level II warrants are the following:

4. The County has required that an Environmental Assessment or Impact Statement be prepared;

6. If there exists [sic] any current traffic problems in the local area as identified by the County or a previous traffic study has identified high accident locations, poor roadway alignment or capacity deficiencies.

7. The current or projected level of service of the roadway system in the vicinity of the development will exceed County adopted level of service standards.

I believe that warrant numbers 6 and 7 above are already met and, as stated previously, number 4 should also be met.

Another aspect of Cooper's statement that concerns me is that he says that "Skagit County Public Works will run additional traffic models and road tests to ensure compliance". Does this mean that Skagit County Public Works will conduct the required study for the project to meet its own Level II TIA requirements? If so, this should be clearly stated. On the other hand, why would Skagit County Public Works even conduct this work, presumably at county taxpayers' expense, when the burden of proof is clearly on the applicant? This makes no sense to me and raises the additional concern of a potential conflict of interest on the part of Public Works, which should be participating in the review of the applicant's submissions, not conducting work effectively on behalf of the applicant.

The time for half-measures with regard to this project application is over. Skagit County needs to step up NOW and really do its job.

RECEIVED
APR 19 2017
SKAGIT COUNTY
PDS

Skagit County Planning and Development Services, April 17, 2017

I am writing to request that an Environmental Impact Statement be required for Concrete Nor'west for their planned sand and gravel pit near Prairie Road and Grip Road. Their permit application number (Special Use Permit Application PL16-0097).

I am Nadine M. DeGolier, 32620 – 80th Drive NW, Stanwood, WA 98292. I own property in Skagit County, Parcel # P 130919. My father, Elmer S. Wolf bought this property in 1948 and it has been in our family for 69 years. We border the Concrete Nor'west property and are downhill from them. I am very concerned about having a noisy gravel pit uphill from my property. I request that the Concrete Nor'west Environmental Impact Statement include a clear review of the following areas:

1. Road safety and damage to road infrastructure
2. Noise pollution and visual blight
3. Decline in property values and quality of life
4. Habitat degradation and impacts of wildlife
5. Groundwater, well-water and storm-water concerns

My father, Elmer S. Wolf farmed this property for 50 years and then he passed his 65 acres down to me and my brother and sister. We each own 20 acres and a 5 acre easement into the property. We each have plans to build on our property and pass the land on to our children. Our property is not "throw away" property that no one cares about. A large company should not be allowed to put a gravel pit right beside us and destroy the value of our property.

Thank you for your consideration,

Nadine DeGolier

Nadine DeGolier
32620 – 80th Drive NW
Stanwood, WA 98292

John Cooper

From: website
Sent: Tuesday, April 18, 2017 11:45 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Dian Jahn
Address : 4501 Fidalgo Bay Rd, 901
City : Anacortes
State : WA
Zip : 98221
email : dian.jahn@gmail.com
Phone : 425-830-5381
PermitProposal : PL16-0097
Comments : To revise my comments, I feel it is VERY important and necessary to require a full Environmental Impact Study for the proposed Gravel Pit located in the Grip and Prarie Roads in Skagit County...I made an typo error in my first response.

From Host Address: 73.239.34.238

Date and time received: 4/18/2017 11:44:48 AM

John Cooper

From: website
Sent: Tuesday, April 18, 2017 11:40 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Dian L Jahn
Address : 4501 Fidalgo Bay Rd, 901
City : Anacortes
State : Wa
Zip : 98221
email : dian.jahn@gmail.com
Phone : 425-830-5381
PermitProposal : PL16-0097
Comments : I do not feel there is sufficient concerns for safety of motorists, cyclist and pedestrians (especially school children/bus) to implore Skagit County to require a full Environmental Impact Statement (EIS), before they make any further decisions about proposed gravel mine near Grip and Prairie Roads.

From Host Address: 73.239.34.238

Date and time received: 4/18/2017 11:39:07 AM

John Cooper

From: website
Sent: Tuesday, April 18, 2017 12:30 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Donald James Allgire
Address : 1607 Birch Court
City : Mount Vernon
State : Wa
Zip : 98274
email : dkallgire@hotmail.com
Phone : 360-421-2630
PermitProposal : PL 16-0097
Comments : I request a EIS be required for this permit. We lived at 17939 Valley Ridge Lane near the Meridian Rock Quarry from 1993 until 2004. We were assured by a Quarry Representative at an open house that the quarry would close and be turned into a park by about 2005. The state would not allow my wife, Karolyn Allgire , to volunteer to clean the shoulders of the road because it was too dangerous. As of 2017 the Quarry is still in operation.
The proposed quarry,stands to create hazards for Bicyclists and motorists with no long turn plan. Please do not rubber stamp this as having no significant impact.

From Host Address: 107.77.205.92

Date and time received: 4/18/2017 12:27:35 PM

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Wednesday, April 19, 2017 8:29 AM
To: John Cooper
Subject: FW: PDS Comments

From Dept Email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Tuesday, April 18, 2017 6:20 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Timothy P. Merriman
Address : 4214 State Route 9
City : Sedro Woolley
State : Wa
Zip : 98284
email : timothy.p.merriman@gmail.com
Phone : (360) 399-1750
PermitProposal : Special Use Permit Application PL16-0097 - Proposed Grip Road Gravel Mine
Comments : Please require a full Environmental Impact Statement (EIS) for the project.

Lummi Nation, Nooksack Tribe, Swinomish Tribe and Upper Skagit tribe should all be contacted regarding their former occupation of the location and burial grounds.

They should also be contacted regarding how this project might affect their treaty fishing rights.The Samish River contributes to the Salmon in the Puget Sound.

From Host Address: 24.113.228.154

Date and time received: 4/18/2017 6:19:53 PM

John Cooper

From: PDS comments
Sent: Wednesday, April 19, 2017 10:16 AM
To: John Cooper
Subject: FW: SUPA PL16-0097 Gravel Mine on the Samish River

From: normfranwasson@gmail.com [mailto:normfranwasson@gmail.com]
Sent: Wednesday, April 19, 2017 9:55 AM
To: PDS comments
Subject: RE: SUPA PL16-0097 Gravel Mine on the Samish River

It is extremely frustrating that you are not requiring Concrete Nor'west and Miles Gravel to provide an Environmental Impact Statement pertaining to the proposed gravel mine, SUPA PL16-0097, on the Samish River. I am neighbor, and owner of property that has been several generations in our family, downstream of this proposed pit and have some grave concerns about the safety of this mine. Here are some of my concerns.

As the depth of the mine will go below the surface of the Samish river how will that affect the water quality of our wells in the valley?

As the depth of the mine will exceed 90 feet and the mine is within 200 – 300 feet of the river can you guarantee that another disaster, like the slide at Oso, will not happen?

As for the terrible beating and wear on our road system from all of these extremely heavy trucks and trailers destroying the road surface, why will it be our, the property owners, responsibility to pay for road repair through our taxes?

As for the narrow, winding, no shoulder nature of Grip road and the blind intersection of Prairie road how will traffic safety be ensured?

What will be done to mitigate the decline of our property value by turning our quiet community into an industrial zone?

How will you justify the ongoing noise and air pollution produced by this pit?

What will be done to protect the wildlife in this area and the environment of Swede creek that flows into the Samish river that is designated a Salmon Bearing Stream?

Is your department in the business of *fast tracking* permits for big companies at the expense of the local landowners? If so, you should be ashamed.

If I do anything on my property I have to apply for more permits than you have required for this commercial operation.

Thank you for your time.

Norman Wasson
20836 Prairie Rd.
Sedro Wooley, Wa 98284
(360)724-5054

Sent from Mail for Windows 10

John Cooper

From: website
Sent: Wednesday, April 19, 2017 10:55 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Kristi Gorne
Address : 4840 Wildlife Acres Ln
City : Sedro Woolley
State : WA
Zip : 98284
email : kristi@nordictempcontrol.com
Phone : 6068738163
PermitProposal : PL16-0097
Comments : Please require NorWest Concrete to do an Environmental Impact Statement before allowing this gravel pit the go ahead.

I am concerned about our quality of life in that area, especially the roadways. The roadways are not the safest right now and after adding all of the long trucks it will be very unsafe. I used to drive a semi truck across country and I know that these trucks will tear up the roadways and make driving along Prairie Road very unsafe.

I am also concerned with the Samish River. Our property does not even set adjacent to the river but we had to go through some type of study and we also have to have our drain field inspected yearly. I do not understand why we are not worried about a gravel pit's impact on our river and creeks int he area when you are so concerned with how many dogs I run on our property.

I am very worried about the wildlife in our area too.

Please reconsider this and make sure that every area is covered before considering a gravel pit off of Grip Road.

From Host Address: 173.160.156.161

Date and time received: 4/19/2017 10:50:48 AM

John Cooper

From: website
Sent: Wednesday, April 19, 2017 9:45 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Kathleen Grimbly
Address : 4658 Blank rd
City : Sedro Woolley
State : WA
Zip : 98284
email : bluemoonexplore@gmail.com
Phone : 3608565622
PermitProposal : SUPA PL16-0097 Gravel mine
Comments : The scope, location and nature of this application deserves a full EIS. Unconsolidated glacial till of the entire area will be profoundly affected by deforestation, subsequent water percolation and destabilization. Bald Eagle populations using the river in winter may be night roosting here. The environmental assessments were conducted in March and July, when the eagles are not present. The Samish River supports all five species of salmonids and the federally listed Steelhead trout. Impacts to water quality, in the next 25 years and particularly for future generations need be considered. Finally, this property would make an excellent park in an under-served area. (Were it not for Squires Lake, there would be no substantial recreational trails in at least a 10 mile radius) Historic railroad beds offer potential for a beautiful trail system. And finally, finally, gravel trucks on this road system are a dangerous idea as the roads stand, and a dangerous idea with extensive, expensive modifications (at whose expense??) Improvements to facilitate the trucks would also support higher speed traffic through rural neighborhoods, where children ride bikes, horses, and everyone walks, BECAUSE THERE ARE NO PARKS OR TRAILS WHERE ONE CAN. A dangerous idea. Thank you for your consideration,

From Host Address: 24.113.226.6

Date and time received: 4/19/2017 9:40:46 AM

John Cooper

From: website
Sent: Wednesday, April 19, 2017 9:55 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Kathleen Grimbly
Address : 4658 Blank rd
City : Sedro Woolley
State : WA
Zip : 98284
email : bluemoonexplore@gmail.com
Phone : 3608565622
PermitProposal : SUPA PL16-0097 Gravel mine
Comments : Amendment re 10 mile radius statement: the Cascade trail and Alger mountain (slated to be clearcut) are recreational trail alternatives in a 5-7 mile radius

From Host Address: 24.113.226.6

Date and time received: 4/19/2017 9:50:04 AM

John Cooper

From: website
Sent: Wednesday, April 19, 2017 10:05 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Crystal Scheer
Address : 4868 Blank Rd
City : Sedro Woolley
State : W
Zip : 98284
email : crystalscheer@gmail.com
Phone : (360)630-5025
PermitProposal : PL16-0097
Comments : An environmental impact statement should most definitely be required for this proposed gravel mine for several very important reasons: road safety and damage to road infrastructure
noise pollution and visual blight
decline in property values and quality of life
habitat degradation and impacts on wildlife
groundwater, well-water and storm-water concerns

From Host Address: 50.35.48.169

Date and time received: 4/19/2017 10:00:33 AM

John Cooper

From: website
Sent: Wednesday, April 19, 2017 8:40 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Christy Jo Murdock
Address : 22081 Grip Road
City : Sedro - Woolley
State : WA
Zip : 98284
email : murdock@wavecable.com
Phone : 360-854-0124
PermitProposal : PL16-0097
Comments : Attn: Mr. John Cooper.
I am writing in concern to the proposed use of the gravel pit on Grip Road. My family and I have lived roughly 1 mile from the pit for 21 years. This is a very well used road for bicyclists, runners and walkers. During the spring and summer months this is a very popular area for bicyclists. There are several severe corners that require much caution for even normal sized vehicles. My question would be how will we assure that nobody is hurt with these large trucks on the road and the increased traffic? How in the world are these large trucks going to be able to stay in their lane on the sharp corners when most cars have a hard time doing so? These trucks will have to maneuver around mothers with strollers, teens that I see routinely run on these roads, folks that have been walking and picking up garbage for years, etc... I ask that you require an Environmental Impact Statement before issuing any permits. Thanks so much, Christy Murdock

From Host Address: 172.92.203.64

Date and time received: 4/19/2017 8:39:45 AM

April 21, 2017

To: Skagit Co. Planning Dept
Planner John Cooper 360-416-1320
RE: Miles Sand gravel & Mining, Lisa Inc.
Owners Jim & Lisa Kittilsby
PROJ FILE # PL16-0097 & PL16-0098 Mine 330'
Samish 20' elevation

Dear Mr. Cooper,

I called your office in late Jan. 2017 to gather information on PL16-0097 (see above) You stated things were going well in the process moving forward. When I asked you what SK. Co. Health dept. had to say about the gravel pit in so close a proximity to the Samish River? You said "they had no comment, so probably had no concerns on the issue." I was astounded by that as I live in the (Samish Low Flow Area) owners of property with in 1 mile have lived with great scrutiny over many years over what may filter into the Samish Water way. To learn within the next month the only POLLUTANT OF CONCERN is the Presence of fecal matter.

What about Chemical Toxins? This proposed gravel mine is skirted by the Samish River (or more accurately borders it in a large way. GAS? ANTIFREEZE? DIESEL? OIL? CARBON?

I am requesting a full & complete EIS report on these FILE P#S above.

Thank You Kathy Arentzen

EVERGREEN ISLANDS

April 27th, 2017

To: John Cooper
johnc@co.skagit.wa.us
Senior Planner
Skagit County Planning and Development Services.
1800 Continental Place
Mount Vernon, WA 98273

CC: Evergreen Islands Board of Directors

Re: Concrete Nor'west Gravel Operation near Grip Road.
Permit PL 16-0097

Dear Mr. Cooper,

The proposed gravel mine is a large project that will have impacts well beyond the site and its immediate neighbors.
It is our understanding that the initial SEPA process was defective and that the application process is in review.

Our concern is with the health of the salmon in the Samish River.
How will the gravel mine impact the salmon runs? Will there be pollution to water flowing through the Samish River?
To answer these questions we ask for an Environmental Impact Study (EIS) to be included in the application process.

Respectfully yours,

Wim Houppermans
Director, Evergreen Islands

Evergreen Islands Board of Trustees

Tom Glade
President

Brian Wetcher
Vice President

Brenda Lavender
Secretary

Kathryn Alexandra
Treasurer

Rich Bergner
Director

Wim Houppermans
Director

Patrick O'Hearn
Director

mailing address
P.O. Box 223
Anacortes WA 98221

web address
evergreenislands.org

tax deductions
Evergreen Islands is a 501(c)(3) organization. Your contributions are tax-deductible.

RECEIVED
MAY 03 2017
SKAGIT COUNTY
PDS

May 2, 2017

RE: PL 16-0097 Miles Sand and Gravel proposed gravel mine near Samish River

Dear Mr. Cooper,

I am writing again about the Concrete Nor'West / Miles Sand and Gravel proposal to develop a gravel mine near Grip and Prairie Roads and the Samish River. I am concerned not only about the proposal itself, but also the County's approach to evaluating it, and the lack of true engagement with the community over our very legitimate concerns. I appreciate that the County has required the applicant to provide more complete and consistent information. However, your March 14, 2017 letter to the applicant did not address some key issues. In addition, by just asking for a few items to be updated, I think it's likely that the 'new' application will look a whole lot like the old one, with yet another even more confusing layer added onto the original flawed version. This review process needs to be started over with a comprehensive evaluation of all of the potential impacts. It is obvious that the impacts will be significant. The different mitigation options need to be evaluated in enough detail for the County and the community to understand the real implications of this project, and the best path forward. The only way this can be done in a thorough and transparent way is to require a full Environmental Impact Statement (EIS).

Briefly, the issues not fully addressed it the March 14 letter include:

1) Traffic and Roads – why is this key issue still being evaluated in-house by Public Works instead of requiring the applicant to conduct a Traffic Impact Analysis as required by the County's Road Standards? Without a real study and written report by a qualified consultant, there is no way for us to access and evaluate the information, or to understand how our concerns are being addressed. The community is increasingly frustrated about this. We feel that we are being kept in the dark and our safety concerns are not being taken seriously.

2) Noise and Vibration – paragraph 2 of your letter implies that by limiting hours of operations and number of truck trips to 46/day, that noise, vibration and a host of other concerns will be adequately addressed. This is not the case. Much more needs to be done to mitigate noise impacts, especially from on-site operations.

3) Private Haul Road – your March 14 letter seems to offer the possibility that if the two-mile long private haul road is not be 'improved' near Critical Areas, that somehow the road would not have to be subject to environmental review. First, it is absurd to think that the haul road will not be 'improved' over the 25 year life of the mine with the volume of truck traffic planned.

Further, there are already letters of record from Tribal representatives and others stating that the existing condition of the road is not sufficient to protect Swede Creek. The volume of truck traffic on this road will significantly impact the surrounding environment regardless of whether or not the road is improved. There is a whole suit of environmental concerns associated with the haul road, not simply limited to adjacent Critical Areas. These include stormwater runoff, habitat destruction and fragmentation, wildlife migration, hydrological impacts, and more. This all needs to be considered through the EIS process.

This brings me to the most glaring problem with this proposal and the way the County is reviewing it. The applicant owns 700+ undeveloped acres at this site. Most of this property is within a Mineral Resource Overlay in the County's Comprehensive Plan. And yet, to date, the entire focus of the regulatory review has been on development of only fifty acres (about 7% of the whole ownership). It is reasonably foreseeable that the applicant will expand this mine. Why isn't the County asking what the full scope of development is on this site? It is simply not acceptable to present the first 'small' phase of development as a stand-alone project. This vastly under-reports the real impact of development on the site. And, it denies the community its right to participate in meaningful review. Even with the 50-acre proposal we face major issues regarding our quality of life, property values, public safety, and degradation of the natural environment-- and yet this is very likely just the beginning. An EIS must be required and it needs to consider the reasonably foreseeable development of the entire Miles Sand and Gravel ownership at this site.

Lastly, it is not acceptable to simply "address our concerns at the public hearing". We have heard this from Miles Sand and Gravel, and we have heard it from the County. We have asked for dialogue and real answers to our concerns, and we will continue to do so. We need responsive and transparent government, and we need Miles Sand and Gravel to start acting like a good neighbor.

Thank you for your time and consideration.

Sincerely,

Martha Bray
6368 Erwin Lane
Sedro Woolley, WA 98284

Cc: Commissioner Lisa Janicki
Dale Pernula
Ryan Walters

John Cooper

From: website
Sent: Tuesday, May 02, 2017 8:45 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Timothy P. Merriman
Address : 4214 State Route 9
City : Sedro Woolley
State : WA
Zip : 98284
email : timothy.p.merriman@gmail.com
Phone : (360) 399-1750
PermitProposal : Permit Application PL16-0097 - Concrete Nor'west Gravel Operation
Comments : I've watched Concrete Nor'west's use of State Route 9 when they are shuttling materials and in 30 minutes I have seen trucks going both north and south pass by my house. Sometimes they crossed paths in front of my house or passed in front of my house in rapid succession. My estimation is that they had at least three trucks working the shuttle all day long for many days. State Route 9 is designed to handle heavy trucks and we're used to them but Concrete Nor'west very noticeably increased the heavy truck use from normal.

Prairie Road residents and the residents on the other area side roads that Concrete Nor'west can use from the mine seldom see a heavy truck (usually a mover's truck for a new resident) and certainly nothing like Concrete Nor'west can generate. Two of their trucks can cross each other's paths on SR 9 without either truck resorting to the shoulder of the road but is that true of the side roads?

What is to become of a farm tractor, a school bus, a walker or a bike rider when they have a Concrete Nor'west truck bearing down on them from one or both directions in some parts of Prairie Road at 50 MPH. I suspect that walker or bike rider will try to get off the road even if that means resorting to a ditch. I have to do that even on SR 9 for cars. Check SR 9's shoulders near my house and you'll see that even there heavy trucks have left tire tracks in the dirt on the shoulders within an inch of the ditch..

If the trucks head east from the mine on Prairie Road they will not be able to get under the railroad bridge and will have to use Samish Heights Road to get around the bridge to SR 9. Samish Heights Road is more of a low traffic road than the others.

Please consider the above in the permitting process.

I think they should be limited to one truck at a time between old Hwy 99 and SR 9 to minimize the impact that Concrete Nor'west will have.

From Host Address: 24.113.228.154

Date and time received: 5/2/2017 8:42:12 AM

John Cooper

From: website
Sent: Tuesday, May 02, 2017 8:30 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Linda & Robert Walsh
Address : 21710 Prairie Road
City : Sedro Woolley
State : WA
Zip : 98284
email : walshl2006@hotmail.com
Phone : 360 708 7736
PermitProposal : PL#16-0097 Special Use Permit Application
Comments : Linda & Robert Walsh
21710 Prairie Road
Sedro Woolley WA 98284
Owners of adjacent property

This project can have significant impacts to our environment. It is well documented, the mining industry is known to have negative impacts and this project is no exception. Therefore, complete and thorough studies, evaluations and analysis should be required. To extract the gravel the process will require stripping all top soil, all vegetation and all timber on 51 of the 68 acres. Then digging a hole to a depth of 50 to 90 feet deep (approximately 52 football fields side by side) within 100 feet of adjacent properties and within 200 feet of the Samish River. 51 acres is approximately 75% of the 68 acres which is currently habitat to many large and small animals and birds. They want to transport the product in Dump Trucks with trailers, many which can weigh 105,500 GVW, on a public road system which is currently inadequate for them to do so safely. The County should require the applicant to do a full Environmental Impact Statement (EIS) to ensure this 68 acre 25 year project is thoroughly evaluated. It is not uncommon to require an EIS when a new mining operation is proposed, in fact the applicant was required to do an EIS for another Skagit County project. According to WAC 197-11-330 for threshold determination, an EIS is required for proposals and other major actions significantly affecting the quality of the environment. This project falls within this code.
All environmental factors should be studied --not only on the proposed mined parcels but also on their entire private haul road and the public roads they will use as a haul route. These should be detailed studies which at minimum should evaluate and analyze the effects this long term proposal will have on Traffic safety, Road improvements needed, Noise pollution on neighboring properties from operating heavy equipment operations at excavation site, Air quality concerns, Noise pollution of trucks with trailers transporting material, Buffer zones, Erosion, Water quality, all Wetlands, Samish River & Swede Creek, Fish & Wildlife habitats, Visual impacts, Road repairs and Long term impacts to quality of rural life and Property values.
The potential adverse effects of this industrial Mine on our Community are Not reversible and therefore all the environmental factors should be thoroughly evaluated. We were here long before the MRO was placed on these parcels. We are depending on the County to require adequate information in order to ensure our safety and well-being. Since this is not a short term industrial site project but will have ongoing industrial activities for 25 years or more I would consider it a permanent change to our environment. This is a decision that Not only affects all of us but our future generations as well and an EIS should be required.
Sincerely,
Linda & Robert Walsh

John Cooper

From:	abbe@abberolnick.com
Sent:	Saturday, May 06, 2017 10:13 AM
To:	John Cooper
Cc:	commissioners@co.skatit.wa.us; Planning & Development Services; atsi@fidalgo.net; pw@co.skagitwa.us
Subject:	Proposed Gravel Pit Grip Road

6 May 2017

RE: PL 16-0097 Miles Sand and Gravel proposed Grip Road gravel mine.

Dear Mr. Cooper:

We request when a revised SEPA determination is made for the above referenced proposed project, the applicant be required to complete a full Environmental Impact Statement. As we have stated in our previous comments to you, we are not opposed to the extraction of gravel from this proposed mine. However, the impacts the proposed gravel mine will have on the environment will be significant. These impacts were not considered in the original application. The original application lacks a thorough and professional analysis of the extraction and transport process, any externalities, and all of its environmental impacts.

A brief summary of our concerns and rationale are as follows:

1. The impacts to the county roads have not been adequately addressed and said roads are not currently up to Skagit County standards. With the added large truck traffic and number of trips, because the roads are currently inadequate, we recommend a Level II TIA (Traffic Impact Analysis) be prepared for Grip Road, Prairie Road, F and S Grade, and all feeder roads or haul routes the gravel trucks are likely to use.
2. The impacts to the private haul road on the parcel will require either improvements or widening. All impacts to the environment, such as wetlands and Swede Creek require identification and assessment.
3. The likelihood of "project creep" will occur. The applicant needs to divulge additional areas of the entire property that are likely to be mined, now and in the future.
4. The effects of a gravel mine to ground water (subsidiary affects to the Samish River and neighboring domestic wells) needs to be assessed.
5. External effects of noise and vibration to the neighbors has not been addressed.
6. Loss of land value due to increased truck traffic, noise and dust was not addressed in the previous application. The applicant needs to determine how the proposed project will affect our property not only physically but the market value as well.
7. We understand the property has a Mineral Resource Overlay, therefore the proposed project is an allowed use, however the applicant is required by law to mitigate for all environmental impacts.

It is the Skagit County Planning Departments job to ensure all code requirements are followed and addressed. This is not the job of the concerned neighbors. An EIS would allow the public to be

involved in the application process prior to the project going to a hearing. Our concerns involve the safety of the community, health of the environment and the sustainability of the infrastructure of our roads. The proposed mine changes dramatically the use of these roads. Because none of the above issues were studied and addressed, and due to the significant nature of the project scope, an EIS is necessary to adequately determine the effects the project will have on our environment.

Respectfully,

Abbe Rolnick and Jim Wiggins
21993 Grip Road
Sedro-Woolley, WA 98284

Cc: Commissioner Janiki
Commissioner Wesen
Commissioner Dahlsedt
Planning Director Pernula
Public Works Director Berentson

Abbe Rolnick
www.abberolnick.com
360-319-6385



RECEIVED
MAY 10 2017
SKAGIT COUNTY
PDS

6 May 2017

RE: PL 16-0097 Miles Sand and Gravel proposed Grip Road gravel mine.

Dear Mr. Cooper:

We request when a revised SEPA determination is made for the above referenced proposed project, the applicant be required to complete a full Environmental Impact Statement. As we have stated in our previous comments to you, we are not opposed to the extraction of gravel from this proposed mine. However, the impacts the proposed gravel mine will have on the environment will be significant. These impacts were not considered in the original application. The original application lacks a thorough and professional analysis of the extraction and transport process, any externalities, and all of its environmental impacts.

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Respectfully,

Abbe Rolnick and Jim Wiggins
21993 Grip Road
Sedro-Woolley, WA 98284

Cc: Commissioner Janiki
Commissioner Wesen
Commissioner Dahlsedt
Planning Director Pernula
Public Works Director Berentson

John Cooper

From: Skagit County Public Works
Sent: Monday, May 08, 2017 6:39 AM
To: John Cooper
Subject: FW: Proposed Gravel Pit Grip Road

God morning~

Would you be the Mr. Cooper to which they are referring?

Have a funny, sunny day! ☺

Cheri Renfro

Skagit County Public Works
1800 Continental Place
Mount Vernon, WA 98273

360-416-1454

The only people with whom you should try to get even
are those who have helped you.....John Southard

From: abbe@abberolnick.com [mailto:abbe@abberolnick.com]
Sent: Saturday, May 06, 2017 11:27 AM
To: Commissioners; Skagit County Public Works
Subject: FW: Proposed Gravel Pit Grip Road

From: abbe@abberolnick.com [mailto:abbe@abberolnick.com]
Sent: Saturday, May 6, 2017 10:13 AM
To: 'johnc@co.skagit.wa.us' <johnc@co.skagit.wa.us>

6 May 2017

RE: PL 16-0097 Miles Sand and Gravel proposed Grip Road gravel mine.

Dear Mr. Cooper:

We request when a revised SEPA determination is made for the above referenced proposed project, the applicant be required to complete a full Environmental Impact Statement. As we have stated in our previous comments to you, we are not opposed to the extraction of gravel from this proposed mine. However, the impacts the proposed gravel mine will have on the environment will be significant. These impacts were not considered in the original application. The original application

lacks a thorough and professional analysis of the extraction and transport process, any externalities, and all of its environmental impacts.

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7. We understand the property has a Mineral Resource Overlay, therefore the proposed project is an allowed use, however the applicant is required by law to mitigate for all environmental impacts.

It is the Skagit County Planning Departments job to ensure all code requirements are followed and addressed. This is not the job of the concerned neighbors. An EIS would allow the public to be involved in the application process prior to the project going to a hearing. Our concerns involve the safety of the community, health of the environment and the sustainability of the infrastructure of our roads. The proposed mine changes dramatically the use of these roads. Because none of the above issues were studied and addressed, and due to the significant nature of the project scope, an EIS is necessary to adequately determine the effects the project will have on our environment.

Respectfully,

Abbe Rolnick and Jim Wiggins
21993 Grip Road
Sedro-Woolley, WA 98284

Cc: Commissioner Janiki
Commissioner Wesen
Commissioner Dahlsedt
Planning Director Pernula
Public Works Director Berentson

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Tuesday, May 09, 2017 12:58 PM
To: John Cooper
Subject: FW: PDS Comments

From dept email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Tuesday, May 09, 2017 12:55 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Ingo Lemme
Address : 5856 Park CT
City : Sedro Woolley
State : Washington
Zip : 98284
email : ilemmegm@gmail.com
Phone : 3607244614
PermitProposal : Special Use Permit Application PL16-0097
Comments : This proposal for a gravel mine that will result in gravel truck/trailer combinations traveling the narrow county roads between the gravel mine and Old Hwy 99 N will have multiple disruptive impacts upon the natural and human environments. These impacts are so significant that a full EIS must be required in this case. Please require this EIS so that we can fully understand the impacts in order to make a decision regarding granting the special use permit. In my opinion the roads over which these trucks must travel are inadequate for this type and volume of traffic and this permit should not be granted.

From Host Address: 172.76.137.30

Date and time received: 5/9/2017 12:52:07 PM

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Tuesday, May 09, 2017 12:58 PM
To: John Cooper
Subject: FW: Feedback Submission

From dept email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website
Sent: Monday, May 08, 2017 10:05 AM
To: Planning & Development Services
Cc: Commissioners
Subject: FW: Feedback Submission

From: feedback@co.skagit.wa.us [mailto:feedback@co.skagit.wa.us]
Sent: Saturday, May 06, 2017 11:05 AM
To: website
Subject: Feedback Submission

Department : None
Name : Nancy Swalling
Email : swalling@wavecable.com
Other : I believe that a complete environmental Impact Statement study be done on the complete gravel mine on Grip Road to include the roads that will be used to haul the gravel. This is to include all roads to Highway 9. Thank you

From Host Address: 204.195.10.178

Date and time received: 5/6/2017 11:04:03 AM

John Cooper

From: PDS comments
Sent: Wednesday, May 17, 2017 3:22 PM
To: John Cooper
Subject: FW: Permit application PL16-0097

From: Christine Hunter [mailto:hunterchrism@gmail.com]
Sent: Wednesday, May 17, 2017 3:10 PM
To: PDS comments
Subject: Permit application PL16-0097

my name is Christine M Hunter
I reside at 23490 Mosier Road
Sedro-Woolley WA 98284

I am writing about Special use Permit Application PL16-0097
I would like the county to require a full Environmental impact Statement for the proposed Grip Road Gravel mine.. I would also like Miles sand and Gravel to disclose their long term plans for the property. My concerns include but mot limited to. Safety for car, walkers and bikers along their route to and from the mine, noise I can already hear Skagit Speedway when they are racing, Water Quality for the Samish bay watershed and quality and quantity of well water.

There are just too many questions that are unanswered.

Christine M Hunter
360-610-1539

John Cooper

From: website
Sent: Thursday, May 18, 2017 9:35 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Laura Brakke
Address : 22243 Grip Rd
City : Sedro Woolley
State : WA
Zip : 98284
email : llbrakke@hotmail.com
Phone : 360-739-7400
PermitProposal : PL16-0097
Comments : I am writing to express my concerns regarding permitting the extraction and transportation of gravel from property on Grip Road by Concrete Nor'West.

There are so many community concerns and environmental considerations that I believe a full EIS is warranted. This definitely is not a permit that should ever be deemed "DIS" under SEPA.

The full evaluation and staff report needs to include;
1. The history of the property in ownership by Lisa LLC. How long has it been in a mineral resource designation? What was the process to determine the appropriateness of this designation in this area?
2. The value of the land and the taxes that are paid on this property.
3. What is the degree of harm the County will accept for the residents of this area, in exchange for allowing this mining to go forward.
4. How much tax revenue will this project generate over the course of a year, and the life of this mine. Will it cover the necessary road repairs, bridge repairs and gravel clean-up?
5. Grip Road is not a straight or flat road. The curves that are immediately present as one leaves the driveway of the proposed mine heading to Prairie Rd are sharp and blind. There are 3 main curves, and sight distance and visibility are limited. There are no sidewalks or extra shoulder area for bikes or pedestrians.
Is this a takings issue, as Lisa LLC will then be dominating this public space with private large vehicles (tandem trailers) excluding the safe passage for all other users, including private cars and trucks.
6. The Skagit river is a salmon bearing waterway and as such can suffer "No Net Loss". The sand that will create silt in the river is unavoidable. Wind, rain, and other natural processes exacerbated by human activity will carry sand, gravel and dirt particles of all sizes down the banks to the river bed, excluding areas for salmon eggs and oxygen that is essential for all aquatic life.
7. Noise of blasting and the trucks that carry the gravel must be quantified in the EIS and effects on the residents of the road they plan to traverse to get to their main quarry on Hwy 99.

I am assuming the County Government exists to protect the health and safety of the residents of Skagit County. I also will assume the Planning and Development Dept. does not have a mission to permit all Development Applications to the detriment of current and future residents.

Therefore, I will offer some mitigations if this is mine is allowed to proceed.
1. The gravel trucks must be limited to truck only, no following tongued trailers.
2. The trucks must be limited to one on Grip and Prairie Roads at any one time, this will prevent the passing of 2 large vehicles which would create a very dangerous situation for all other users of this roadway.

3. The time of transport must be limited to daylight hours and should never occur after 8pm at the latest.
4. The permit must include a fund to repair the windshields of the people who travel these roads, as sand and rogue rocks are a hazard. The multiple pock marks create glare in sunlight which creates lowered viability for drivers, especially in the evening sunlight. Also overt cracks and road chips must be paid for and repaired through a fund financed by Lisa LLC/Concrete Nor'West.
5. If a fatal accident ever occurs due to the presence and movement of a gravel truck, the permit must be immediately rescinded.
6. A pedestrian/bike lane or sidewalk must be created on the Grip road hill at the expense of the Applicant, for safety and to make sure that public spaces are not commandeered by Private interests.

This project may be necessary, it may make sense to officials and business people alike, it is just simply put, in the very wrong place to be safe and in the best interests of the people who call Skagit county home.

Thank you for taking my comments into consideration when evaluating this proposal.

From Host Address: 75.172.59.169

Date and time received: 5/18/2017 9:30:14 AM

John Cooper

From: website
Sent: Saturday, May 20, 2017 4:20 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Savannah Yates
Address : 19117 Prairie Rd
City : Burlington
State : Washington
Zip : 98233
email : raesavannah33@gmail.com
Phone : 360-399-1434
PermitProposal : PL16-0097
Comments : I am a student at Burlington Edison High. Every day I take the bus to and from school. On the way home, the bus goes down Prairie Road, along the section where it intersects with Grip Road. Last week, the bus was on that curve on Prairie, near the Grip intersection. A gravel truck was coming down the road in the opposite direction. This truck was a bit over the line, into our lane, and it nearly hit the schoolbus. The bus driver had to swerve and go as far out on to the shoulder as she could. If the gravel truck had been even a little bit further over the line, the bus driver would have had nowhere to go, and the the bus would have been hit.

I am concerned about the safety of children on school buses, if the gravel pit permit is accepted. I hope a through study can be done about school bus interactions with gravel trucks on this section of the road.

Savannah Yates

From Host Address: 24.113.254.134

Date and time received: 5/20/2017 4:19:46 PM

John Cooper

From: website
Sent: Saturday, May 20, 2017 10:45 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Judith mccarthy
Address : 20r26 aliston lane
City : Burlington
State : Wa
Zip : 98233
email : jmccarthy33@hotmail.com
Phone : 3604201353
PermitProposal : Pl16-0097
Comments : Need for environmental impact study to address habitat degradation, groundwater concerns, and need information regarding company long term goals.

From Host Address: 107.77.205.111

Date and time received: 5/20/2017 10:44:22 AM

John Cooper

From: website
Sent: Saturday, May 20, 2017 12:15 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Natalie Niblack
Address : 21357 Mann Rd
City : Mount Vernon
State : WA
Zip : 98273
email : Reecered@earthlink.net
Phone : 3604444803
PermitProposal : PL16-0097
Comments : A full and complete EIS is needed to understand the full impact of a gravel mine in our neighborhood. I rent work space in the area and am concerned about increased traffic, noise and damage toroads

From Host Address: 72.168.145.199

Date and time received: 5/20/2017 12:11:41 PM

CHMELIK SITKIN & DAVIS P.S.
ATTORNEYS AT LAW

Jonathan K. Sitkin
ATTORNEY
el jsitkin@chmelik.com

June 13, 2017

VIA REGULAR U.S. MAIL AND E-MAIL
julien@co.skagit.wa.us

Julie S. Nicoll
Deputy Prosecuting Attorney
Skagit County
Civil Division – Planning & Development Services
605 S. 3rd Street
Mount Vernon, WA 98273-3867

RE: NOTICE OF VIOLATION OF PUBLIC RECORDS ACT – FAILURE TO RESPOND TO APRIL 17, 2017 REQUEST FOR RECORDS REGARDING SPECIAL USE PERMIT APPLICATION NOS. PL 16-0097 AND PL 16-0098

Dear Ms. Nicoll:

I am writing regarding clear violations of the Public Records Act, chapter 42.56 RCW ("PRA"), committed by Skagit County, and to again discuss the County's apparent disregard for the public's substantial interest in the above-referenced permit application and environmental review process.

By way of background, enclosed with this letter as ***Exhibit A*** is a public records request submitted by a member of our client citizen group, Linda Walsh, on April 17, 2017, via email. Linda Christensen from the County confirmed receipt and forwarded the request to a colleague for processing. A copy of that email is enclosed as ***Exhibit B***. From that point, Ms. Walsh heard nothing from the County for more than seven (7) weeks. When she reached out to the County for an update on June 5, 2017, she was informed that someone else would be handling the request, but she otherwise received no explanation as to why she had not received any documents, time estimates, or other communications in the previous seven (7) weeks.

The County's conduct regarding this request is in plain violation of the PRA. RCW 42.56.520 requires public agencies to respond to public records requests with a time estimate within five (5) business days of receiving the request. At the time of this writing, Ms. Walsh's request was submitted fifty-seven (57) days ago. She has yet to receive any records or any estimate of the time necessary to produce the records. As I'm sure you are aware, RCW 42.56.550 provides for penalties of up to one hundred dollars ($100.00) per day for ongoing violations of the PRA, as well as costs and attorneys' fees related to obtaining the records. While reserving all our clients' legal rights and remedies, we ask that the **County take the following immediate actions without delay: (1) respond to Ms. Walsh's records request and (2) provide an explanation for why her request has been ignored for nearly two (2) months**.

1500 Railroad Avenue
Bellingham, WA 98225
p 360.671.1796
f 360.671.3781
www.chmelik.com

Ms. Walsh's disregarded request is not the County's only PRA compliance issue. On June 12, I was emailed a link to download a small installment of public records by Cori Russell. See ***Exhibit C*** enclosed herewith. The email stated that these were "the last of the reviewed records from the records request on Concrete Nor West." I made my request for records in January, and received the most recent installment of responsive records in March. At that time, Ms. Russell indicated that she would provide the final installment of records after she returned to the office in early April. That was two (2) months ago, during which time I was given no update regarding the final installment.

Another member of our client citizen group, Martha Bray, also submitted a request on June 9 for "all documents that have been received by the County from Miles Sand and Gravel on this project since January 2017." The County's initial response to this request was that John Cooper would address it when he returned to the office. See ***Exhibit D*** enclosed herewith. No date or time estimate was offered. Again, this initial response does not comply with the requirements of RCW 42.56.520. Please provide Ms. Bray with responsive records or the required estimate of the time necessary for a response in compliance with RCW 42.56.520.

These PRA violations are, unfortunately, not the only examples of the County's apparent disdain for transparency in this matter. As you are aware, our clients have been eagerly awaiting any updates regarding the above-referenced special use permit applications made by Concrete Nor'West ("CNW") since the County requested updated application materials from CNW in March. In multiple emails following the County's request for updated materials, you personally represented to both Ms. Bray and myself that no updated materials had been submitted by CNW and that we would be notified when CNW's updated application materials were received by the County. In a May 5, 2017 email, you stated that "when we do [receive materials from CNW] we will send you copies." See ***Exhibit E*** enclosed herewith. My clients and I, reasonably relied on your assurance that we would be kept informed. However, when Ms. Bray contacted CNW directly on June 6, she was told that CNW had in fact submitted updated materials the previous month. Ms. Bray then found CNW's response (in the form of a letter from Miles Sand & Gravel) on the County website for the Grip Road Gravel Mine project. The letter was dated May 15. Neither I nor my clients were informed at any time that the County had received updated materials from CNW as promised. It was more than three (3) weeks from the date of the letter before we learned of it—from CNW directly, not from the County. Additionally, when Ms. Bray checked the County's website, she found other documents that should have been provided to us,[1] including an amended fish and wildlife study that had apparently been submitted April 18, 2017—nearly a month *before* you assured us there was no update to report.

[1] I also point out that the May 15 response letter included attached emails between Dan Cox of CNW and County personnel that would have (or should have) been produced pursuant to Ms. Walsh's April 17 records request, had the County ever bothered to process that request. Incidentally, in one email dated February 9, 2017, Shane Whitney of the County stated that "we are good to go as far as traffic impacts and analysis for the offsite portion of the project." This email (along with whatever others might have been responsive to Ms. Walsh's request) would very likely have informed the public discussion of this matter—including at a minimum the discussion at the March 29 Samish School meeting—had anyone been aware of it.

To complicate matters, the County's website provides no information regarding the dates the County received the various documents that are posted there, and several documents have been listed with inaccurate dates. For example, CNW's May 15 response letter was originally posted to the website with the date of March 14, which was only corrected when Ms. Bray pointed out the error. Several documents were enclosed with that letter, including the fish and wildlife addendum mentioned above, but these documents were posted under the date they were allegedly written, and not the date the County received them. Since the County does not indicate the date of receipt, the website gives the indication that the County received these documents several weeks or months ago. As an example, an addendum to the traffic study is posted with the date of November 30, 2016, although the engineer's stamp on that addendum is dated April 24, 2017.[2] If this document was truly submitted to the County in November of 2016, as the website indicates, then it was erroneously withheld from the public records request my office made on January 30, 2017. This would be another violation of the PRA separate and apart from the County's disregard for Ms. Walsh's April 17 request discussed above. One the other hand, if the County did not receive the traffic study addendum until May of 2017, then the County should have (i) posted the document with the date of receipt, and (ii) informed us that updated materials had been received. The County did not do any of this. Instead, these materials were quietly posted into the middle of the list of documents on the website as though they had been there for some time.

The County's chronic inattention to the requirements of the PRA and its general disregard for transparency on this project are alarming. The public, including my clients, have made their interest in this matter abundantly clear. The County's failure to keep the public informed has already resulted in multiple postponements of the relevant permit hearing and undoubtedly resulted in needless costs responding to comments, questions, and records requests that would have been unnecessary had the County complied with applicable requirements and procedures and included the public in the process from the beginning. These failures are systemic through the County Planning Department and, at a minimum, are evidence of a sloppy culture that ignores fundamental requirements of governmental transparency, notice, and public engagement—in effect, a culture that ignores tenets of good government. As such, the public's trust in the County's ability to conduct the permitting and environmental review process openly and fairly has been severely eroded. In addition to immediately correcting the violations of the PRA discussed above, the County can make a step toward regaining the public's trust by formally withdrawing the MDNS, requiring an EIS from CNW to assure proper public disclosure of the potential environmental impacts of CNW's project, and conducting the full environmental review that the project so clearly necessitates.

[2] In a June 9 email, Ryan Walters of the County addressed the confusion regarding the date of the traffic addendum by stating that he would "have to look carefully at what date should be ascribed to the traffic addendum." *See* ***Exhibit D*** enclosed herewith. Whatever date the County eventually ascribes to this addendum, the date the County received the document should be made clear for this and every other document posted on the project website.

Thank you.

Sincerely,

CHMELIK SITKIN & DAVIS P.S.

Jonathan K. Sitkin

JKS/NFD/hn
Enc.
cc: Dale Pernula (Skagit County Planning Department via mail only)
John Cooper (Skagit County Planning Department via mail only)
County Commissioners
Client
F:\CLIENTS A-H\Cougar Peak LLC\Gravel Mine\Correspondence\Letter to Julie Nicoll_08-13-17.doc

Public Records Request Form

Records Management Division · 700 S. Second St., Rm 100 · Mount Vernon WA 98273
voice 360-416-1154 · publicrecordsofficer@co.skagit.wa.us · www.skagitcounty.net/records

Exhibit A
April 17th, 2017

Contact Info

Full Name Linda L Walsh Salutation ☐ Mr. ☐ Ms. ☑ Mrs.

Mailing Address 21710 Prairie Road

City Sedro Woolley State WA Zip 98284

E-mail Address walsh12006@hotmail.com 360 708 7736

Request

Department *From which department(s) are you requesting records? (see a complete list on www.skagitcounty.net)*

☐ Assessor ☐ Coroner ☐ Prosecutor ☐ Sheriff
☐ Auditor ☐ Human Resources ☑ Public Works ☐ Treasurer
☐ Commissioners, Budget, Admin Services ☑ Planning & Dev Services ☐ Other: _____

Requested Records *Please provide a detailed description of identifiable public records. The more specific your request, the more quickly we can process and deliver responsive records.*

1. All communications, including without limitation letters, emails and phone notes, between or involving Skagit County and (1) Concrete Nor'West and/or (2) any of Concrete Nor'West's consultants and/or representatives, including without limitation engineers, planners, and attorneys regarding Special Use Permit Application No. PL 16-0097 ("Permit Application") and/or any proposed gravel mine near Grip Road that is the subject of that referenced permit application. FROM 1/15/2017 TO DATE

2. All records related to technical studies and evaluations thereof prepared by Concrete Nor'West, any of Concrete Nor'West's consultants and/or representatives, or any Skagit County official related to the above referenced Permit Application, including but not limited to any traffic and/or road study and evaluation thereof, wetland study and evaluation thereof, critical area study and evaluation, stormwater study and evaluation thereof, fisheries study and evaluation thereof, fish, bird and/or animal habitat study and evaluation thereof.

3. All Skagit County internal communications and notes regarding technical studies and evaluations thereof prepared by Concrete Nor'West, any of Concrete Nor'West's consultants and/or representatives, or any Skagit County official related to the above referenced Permit Application.

Delivery

⊙ **E-mail or CD/DVD (free)**
Receive electronic copies of the requested records when available. Records not available in electronic format will be mailed to you on paper at the rates below.

—OR— ○ **Paper Copies** (15¢ per page + postage) via mail to address above (☐ Don't mail. I will pick up.)
Receive paper copies of the requested records. A deposit may be required.

—OR— ○ **Inspection** (free)
Inspect the records requested in person at county offices during normal office hours. At time of inspection, you can make requests for paper copies of documents you select (billed at the cost of 15¢ per page).

Commercial Use

By submitting this form, pursuant to RCW 42.56.070(9), I certify that I will not use any lists of individuals that I receive in response to this request for commercial purposes.

Important: Save this form and email, or print and mail, to the address above. Please call the Public Records Officer if you do not receive a confirmation of receipt of your email within one business day.

form updated 12/29/2016

From: linda wa
Sent: Monday, June 5, 2017 6:44 AM
To: Linda Christensen <lindac@co.skagit.wa.us>; Tawnee Clearbrook <tawneeb@co.skagit.wa.us>
Subject: RE: records request for more information PL#16-0097 ATTN: Tawnee C. & Linda C

Skagit County

On April 17th I sent a records request regarding Permit # PL16-0097 to the County via Linda Christenson and she forwarded it to Tawnee Clearbrook.
I have not received any of the information.
Please let me know the status on this request.

Thank you,
Linda Walsh

From: Linda Christensen [mailto:lindac@co.skagit.wa.us]
Sent: Monday, April 17, 2017 10:31 AM
To: Tawnee Clearbrook <tawneeb@co.skagit.wa.us>
Cc: 'walshL2006@hotmail.com' <walshL2006@hotmail.com>
Subject: FW: records request for more information PL#16-0097

Hi Tawnee,

This one is for you.

Linda

From: linda wa [mailto:walshL2006@hotmail.com]
Sent: Monday, April 17, 2017 10:22 AM
To: Linda Christensen
Subject: RE: records request for more information PL#16-0097

Hello Linda,

I was wondering if you can process the attached request. Thank you for all your help with the other records back in December.

Please let me know if you need any more information to process this request.

Thank you,

Linda Walsh

-----Original Message-----
From: Cori Russell [mailto:corir@co.skagit.wa.us]
Sent: Monday, June 12, 2017 2:31 PM
To: CSD - Jon Sitkin <jsitkin@Chmelik.com>
Subject: Serv-U File Sharing Link [expires 06/19/2017 12:00:00 AM]

You have received access to a Serv-U File Share from Cori Russell. The link to transfer your file(s) will expire on Monday, June 19, 2017 12:00 AM.

https://ftp3.skagitcounty.net/?ShareToken=2A828C34596565401105C9752733C14894FFDF4B

Mr. Sitkin,
Attached is a zip file containing the last of the reviewed records from the records request on Concrete Nor West. Also in the file is an exemption log with an explanation of the redactions. Please let me know if you feel I have overlooked any records. If I don't hear back from you within 7 days, I will consider this request closed.
Thank you for your interest in Skagit County records.
Sincerely,
Cori Russell, CPRO
Public Records Officer

Need help? See some troubleshooting tips at http://www.Serv-U.com/sharefiles.

Exhibit D

From: Ryan Walters <rrwalters@co.skagit.wa.us>
Sent: Friday, June 09, 2017 2:17 PM
To: Martha Bray; Julie S. Nicoll
Cc: John Cooper; Dale Pernula; CSD - Jon Sitkin; CSD - Nolan Davidson
Subject: RE: Grip Road Gravel Mine updated info

Martha,

Thank you for your email. Posting permit application documents to the web is a new protocol for the Department, and it is all done in a very manual fashion, so mistakes are easy to make.

I directed the website description of the date on the first document you identified be fixed; we'll have to look carefully at what date should be ascribed to the traffic addendum. John will send you the documents you requested upon his return to the office, and I will direct staff to forward to you any application documents we later receive as we receive them and post them to the website so that you don't have to hunt for documents in the future.

Thank you for bringing these issues to my attention, and feel free to identify any other issues as they arise.

Ryan Walters
Assistant Director
Skagit County Planning & Development Services

From: Martha Bray<mailto:mbray1107@gmail.com>
Sent: Friday, June 9, 2017 14:04
To: 'Martha Bray'<mailto:mbray1107@gmail.com>; Julie S. Nicoll<mailto:julien@co.skagit.wa.us>
Cc: John Cooper<mailto:johnc@co.skagit.wa.us>; Ryan Walters<mailto:rrwalters@co.skagit.wa.us>; Dale Pernula<mailto:dalep@co.skagit.wa.us>; 'CSD - Jon Sitkin'<mailto:jsitkin@Chmelik.com>; 'CSD - Nolan Davidson'<mailto:ndavidson@chmelik.com>
Subject: PS: Grip Road Gravel Mine updated info

PS: I see that the date on the CNW response letter has been corrected on the website. Since then, to our dismay, we have also found that there is an updated traffic analysis posted that we have not seen before – the link dates it as November 2016 (way down the list), but looks like it was submitted in April 2017.

I don't understand why these documents are not date stamped, there is no way to tell when they were received, or posted on the County website. Very confusing....

To be sure we are not missing something, please send me a list of all documents that have been received by the County from Miles Sand and Gravel on this project since January 2017.

Thank you,
Martha

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Friday, June 9, 2017 12:43 PM
To: 'julien@co.skagit.wa.us'
Cc: 'John Cooper'; 'rrwalters@co.skagit.wa.us'; dalep@co.skagit.wa.us; 'CSD - Jon Sitkin'; 'CSD - Nolan Davidson'

Subject: Grip Road Gravel Mine updated info

Dear Ms. Nicoll,

I am contacting you, because apparently John Cooper is out of the office. Because we had not heard anything from Skagit County about the proposed Grip Road gravel mine, and based on your suggestion some time ago to contact CNW directly, I contacted Dan Cox of CNW this week, asking when he expected to submit updated information to the County. I was surprised by his reply – that they had submitted updated information last month (!!).

I now see posted on the County website an Addendum to the F&W Assessment (4/18/17), and a response to the County's March 14, 2017 letter from Miles Sand and Gravel, dated May 15, 2017, neither document appears to be date stamped by the County, and the link to the Miles Sand and Gravel response letter is erroneously dated March 14, 2017.

We try to stay current with these things – I don't know when this was actually posted on the County website, but the response letter could easily have been overlooked since the erroneous date put it down the list of links and makes it look like it is nothing new....

Regardless, given our repeated appeals to the County about transparency and reasonable public involvement for this proposal, it is disappointing that local citizens were not informed in a timely way that new information is available....

Please let me know what the County's intention and time frame is regarding Miles Sand and Gravel's updated information.

Thank you,
Martha Bray

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Friday, June 9, 2017 11:44 AM
To: JohnCooper
Subject: CNW updated info

Hello John, I emailed Dan Cox, asking when they expected to submit updated materials on proposed Grip Road Gravel Mine. He replied that they submitted info last month. Surprised to not have received some notification..... I see a couple of new CNW docs on County website that I can't open because I am not at a computer. Please let me know what the County's plan, timeline and intention is regarding this proposal.
Thank you.
Martha Bray

Exhibit E

From: Julie S. Nicoll [mailto:julien@co.skagit.wa.us]
Sent: Friday, May 05, 2017 2:03 PM
To: 'mbray1107@gmail.com' <mbray1107@gmail.com>; CSD - Jon Sitkin <jsitkin@Chmelik.com>
Cc: Ryan Walters <rrwalters@co.skagit.wa.us>; Lisa Janicki <ljanicki@co.skagit.wa.us>; Dale Pernula <dalep@co.skagit.wa.us>; John Cooper <johnc@co.skagit.wa.us>
Subject: RE: comment letter PL 16-0097 - Gravel Mine

Ms. Bray and Mr. Sitkin,

Thank you for your recent comments on Concrete Nor'West's gravel mine proposal. As you know, in March 2017, we asked Concrete Nor'West to resubmit its application and provide supplemental information. To date, we have not received updated materials from Concrete Nor'West. When we do, we will send you copies and post them to our website. After reviewing the revised materials, the County will continue our dialogue on the project. Until we receive these materials, the County cannot take any further action on the project.

Sincerely,

Julie Nicoll

Deputy Prosecuting Attorney
Skagit County
Civil Division – Planning & Development Services
(360) 416-1638

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Tuesday, May 2, 2017 9:32 AM
To: John Cooper <johnc@co.skagit.wa.us>
Cc: Lisa Janicki <ljanicki@co.skagit.wa.us>; Dale Pernula <dalep@co.skagit.wa.us>; Ryan Walters <rrwalters@co.skagit.wa.us>
Subject: comment letter PL 16-0097 - Gravel Mine

Hello John,
Please find attached my comments on the current direction the County is headed with the proposed gravel mine near Grip Road. A hard copy of the letter is in the mail.
Thank you,
Martha Bray

RECEIVED
JUN 22 2017
SKAGIT COUNTY
PDS

June 19, 2017

To: John Cooper
Skagit County Planning Department
1800 Continental Place
Mount Vernon, WA 98273

cc: Brian Adams
Skagit County Parks & Recreation
1730 Continental Place
PO Box 1326
Mount Vernon, WA 98273

Dan Berentson
Skagit County Public Works Department
1800 Continental Place
Mount Vernon, WA 98273

Phil Brockman, Superintendent of Public Instruction
801 Trail Rd.
Sedro Woolley, WA 98284

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

Jennifer Johnson
Skagit County Health Department
700 S. 2nd Street, Rm 301
Mount Vernon, WA 98273

Washington State Senator Kirk Pearson
115D Irv Newhouse Building
PO Box 40439
Olympia, WA 98504

Washington State Department of Ecology
NW Regional Office
3190 160th Ave SE
Bellevue, WA 98008-5452

Western Washington Fish & Wildlife
510 Desmond Dr. SE, Ste 102
Lacey, WA 98503

Subject: Comments on Permit number PL16-0097, CNW's Gravel Pit

Mr. Cooper,

The following are our issues and concerns surrounding CNW's request for a gravel pit off Grip Road. We have lived in the area for 17 years and enjoy it's unique environment immensely.

Please make us a "person of record" so that we may continue to monitor the activities on this permit.

Pedestrian/Traffic/Safety Issues

1. It is essential that a Traffic Study be done to ensure automobile, bicycle, and pedestrian traffic will be safe with the additional truck & trailer traffic. There really is no shoulder on Grip Road, so there is no way to avoid oncoming trucks which have crossed the divider without going into a ditch. Grip Road is so narrow that the recent center line marking activity could not include an outside edge white line. There is also several corners in which visibility of oncoming big rigs is difficult.

2. It is imperative that the speed limits be revised for safety reasons. Even though corners have suggested lower speed limits, traffic does not slow down to those suggested lower speeds.

3. School buses use these roads on their routes, therefore it is strongly recommeded that seat belts are installed in the buses and that the bus driver take responsibility to ensure the children are buckled in and safe.

4. The routes to be taken by these truck & trailer rigs must all be checked for clearance. If the route is to Sedro Woolley or up the valley to Lyman, Hamilton, Concrete, etc., the intersection at Hwy 9, Hwy 20, and Township make have a problem. There are already many trucks taking a right at that corner. If there are rigs in both lanes (straight/left turn or right hand turn lane) the trucks may have problems fitting in the lanes and it will be very difficult for the trucks to swing out to make their turns.

5. The railroad crossings on the routes turning left from the proposed gravel pit onto Grip Road will need to be beefed up. They already require upgrades every 5 years or so with the current traffic levels.

6. Grip Road, Garden of Eden Road, etc. are part of a Recreational Map for bicycle riders. Some provisions must be made for these riders.

Environmental Issues |

1 We strongly believe that an EPA Environmental Impact Study be completed for this permit proposal. For instance, we noticed that on Google Satellite Maps, there was shown 3 large ponds/wetlands. It appears that these have since been bulldozed in. Was a Wetland/Critical Area Evaluation done? Was a permit issued by the EPA to allow this destruction of wetlands ? What is the impact to the wildlife, waterfowl and fish in the area?

2 Impact to Samish River, Swede Creek and Samish Bay. As a homeowner with a septic system, we have taken the classes and become certified to inspect our own septic system in order to protect the Samish Bay Water System. We have been told to ensure that our septic systems complied with Skagit County requirements. We even had county reps out to check that our process was per specifications. A gravel pit of 68 acres (or 700 acres) will impact the water quality,

3. Impact to the individual and community well water tables in the area. We currently have VERY GOOD WATER. And have every right to have that maintained, (remember Flint, Michigan).

4. Noise Pollution is almost nonexistent in our area. Many of us moved to this area because of the low traffic noise. We believe that in order to ensure low noise levels, that no grinding operation be performed at this facility.

Geological/Seismic Issue

1. There is a seismic fault line along the Lyman Mountains. Whenever a small shift happens along that fault line, we can feel the seismic wave move through our house from the north through to the south rooms. This additional vibration & excavating activity will no doubt increase the impact of this fault line to neighboring homes and businesses during an earthquake.

Enforcement Issue

1. 1.What funds/actions will be established to ensure that the issues raised on this permit will be supplied and followed through regarding road safety & monitoring of traffic laws, road maintenance, water quality maintenance, noise pollution, post gravel pit cleanup?

Due to the number of existing gravel pits in Skagit County, we question the need for any further pits.

Thank you for ensuring these issues are dealt to our satisfaction.

"EASY ACCESS TO GOODS AND SERVICES" is **NOT THE RULE** when it comes to the Planning actions for our SPECIAL AND UNIQUE NEIGHBORHOOD!

Herb & Debra Anderson
7374 Erna Lane
Sedro Woolley, WA. 98284
(360) 856-6855

deb_janderson@hotmail.com

6/19/17

Debra Anderson 6/19/17

John Cooper

From: NICK & NICOLE <NICNICK31@msn.com>
Sent: Monday, July 03, 2017 11:29 PM
To: John Cooper; Commissioners
Subject: Gravel Mine

Dear John Cooper,
Below is a copy of a letter I previously submitted via the county website. I received confirmation of submission but do not see it included in the "comments received" that is on the website. I hope that this is an accidental omission and not because the website comment submission procedure is flawed.
Sincerely,
Nicole Nickelson

Skagit County Planning Department,
An Environmental Impact Statement is necessary to ensure all questions and concerns are addressed regarding the gravel mine proposed by Miles Sand and Gravel on Grip Road.
'Environment' in this application includes not only clean water and wildlife habitat, but many other things that we consider important to our quality of life including safe roads and peace and quiet. An EIS will reveal the true impacts of the proposal and allow better public participation. Many potential questions and impacts need to be investigated including, but not limited to:

- Road safety concerns, road damage and repair costs from exponentially heavier truck traffic. Will Skagit County require taxpayers to cover the cost of improvements and repair in order for one business to operate at a huge profit?
- A more comprehensive traffic study performed by an outside agency is warranted. Skagit County Public Works has already indicated a strong disregard for community concerns about road safety as demonstrated in public documents obtained through the county website.
- Noise, dust and gravel from loaded trucks disrupting the quality of life we currently experience.
- Noise and dust produced from the mine itself disrupting the quality of life we currently experience.
- Decline in property values. This impacts every resident negatively and results in a reduction of county tax collected as well.
- Applicant needs to disclose potential future plans for expansion of the proposed gravel mine site and adjunct parcels. This proposal addresses only a small portion of the land owned by the applicant and it is easy to assume they will develop further if possible.
- Comprehensive critical areas survey including full delineation of all wetland in parcels that would have the gravel mine on them and any that would have the access road traveling across.
- Expanded study on the potential impacts to habitat and migration paths of wildlife in the area.
- Updated and detailed study of displaced water run-off and increased potential for flooding downstream of the mine. The applicant is proposing to remove a tremendous amount of material and rainfall has to go somewhere.
- Good well water quality and supply is essential. Establish a plan to monitor wells on neighboring parcels for both contamination and possible disruption of natural aquifers.

While I am grateful Skagit County Planning Department has decided to give this proposal further review, I am concerned that previous actions demonstrated a disconnect between county employees and area residents. On that note, it is important to remember the county has now recognized that they previously misjuded the level of interest and concerns from local residents about this proposal. Therefore, I ask that Skagit County not rush to a decision on the proposal and engage the public to ensure all concerns are addressed. 25 years is a very long time to live with consequences. There are still many questions yet to ask

and issues to resolve. Please do the right thing and require an Environmental Impact Statement for this project.
Thank you for your time.
Sincerely,
Nicole Nickelson

CHMELIK SITKIN & DAVIS P.S.
ATTORNEYS AT LAW

Jonathan K. Sitkin
ATTORNEY
e) jsitkin@chmelik.com

July 19, 2017

VIA REGULAR U.S. MAIL & E-MAIL
julien@co.skagit.wa.us

Julie S. Nicoll
Deputy Prosecuting Attorney
Skagit County
Civil Division – Planning & Development Services
605 S. 3rd Street
Mount Vernon, WA 98273-3867

RE: COUNTY'S JULY 6, 2017 RESPONSE TO CONCRETE NOR'WEST (PL 16-0097)

Dear Ms. Nicoll:

Thank you for forwarding me the letter dated July 6, 2017, from John Cooper of Skagit County Planning and Development Services ("PDS") to Dan Cox of Concrete Nor'west ("CNW"), et al. Mr. Cooper's responses to the points raised by Mr. Cox in his May 15 letter to the County reflect some of the necessary steps toward the level of scrutiny the above-referenced permit application has needed from the start; however, certain issues raised in Mr. Cox's May 15 letter require more review or clarification than was addressed in Mr. Cooper's letter. Without such additional clarification and subsequent critical review, the adequacy of the environmental review will remain inadequate. This letter is intended to initially identify several areas that require further evaluation and to identify statements in Mr. Cox's May 15 letter that suggest that CNW is contemplating a larger project than its permit application lets on, which indicates that CNW is attempting to avoid the environmental review of an anticipated larger project through piecemeal review. We continue to review the above referenced letters and new project information; this is not a complete comment on the new and revised application submitted, and we reserve the right to supplement this letter.

First, in his May 15 letter to the County, Mr. Cox stated that the proposed gravel mine's hours of operation would be unlimited, effectively arguing that the County lacks the power to limit the mine's hours of operation under Section 14.16.440(10)(i)(i) of the Skagit County Code ("SCC").[1] However, SCC 14.16.440(9)(b) specifically identifies the Mineral Resource Overlay ("MRO") zoning requirements as "minimum standards" and gives the Hearing Examiner the authority to impose site-specific limitations, which may include limits on hours of operation. The County is

[1] This was also Mr. Cox's contention in an August 11, 2016 email to Mr. Cooper, where Mr. Cox stated that SCC 14.16.440(10)(i) gives CNW the right to operate unlimited hours. Mr. Cox expressly "reserve[d] the ability to operate as allowed by SCC 14.16.440(10)(i)."

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obligated to review and consider as part of SEPA review the adverse impacts of a 24/7 gravel mining operations and all of the direct and indirect effects of the proposal. The County has the authority to impose conditions on a permit under SEPA's substantive authority to mitigate the project's adverse environmental impacts. See WAC 197-11-660 and RCW 43.21C.060. If the proposed gravel mine will result in adverse impacts related to noise and truck traffic, as it plainly will, the County's granting of the permit must impose mitigating conditions of the project addressing these impacts. At a minimum, such conditions must include limitations on traffic and hours of operation, or the project permit should be denied under SEPA. Regardless, CNW's permit application should be (or should have been) evaluated for adverse impacts under the assumption that the gravel mine would be operating 24 hours per day, 365 days per year, as CNW has professedly reserved the right to do. It would be unreasonable and an abuse of discretion for such an assessment to result in a Mitigated Determination of Nonsignificance ("MDNS") without conditions mitigating the adverse impacts of a 24/7 operation, which confirms the original SEPA threshold analysis was inadequate.

Second, Mr. Cox expressly rejects the County's proposed limit of 46 truck trips per day and instead argues that CNW's truck trips are limited only by the theoretical number of trucks in Skagit County. The addendum to the traffic study submitted with CNW's May 15 letter states that the relevant roads can tolerate 110 truck trips per hour, or 1,320 trips per day, but because there are not enough trucks in Skagit County to reach this limit, a figure of 60 trips per hour or 720 trips per day is "more realistic." Vehicle trips raise a number of issues for analysis, including but not limited to noise, traffic impacts, impacts to road infrastructure, and public safety for pedestrians, bicycles, vehicles, and school bus stops. The County is within its authority to impose—through SEPA or as a condition of a permit—a limit on truck traffic based on the noise the trucks will create. The County's requirement for a properly scoped noise and vibration study is necessary (at a minimum) regardless of CNW's traffic study's data assumptions regarding the physical capacity of the roads. Nonetheless, the fact that CNW is purporting to reserve the right to run over a hundred trucks per hour—nearly two trucks *per minute*—is both deeply troubling to the community and inconsistent with the permit application. This is further evidence that the scope of the proposed project is larger than CNW's permit application indicated, necessitating the preparation of an Environmental Impact Statement ("EIS") to examine the full potential of the project as defined by CNW and all reasonable alternatives to that project, including a full scoped project based on the reservations asserted by CNW.

Third, Mr. Cox's May 15 letter ignores other requests from the County for clarification regarding the scope of the proposed project. In the March 13, 2017 letter from Mr. Cooper to CNW, PDS requested clarification on whether CNW intended to store fuel on site. CNW refused to provide a definitive answer, stating instead that "yes fuel 'may' be stored on site." Similarly, PDS asked whether CNW intended to screen or process gravel on site. In response CNW prevaricated by responding "[w]e are not proposing either activity in this application"—implying that future applications may very well include processing and screening. Again, CNW is effectively refusing to disclose the scope of its project and implicitly reserving the right to pursue later development actions that, if taken into account now, would plainly trigger a more rigorous project-level environmental review of the potential to mine the entire MRO, including processing material and storing fuel on site at a scale corresponding in magnitude to the activity of mining the entire MRO. In effect, CNW is seeking improper "segmenting" of the project in violation of

SEPA.[2] CNW's assertions necessitate the preparation of an EIS to examine the full potential of the project as defined by CNW and all reasonable alternatives to that project, including a full scoped project based on the reservations asserted by CNW.

All of these issues are indicative of a broader and more fundamental problem: no proper evaluation of the project's adverse impacts and the reasonable alternatives of that project can take place until the County and the public are informed of the full scope of the proposed project, which necessitates the preparation of an EIS. The County must take CNW's answers at their face value, and these answers strongly suggest that CNW's proposal is merely the first stage in mining of the entire MRO. CNW has now given multiple clear indications that the ultimate scope of the proposed project is significantly broader than they are willing to expressly disclose.[3] The County's failure to require an EIS is a failure to examine the reasonably foreseeable actions and alternatives to the proposal presented. CNW has confirmed that the SEPA review conducted to date was fundamentally legally inadequate. The County's recent requests for clarification of certain discrepancies are a step in the right direction, but SEPA requires an assessment of the potential for mining the entire MRO and all related activities, along with reasonable alternatives thereto. Neither the County nor the public can make an informed evaluation of the project without knowing the full scope of what CNW intends to engage in at this site. The County should therefore formally restart the SEPA process, require a full EIS, and subject this project to the full environmental evaluation it requires under SEPA.

Thank you for your consideration.

Sincerely,

CHMELIK SITKIN & DAVIS P.S.



Jonathan K. Sitkin
Nolan F. Davidson

JKS/NFD/gms
cc: Client
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[2] "Proposals or parts of proposals that are related to each other closely enough to be, in effect, a single course of action shall be evaluated in the same environmental document." WAC 197-11-060(3)(b). Further, the County has the authority to analyze in a single environmental document proposals that are similar. Proposals are similar "if, when viewed with other reasonably foreseeable actions, they have common aspects that provide a basis for evaluating their environmental consequences together, such as common timing, types of impacts, alternatives, or geography." WAC 197-11-060(3)(c)(i); see also WAC 197-11-060(5)(d)(iii), WAC 197-11-784.

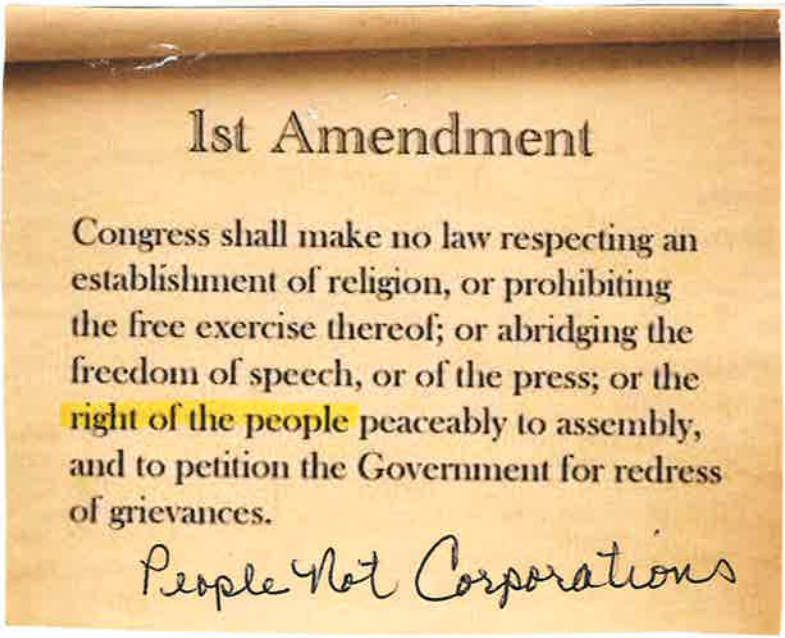
[3] I would also note that, because CNW's original permit application lacked material disclosures, the threshold determination for the permit application must be *formally* withdrawn by a letter from the County's SEPA Responsible Official. See WAC 197-11-340(3)(a).

Kathleen Arentzen
4808 State Route 9
Sedro Woolley, WA 98284

RECEIVED
APR 24 2017
SKAGIT COUNTY
PDS

Skagit Co. Planning Dept.
Planner John Cooper
1800 Continental Place
Mt. Vernon, WA 98273

PERMIT # PL16-0097



1st Amendment

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assembly, and to petition the Government for redress of grievances.

People Not Corporations

007625

CHMELIK SITKIN & DAVIS PS
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April 2, 2018

RECEIVED
APR 04 2018
SKAGIT COUNTY
PDS

VIA REGULAR U.S. MAIL & E-MAIL
julien@co.skagit.wa.us

Julie S. Nicoll
Deputy Prosecuting Attorney
Skagit County
Civil Division – Planning & Development Services
605 S. 3rd Street
Mount Vernon, WA 98273-3867

RE: SPECIAL USE PERMIT APPLICATION NO. PL 16-0097 AND PL 16-0098; DEMAND FOR DENIAL OF APPLICATIONS AND WITHDRAW OF THE SEPA MDNS

Dear Ms. Nicoll:

We write to you to again address several issues regarding the County's handling of the Concrete Nor-West ("CNW") proposed gravel mine located near Grip Road (the "Proposed Project"). As we have stated in the past the ***REQUIRED*** course of action for the County to take is to deny the application pursuant to SCC 14.06.105 and require the CNW file a new application. Our client firmly believes when this application is given a hard look as required under the State Environmental Policy Act ("SEPA") the preparation of an Environmental Impact Statement ("EIS") will be determined to be necessary to properly evaluate the probable significant adverse environmental impacts of the Proposed Project.

1. Summary of Prior Correspondence.

Over the course of the last 15 months, we have repeatedly raised concerns regarding the potential adverse environmental impacts of CNW's proposed gravel mine, the failure of the County to meaningfully examine these potential significant adverse impacts as required by SEPA and the County Code, the County's processing of the application and compliance with County and State regulatory requirements, as well as the general lack of transparency with the process. These communications included[1]:

- January 26, 2017: Letter to John Cooper indicating our representation of the group of concerned citizens and requesting notice of any action be sent to our office.
- March 2, 2017: Letter to John Cooper raising the issues with the Proposed Project including, defective notice, potential adverse environmental impacts, and the County's

[1] Communications regarding public record requests are excluded from this list.

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f]
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lack of adequate or legally compliant environmental review. Along with raising these issues, we invited representatives from the County and CNW to attend a community meeting to discuss the Proposed Project. [Note: On March 15, 2017, you responded on behalf of Skagit County assuring that a Revised MDNS would be issued for public comment, even though an analysis of new information from the applicant had not yet occurred][2].

- March 31, 2017: Letter to Julie Nicoll regarding a summary of issues discussed at the community meeting.

- July 19, 2017: Letter to Julie Nicoll regarding responses to CNW's May 15th letter to John Cooper, addressing, among other topics, the legal inadequacy of the SEPA MDNS issued by the County, and requesting the County require an EIS.

- July 27, 2017: Letter to Julie Nicoll requesting third-party review of the DN Traffic Consultants' Traffic Study and request for a Level II traffic impact analysis as required by the Skagit County Code ("SCC").

- October 4, 2017: Letter to Julie Nicoll regarding CNW's inadequate response to the County's request for information and County's obligation to deny CNW application pursuant to SCC 14.06.105.

- December 28, 2017: Letter to Julie Nicoll in response to the County's decision to grant CNW an extension to February 25, 2018 to provide additional information in violation of SCC 14.06.105. In that same letter, we requested the County restart the application process, conduct an appropriate environmental review, and provide the statutorily required notice to the public, which was disregarded during the initial application process.

To date, the County has not responded to our October 4th and December 28th letters[3]. The County has not explained its reasoning or provided any legal basis for allowing CNW to continue to supplement its application in violation of SCC 14.06.105. Furthermore, what is particularly troubling about the lack of response from the County is that it remains unclear how the County plans to proceed with new information submitted by CNW. Indeed, your March 15, 2017 communication advising that the County would issue a revised *threshold determination* rather than a revised *MDNS* ***prior to receipt of supplemental information from the applicant*** is an indicator of bias, improper pre-judgment, and a violation of the SEPA procedural requirements and County Code requirements. The County is so far awry of the permit and

[2] In that March 15, 2017 letter you wrote: "After receiving Concrete Nor'West's updated materials, the County will carefully evaluate them and issue a Revised SEPA Determination for public comment. Since certain neighbors were inadvertently excluded from the original notice list Concrete Nor'West prepared, the County will update the list and ensure that proper notice is provided pursuant to Skagit County Code. Subsequently, the Staff Report for the Special Use Permit will be revised and published for public comment and hearing."

[3] Copies of the County's letters to the Applicant were forwarded to our office.

SEPA review procedures set forth in the County Code that it has left the community guessing as to the County's decision making process.

2. Extension granted to CNW was in violation of the Skagit County Code and CNW's supplemental information is not responsive to the County's requests. The appropriate remedy is for the County to deny CNW's Application.

Despite the County allowing CNW more opportunities to supplement their application than is permissible under the County Code, CNW either failed to respond to the County's questions or responded by pointing to its original incomplete and inconsistent materials. The exchange of communications between the County and CNW demonstrating CNWs inadequate and incomplete responses is outlined in brief below.

- March 14, 2017: The County's first request for more information from CNW, less than three months after the notice of application. The County's letter indicated that hours of operation would be limited to 7:00 AM – 5:00 PM Monday – Friday and that truck trips would be limited to 46 per day, consistent with the analysis from CNW's Preliminary Traffic Information Plan submitted March 2, 2016. In addition, the County requested CNW provide:
    - A professional archaeological survey for the project area confirming that mining activities would not disturb archaeological resources;
    - A plan demonstrating proposed improvements to the roads accessing the mines in order to meet the Private Road requirements in the Skagit County Road Standards and County Code. In addition, the County requested confirmation that the bridge over Swede Creek is rated HS-25 and in the event improvements are needed to the bridge, that CNW provide additional information confirming compliance with critical area regulations;
    - Verification of whether a fuel storage tank will be placed onsite or if a mobile fuel system will be used and provide a plan to contain and prevent hazardous material spills;
    - Verification of whether processing or screening will occur on-site;
    - Update of the wildlife/wetland site assessment to address 300 foot critical area buffer and a full review of the Endangered Species Act (ESA)-listed species; and
    - General request to update its materials to address the "numerous factual discrepancies in your Application, Project Description, SEPA Checklist, Traffic Study, and Fish & Wildlife Site Assessment."
- May 15, 2017: CNW responded to the County's March 14th letter indicating that it objected to the hour limits and truck trip limits proposed by the County. Along with this objection, CNW presented an Addendum to Traffic Analysis requesting a limit of ***720***

truck trips per day (more than *15 times the figures from its Preliminary Traffic Information Plan*). In response to the County's requests for information:

- CNW provided a cultural resource assessment;[4]
- While CNW provided confirmation that the Swede Creek bridge is rated HS-25, it otherwise failed to provide the information requested by the County regarding compliance with the Skagit County Road Standards;
- CNW indicated that fuel would be stored onsite, but did not provide a plan to contain or prevent spills;
- CNW verified that screening and processing of materials are not proposed in this application (but did not foreclose on adding those activities in a future application); and
- While CNW provided an Addendum to its Fish & Wildlife Site Assessment, it did not update its materials to reflect the 300 foot buffer as requested by the County.

- July 6, 2017: The County indicated that CNW's response and application materials remain incomplete. In addition, the County noted the significant increase in the number of truck trips provided in the Addendum to the Traffic Analysis. Based on the incomplete responses and new information revealed by CNW May 2017 materials, the County provided yet another opportunity for CNW to supplement its application, rather than deny the application as required by the County Code. Instead of requiring a new application, the County requested that CNW provide *an amended application.* In addition, the County request the following:
  - Evidence to support that CNW's **unlimited hours of operation** as proposed would not create significant adverse environmental impacts and be consistent with the criteria set forth in SCC 14.16.900(1)(b)(v)[5];

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[4] Note, despite CNW noting in its letter that this report concluding that "no cultural resources were identified during the survey", this report has still not been produced or made available to the public based on the County's claim of exemption under RCW 42.56.300. However, as indicated by our June 20, 2017 letter, the County's claim of exemption may not apply, and in any event, the exemption was not accompanied by an exemption log identifying the records withheld in violation of the Public Records Act.

[5] SCC 14.16.900(1)(b)(v)(A)-(I) require applicants provide proof sufficient to demonstrate the projects (A) compatibility with existing and planned land uses and the Comprehensive Plan, (B) compliance with the Skagit County Code, (C) that the proposed project will not create undue noise, odor, heat, vibration, air and water pollution impacts based on the performance standards in SCC 14.16.840, (D) that the proposed use will not generate intrusion on the privacy of surrounding uses, (E) that the proposed use will not cause potential adverse effects on public health, safety, or welfare, (F) that impacts on long-term natural resource management and production will be minimized, (G) that the use will not conflict with health and safety of the community, (H) that adequate public facilities or services will not be adversely affected, and (I) that the proposed use will maintain the character, landscape and lifestyle of the rural area including consideration of cumulative impacts.

- A noise and vibration study;
- An amended application to ensure compliance with the County Road Standards as requested by the County in its March 14th letter;
- A copy of the site-specific spill control plan as requested by the County in its March 14th letter;
- An amended application indicating plans for a 300-foot buffer from the gravel mining operation to the wetlands as requested by the County in its March 14th letter; and
- An amended application resolving numerous factual discrepancies in CNW's application, again, which was previously requested in the County's March 14th letter.

- September 20, 2017: CNW responded to the County's July 6th letter by pointing to its prior submission rather than providing supplemental information. The only responsive materials produced was "an example" environmental protection plan, but not one specific to the concerns created at the Proposed Project site.

- October 24, 2017: The County responded to CNW's September 20th letter indicating that CNW's application is still incomplete and that failure to submit the requested information by November 3, 2017 would result in the County denying the application. The County again allowed more time to allow CNW to respond, rather than deny CNW's application as required by the County Code.

- November 21, 2017: CNW submits a letter to the County confirming that the County granted CNW an extension to provide materials to February 25, 2018. This extension was granted without explanation by the County and despite its lack of response to our October 4th letter.

- February 23, 2018: CNW's most recent response again failed to adequately respond to the County's requests. Several matters required by the County remained unaddressed, including:
  - The County's repeated requests for CNW to update its application materials to show how its Proposed Project meets the Skagit County Road Standards, and if improvement are required, to demonstrate how those improvements comply with critical area regulations. CNW's February 23rd response merely indicates that CNW disagrees with the County defining the haul road as a "Private Road" and offers no supplemental information. Further, CNW's indication that it will agree to an Emergency Vehicle Access Road as a condition of permit approval does not address the County's request to provide information to show the existing Private Roads will comply with the County Road Standards; and

- The County's request that CNW update its application to indicate a 300-foot buffer from the edge of the wetlands to the gravel mining operations. CNW did submit a letter from Graham-Bunting Associates ("GBA") from May 18, 2015, which was inexplicitly not previously included in the record although claimed to be submitted by CNW to the County in June 2016. The after the fact submission did not address the County's request and again is an example of a failure of fundamental public disclosure requirements as members of the public only first had access to this GBA letter 14 months after the notice of application.

The above list is only a list of the County's issues with CNW's application, it is not an exhaustive list of the omissions and inadequacies of CNW's application materials which our clients would raise to the Hearing Examiner if the County choses to proceed with the present application in violation of the County Code.

The County has continually evidenced deliberate indifference to its own code and procedures. These actions are a violation of our client's procedural due process rights. These actions by the County serve to deprive our clients of their constitutional rights in violation of Section 1983 of the Civil Rights Act.

While the extension should not have been granted by the County in the first place, even if the County considers CNW's February 23rd responses, CNW still failed to respond to the County's requests and therefore CNW's application must be denied at this time.

3. A new SEPA Threshold Determination is required.

Not only does the County Code require that the application be dismissed for the failure and refusal of CNW to timely provide the requested information, the SEPA Rules require the lead agency withdraw the MDNS when the submission of new information warrants additional analysis or when a MDNS was procured by misrepresentation or lack of material disclosure – as is the case here. WAC 197-11-340(3)(a)(ii) and (iii). More than a year ago, we indicated in a letter to Mr. Cooper at the County Planning and Development Department, that the initial MDNS was issued in violation of the fundamental disclosure and notice requirements of SEPA and in violation of our clients' procedural due process rights.[6]

A new threshold determination is required here based on contradicting information presented by CNW throughout the application process and based on the submission of new materials which warrants additional analysis. Therefore, the County should withdraw the MDNS, and issue a new threshold determination. Our clients believe that should be a determination of significance necessitating that an EIS be prepared to appropriately examine the Proposal with clarity, accuracy, and transparency with the purpose of identifying the probable significant adverse environmental impacts resulting from the project.

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[6] *See* March 2, 2017 Letter from J. Sitkin to J. Cooper regarding Special Use Permit Application No. PL 16-0097.

4. The significant probable adverse environmental impacts of the Proposed Project necessitates a determination of significance and preparation of an EIS.

Each time the County received additional information from CNW, inconsistencies in responses become more evident and new environmental impacts are identified necessitating an EIS. The most recent submission from CNW on February 23, 2018 is no exception. The issues with CNW's that have been identified thus far are summarized below.

- Critical Areas: CNW's February 2018 response failed to address the County's July 6, 2017 request for CNW to update its application to provide for a 300-foot buffer from the edge of the wetlands to the gravel mining operations. The County appropriately recognized that this is a high intensity project and requested an updated application to reflect the appropriate buffers. As pointed out in Jim Wiggins[7] March 4, 2018 comment letter, no site plan has been prepared by CNW that identifies the location of the proposed mine in relation to critical areas. Without this information, the County and community are unable to accurately assess the Proposed Project's compliance critical area buffer requirements. A site plan prepared by a Professional Land Surveyor indicating the slope, location of the Ordinary High Water Mark of the adjacent streams and wetlands, location of any riverine wetlands, the 300-foot buffer and the 200-foot shoreline jurisdiction, and the location of the proposed mine in each of its stages is a necessary start for appropriately evaluating the probable significant adverse environmental impacts. This level of detail is warranted for a project of this scale, is a necessary part of project and environmental review, and surely would be a component of an EIS.

- Water Table Issues: It is unclear from CNW's application materials how the mining activities will remain ten (10) feet above the water table. CNW should provide performance standards to monitor ground water elevation prior to the removal of gravel and include a mitigation plan remediate the mine elevation if the bottom of the mine is closer to the 10-foot water table.

- Noise and Vibration: The Ramboll Grip Road Mine Noise and Vibration Study provided by CNW (the "Noise Study") has several inaccuracies, which seriously calls in to question the adequacy of the Noise Study. Some of the Noise Study's errors on which the findings of the study are based include[8]:

    - Page 1 – the Introduction states the proposed gravel mine would be located in the middle of the 726-acre property. This is not accurate as three of the four borders are not contained within the 726 acres. However, defining the project area as 72 acres suggests CNW's long term intent to extract gravel from an area beyond the current application.

[7] Mr. Wiggins is a professional biologist by trade, and a concerned neighbor.
[8] These issues were identified by a desktop review by a non-noise expert. Likely, if this report is scrutinized by an impartial noise expert more issues of concern could be revealed.

- Page 1 – the Introduction states that the site is forested and most of the existing buffers would remain intact. If by buffers, Ramboll is referring to the trees, then the CNW must not have indicated that it is actively removing the trees comprising that buffer under its forestry permit. And, indicates Ramboll may not have even visited the site, suggesting the noise study is nothing more than a desktop evaluation. Furthermore, the study failed to consider the cumulative impacts of the noise generated from the existing logging occurring onsite along with the added noise and vibrations from the proposed mining activity. Based on the forgoing, the noise study apparently did not consider the absence of the tree buffer in regards to noise impacts.

- Page 7 – the Noise Analysis states that the noise sources would include a single front-end loader and the trucks removing pit-run from the mine.[9] This analysis did not include the equipment for clearing the forest or excavating the mine such as stump grinders, dozers, and graders. Notably, the report failed to not indicate the size or quantities of the equipment which will be used onsite, a critical element of any noise study.

- Page 7 – the equipment referenced in the Noise Analysis is inconsistent with and omitted several pieces of equipment that CNW indicated would be used onsite in its Amended Special Use Permit Form, Item 12. There CNW stated that, "standard mining equipment such as front-end loader, dozer and excavator will be used", while the Amended Sand and Gravel General Permit, Item 2 that, "equipment on site typically includes: Front End Loader(s), Dump Trucks, Excavator(s), and other miscellaneous mining equipment." The Noise Analysis does not address dozers, excavators, or miscellaneous mining equipment, all of which would generate noise and vibration in addition to what was considered by Ramboll.

- Traffic: The Proposed Project requires a Level 2 Traffic Study. As was described in Brian Bowser's letter dated January 7, 2018, the Proposed Project causes significant traffic impacts and safety concerns, including vehicle, pedestrian, non-motorized vehicle safety concerns, such as site distance issues, all of which necessitate a Level 2 Analysis. *See* County Road Standards 4.02.B.6. Moreover, CNW's traffic consultant indicated in its reports that "additional traffic analysis will be required", yet to date that analysis has not occurred.

  The County's third party independent review from Gibson Traffic Consultants may likely reveal additional areas of concern not fully addressed by CNW's traffic consultants which would require further review pursuant to the County Road Standards. If the County requires an EIS as it should here, that alone would trigger the need for a Level 2 Traffic Study. *See* County Road Standards 4.02.B.4.

[9] Noise and Vibration Study page 7, Section 4.1.

CNW's inconsistent responses about traffic impacts indicates its intent to expand the scope of the project after approval, which would result in improper segmenting and a piecemealed review. In CNW's May 15, 2017 response letter to the County's inquiries about traffic impacts and road standards, CNW objected to a condition limiting the daily truck trips to 46 trips because "there are certainly days where this [limit of 46 trips] would be exceeded." CNW objected to the 46-trip limit even though that was the number CNW's traffic consultant used to demonstrate concurrency and show that the Proposed Project would not negatively impact the level of service. Rather than the 46-trip daily limit, CNW submitted a revised traffic memorandum from DN Traffic Consultants suggesting a daily limit of 720 truck trips per day. These figures mind you, do not account for any other non-truck trips for employees or other persons' accessing the site. There is also an open ended question of sales of material from the site that will generate independent truck trips to and from the site.

As you know, our clients held a community meeting. During this meeting, which was attended by the prior director of the Planning Department and two of the County Commissioners, Brian Bowser presented a detailed power point addressing the traffic impacts of the Proposed Project on the community and surrounding County roads. Since that time, the County has retained a new Planning Director. Mr. Bowser is available to meet with Hal Hart and Ryan Walters to review the traffic impact power point that was presented to the community. We can facilitate arranging this meeting, or Hal can contact Brian directly to review this power point and related information concerning the traffic impacts of the Proposed Project.

- Piecemeal Review and Hours of Operation: Throughout the review process, CNW has refused to provide definitive answers to straight forward questions. The County must not ignore the resulting vague project scope of the project that implicitly reserves to CNW the ability to pursue broader development actions within the MRO at a later date without comprehensive environmental review. For example, CNW on the one hand updated its application to include that hours of operation will be 7:00 AM to 5:00 PM but continues to include in its amended application that "hours of operation may be unlimited."[10] CNW insistency on allowing unlimited hours of operation suggests its intent to conduct future expansion. Future expansion would amount to an improper segmenting of the project. SEPA requires the County consider the full scope of the project and future environmental impacts resulting from its actions.

  These inconsistency and material non-disclosure results in a piecemeal environmental review in violation of WAC 197-11-060(3)(b). When an applicant does not have a specific proposal to develop the land in question the County "cannot close its eyes to the ultimate probable environmental consequences of its current action."[11] Even if the Proposed Project were to be limited to the minimum hours of 12 hours a day, 5-days per week, this level of activity, including but not limited to truck trips, noise and other

[10] Dan Cox Letter dated February 23, 2018, page 1, item 1 and Amended Special Use Permit Application, page 8, item 2.
[11] *Cheney v. City of Mountlake Terrace*, 87 Wn.2d 338, 334, 553 P.2d 184 (1976).

impacts, would cause probable significant adverse environmental impacts which must be examined and disclosed to the public through the preparation of an EIS.

5. The Proposed Project lacks consistency with the Skagit County Comprehensive Plan.

A project of this magnitude implicates several goals and policies within the Comprehensive Plan. While we did not address all the goals and policies that are violated or compromised here, we do note the significant traffic impacts of the Proposed Project. There is no plan for mitigation of these traffic impacts, which demonstrates the Proposed Project's lack of consistency with the Comprehensive Plan. Applicable provisions include:

- Goal 8A-10 requires the County provide a safe travel environment for county residents and visitors in all modes of transportation. Policy 8A-10.1 makes safety improvements a priority in all capital projects and maintenance decisions related to the County road system.
    - Neither of the traffic studies submitted by CNW analyze the potential for accidents on the roads impacted by the Proposed Project. Given the added truck traffic, narrow roadways, limited shoulders and pass lanes, and sight issues, the Proposed Project likely will result in significant increase in accidents, and an increased likelihood of significant injury or death without significant updates to the roads prior to operation of the Proposed Project.
- Goal 8A-13 requires the County incorporate transportation goals, policies, and strategies into all County land use decisions. Policy 8A-13.1 requires that growth and development ensure the short- and long-term public costs and benefits of needed transportation facilities be addressed concurrently with the associated development impacts.
    - Here, necessary improvements to mitigate the Proposed Project's impacts to the community and impacted County roads are not proposed or accounted for with the Proposed Project to address its traffic impacts.
- Concurrency Goal 8A-14 requires the County ensure that suitable mitigation measures address the impacts of growth fairly and equitably, and that transportation impacts at the project and system levels are mitigated concurrently with the project. Policy 8A-14.5 provides that mitigation measures can be incorporated through assessment of suitable mitigation fees where the development significantly adds to the road's need for capacity improvement, to a roadway safety problem, or to the deterioration of the roadway.
    - Even with the limited information provided by CNW, the Proposed Project will significantly increase trips on County roads, impact road and community safety, and increase road maintenance demands due to damage created by heavy trucks loaded with gravel.

Again, without the detail of a Level 2 Traffic Analysis, it will be difficult to assess the Proposed Project's impacts and ascertain appropriate mitigation measures to address the traffic impacts.

We urge the County to follow its Code and deny the application as it should have initially after CNW's failure to produce the additional information pursuant to the time allotted by SCC 14.06.105. In addition, the inconsistent information provided by CNW and new information submitted after the MDNS was issued in May 2016 requires the County to withdraw the MDNS and restart the environmental review. Our clients believe that the Propose Project requires a determination of significance and the preparation of an EIS. Based on the above, the County must require CNW to restart the application process, including the appropriate environmental review and provide for the appropriate public comment period following proper notice.

Thank you for your consideration.

Sincerely,

CHMELIK SITKIN & DAVIS P.S.



Jonathan K. Sitkin
Timothy D. Schermetzler

JKS/TDS/
Encl.
cc: Client
John Cooper, Skagit County Planning & Development (hard copy only)
Hal Hart (via email)
Ryan Walters (via email)

RECEIVED
OCT 05 2017
SKAGIT COUNTY
PDS

October 1, 2017

John Cooper
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98283

Re: Proposed gravel mine / Miles Sand and Gravel 9/20/17 response to County (PL16-0097)

Dear Mr. Cooper,

In your letter of July 6, 2017, you again asked Miles Sand and Gravel ("Miles") to provide the County with additional information necessary to process their application for a Mining Special Use Permit. This proposal is to develop a large new gravel mine on the Samish River near Prairie and Grip Roads. We have reviewed Miles' latest (Sept 20, 2017) response to the County. Miles' submission again fails to respond to the requirements set out in your July 6, 2017 letter, and does not even attempt to address numerous substantive issues raised by the community. Miles continues to insist that their application is complete and ready to go to public hearing. They substantiate this claim with repeated references to the original staff report issued in September 2016. This rationale is simply erroneous. Miles is aware that there were serious flaws with the original public notice process – flaws that rendered the original Mitigated Determination of NonSignificance (MDNS) and staff report invalid. Miles is still not acknowledging this fundamental fact. The failure to notify surrounding landowners of the original application and SEPA process was not a harmless error. Many people were literally uninformed and therefore could not participate or comment prior to the issuance of the original staff report and SEPA determination. Because of these flaws, the Hearing Examiner canceled the public hearing last December. After the public had a chance to comment, the County did the right thing by asking Miles to respond to the community's legitimate concerns – these concerns are not "unsupported public sentiment" as claimed by Miles. Community members have documented in detail numerous specific public safety issues, dangerous road deficiencies and many other environmental impacts that were simply not evaluated or addressed in the original proposal. Numerous omissions and errors in the original application materials and the original staff report have also been pointed out repeatedly. These issues cannot simply be addressed at the public hearing – they require additional study and evaluation, as should have been done in the first place. Until Miles provides the information necessary to fully evaluate the potential impacts of its proposal, it is incumbent on the County to continue to consider the application incomplete, and do no more to evaluate or process it.

Please find below some additional comments regarding specific numbered issues listed in the County's July letter and Miles' September response:

1. Regarding proposed hours of operation: In its July 2017 letter, the County clearly documented the Hearing Examiner's authority to regulate hours of operation, and it is appropriate for staff to make recommendations to the Hearing Examiner regarding this. Many households will be impacted by the noise from on-site operations from this mine, as well as from the noise from heavy gravel truck traffic – there is currently no similar industrial activity in this neighborhood – we deserve to have some reasonable limits put on hours of operation. Furthermore, without a noise study, we do indeed have only "unsupported public sentiment" as claimed by Miles – this is perhaps the most compelling reason to conduct such a study. Please see additional comments regarding the "isolated" nature of the site under item #2 below.

2. Regarding conducting a noise study: Miles claims that the site is "very isolated". According to our ArcGIS calculations from a center pin-point, approximately 100 households are within a mile of the mine site, 375 households are within 2 miles and 750 households are within 3 miles. This hardly qualifies as isolated.

Furthermore 25 years of continuous mining activity and associated truck traffic is not comparable to "any construction site where earthwork is underway" as claimed by Miles.

In addition, this section of the County's letter asked Miles to provide sufficient evidence to support specific criteria for Special Use Permits as set out in SCC 14.16.900(1)(b)(v). The full list of criteria was quoted, not just those dealing with noise and vibration. Notably: paragraphs *(G) The proposed use is not in conflict with the health and safety of the community;* and *(H) The proposed use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding areas, or conditions can be established to mitigate adverse impacts on such facilities.* County roads constitute *public facilities and services.* Public comments have repeatedly documented the inadequacy of the existing County road system to accommodate the proposed gravel truck traffic and the significant public safety issues associated with this increased volume of traffic. The number of households which use the proposed haul route (Prairie Road and Grip Road) on a daily basis is close to 1,000, with the number using Highway 99 / Bow Hill Road being much higher. There are also at least three school bus runs in the morning and again in the afternoon along Prairie Road and Grip Road. This further confounds Miles' claim of the site's remoteness. The burden of proof is on the applicant to demonstrate that the safety of the community is not at risk, and to describe the mitigation that is intended to make our roads safe despite the huge increase in gravel truck traffic that is proposed.

3. Regarding truck trips: Miles claims that the County's letter "does not accurately represent what [Miles] has proposed," stating that the information is "clearly presented" in the DN traffic 'reports'. And yet, the County lifted the numbers of truck trips directly from the DN consultants' report which states: *Assuming this volume is spread evenly across 260 working days a year the resultant daily volume would be approximately 46 vehicles per day.* The key word is "assuming". Everyone knows that the gravel truck traffic will not be spread evenly across the calendar year, but instead will be seasonal and market driven, and therefore we must expect much higher than 'average' numbers of truck trips during the summer, and whenever it is expedient for Miles. Even the 'average' of 46 trips per day, itself represents a significant threat to public safety. However, in lieu of any firm commitment from Miles to limit numbers of trucks per day, we have no choice but to assume any number of trips up to the 60 per hour/720 per day, which was suggested as a "more realistic" limit by DN traffic consultants in their November 30, 2016 addendum to the traffic report.

   Many letters have been written to the County on this topic and we will refrain from further comment at this time, except to reiterate that the DN traffic "reports" are woefully inadequate. A full Level 2 Traffic Impact Analysis is not only needed, but is required to comply with the County's Road Standards. The County's stated intention to retain an unbiased qualified third party traffic consultant to review this issue is a good first step. We feel strongly that this review should be done at the applicant's, not Skagit County taxpayers', expense.

4. Regarding the private haul road: This is a two-mile-long largely unimproved dirt road that crosses a fish bearing stream and is adjacent to several large wetlands. The use of this road is changing from a very light occasional use (forest management) to very heavy industrial traffic. Miles is completely disregarding these impacts. Nor did Miles address the County's request for additional Critical Areas review of the private road.

5. Regarding the "example" Environmental Protection Plan: The status of this document is somewhat unclear. Is it an actual, submitted document of record or is it only meant to be an "example" of what Miles

might submit to the Department of Ecology to cover its Grip Road operations? If it is only an "example" and not an actual submission, we question the validity of this document as a response to the request you made for a site-specific spill control plan in your July 6, 2017 letter. The Stormwater Pollution Prevention Plan appears to be a "catch-all" of BMPs that might be applied on this site. It isn't really clear which ones would actually be used, potentially leaving the door open for expanded operations. Furthermore, this document does not address the potential impacts and BMPs for both the private haul road and off-site haul routes.

6. Regarding a 200' vs. 300' buffer on the Samish River. What "development permit" has already been issued? How does this relate to the proposed Mining Special Use Permit? Numerous previous comments by citizens and agencies have made the clear case that an open pit mine is not a "medium intensity use".

7. Regarding "numerous factual discrepancies". There are so many disparate conflicting documents submitted over a long stretch of time, it's incredibly difficult to sort out what information is correct and most recent. If Miles would take the time to review the previous letters sent by the County, the public comments, and the letters from our attorneys have submitted, they will find plenty of corrections and clarifications to address. Asking for these to be stated again is simply stonewalling. The time is over for delay tactics. If Miles wants to develop this mine, they should start over with new clean application and new detailed SEPA checklist that addresses the community's concerns and truly address all of the environmental impacts.

Thank you for your time and consideration.

Sincerely,

Martha Bray and John Day
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Sedro-Woolley, WA

Cc: Dale Pernula
Commissioner Lisa Janicki

RECEIVED
OCT 04 2017
SKAGIT COUNTY
PDS

30 September 2017

John Cooper
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98283

Re: Reply to 20 September 2017 Miles Sand and Gravel letter (PL16-0097)

Dear Mr. Cooper.

This letter is intended to provide our opinion regarding the above referenced letter written to you by Mr. Dan Cox of Miles Sand & Gravel (Miles). Mr. Cox's letter regards the County, 6 July 2017, letter requesting additional information in order to continue processing the Miles application (PL16-0097).

It is apparent the contents of said letter did not adequately address the county's request for additional information. Generally, they only superficially responded with no substantive new information.

Our concern was and remains adherence to their SEPA checklist as it pertains to the safety and welfare of the people that use the roads of the proposed gravel extraction operation—environmental impacts, the likelihood of increased large truck traffic, noise and dust levels.

The numbering below reference quotes within the Miles letter and our brief response.

1. The unlimited hours of truck trips that would be generated by the operation of the pit will not mitigate for the concerns expressed in the above referenced paragraph. SCC 14.16.440 (10) (i) states; *Hours of Operation. Hours of operation shall vary according to the location of the site as stated below and may be shortened by the Hearing Examiner (HE) based on site-specific circumstances.*

Because this section states the *HE* may limit the hours of operation, and includes other subsections concerning limiting hours of operation. We highly recommend the county request that the *HE* limit said hours of operation to no more than 8am to 5pm Monday through Friday, and require the applicant limit said hours. This recommendation will mitigate for some impacts the operation of the pit will have on the safety and welfare to the surrounding land owners and drivers that will be significantly affected by the increase in truck traffic the pit generates.

2. SCC 14.16.900 (1)(b)(v) states: *The burden of proof shall be on the applicant to provide evidence in support of the application. The criteria for approval or denial shall include the following.* (To rebut the statement by Miles) The burden of proof is on the applicant and

not the county, nor us, i.e. the affected neighbors. Therefore, this statement is erroneous.

3. The DN Traffic Consultants study is only a **Draft**. Therefore, as we have previously expressed, a full Level II traffic analysis is needed to truly determine the impacts the proposed pit will have on all proposed roads and intersections that are likely to be used by trucks leaving and returning to the pit operation. We also respectfully request a full physical description of all trucks (size, turn radius, etc.) that will be used by Miles to transport gravel.

4. Because the "private road" to be used by Miles for their pit operation will be modified and maintained to allow for truck traffic, we request Miles provide the county with a realistic description of modifications and maintenance to said private road. SCC 14.24.060 Authorizations Required, of the county Critical Areas Ordinance, states: *With the exception of activities identified as Allowed without Standard Review under SCC 14.24.107, any land use activity that can impair the functions and values of critical areas or their buffers including suspect or known geologically hazardous areas, through a development activity or by disturbance of the soil or water, and/or by removal of, or damage to existing vegetation shall require critical areas review and written authorization pursuant to this Chapter.*

The permit application submitted by Miles is inadequate (see the above statement) due to lack of information of their proposed pit operation impacts and the lack of report preparation of said critical areas. As we have previously expressed, county code requires a critical areas report be prepared on the land the proposed pit will impact by their proposed land use activities. To date, Miles has not submitted a critical areas report on the pit site, the "private road" and/or on all impacts the increased truck traffic will have on the roads that are intended and likely to be used during hauling gravel.

5. We appreciate the submittal of the draft boiler plate Spill Control Plan submitted and have the following comments.

There are several references to a "Site Map". We need to see said site map. Said site map should include the pit site and the private access road.

Page 4, A, mentions "process water". If the pit operation is for gravel extraction and trucking to another facility, what is the purpose of "process water". Please explain.

Page 4, B, f, lists "constructed wetlands". Where will said constructed wetlands be constructed?

Page 5, E, 1 and 2 mention Chemical Liquids, fluids, petroleum products, Used Oil, Spent Solvents, Fertilizers, and Pesticides. What type of products are these, their purpose, and why are they included with this project when all that is proposed is gravel extraction and hauling to a secondary location?

Page 6, 7,b., ii, refers to concrete truck wash-outs? What is the purpose of this reference when all that is proposed is gravel extraction? Same page item 8 refers to

Storage of unhardened concrete, what is the purpose of this? Same page item 11 refers to paving equipment, what is the purpose of this when all that is proposed is gravel extraction?

Same page 6, item 12 mentions the management of sediment track out. We assume this references the entrance to the pit site from Grip Road ingress/egress. If said entrance to said access road will be widened, it is apparent said entrance road will have some construction completed. Said construction needs to be described and where appropriate, a critical areas report needs to be completed for the proposed construction.

Page 7 throughout…there are references to a "closed loop", cleaning of off-site roads, fueling stations, mobile fueling, and dust control. These proposed features require additional mapping and descriptions, and, their purpose.

Page 9 discusses potential spills and "doesn't allow a discharge to surface waters". Where are the surface waters this language refers to? We request all said surface waters be identified.

Page 10, C, 2, and D. Storage requirements refer to "tank's". What tanks?

6. Because Miles has not submitted a critical areas report for the entire impact area (pit site, private road, and adjacent public roads) it is not known what type of impacts and County buffers will be required. However, the critical areas report completed by Graham Bunting for the wetland associated with the Samish River recommends a 200' buffer. While, SCC 14.24.230 Wetland Protection Standards, requires a 300' buffer for High Intensity Land use, which a gravel pit is per the definitions section of the SCC CAO as follows: *Land Use Intensity, High; Land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium-and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and commercial and industrial land uses*.

We therefore request the County limit all impacts to all wetlands, those currently known and to be identified, and their regulated buffers in the pit area, and "private road" and likely areas of disturbance, be identified and required to have a 300' buffer or the buffers per code (the CAO).

7. We respectfully request the county to address this question by Miles.

Respectfully,

Jim Wiggins Abbe Rolnick

21993 Grip Road
Sedro-Woolley, WA 98284

CHMELIK SITKIN & DAVIS P.S.
ATTORNEYS AT LAW

RECEIVED
JAN 02 2018
SKAGIT COUNTY
PDS

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December 28, 2017

VIA REGULAR U.S. MAIL & E-MAIL
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Julie S. Nicoll
Deputy Prosecuting Attorney
Skagit County
Civil Division – Planning & Development Services
605 S. 3rd Street
Mount Vernon, WA 98273-3867

RE: EXTENSION GRANTED TO CONCRETE NOR'WEST IN VIOLATION OF SKAGIT COUNTY CODE

Dear Ms. Nicoll:

This letter is written in response to the County's October 24, 2017 decision to grant Concrete Nor'West ("CNW") an extension to provide the County with requested information regarding CNW's deficient permit application.[1] This extension was granted in flagrant violation of the Skagit County Code, which expressly requires that the permit application be denied.

SCC 14.06.105 is clear and unambiguous. Extensions to requests for information may *only* be granted if three specific conditions are met. First, a written request for extension must be submitted 21 days prior to the specified deadline. Second, the applicant must demonstrate that circumstances beyond the control of the applicant prevented timely submittal of the requested information. Third, the applicant must provide a reasonable schedule for submittal of the requested information. There is no authority for the County to grant an extension if these conditions have not been met.

None of these conditions were met in CNW's case. CNW did not submit a written request for an extension until an email on October 27 memorializing an off-the-record discussion with the County's Director of Planning & Development Services. Thus, CNW's request for an extension, such as it was, came only 7 days prior to the deadline—two weeks beyond the last date to request an extension. Second, CNW made no attempt to explain how circumstances beyond their control prevented a timely

[1] The Skagit County Planning Department has issued multiple requests for more information related to CNW's permit application over the past year. CNW has yet to provide the County with the requested information, yet the County granted an extension in violation of the County Code. The County's most recent request for information from CNW was dated July 6, 2017. CNW's response on September 21, 2017, over two months later, provided no substantive information, arguing instead that the information had either already been provided or was not within the County's authority to request. The Skagit County Code sets a 120-day time limit on such responses. The County wrote to CNW on October 24 to state that CNW's failure to respond with the requested information by November 3 would constitute an abandonment of the permit application pursuant to SCC 14.06.105. On October 30, we were provided an email chain between CNW and the County indicating that, after an October 27 discussion with CNW (no record of which has been provided), the County had decided to grant an extension through February 25, 2018, on the condition that CNW provide, by November 3, a reasonable schedule for producing the requested information.

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submittal of the information. Indeed, CNW's previous correspondence indicated that CNW simply did not believe the County had the authority to request such information, which is incorrect for the various reasons discussed in our previous correspondence on this matter. Third, as for the required "reasonable schedule," the County gave CNW until November 3, 2017, to submit it. CNW immediately repudiated this deadline, stating that they would not provide a schedule until after a meeting with the County that, at the time, had not been scheduled.

Furthermore, a decision to grant an extension is an act taken by the County, the findings for which must be documented in a final decision in order to allow for appeal. The County has never issued a final decision on this extension; the most it has done is privately email CNW to confirm that an extension had been granted. The County has yet to post any final decision or formal writing to its website to disclose to the public that an extension was granted. Indeed, the only indication on the County's website that an extension has been granted is a November 21 letter not from the County but from CNW.[2] There is no confirmation from the County that the terms outlined in this letter accurately reflect the County's expectations regarding the information that CNW is required to provide.

The County's grant of an extension to CNW is in plain violation of the County Code, and CNW's permit application must therefore be administratively denied, as the County expressly stated in its October 25 letter to CNW. SCC 14.06.105 is a mandatory provision; it states that the failure to timely respond to a request for more information "shall" effect a denial of the application. The County staff has no discretion to bend the rules or make up new rules for CNW. Moreover, even if the County's offer of an extension had been valid, CNW has plainly failed to comply with the stated conditions by refusing to provide a reasonable schedule for submittal of the requested information within the prescribed deadline. The County cannot simply disregard the County Code in this manner.

The meeting between CNW and the County to discuss the "reasonable schedule" requirement raises other concerns. The County originally required a schedule by November 3, which CNW rejected out of hand. This meeting did not occur until several weeks later, and despite repeated requests for updates, the public did not learn of the meeting until several weeks after that—and then only when we were provided a copy of the November 21 letter from CNW memorializing the meeting (which was not posted to the County's website until mid-December). CNW's November 21 letter indicates that the County provided certain "clarifications" regarding the earlier requests for information. No written account of the meeting from the County's perspective has yet been provided, so it remains unclear to what extent CNW is being held to the County's original requests for information (which, it is worth noting, did not lack for clarity in any case).

The meeting plainly *did* result in changes to the requirements imposed on CNW's permit application by the County. For example, the County has apparently decided to pursue a third-party review of CNW's traffic study—which we only became aware of through CNW's November 21 letter. Given that this review process had previously been put on hold due to CNW's failure to adequately respond to the County's requests for information, it's not clear what was discussed at the meeting or what (if anything) has changed so as to justify the third-party review now. Moreover, although an objective review of CNW's traffic study is clearly warranted and necessary, CNW's traffic study is now nearly two years out of date. Before taxpayer funds are spent on a third-party review of that study, the County should require CNW to provide a revised traffic study with more current data based upon a revised scope of work, as we have communicated in the past. More importantly, the scope of any third-party review should have been disclosed to the public for comment. Concerned citizens have

[2] At the time of this writing, the link to CNW's November 21 letter on the County's website is not even functional.

expressed significant and substantial comments to the County staff regarding road, pedestrian, and traffic safety. The depth and scope of any traffic assessment—whether CNW's own traffic study or a third-party review thereof—is a matter necessitating public input.

The public frustrations regarding the County's lack of transparency on this permit application has been repeatedly expressed to County officials. The County has now negotiated the terms of an (already unlawful) extension behind closed doors with no public participation or awareness, making it difficult to ignore the growing suspicion that the County's lack of transparency is, at this point, not simply an accident or oversight. While the County had taken steps toward providing for some public awareness by maintaining all correspondence with CNW on the County's website, that practice appears to have been abandoned, opting instead for closed door meetings with decisions of the County prepared and memorialized by CNW. To abandon the practice of open, written communication with CNW at this stage would be a tremendous disservice to the public and a violation of the tenets of good government. If CNW had valid questions that they believed required answers prior to their submittal of a reasonable schedule—which is unlikely, given the clarity of the County's requests—then CNW should have put those questions in writing and the County should have responded in writing, consistent with past practice. The closed-door meeting with CNW and subsequent actions and inactions by the County has damaged the public trust, which the County had appeared to be attempting to regain.

In the end, CNW's stalling on providing the requested information is indicative of its disregard for the environmental review necessitated by its permit applications under both state law and the County Code, and its open repudiation of an extension whose terms were already more favorable than the County Code allows is merely the latest expression of this disregard. Now, the County's grant of an unlawful extension indicates the County's apparent intent to accommodate CNW's disdain to the detriment of the public. The County should—and indeed, is required to under SCC 14.06.105—deny CNW's permit application for failure to timely respond to a request for more information.

Thank you for your consideration.

Sincerely,

CHMELIK SITKIN & DAVIS P.S.



Nolan F. Davidson

JKS/NFD/rsv
cc: Client
John Cooper, Skagit County Planning & Development (hard copy only)

Spot checked

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Jim	Morrell	22777 Nature View Drive	Sedro Woolley	WA	98284	jmrrll@frontier.com	360-854-9319	x	
Riley	VanderVeen	21994 Prairie Road	Sedro Woolley	WA	98284	riley.softball.12@gmail.com	360-840-4292	x	
Larry	VanderVeen	21994 Prairie Road	Sedro Woolley	WA	98284	Lbveen@wavecable.com	360-856-2617	x	
John W. & Marie J.	Erbstoeszer	217 E. Division Street	Mount Vernon	WA	98274	erbst@cnw.com	360-336-5896	x	
Phillip	McLoud	24175 Nookahamp Hills Drive	Mount Vernon	WA	98274	phil.mcloud@gmail.com	360-392-0641	x	
Chris	Robertson	5459 Parkridge Place	Sedro Woolley	WA	98284	crobertson70@gmail.com	360-333-7103	x	
Anthony	Engel	22965 Nature View Drive	Sedro Woolley	WA	98284	triengel@frontier.com		x	

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John	Ruthford	20483 Prairie Road	Sedro Woolley	WA	98284	tlbtrbo@aol.com	360-724-3903	x	
Michael B.	Cole	5236 Park Ridge Place	Sedro Woolley	WA	98284	mbcole70@aol.com	360-724-3720	x	
Rick	Brumfield	5318 Cedar Ridge Pl	Sedro Woolley	WA	98284	rbb123@frontier.com	253-670-3606		x
Jane	Fish	5043 Wildlife Acres Lane	Sedro Woolley	WA	98284	jfish1994@gmail.com	360-708-2981	x	
Nancy K.	Taylor	21441 Prairie Road	Sedro Woolley	WA	98284	nancyktaylor45@hotmail.com	360-399-1969	x	
Mike & Stephanie	Gahan	22035 Grip Road	Sedro Woolley	WA	98284	colebran1@gmail.com	360-854-0067	x	
R.P.	Silva					petenteri1@gmail.com		n/a	n/a
Joni Lee	Morrell	22777 Nature View Drive	Sedro Woolley	WA	98284	joni.morrell@gmail.com	360-854-9319	x	
Wallace	Groda	21804 Grip Road	Sedro Woolley	WA	98284				x
Neil C.	McLeod	21454 Grip Road	Sedro Woolley	WA	98284	quickblackie@gmail.com	360-303-4831	x	
John & Sally	Guettler	5324 Cedar Ridge Place	Sedro Woolley	WA	98284	jfguettler@gmail.com	360-856-1045	x	
Brian Andrew	Bowser	21110 Parson Creek Road	Sedro Woolley	WA	98284	cmsinc@myfrontiermail.com	360-724-4046		x
David L.	Day	P.O. Box 526	Burlington	WA	98233	office@fairhavenlegal.com	360-755-0611	x	
Stephen M.	Kenady	5319 Cedar Ridge Place	Sedro Woolley	WA	98284	smkenady@gmail.com	360-661-1161	x	
Jeannine	McLeod	21454 Grip Road	Sedro Woolley	WA	98284	figetwiget@gmail.com	360-319-5879	x	
Andrew J.	Rice	22356 Prairie Road	Sedro Woolley	WA	98284	academicsandadventures@hotmail.com	360-708-3286	x	
Monty	McIntyre	22243 Grip Road	Sedro Woolley	WA	98284	mont137@msn.com	360-927-8771	x	
Laurel	Peak	22841 Nature View Drive	Sedro Woolley	WA	98284	laurelpeak@gmail.com	203-470-2710	x	
Frederic E.	Allen	22018 Grip Road	Sedro Woolley	WA	98284	rik@rikallen.com	360-202-1063	x	
Matt	Mahaffie	22031 Grip Road	Sedro Woolley	WA	98284				x
Shaari	King	P.O. Box 95	Bow	WA	98232				x
Wayne	Watne	7137 Steelhead Lane	Burlington	WA	98233	harvestvisionministries.org	360-707-1981		x
Matt	Johnson	22562 Grip Road	Sedro Woolley	WA	98284	chops_215@hotmail.com		x	
Scott	Schuyler					scotts@upperskagit.com		x	
Rebecca	Sitton	18712 Fishermans Loop	Burlington	WA	98233	beckiesitton@gmail.com		x	
Gretchen	Kaehler	P.O. Box 48343	Olympia	WA	98504	gretchen.kaehler@dahp.wa.gov	360-586-3088	x	
David	Miller	5493 Hoogdal Branch Road	Sedro Woolley	WA	98284	davidmiller8080@hotmail.com	360-333-2616	x	
David	Goehring	20002 Double Creek Lane	Sedro Woolley	WA	98284	davidgoehring@gmail.com	360-661-0818	x	

Nancy	Swalling	22649 Grip Road	Sedro Woolley	WA	98284	swalling@wavecable.com	360-856-6549	x	
Indra	Pernell	4505 Prairie Lane	Sedro Woolley	WA	98284	ipernell72@gmail.com	360-399-1621	x	
J. Michael	Newlight	897 Chuckanut Shore Road	Bellingham	WA	98227	jmnewlight@comcast.net	360-734-5890	x	
Dan	VerMulm	491 N. Burlington Blvd.	Burlington	WA	98233	dvermulm@be.wednet.edu	360-757-3386	x	
Jonathan K.	Sitkin	1500 Railroad Avenue	Bellingham	WA	98225	jsitkin@chmelik.com	360-671-1796	x	
Nolan F.	Davidson	1500 Railroad Avenue	Bellingham	WA	98225		360-671-1796		x
Nicole	Petersen	528 F and S Grade Road	Sedro Woolley	WA	98284	ThePetersenRanch@hotmail.com		x	
Dennis	Whitcomb	19117 Prairie Road	Burlington	WA	98233	dennis.whitcomb@gmail.com	360-399-1434	x	
Joe	Prince	22047 Grip Road	Sedro Woolley	WA	98284	slumpmonkey@gmail.com	360-421-1745	x	
Lynn	Lambert	5474 Parkridge Place	Sedro Woolley	WA	98284	Lambert.lynn78@gmail.com	360-724-0566	x	
William T.	Lynn	1201 Pacific Ave., Suite 2100	Tacoma	WA	98402	blynn@gth-law.com	253-620-6416	x	
Donna	Schoonover	P.O. Box 207	Bow	WA	98232	donnawh@earthlink.net	360-724-3064	x	
Linda	Parks	5402 Parkridge Place	Sedro Woolley	WA	98284	dldmm@yahoo.com	971-337-0581	x	
Jonathan	Fish	5043 Wildlife Acres Lane	Sedro Woolley	WA	98284	jfish326@gmail.com	360-708-9526	x	
Nadine M.	Degolier	32620 80th Drive NW	Stanwood	WA	98292	nadinedegolier@yahoo.com		x	
Dian	Jahn	4501 Fidalgo Bay Rd, 901	Anacortes	WA	98221	dian.jahn@gmail.com	425-830-5381	x	
Timothy P.	Merriman	4214 State Route 9	Sedro Woolley	WA	98284	timothy.p.merriman@gmail.com	360-399-1750	x	
Kristi	Gorne	4840 Wildlife Acres Lane	Sedro Woolley	WA	98284	Kristi@nordictempcontrol.com	606-873-8163	x	
Kathleen	Grimbly	4658 Blank Road	Sedro Woolley	WA	98284	bluemoonexplore@gmail.com	360-856-5622	x	
Crystal	Scheer	4868 Blank Road	Sedro Woolley	WA	98284	crystalscheer@gmail.com	360-630-5025	x	
Christy Jo	Murdock	22081 Grip Road	Sedro Woolley	WA	98284	murdock@wavecable.com	360-854-0124	x	
Wim	Houppermans	P.O. Box 223	Anacortes	WA	98221	evergreenislands.org			x

00699

Ingo	Lemme	5856 Park Court	Sedro Woolley	WA	98284	ilemmegm@gmail.com	360-724-4614	x	
Christine M.	Hunter	23490 Mosier Road	Sedro Woolley	WA	98284	hunterchrism@gmail.com	360-610-1539	x	
Savannah	Yates	19117 Prairie Road	Burlington	WA	98233	raesavannah33@gmail.com	360-399-1434	x	
Judith	Mccarthy	20426 Aliston Lane	Burlington	WA	98233	jmccarthy33@hotmail.com	360-420-1353	x	
Natalie	Niblack	21357 Mann Road	Mount Vernon	WA	98273	Reecered@earthlink.net	360-444-4803	x	
Herb & Debra	Anderson	7374 Erna Lane	Sedro Woolley	WA	98284	deb_janderson@hotmail.com	360-856-6855	x	

Name	street	city	state	zip	Sent 4/11/18
Sarah Collee	20636 Prairie Rd	Sedro Woolley	WA	98284	x
Miranda Walsh	2272 E. Broadway	Mount Vernon	WA	98274	x
Greg Harvey	22372 Nita Lane	Sedro Woolley	WA	98284	x
Wally Rogers	21009 Wildwood Pl	Sedro Woolley	WA	98284	x
Robert & Elizabeth Pole	20756 Prairie Rd	Sedro Woolley	WA	98284	x
Joy Peters	20836 Prairie Rd	Sedro Woolley	WA	98284	x
Current Resident	20908 Prairie Rd	Sedro Woolley	WA	98284	x
Steve Houle	20543 Prairie Rd	Sedro Woolley	WA	98284	x
Al Morgan	22286 Prairie Rd	Sedro Woolley	WA	98284	x
Steve Barnett	22373 Nita Lane	Sedro Woolley	WA	98284	x
Linda Jonasson	17543 Peterson Rd	Burlington	WA	98233	x
Dugan & Jennifer Flynn	5252 Wildlife Acres Lane	Sedro Woolley	WA	98284	x
Lester Bonnet	21710 Prairie Rd	Sedro Woolley	WA	98284	x
Marian Walsh	19801 Prairie	Sedro Woolley	WA	98284	x
Natalie Walsh	9533 District Line Rd	Sedro Woolley	WA	98284	x
Karla M Gary	PO Box 627	Sedro Woolley	WA	98284	x
Larry & Josie Hedgpeth	5809 Brookings Rd	Sedro Woolley	WA	98284	x
Jim Swift	PO Box 4227	Bellingham	WA	98227	x
Jason Haugland	21422 Prairie Rd	Sedro Woolley	WA	98284	x
Ken Rasmussen	6290 Ershig Rd	Bow	WA	98232	x
Brian Andrew Bowser	21110 Parson Creek Rd	Sedro Woolley	WA	98284	x

Brenda Olson

From: Brenda Olson
Sent: Wednesday, April 11, 2018 12:13 PM
To: 'mbray1107@gmail.com'
Subject: Notice of Decision Re: PL16-0097

SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES
NOTICE OF DECISION
File #**PL16-0097**

Notice is hereby given that on April 5, 2018, the Skagit County Planning and Development Services **denied** special use application PL16-0097 submitted by Concrete Nor'west to develop a gravel mining operation north of Grip Road. The applicant proposed to remove approximately 4,280,000 cubic yards of gravel from the site over an approximately 25 year period. The applicant failed to provide the necessary additional information to process the application within 120 days of the request. Pursuant to 14.06.105, the application has been denied. The subject site is located north of Grip Road and south of the Samish River, within a portion of the southeast quarter of Section 27, Township 36 North, Range 4 East, Skagit County, WA (Parcels *P50155, P125644 & P125645*).

Applicant: Concrete Nor'west, PO Box 280, Mount Vernon, WA 98273

Pursuant to Skagit County Code 14.06.200, the Notice of Decision shall be forwarded to parties of record, the applicant and other applicable parties of interest.

The applicant and/or a party of record may appeal the decision of the Skagit County Planning & Development Services to the Skagit County Hearing Examiner pursuant to the provisions of Section 14.06.110. Parties with standing to appeal must submit the appeal form and appeal fees to the Planning and Development Services Department within 14 calendar days of the date of the Decision.

Transmitted to the Skagit Valley Herald: April 10, 2018
Please publish: April 12, 2018
Appeals must be submitted by: April 20, 2018

John Cooper, LG
Senior Natural Resource Planner
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
(360) 416-1334

Brenda Olson

From: Brenda Olson
Sent: Wednesday, April 11, 2018 12:13 PM
To: 'jday0730@gmail.com'
Subject: Notice of Decision Re: PL16-0097

SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES
NOTICE OF DECISION
File #**PL16-0097**

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Transmitted to the Skagit Valley Herald: April 10, 2018
Please publish: April 12, 2018
Appeals must be submitted by: April 20, 2018

John Cooper, LG
Senior Natural Resource Planner
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
(360) 416-1334

April 21, 2017

To: Skagit Co. Planning Dept
Planner John Cooper 360-416-1320
RE: Miles Sand gravel & Mining, Lisa Inc.
Owners Jim & Lisa Kittilsby
PROJ FILE # PL16-0097 & PL16-0098 Mine 330'
Samish 20' elevation

Dear Mr. Cooper,

I called your office in late Jan. 2017 to gather information on PL16-0097 (see above) You stated things were going well in the process moving forward. When I asked you what SK. Co. Health dept. had to say about the gravel pit in so close a proximity to the Samish River? You said "they had no comment, so probably had no concerns on the issue." I was astounded by that as I live in the (Samish Low Flow Area) owners of property with in 1 mile have lived with great scrutiny over many years over what may filter into the Samish Water way. To learn within the next month the only POLLUTANT OF CONCERN is the Presence of fecal matter.

What about Chemical Toxins? This proposed gravel mine is skirted by the Samish River (or more accurately borders it in a large way. GAS? ANTIFREEZE? DIESEL? OIL? CARBON?

I am requesting a full & complete EIS report on these FILE P#S above.

Thank you Kathy Arntzen

John Cooper

From: PDS comments
Sent: Monday, June 13, 2016 6:48 AM
To: JohnCooper
Subject: FW: PL16-0097 & PL16-0098

Importance: High

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Friday, June 10, 2016 4:50 PM
To: PDS comments
Subject: RE: PL16-0097 & PL16-0098

Dear Mr. Cooper,

This email is in response to the Mitigated Determination of NonSignificance (MDNS) issued on Concrete Nor'west's (CNW) applications for forest practice conversion, PL16-0098, and mining special use permit, PL16-0097, located on CNW's property near Grip Road. We submitted comments on April 14, 2016 in response to the initial legal notice for this proposal. After reviewing the MDNS and the referenced "supporting documents" that we could track down (February 8, 2016 "Traffic Memo" and May 18, 2015 "OHWM Determination"), we feel that the concerns we expressed in our original comments are not addressed. The conditions placed on this proposal do not seem to mitigate the impacts of this project; instead, it appears that existing regulations are simply restated. This project is of a scale that needs much more thorough evaluation and review with real mitigation measures required to reduce the impacts. Either that, or the scale of the project needs to be reduced to a size that is more appropriate to the existing roads and neighborhood.

Our concerns include:

- **Impact of truck traffic on Grip and Prairie Roads:** The proposal states that the project will generate "about 46 *[gravel]* truck trips a day over a 25 year period". This is more than 5 gravel trucks per hour/ 8 hours a day/ 5 days a week for 25 years. This is a stunning amount of truck traffic on small country roads! These roads are not constructed for this kind of industrial level traffic. These roads have little or no shoulder, and this stretch of Grip Road, in particular, is already in poor condition. The traffic "study" only made a perfunctory evaluation of two intersections. It did not address safety in relation to: existing road width and the functionality of the road shoulders; entrance and exit of vehicles from existing farm roads and homes, or the safety of pedestrians and bicyclists (Grip and Prairie Roads are part of a very popular bicycling route). The increased need for road maintenance over time was not addressed. Who will pay for the inevitable damage from the gravel hauling? In addition, the recommendations in the "study" to address the limited sight distance at the intersection of Prairie and Grip Roads was vague and inconclusive, and no reference was made to these recommendations in the MDNS. This is a dangerous intersection already, with a sharp curve and limited visibility on Prairie Road just to the northeast. What will be done about this intersection? Mitigation of all of these issues, including ongoing maintenance and appropriate upgrades to the roads needs to be commensurate with the significant scale of this project. How much additional weight will be carried on these roads with this new gravel truck traffic? What percentage of all of the vehicle traffic is this? Please also consider the impact to the roads over the entire lifetime of the project.

- **Impact to fish and wildlife habitat.** The site of this proposed mine is between Butler Hill and Anderson Mountain; these forested hills remain largely undeveloped and provide important habitat for many native

species. This larger landscape is still capable of supporting cougar and bear (which have been seen in the area fairly recently). These animals require open land to move across the landscape where they do not conflict with humans. At the scale this project is proposed, it will severely reduce the potential for wildlife passage from the north to south between these two areas. A wider setback from the mining operation and the property boundaries would at least provide some undisturbed area for a wildlife corridor. (This could also help to create a better buffer for the noise impacts from the mining activity.) In addition, the project is adjacent to the Samish River which has been the focus of considerable planning effort to prevent further water quality degradation. The river also provides important wildlife cover and travel corridors. A wider buffer on the river and associated wetlands would seem a small price to pay to help maintain a healthy river system and landscape connectivity, especially given the level of noise generated from this project. Finally, what is the impact of the loss of forest cover and mining activity on the hydrology of Swede Creek and the Samish River? This does not appear to be addressed in the proposal. These waterways are already subject to very 'flashy' conditions during rain events that cause problems to public infrastructure, as well as exacerbating water quality concerns.

- **Quality of life.** We continue to be concerned that many people who will be heavily impacted by this proposal are unaware of it. It is not sufficient to simply notify landowners adjacent to the site. What about all the people living on Grip and Prairie Roads who will experience 45 more gravel trucks a day passing by their house, and will be subject to the noise from mining activities for the next 25 years? Don't they deserve to know about this and have some sort of voice in how the project is permitted?

Thank you for the opportunity to comment. Please keep us informed as to the next steps in this permitting process, and any additional conditions placed on the proposed activities.

Sincerely,

Martha Bray and John Day
6368 Erwin Lane
Sedro Woolley, WA 98284

Virus-free

John Cooper

From: NICK & NICOLE <NICNICK31@msn.com>
Sent: Monday, December 19, 2016 7:51 AM
To: John Cooper; commisioners@co.skagit.wa.us; Planning & Development Services
Subject: Proposed Gravel Mine

To Whom It May Concern:

It has recently come to my attention that Concrete Nor'West has applied to open a gravel mine near the Samish River. As a resident on Prairie Rd I have many concerns about this proposal, including impacts to residents such as noise, visual, dust, safety and inadequate road systems. I was surprised to hear that this project has been under consideration for some time and disappointed that most local residents have not been notified and are unaware.

My understanding is that the county realized that inital notification was indeed insufficient and have now notified property owners within 300 feet of Concrete Nor'west's contiguous parcels and also re-opened the comment session for the proposal, from December 15-December 30th.
While I appreciate the expansion of notification and comment session, I still have several concerns.

My first concern is that the scope of notification is too small. I am not within 300 feet of these parcels, and will not receive notification from the county. Likewise, most residents along Grip and Prairie Rd will not be notified. There are many small and private roads that use Prairie Rd daily that will not receive notification. Unfortunately, it puts a burden of both time and money on the few informed residents to spread the word up and down miles of country road to encourage people to give their feedback to the county during an open comment period of 2 weeks.

I'm sure the county would like people who give feedback to be educated on the proposal and not just respond in an emotional manner or be swayed by others opinions. This requires time to research and educate oneself. With the holidays nearing, many county employees who provide that information may understandably take vacation time away from work to spend with families. In fact, it has come to my attention that John Cooper, who is the Senior Natural Resource Planner and listed contact for this project, will be out of his office December 22nd through January 2nd and unavailable to answer questions. In addition, it is easy to imagine my neighbors will be busy with the holidays and find it difficult to spend adequate time considering and responding to this proposal. Therefore, I ask that this comment period be extended to allow residents to be informed by both the county and their neighbors.

I also ask that expanded notification be provided by mail to any resident who is within sight or sound of the proposed mine. Additionally, I request that residents who live on or near the proposed travel route of the gravel trucks be contacted and notified as well. This should include all residents along Grip Rd and Prairie Rd, as well as the small roads that are found along their length. Currently, with the exception of one, signs posted are 8 1/2x 11 inches and not readable from the road. Because our roads our narrow and without shoulders it seems dangerous to ask residents to stop and read these signs from the road nor is it fair to ask them to park on private property and return on foot to read signs. I have attached a photo as example of the sign notification that is currently in place as seen from Grip Rd.

Residents of our county have the right to be fully informed and a project of this magnitude should require notification beyond what is required for residential construction. Thank your for your time and any effort you may take to ensure that all residents have a fair opportunity to become informed in a safe and timely manner.

Sincerely,
Nicole Nickelson
20636 Prairie Rd
Sedro Woolley
360-362-9174



John Cooper

From: NICK & NICOLE <NICNICK31@msn.com>
Sent: Monday, December 19, 2016 7:56 AM
To: Commissioners; Planning & Development Services; John Cooper; Betta Spinelli
Subject: Proposed Gravel Mine

To Whom It May Concern:

It has recently come to my attention that Concrete Nor'West has applied to open a gravel mine near the Samish River. As a resident on Prairie Rd I have many concerns about this proposal, including impacts to residents such as noise, visual, dust, safety and inadequate road systems. I was surprised to hear that this project has been under consideration for some time and disappointed that most local residents have not been notified and are unaware.

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Sincerely,
Nicole Nickelson
20636 Prairie Rd
Sedro Woolley
360-362-9174



John Cooper

From: NICK & NICOLE <NICNICK31@msn.com>
Sent: Monday, December 19, 2016 7:37 AM
To: Commissioners; John Cooper; Planning & Development Services; betta@co.skagit.wa.us
Subject: Proposed Gravel Mine

To Whom It May Concern:

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Sincerely,

Nicole Nickelson
20636 Prairie Rd
Sedro Woolley
360-362-9174



John Cooper

From: website
Sent: Sunday, December 18, 2016 12:00 PM
To: Planning & Development Services
Subject: PDS Comments

Name : David Lee, PE
Address : 4611 Prairie Lane
City : Sedro-Woolley
State : WA
Zip : 98284
email : leedd@wavecable.com
Phone : 360-856-1156
PermitProposal : PL 1 6 - 0 0 97
Comments : There should be significant concern with the site distance issues at the intersection of Grip and Prairie Road. The exisitng sitedistance issues at the intersection without the added truck traillers nd trailers is dangerous. Simply adding a yellow flashing light does not solve the problem.

Realistically CNW should be required to make significant improvements at the Grip/Prairie Road intersection to remove the existing site distance issues. In particular, the site distance issues that exist while traveling westbound on Prairie Road and approaching this intersection at essentially a blind corner.

The trucks having to enter Prairie Road off Grip have to do so while on an adverse grade making acceleration onto Prairie Road very slow, especially considering that these trucks will be loaded. Westbound traffic on Prairie will not see a truck entering onto Prairie until they are nearly at the intersection.

From Host Address: 24.113.226.111

Date and time received: 12/18/2016 11:58:27 AM

John Cooper

From: LoriAnderson on behalf of Planning & Development Services
Sent: Tuesday, April 19, 2016 11:09 AM
To: JohnCooper
Subject: FW: PDS Comments

From Dept Email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Friday, April 15, 2016 4:35 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Jim Swift
Address : P.O. Box 4227
City : Bellingham
State : Washington
Zip : 98227
email : juliette@raptorgroup.co
Phone : 3609208737
PermitProposal : PL16-0097 & PL16-0098
Comments : I am a large property owner in the area and am concerned about the impact of this project. I would very much like to be notified of any public hearings regarding this proposed project.

From Host Address: 66.114.34.130

Date and time received: 4/15/2016 4:30:41 PM

John Cooper

From: PDS comments
Sent: Friday, April 15, 2016 9:30 AM
To: JohnCooper
Subject: FW: PL16-0097 & PL16-0098

This was in the pdscomments inbox. Debbie

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Thursday, April 14, 2016 4:23 PM
To: PDS comments
Subject: RE: PL16-0097 & PL16-0098

Dear Mr. Cooper,

This email is to register our concern about Concrete Nor'west's (CNW) applications for forest practice conversion, PL16-0098 and mining special use permit, PL16-0097, located on CNW's property near Grip Road. Please keep us informed of deadlines for comments, hearings, actions and decisions taken related to these applications. As of this date, we have not had time to come to the County offices to review the application materials in detail, but intend to do so. We live in the Grip Road area, and are concerned about several aspects of this proposal including: impact to wetlands and the Samish River, fragmentation of habitat, noise, and the volume of truck traffic expected on Grip and Prairie Roads. We also serve as the volunteer steward of the Skagit Land Trust's nearby Tope Ryan Natural Area, which is on the Samish River downstream of this proposal; this property is important habitat for numerous native species, and the impact of the mining proposal on this property needs to be considered.

We are also concerned that the people living in the vicinity of this proposal may not be aware of it since there has been little publicity about it. Families living on Grip Road north of the site and west on Prairie Road, who will experience very heavy truck traffic for the foreseeable future, especially need to know. It is our understanding, based on a recent phone inquiry to you that there will be further opportunity for public involvement in relation to the special use permit, even though the legal notice published in the Skagit Valley Herald stated that written comments must be received by April 15, 2016. We certainly hope there will be more thorough notice and information provided to the public, and more time for review and comment, as fifteen days published notice is insufficient; and written notification to landowners only within 300 feet of the development proposal does not seem adequate given the large scale of the mining activity. This proposal will have significant impacts to a much larger neighborhood for many years to come.

Thank you for the opportunity to comment. We look forward to learning more.

Sincerely,

Martha Bray and John Day
6368 Erwin Lane
Sedro Woolley, WA 98284


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John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Tuesday, December 20, 2016 3:05 PM
To: John Cooper
Subject: FW: PDS Comments

From dept email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Tuesday, December 20, 2016 11:55 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Norman Wasson
Address : 20836, Prairie Road
City : Sedro Woolley
State : Washington
Zip : 98284
email : normfranwasson@gmail.com
Phone : 3607245054
PermitProposal : #PL16-0097
Comments : This is in regards to the proposed 68 acre open gravel pit mine by Concrete Nor'west between grip and Prairie roads. Permit #PL16-0097.

Why is there no Environmental Impact Statement or Study required?
The Samish River flows around the gravel mine site from the Northeast to the South Southeast. What happens if this promontory suffers a devastating slide similar to what happened in Oso disaster on the Stillaguamish river several years ago? What happens to the houses and farms directly across the river from this proposed gravel pit mine site?
How will the groundwater be affected as gravel mine is excavated 50 to 90 feet deep? How will this affect the household wells of the residents sharing the plateau with this gravel pit mine?
What is the consideration for public safety as these GVW 105,000 lbs truck/ trailer combos barrel down a narrow, steep and winding Grip road to Prairie road? There are no shoulders on either of these roads that are safe for pedestrians, children or bicycles. That the entrance to Prairie road from Grip road is a totally blind corner from both directions is a disaster waiting to happen needs to be addressed.
Why are we, the property tax payers, required to finance the resurfacing of our roads, after being destroyed by these overweight trucks, for this corporations profits?
Why is there no mention of the noise, dust and vibrations from the operation of this gravel mine? And why is there no limitation on the hours of operation of this proposed open pit gravel mine so we, the residents of this rural area, may preserve our quiet country lifestyle?

Who will recompense the property owners in this area from decline in property values incurred by this gravel mine?
The Samish river is a major salmon bearing stream. How can you not have an Environmental Impact Study initiated when this gravel mine could potentially send large amounts of silt into the sensitive spawning areas downstream?
This whole gravel mine proposal has the feeling of local government jumping through the hoops of big business at the expense and disregard of the local property owners.

Thank you for your time.

Norman Wasson
20836 Prairie R
Sedro Woolley, WA 98284
(360)724-5054

From Host Address: 204.195.14.126

Date and time received: 12/20/2016 11:52:28 AM

John Cooper

From: NICK & NICOLE <NICNICK31@msn.com>
Sent: Monday, December 19, 2016 7:56 AM
To: Commissioners; Planning & Development Services; John Cooper; Betta Spinelli
Subject: Proposed Gravel Mine

To Whom It May Concern:

It has recently come to my attention that Concrete Nor'West has applied to open a gravel mine near the Samish River. As a resident on Prairie Rd I have many concerns about this proposal, including impacts to residents such as noise, visual, dust, safety and inadequate road systems. I was surprised to hear that this project has been under consideration for some time and disappointed that most local residents have not been notified and are unaware.

My understanding is that the county realized that inital notification was indeed insufficient and have now notified property owners within 300 feet of Concrete Nor'west's contiguous parcels and also re-opened the comment session for the proposal, from December 15-December 30th.
While I appreciate the expansion of notification and comment session, I still have several concerns.

My first concern is that the scope of notification is too small. I am not within 300 feet of these parcels, and will not receive notification from the county. Likewise, most residents along Grip and Prairie Rd will not be notified. There are many small and private roads that use Prairie Rd daily that will not receive notification. Unfortunately, it puts a burden of both time and money on the few informed residents to spread the word up and down miles of country road to encourage people to give their feedback to the county during an open comment period of 2 weeks.

I'm sure the county would like people who give feedback to be educated on the proposal and not just respond in an emotional manner or be swayed by others opinions. This requires time to research and educate oneself. With the holidays nearing, many county employees who provide that information may understandably take vacation time away from work to spend with families. In fact, it has come to my attention that John Cooper, who is the Senior Natural Resource Planner and listed contact for this project, will be out of his office December 22nd through January 2nd and unavailable to answer questions. In addition, it is easy to imagine my neighbors will be busy with the holidays and find it difficult to spend adequate time considering and responding to this proposal. Therefore, I ask that this comment period be extended to allow residents to be informed by both the county and their neighbors.

I also ask that expanded notification be provided by mail to any resident who is within sight or sound of the proposed mine. Additionally, I request that residents who live on or near the proposed travel route of the gravel trucks be contacted and notified as well. This should include all residents along Grip Rd and Prairie Rd, as well as the small roads that are found along their length. Currently, with the exception of one, signs posted are 8 1/2x 11 inches and not readable from the road. Because our roads our narrow and without shoulders it seems dangerous to ask residents to stop and read these signs from the road nor is it fair to ask them to park on private property and return on foot to read signs. I have attached a photo as example of the sign notification that is currently in place as seen from Grip Rd.

Residents of our county have the right to be fully informed and a project of this magnitude should require notification beyond what is required for residential construction. Thank your for your time and any effort you may take to ensure that all residents have a fair opportunity to become informed in a safe and timely manner.

Sincerely,
Nicole Nickelson
20636 Prairie Rd
Sedro Woolley
360-362-9174



RECEIVED
APR 17 2017
SKAGIT COUNTY
PDS

Name: John W. Day
Address: 6368 Erwin Ln.
City: Sedro-Woolley
State: WA
Zip: 98284
email: jday0730@gmail.com
Phone: 360-856-0644
Permit Proposal: Concrete Nor'west Gravel Operation Near Grip Road, Special Use Permit Application PL16-0097

Skagit County Senior Planner John Cooper's letter dated March 14, 2017 to Concrete Nor'West (CNW) is a step in the right direction with regard to the additional information it requires CNW provide for its Grip Road gravel mine application, but it still falls far short of the mark. Given the potential significant environmental impacts associated with the proposed mine, Skagit County should **require that the applicant prepare a full Environmental Impact Statement (EIS)**. At a minimum, these impacts include traffic and road safety, damage to streams and wetlands, impacts associated with upgrading the private access road to meet county standards, onsite hazardous materials storage, disturbance/damage to cultural resources, offsite noise and dust pollution, hours of operation, the potential future expansion of the mine to include more of CNW's contiguous ownership in the Mineral Resource Overlay, and the potential future addition of gravel processing to the project.

With regard to traffic and road safety, Cooper's letter includes the following statement:

> As you know, the second public comment period for Concrete Nor'West's gravel mining application has resulted in over one hundred comment letters. The comments indicated great concern about truck traffic and road safety. To address these concerns, Skagit County Public Works will run additional traffic models and road tests to ensure compliance.

I very much appreciate that Skagit County PDS is now paying attention to the concerns of local residents with regard to the traffic and road safety implications of CNW's proposed gravel mine. However, I believe that the above statement is seriously flawed. Given the significance of the traffic and road safety concerns in conjunction with the other potential impacts of the mine, Skagit County needs to require that Concrete Nor'West provide a Level II Traffic Impact Analysis per Skagit County Road Standards (2000).

Skagit County Road Standards (2000) 4.00, Traffic Analysis, states as follows:

> All applications for land division and changes of land use shall include sufficient data to determine the amount of additional traffic generated by the development. Such data shall also be used as a guideline for access road and/or driveway requirements.

Under 4.02, Level of Analysis and Warrants, the regulation states that if the project is not categorically exempt under the County's SEPA provisions in Skagit County Code Chapter 14.12, at least a Level I Traffic Impact Analysis (TIA) is required. It goes on to state that the Level I TIA shall be expanded to a Level II TIA if **any** of the Level II warrants are met. Included in the Level II warrants are the following:

4. The County has required that an Environmental Assessment or Impact Statement be prepared;

6. If there exists [sic] any current traffic problems in the local area as identified by the County or a previous traffic study has identified high accident locations, poor roadway alignment or capacity deficiencies.

7. The current or projected level of service of the roadway system in the vicinity of the development will exceed County adopted level of service standards.

I believe that warrant numbers 6 and 7 above are already met and, as stated previously, number 4 should also be met.

Another aspect of Cooper's statement that concerns me is that he says that "Skagit County Public Works will run additional traffic models and road tests to ensure compliance". Does this mean that Skagit County Public Works will conduct the required study for the project to meet its own Level II TIA requirements? If so, this should be clearly stated. On the other hand, why would Skagit County Public Works even conduct this work, presumably at county taxpayers' expense, when the burden of proof is clearly on the applicant? This makes no sense to me and raises the additional concern of a potential conflict of interest on the part of Public Works, which should be participating in the review of the applicant's submissions, not conducting work effectively on behalf of the applicant.

The time for half-measures with regard to this project application is over. Skagit County needs to step up NOW and really do its job.

JohnCooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Thursday, April 07, 2016 10:47 AM
To: 'Martha Bray'; JohnCooper
Subject: RE: CNW proposal

PS: It is fine if I don't get this info til next week sometime.
Martha

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Thursday, April 7, 2016 10:39 AM
To: 'johnc@co.skagit.wa.us'
Subject: CNW proposal

Hi John,
Thanks for the phone information today on CNW Permit # PL160098 (Forest Practice Conversion) and PL160097 (Special Use Permit for gravel mining). As discussed, I would appreciate some info on these permits via email if possible. If it's not too much work, please send me the SEPA checklists, short project descriptions, and any site maps that are already in PDF form; also, if possible, a description of any required mitigation or conditions that the Planning Dept has already placed on the activities. I would also appreciate knowing what the permitting schedule/time frame is for the mining special use permit.
Thanks again,
Martha Bray
856-0644

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JohnCooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Thursday, April 07, 2016 10:39 AM
To: JohnCooper
Subject: CNW proposal

Hi John,
Thanks for the phone information today on CNW Permit # PL160098 (Forest Practice Conversion) and PL160097 (Special Use Permit for gravel mining). As discussed, I would appreciate some info on these permits via email if possible. If it's not too much work, please send me the SEPA checklists, short project descriptions, and any site maps that are already in PDF form; also, if possible, a description of any required mitigation or conditions that the Planning Dept has already placed on the activities. I would also appreciate knowing what the permitting schedule/time frame is for the mining special use permit.
Thanks again,
Martha Bray
856-0644

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JohnCooper

From: PDS comments
Sent: Friday, April 15, 2016 9:30 AM
To: JohnCooper
Subject: FW: PL16-0097 & PL16-0098

This was in the pdscomments inbox. Debbie

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Thursday, April 14, 2016 4:23 PM
To: PDS comments
Subject: RE: PL16-0097 & PL16-0098

Dear Mr. Cooper,

This email is to register our concern about Concrete Nor'west's (CNW) applications for forest practice conversion, PL16-0098 and mining special use permit, PL16-0097, located on CNW's property near Grip Road. Please keep us informed of deadlines for comments, hearings, actions and decisions taken related to these applications. As of this date, we have not had time to come to the County offices to review the application materials in detail, but intend to do so. We live in the Grip Road area, and are concerned about several aspects of this proposal including: impact to wetlands and the Samish River, fragmentation of habitat, noise, and the volume of truck traffic expected on Grip and Prairie Roads. We also serve as the volunteer steward of the Skagit Land Trust's nearby Tope Ryan Natural Area, which is on the Samish River downstream of this proposal; this property is important habitat for numerous native species, and the impact of the mining proposal on this property needs to be considered.

We are also concerned that the people living in the vicinity of this proposal may not be aware of it since there has been little publicity about it. Families living on Grip Road north of the site and west on Prairie Road, who will experience very heavy truck traffic for the foreseeable future, especially need to know. It is our understanding, based on a recent phone inquiry to you that there will be further opportunity for public involvement in relation to the special use permit, even though the legal notice published in the Skagit Valley Herald stated that written comments must be received by April 15, 2016. We certainly hope there will be more thorough notice and information provided to the public, and more time for review and comment, as fifteen days published notice is insufficient; and written notification to landowners only within 300 feet of the development proposal does not seem adequate given the large scale of the mining activity. This proposal will have significant impacts to a much larger neighborhood for many years to come.

Thank you for the opportunity to comment. We look forward to learning more.

Sincerely,

Martha Bray and John Day
6368 Erwin Lane
Sedro Woolley, WA 98284

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JohnCooper

From: linda wa <walshL2006@hotmail.com>
Sent: Friday, April 15, 2016 4:05 PM
To: JohnCooper
Subject: concrete nor west application

hello.. sorry this is a typed mess i am trying to do it from my phone.. i am a home owner with property which will be impacted by file#pl16-0097 & pl16-0098 and have several questions and concerns regarding the developement. some of the main concerns for us 1. noise levels 2. traffic 3. dust and pollution 4. impact of water run off after forest is harvested.. 5. accelerating errosion operating near samish river due to land clearing. 6. trucks entering prairie road off of grip road which is a 90 degree corner.. 7. will there be blasting to mine the rock. 8. how will it impact the wildlife currently present.. 9. it will have a very negative impact on our property value is there anything that can be done..
these are just a few of the questions and concerns we have as long time residents at 21710 prairie road.. please let us know the proper steps to follow to allow our voices to be heard during the process. thank you robert and linda walsh

JohnCooper

From: PDS comments
Sent: Monday, April 18, 2016 6:51 AM
To: JohnCooper
Subject: FW: CNW Gravel pit Grip Rd

Categories: Red Category

From the pdscomments inbox.

From: Steve Garey [mailto:swgarey@gmail.com]
Sent: Friday, April 15, 2016 5:00 PM
To: PDS comments
Subject: CNW Gravel pit Grip Rd

Mr. Cooper, in regard to the recent notice, this community deserves much greater opportunity to comment. My family lives in this neighborhood. There are many concerns that should be addressed before permits are granted for the proposed gravel mine. Heavy truck traffic on narrow roads. Many residents and others using Grip and Prairie roads to avoid congestion to the south. Environmental concerns with the Samish river. Many more. This community should have more time to have their concerns considered. Steve Garey.

JohnCooper

From: LoriAnderson on behalf of Planning & Development Services
Sent: Tuesday, April 19, 2016 11:09 AM
To: JohnCooper
Subject: FW: PDS Comments

From Dept Email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Friday, April 15, 2016 4:35 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Jim Swift
Address : P.O. Box 4227
City : Bellingham
State : Washington
Zip : 98227
email : juliette@raptorgroup.co
Phone : 3609208737
PermitProposal : PL16-0097 & PL16-0098
Comments : I am a large property owner in the area and am concerned about the impact of this project. I would very much like to be notified of any public hearings regarding this proposed project.

From Host Address: 66.114.34.130

Date and time received: 4/15/2016 4:30:41 PM

JohnCooper

From: PDS comments
Sent: Monday, June 13, 2016 6:48 AM
To: JohnCooper
Subject: FW: PL16-0097 & PL16-0098

Importance: High

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Friday, June 10, 2016 4:50 PM
To: PDS comments
Subject: RE: PL16-0097 & PL16-0098

Dear Mr. Cooper,

This email is in response to the Mitigated Determination of NonSignificance (MDNS) issued on Concrete Nor'west's (CNW) applications for forest practice conversion, PL16-0098, and mining special use permit, PL16-0097, located on CNW's property near Grip Road. We submitted comments on April 14, 2016 in response to the initial legal notice for this proposal. After reviewing the MDNS and the referenced "supporting documents" that we could track down (February 8, 2016 "Traffic Memo" and May 18, 2015 "OHWM Determination"), we feel that the concerns we expressed in our original comments are not addressed. The conditions placed on this proposal do not seem to mitigate the impacts of this project; instead, it appears that existing regulations are simply restated. This project is of a scale that needs much more thorough evaluation and review with real mitigation measures required to reduce the impacts. Either that, or the scale of the project needs to be reduced to a size that is more appropriate to the existing roads and neighborhood.

Our concerns include:

- **Impact of truck traffic on Grip and Prairie Roads:** The proposal states that the project will generate "about 46 *[gravel]* truck trips a day over a 25 year period". This is more than 5 gravel trucks per hour/ 8 hours a day/ 5 days a week for 25 years. This is a stunning amount of truck traffic on small country roads! These roads are not constructed for this kind of industrial level traffic. These roads have little or no shoulder, and this stretch of Grip Road, in particular, is already in poor condition. The traffic "study" only made a perfunctory evaluation of two intersections. It did not address safety in relation to: existing road width and the functionality of the road shoulders; entrance and exit of vehicles from existing farm roads and homes, or the safety of pedestrians and bicyclists (Grip and Prairie Roads are part of a very popular bicycling route). The increased need for road maintenance over time was not addressed. Who will pay for the inevitable damage from the gravel hauling? In addition, the recommendations in the "study" to address the limited sight distance at the intersection of Prairie and Grip Roads was vague and inconclusive, and no reference was made to these recommendations in the MDNS. This is a dangerous intersection already, with a sharp curve and limited visibility on Prairie Road just to the northeast. What will be done about this intersection? Mitigation of all of these issues, including ongoing maintenance and appropriate upgrades to the roads needs to be commensurate with the significant scale of this project. How much additional weight will be carried on these roads with this new gravel truck traffic? What percentage of all of the vehicle traffic is this? Please also consider the impact to the roads over the entire lifetime of the project.

- **Impact to fish and wildlife habitat.** The site of this proposed mine is between Butler Hill and Anderson Mountain; these forested hills remain largely undeveloped and provide important habitat for many native

species. This larger landscape is still capable of supporting cougar and bear (which have been seen in the area fairly recently). These animals require open land to move across the landscape where they do not conflict with humans. At the scale this project is proposed, it will severely reduce the potential for wildlife passage from the north to south between these two areas. A wider setback from the mining operation and the property boundaries would at least provide some undisturbed area for a wildlife corridor. (This could also help to create a better buffer for the noise impacts from the mining activity.) In addition, the project is adjacent to the Samish River which has been the focus of considerable planning effort to prevent further water quality degradation. The river also provides important wildlife cover and travel corridors. A wider buffer on the river and associated wetlands would seem a small price to pay to help maintain a healthy river system and landscape connectivity, especially given the level of noise generated from this project. Finally, what is the impact of the loss of forest cover and mining activity on the hydrology of Swede Creek and the Samish River? This does not appear to be addressed in the proposal. These waterways are already subject to very 'flashy' conditions during rain events that cause problems to public infrastructure, as well as exacerbating water quality concerns.

- **Quality of life.** We continue to be concerned that many people who will be heavily impacted by this proposal are unaware of it. It is not sufficient to simply notify landowners adjacent to the site. What about all the people living on Grip and Prairie Roads who will experience 45 more gravel trucks a day passing by their house, and will be subject to the noise from mining activities for the next 25 years? Don't they deserve to know about this and have some sort of voice in how the project is permitted?

Thank you for the opportunity to comment. Please keep us informed as to the next steps in this permitting process, and any additional conditions placed on the proposed activities.

Sincerely,

Martha Bray and John Day
6368 Erwin Lane
Sedro Woolley, WA 98284



Virus-free

Robert & Linda Walsh
21710 Prairie Road
Sedro Woolley WA 98284 (360) 708 7736 phone

Owners of Parcels #P50099, P50100 & P50105

Our property is adjacent to the Concrete Nor'West property. I am representing my husband, our 4 children and their significant others and our 5 grandchildren. Our children grew up on the Samish property and continue to enjoy the peace, beauty and wildlife of a park like setting with their families. We are concerned this type of industry will be very disruptive to this area.

Our first concern is safety. There are many bicycles, people walking dogs etc and no shoulders. We will have more young drivers on the road in a few short years and our little prairie road is curvy and has no shoulder and with large dump truck with trailers constantly using it causes us all some concern. The information does not say which road they will come out on but we are assuming it would be from Grip Road onto Prairie. If this is the case I encourage all of you in the decision making process to take a drive out to our area and imagine a constant stream of large trucks with two way traffic. Grip Road joins Prairie Road at a nearly 90degree corner which is less than favorable for large trucks to be pulling out onto. If it were just a few trucks it would be one thing but the truck numbers reported in the paper are approximately 6 trucks per hour which is a truck every 10 minutes, virtually all day long. Where does a bicyclist or person walking go if there are met with trucks going both ways. The roads are only chipped sealed and are not in the greatest of shape as it is and all this heavy traffic will break the road down very fast will there be any additional road improvements due to this?

Should we expect this mining will cause a sharp decline in our property value due to all the factors and especially as the years move forward and the Pit becomes more noticeable?

Below are some of our concerns and we would like to know how they will be addressed:

The proposed land is within several hundred feet of the Samish River.

We have enjoyed the Nesting Eagles for decades and are wondering what the impact will be on them. The constant noise and vibration of getting the gravel will be very disturbing to them and their young, how can this be dealt with?

The Salmon run in the Samish and there are already restrictions, what will Concrete Nor'west have to do to protect the habitat.

Eagles and fish are only a few of the animals which use that habitat, to name a few more there are deer, coyotes, rabbits, possums, squirrels, raccoons and various birds. We live out here because we enjoy the outdoors and wildlife and they will be displaced having a great impact on the area.

What will be done to control erosion from the mining and the logging that will need to be done in order to get to the gravel? Removing all the trees, which absorb many thousands of gallons of water each year will leave the land unprotected from all our rain and increase the potential of flooding.

How close to our property line will they be able to mine? As the years go and the mine becomes a large Open PIT how is our land that is adjacent to it protected from the ledge that will be created? What happens when it is all mined out.... What do the proposed reclamation plans look like? Who will protect our property from damage?

Will there be any type of Blasting to get the rock? If so what safety measures and other measures will

be in place to protect us and the wildlife?

We would like to know what the hours of operation will be.
We are asking that it be restricted, just like it is in Mount Vernon and Clear Lake.
If this is allowed to go forward we hope the hours will be restricted to weekdays limited hours.
Special care being given to early hours and end of the day hours when the School buses are running. As I said earlier, come on out and drive the road, even better have a dump truck and trailer (or 46) come out with you and see how much room is left on the road. Especially the drivers are there to make money and will be going the maximum speed limit, just as we see other large trucks do, often taking the corners over the mid -line.

Below is a Summary of our questions and concerns we would like addressed.

Safety- roads - Additional repairs and maintenance - Mud and gravel left on the roadway from trucks. Also rocks flying off trucks

Erosion - What Buffer Zone will we have between our properties to control erosion.. What will protect our property in years to come if there is damage due to the mining?

Buffer Zone between the mining and the river? What Happens if the Pit floor drops below the floor of the Samish River.. can it change the course of the River?
Will there be a Open pit hole left with water when the mining is complete years from now? What are reclamation plans?

Eagles, Salmon and other wildlife - How are they protected from all the constant Noise and Dust and Vibrations. Even as I type this letter I can hear the Eagles "talking" outside. They do not like loud noises.

Blasting- will there be any?

Will there be any requirements for them to provide land owners some privacy from the ugliness of the mining?

The Dust created will have an impact on animals and the hay and other nearby crops as well, what can be done?

Will the hours of operation be restricted to weekdays with limited hours?

Who has surveyed the property so the boundaries are clearly defined?

Should we expect a decline in our property value?

John Cooper

From: Donald Butterfield <acupuncturedoeswork@gmail.com>
Sent: Wednesday, December 07, 2016 8:12 AM
To: John Cooper
Subject: concrete northwest

I have looked on your site to try and write a letter of concern about the proposed Concrete NW request for a gravel pit. There is no copy of the proposal I can find. This does not make it easy to comment. This does not make it a public comment. I am against putting another gravel pit in this area with all the noise and dust it creates. It will also increase traffic in the area. I also don't know what impact it will have on streams entering the Samish basin. These would have been nice to see but again no access to the proposal. Don Butterfield



Just found out that Concrete Nor' West wants to open a Gravel Pit on the Grip Rd, just off Prairie Rd. Which is located on the 1000 Block of Grip Road. Just above Swede Creek & the Samish River.

The Proposed Site is on the windy hill side heading off of Prairie Rd on Grip Rd. There is a yellow locked gate approx. ¾ mile to the NE side of Rd from Prairie, on Grip, to the site.

I live in this neighborhood. My concern for the Watershed, and our Natures Animals to this area. Then of Course, Pollution Run off from 46 dump trucks 6--Days a week, or more. Then to add in Sub-Contractors or Rental Dump Trucks. All the pollutants from them, will run into the ditches, which dumps into the Creeks and Rivers downstream. This will affectively in time, kill off any water migrating animals and wildlife that drink that water.

I work in heavy construction. Dump Trucks and Equipment break down. They spill Hydraulic Oil, Engine Oils, Diesel, and Anti-Freeze. They're called accidents, or Mechanical Breakdowns

Then combine this with Pedestrian and Traffic Safety, along with the Integrity of the Road. There hasn't been any "" Notice Signs"" posted on the road stating "" Proposed land Use" . There is one posting hidden off the roadway, on the proposed gravel access road to the site.

Another concern about is the structural integrity of the oil mat roadway breaking up. It's not designed for Heavy Truck Traffic. Then after repairing the oil mat roads, adding more pollutants into the waters, and storm runoff ditches, to the surrounding the areas.

The one of many concerns is for the Swede Creek Bridge. Is it designed for all that weight? Day after day. Is it Structurally Sound? Traffic Congestion at Prairie Rd & Grip intersection? ""Blind Corner"", Accidents are there all the time, poor planning. A flashing light that Concrete Nor'West is proposing to install for "caution", is ludicrous. On Grip or Prairie is horrible for us that drive that on a daily basis.

This road is not designed for heavy traffic. It's intention is for light traffic. There is no way you can have two trucks and trailers going up and down this windy road, side by side, at one time. Their trailers will swing into each other. This road is not wide enough for pedestrians, bicycles, traffic & dump trucks. It's a rural road, meant for normal residential traffic & school buses.

This project has been secretly done, with no input from the Community, or Neighborhoods. No Meeting. No effort to inform the public.

All I have heard is there is a meeting in January 2017, from King 5 News. Seattle. This is how I found out about this proposed Strip Mining and Proposed New Gravel Pit.

Please Call or Write. Skagit Co. Commissioners.-- Sedro Woolley Mayor/ Commissioners —Dept. of Ecology—Dept. of Fish and Wildlife—Governors—State Senators—Etc.

Very Concerned.

RECEIVED
DEC 19 2016
SKAGIT COUNTY
PDS

15 December 2016

John Cooper, Planner/Geologist
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west application mining special use permit, PL 16-0097

Dear Mr. Cooper
Thank you for the opportunity to provide comments on the above referenced project.

We are in favor of the general project but have concerns regarding traffic safety due to the increase in large truck traffic on Grip Road, and both the Grip/Prairie Road and Prairie Road/Highway 99 intersections. We live on Grip Road and drive through both intersections on a daily basis. We are therefore aware of the traffic at all hours and times of the year at these intersections. Our concerns and recommendations are as follows:

We have reviewed the traffic study completed by DN Traffic Consultants dated February 8, 2016. In said study, the Prairie Road/Highway 99 has a level of service of C with the Prairie/Grip intersection having a level of service of A. Level of service is based on traffic count and resultant flow or usage. Neither of these studies includes site distance or speed.

The intersection of Prairie Road/Highway 99 is dangerous because there is no stop sign on Highway 99. We have witnessed several accidents at this location when vehicles cross Highway 99 from either Prairie Road heading west from Bow Hill Road heading east onto Prairie Road. This intersection requires a traffic calming devise constructed, such as a roundabout that will slow the higher speed traffic that travels north and south on Highway 99 through this intersection without a stop sign. Such a calming device will increase safety when traffic crosses or enters travelling at this intersection. This was not addressed in the traffic study.

When one enters Prairie Road from Grip Road turning in a westerly direction, the intersection of Grip Road and Prairie Road is essentially "blind". Although we "look both ways" when entering Prairie Road from Grip Road, because the sight distance in an easterly direction is limited, traffic travelling west on Prairie Road, due to speed, comes close to us, creating a hazardous situation. This situation is indicated by the DN Traffic Consultants in their Table 2 where the observed sight distance is 202 feet with a required 445 feet.

DN Traffic Consultants offer "Alternative Mitigation" to regrade portions of the intersection and widen Prairie Road. Stating these two options "*would ultimately fix the sight distance deficiency*". However the DN Traffic Consultants next comment, "*obviously the cost of either option would be beyond what would be commiserate (sic)*

with the mitigation required..." DN Traffic Consultants suggest a temporary solution to have a flagger control the intersection, or, to install a flashing beacon at the intersection. Both have a cost estimate and further state they are interim solutions until the "*County has sufficient funds to improve the sight distance*". DN Traffic Consultants does not provide a cost estimate for their preferred alternative to widen the intersection nor a time frame for the "temporary fix".

Now that there is a nexus for an upgrade, due to the increased traffic flow of large trucks, we encourage the county to require the following for safety.

Construct a roundabout at the intersection of Bow Hill/Prairie Road and Highway 99 to calm the flow along Highway 99 to enable those of us that use the intersection, greater safety when we cross said intersection.

Also, widen the intersection of Prairie Road and Grip Road.

Safety problems at these two intersections have been ongoing. With the traffic consultant's strong recommendation of permanent solutions, these changes must be made regardless of cost. Increased traffic (46 large truck trips per day), speed, and visibility issues will create a setting for a terrible accident. Temporary fixes foster a false sense of safety.

We request this letter be considered and addressed by county staff and the Hearings Examiner when this permit application comes before the court. We also request to be notified for all hearings and/or decisions as they are scheduled and determined.

Respectfully

Jim Wiggins

Abbe Rolnick

21993 Grip Road
Sedro-Woolley, WA 98284

John Cooper

From: Brandon Black
Sent: Friday, December 16, 2016 1:58 PM
To: John Cooper
Subject: FW: PDS Comments

These should have gone to you.

Brandon Black
Senior Planner – Team Supervisor
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

PHONE: (360) 416-1326
EMAIL: brandonb@co.skagit.wa.us

"Helping You Plan and Build Better Communities"

From: Lori Anderson **On Behalf Of** Planning & Development Services
Sent: Friday, December 16, 2016 12:13 PM
To: Annie T. Matsumoto-Grah; Brandon Black
Subject: FW: PDS Comments

From dept email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Friday, December 16, 2016 10:50 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Paula Shafransky
Address : 22461 Prairie Road
City : Sedro-Woolley
State : WA
Zip : 98284
email : pshafransky@gmail.com
Phone : 3608561637
PermitProposal : Concrete Nor'west Gravel Mine
Comments : I am writing to voice my concerns over the proposed gravel mine near Prairie and Grip roads. One of my concerns is the location and size of the project. I believe the scope and location of this operation would

compromise the quality of rural life in this area in terms of increased traffic and noise. I am also concerned about the number of trucks on the roads, especially at the intersection of Grip and Prairie roads. This is a blind intersection coming off of Prairie road and heading toward Highway 99. It's already a problem. Large trucks coming in and out of there many times per hour will only worsen the situation. As a resident of this area I like the feel of our rural roads and don't want to see them overrun or widened to accommodate larger vehicles. Thank you for your consideration in this matter.

From Host Address: 24.113.225.148

Date and time received: 12/16/2016 10:48:14 AM

John Cooper

From: website
Sent: Friday, December 16, 2016 7:00 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Kathryn Longfellow
Address : 5318 Cedar Ridge Pl
City : Sedro Woolley
State : WA
Zip : 98284
email : klongfellow@frontier.com
Phone : 3608549910
PermitProposal : PL16-0097
Comments : I would like to know the method of extraction and how much noise it will create. How far away will the noise be heard? We have nesting eagles. Will this activity affect the eagles habitat? The Samish River has known pollution issues and many dollars have been spent to reduce the pollution. Will the mining of gravel create additional pollution issues? If so, how will that be mitigated? The corner of Grip and Prairie road is already a hazard with poor sight distance for vehicle drivers along with corners and elevation. Traffic revisions are needed. I think a roundabout would reduce the potential accident issues.

From Host Address: 50.34.113.131

Date and time received: 12/16/2016 6:57:50 PM

John Cooper

From: Brandon Black
Sent: Friday, December 16, 2016 1:58 PM
To: John Cooper
Subject: FW: PDS Comments

These should have gone to you.

Brandon Black
Senior Planner – Team Supervisor
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

PHONE: (360) 416-1326
EMAIL: brandonb@co.skagit.wa.us

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From dept email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

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From Host Address: 50.34.113.131

Date and time received: 12/16/2016 6:57:50 PM

John Cooper

From: website
Sent: Saturday, December 17, 2016 5:05 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Jason
Address : Haugland
City : Sedro-Woolley
State : Wa
Zip : 98284
email : Jhaugland3@gmail.com
Phone : 5129139936
PermitProposal : 3607245006
Comments : Hello- I'm referencing the development action file #pl16-0097 gravel mine on grip rd. They had offered all of the Prairie rd residents bordering this site money to build a bridge across the Samish river several times and were denied because of the effect it would directly have to our protected ,salmon habitat and Eagle nesting grounds. Not to mention the added unneeded traffic to a road in much need of improvements. At the proposed intersection of grip and Prairie is a dangerous blind corner and I have had a neighbor had a tragic accident there years ago when the road was able to accept the local traffickers . We as land owners have such restrictions to protect this environment how is mining 24/7!off f the corner of my property going to effect the local wildlife and local land owners? This is the worst thing that Skagit valley could possibly do to the Samish river valley. The strip logging on top of f and s grade road hill has already caused extreme run off into the Samish river this will undoubtedly add enough to possibly destroy the local salmon spawning streams with all the machinery noise and leaking fuel and oil I doubt the Eagles will remain either!! Please hear our concerns and put a stop to this. I drive my family down that section of Prairie rd everyday very cautiously as it is I can't imagine 24/7 gravel trucks turns from grip to Prairie will not result in a tragic accident once again. Hear us please!!! We weren't informed about hearings until it was too late. What else can I do to stop this please send me any information you can. All of my neighbors are up in arms about this and the environmental impact it will have. Not to mention the restrictions you have put on us as land owners how can some corporation just come in waves money and you just say ok???
Thanks Jason Haugland

From Host Address: 24.113.224.122

Date and time received: 12/17/2016 5:02:54 PM

John Cooper

From: website
Sent: Saturday, December 17, 2016 5:05 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Jason
Address : Haugland
City : Sedro-Woolley
State : Wa
Zip : 98284
email : Jhaugland3@gmail.com
Phone : 5129139936
PermitProposal : 3607245006
Comments : Hello- I'm referencing the development action file #pl16-0097 gravel mine on grip rd. They had offered all of the Prairie rd residents bordering this site money to build a bridge across the Samish river several times and were denied because of the effect it would directly have to our protected ,salmon habitat and Eagle nesting grounds. Not to mention the added unneeded traffic to a road in much need of improvements. At the proposed intersection of grip and Prairie is a dangerous blind corner and I have had a neighbor had a tragic accident there years ago when the road was able to accept the local traffickers . We as land owners have such restrictions to protect this environment how is mining 24/7!off f the corner of my property going to effect the local wildlife and local land owners? This is the worst thing that Skagit valley could possibly do to the Samish river valley. The strip logging on top of f and s grade road hill has already caused extreme run off into the Samish river this will undoubtedly add enough to possibly destroy the local salmon spawning streams with all the machinery noise and leaking fuel and oil I doubt the Eagles will remain either!! Please hear our concerns and put a stop to this. I drive my family down that section of Prairie rd everyday very cautiously as it is I can't imagine 24/7 gravel trucks turns from grip to Prairie will not result in a tragic accident once again. Hear us please!!! We weren't informed about hearings until it was too late. What else can I do to stop this please send me any information you can. All of my neighbors are up in arms about this and the environmental impact it will have. Not to mention the restrictions you have put on us as land owners how can some corporation just come in waves money and you just say ok???
Thanks Jason Haugland

From Host Address: 24.113.224.122

Date and time received: 12/17/2016 5:02:54 PM

John Cooper

From: website
Sent: Sunday, December 18, 2016 12:00 PM
To: Planning & Development Services
Subject: PDS Comments

Name : David Lee, PE
Address : 4611 Prairie Lane
City : Sedro-Woolley
State : WA
Zip : 98284
email : leedd@wavecable.com
Phone : 360-856-1156
PermitProposal : PL 1 6 - 0 0 97
Comments : There should be significant concern with the site distance issues at the intersection of Grip and Prairie Road. The exisitng sitedistance issues at the intersection without the added truck traillers nd trailers is dangerous. Simply adding a yellow flashing light does not solve the problem.

Realistically CNW should be required to make significant improvements at the Grip/Prairie Road intersection to remove the existing site distance issues. In particular, the site distance issues that exist while traveling westbound on Prairie Road and approaching this intersection at essentially a blind corner.

The trucks having to enter Prairie Road off Grip have to do so while on an adverse grade making acceleration onto Prairie Road very slow, especially considering that these trucks will be loaded. Westbound traffic on Prairie will not see a truck entering onto Prairie until they are nearly at the intersection.

From Host Address: 24.113.226.111

Date and time received: 12/18/2016 11:58:27 AM

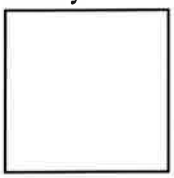
John Cooper

From: Vicky Gonzalez on behalf of Commissioners
Sent: Monday, December 19, 2016 12:21 PM
To: Dale Pernula; Ryan Walters; John Cooper
Subject: FW: Concrete Nor'west open pit gravel mine

Vicky Gonzalez (ext. 1311)
Administrative Coordinator
Administrative Services
Skagit County Commissioners' Office
1800 Continental Place, Suite 100
Mount Vernon, WA 98273
☎ (360) 416-1311
vickyg@co.skagit.wa.us

From: Paula Shafransky [mailto:pshafransky@gmail.com]
Sent: Monday, December 19, 2016 11:25 AM
To: Commissioners
Subject: Concrete Nor'west open pit gravel mine

I am writing to respectfully request an extension for public comments until the end of January on this gravel mine proposal. People in the area are just now being made aware of it. The person to call for questions, John Cooper, will be out of the office from December 22nd until January 2nd. We need more time for people to submit their thoughts and concerns. Thank you for your attention to this matter.



Paula Shafransky
22461 Prairie Road
Sedro Woolley, WA 98284
360-856-1637

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Monday, December 19, 2016 12:31 PM
To: John Cooper
Subject: FW: PDS Comments

From Dept Email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Monday, December 19, 2016 11:15 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Frank L Phillips
Address : 22461 Prairie RdConcrete Nor
City : Sedro Woolley
State : WA
Zip : 98284
email : fphillips67@gmail.com
Phone : 3608561637
PermitProposal : Concrete Nor'West open pit gravel mine
Comments : I am against the opening of another gravel mine in this area of Skagit Co. There are already several mines in the area and to my knowledge there has not been any reclamation to these mines. The proposed mine will add additional stress to the infrastructure of roads and environment in the area. This is where we have chosen to live, because of the environment and quality of life and additional mining will negatively impact this.Concrete Nor'West is a division of Miles sand and gravel, which is not a Skagit county company and I think this is their attempt at taking our resources. Let them take resources from where they live and leave our neighborhood to the people who live here. Please do not approve this project.
Thank you,
Frank Phillips

From Host Address: 24.113.225.148

Date and time received: 12/19/2016 11:12:21 AM

John Cooper

From: NICK & NICOLE <NICNICK31@msn.com>
Sent: Monday, December 19, 2016 7:37 AM
To: Commissioners; John Cooper; Planning & Development Services; betta@co.skagit.wa.us
Subject: Proposed Gravel Mine

To Whom It May Concern:

It has recently come to my attention that Concrete Nor'West has applied to open a gravel mine near the Samish River. As a resident on Prairie Rd I have many concerns about this proposal, including impacts to residents such as noise, visual, dust, safety and inadequate road systems. I was surprised to hear that this project has been under consideration for some time and disappointed that most local residents have not been notified and are unaware.

My understanding is that the county realized that inital notification was indeed insufficient and have now notified property owners within 300 feet of Concrete Nor'west's contiguous parcels and also re-opened the comment session for the proposal, from December 15-December 30th.
While I appreciate the expansion of notification and comment session, I still have several concerns.

My first concern is that the scope of notification is too small. I am not within 300 feet of these parcels, and will not receive notification from the county. Likewise, most residents along Grip and Prairie Rd will not be notified. There are many small and private roads that use Prairie Rd daily that will not receive notification. Unfortunately, it puts a burden of both time and money on the few informed residents to spread the word up and down miles of country road to encourage people to give their feedback to the county during an open comment period of 2 weeks.

I'm sure the county would like people who give feedback to be educated on the proposal and not just respond in an emotional manner or be swayed by others opinions. This requires time to research and educate oneself. With the holidays nearing, many county employees who provide that information may understandably take vacation time away from work to spend with families. In fact, it has come to my attention that John Cooper, who is the Senior Natural Resource Planner and listed contact for this project, will be out of his office December 22nd through January 2nd and unavailable to answer questions. In addition, it is easy to imagine my neighbors will be busy with the holidays and find it difficult to spend adequate time considering and responding to this proposal. Therefore, I ask that this comment period be extended to allow residents to be informed by both the county and their neighbors.

I also ask that expanded notification be provided by mail to any resident who is within sight or sound of the proposed mine. Additionally, I request that residents who live on or near the proposed travel route of the gravel trucks be contacted and notified as well. This should include all residents along Grip Rd and Prairie Rd, as well as the small roads that are found along their length. Currently, with the exception of one, signs posted are 8 1/2x 11 inches and not readable from the road. Because our roads our narrow and without shoulders it seems dangerous to ask residents to stop and read these signs from the road nor is it fair to ask them to park on private property and return on foot to read signs. I have attached a photo as example of the sign notification that is currently in place as seen from Grip Rd.

Residents of our county have the right to be fully informed and a project of this magnitude should require notification beyond what is required for residential construction. Thank your for your time and any effort you may take to ensure that all residents have a fair opportunity to become informed in a safe and timely manner.

Sincerely,

Nicole Nickelson
20636 Prairie Rd
Sedro Woolley
360-362-9174



John Cooper

From: NICK & NICOLE <NICNICK31@msn.com>
Sent: Monday, December 19, 2016 11:17 AM
To: John Cooper
Subject: Re: Proposed Gravel Mine

Mr. John Cooper,

Thank you for the specifics regarding Skagit County Code. I have to respectfully disagree with the interpretation that the language contains limits notification to 300 feet. "Notice of development application shall be mailed to all physical addresses and owners of record located **within** 300 feet of all subject property lines" only states the requirement that these people do have be notified. It does not state "only within these borders" or "and not beyond" so it appears to be a minimum requirement and does not specify a limit to prevent notification of further residents.

It is unfortunate that it was not determined in the pre-application period that our community would have interest in this proposal. Mistakes do happen and I would be very surprised to find that there is no system in place to correct this and expand notification to 500 feet or beyond. It would seem prudent and responsible at this time to revisit what notification boundaries to apply and also investigate if Skagit County Code 14.06.150 (2)(d)(iii) could have alternative interpretations that better serve the community.

Sincerely,
Nicole Nickelson

From: John Cooper <johnc@co.skagit.wa.us>
Sent: Monday, December 19, 2016 9:40 AM
To: 'NICK & NICOLE'
Subject: RE: Proposed Gravel Mine

Nicole, yes you will be able to comment and your comments will be part of the public record up until the public hearing or at another time as determined by the Hearing Examiner.

Unfortunately the maximum distance I can send notifications is 300 feet, not the minimum. Skagit County Code 14.06.150 (2)(d)(iii) states that the "Notice of development application shall be mailed to all physical addresses and owners of record located **within** 300 feet of all subject property lines, or, if the applicant owns property adjacent to the subject property, notice shall be given to all physical addresses and all owners of real property within 300 feet of any portion of the boundaries of such adjacent properties owned by the applicant. Further provided, however, when the Administrative Official finds that a need exists, and so informs the applicant at the preapplication meeting, notice shall be given to all physical addresses and all owners of real property within 500 feet of any portion of the applicable boundaries. For marijuana facilities, notice must be provided within 1,000 feet."

As you can see by code, for this land use, notification is limited to a distance of 300 feet from contiguous properties. If I had foreseen the public interest and notified the applicant at the pre-application meeting, I could have increased notification to 500 feet. But that is the maximum distance I am allowed.

Sincerely,

John Cooper, LG. LHg
Senior Natural Resource Planner/Geologist
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
www.skagitcounty.net/planning
Ph 360-416-1334
johnc@co.skagit.wa.us

From: NICK & NICOLE [mailto:NICNICK31@msn.com]
Sent: Monday, December 19, 2016 8:43 AM
To: John Cooper
Subject: Re: Proposed Gravel Mine

John Cooper,

Thank you for your prompt reply. My understanding from you now is that while the comment period is stated as 15 days it actually will be open until the public hearing, which is as yet undetermined? Does this mean comments will be accepted, considered and part of the public record and through the online comment section located at http://www.skagitcounty.net/Departments/PlanningAndPermit/commentsform.htm until that time?

While I understand that county code does not require notification of residents beyond 300 feet, I feel that for the safety and consideration of residents this should be extended. I imagine these codes are established as a minimum and are not intended to serve as a restriction for further notification when it may be in the best interest of communities. Maybe in a case like this, the county could request that the applicant help with the burden to inform all residents that may be impacted by the project. The notification in the newspaper is a nice start and I appreciate it. However it requires residents to subscribe to or purchase a copy of the local newspaper. I believe the only way to know for sure residents are informed is increased signage and a letter to each household within potential impact of noise, visual, dust, and truck traffic. Thank you for your time and consideration.

Thank you,
Nicole Nickelson

Planning and Development Services Comment Submittals

www.skagitcounty.net

Get your written comments in before the deadline. For permits and appeals, public comment is started with a Notice of Development Application, which is published ...

From: John Cooper <johnc@co.skagit.wa.us>
Sent: Monday, December 19, 2016 8:04 AM
To: 'NICK & NICOLE'
Subject: RE: Proposed Gravel Mine

Mrs. Nickelson, Skagit County code SCC 14.06.150 limits mailing and postings to those property owners within 300 feet of the contiguous properties. However, the notice was also placed in the notices section of the Skagit Valley Herald. Although SCC 14.06.150 requires the notice to have a 15 day comment period, as usual, we accept all comment letters/emails up to and through the next public hearing or until such time the Hearing Examiner closes the comment period, which at the earliest, maybe the end of January. You are welcome to come in and review the file any time at your convenience. If I am gone for the holidays, we have several planners that can help you with the file review and answer your questions.

Sincerely,

John Cooper, LG. LHg
Senior Natural Resource Planner/Geologist
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
www.skagitcounty.net/planning
Ph 360-416-1334
johnc@co.skagit.wa.us

From: NICK & NICOLE [mailto:NICNICK31@msn.com]
Sent: Monday, December 19, 2016 7:51 AM
To: John Cooper; commisioners@co.skagit.wa.us; Planning & Development Services
Subject: Proposed Gravel Mine

To Whom It May Concern:

It has recently come to my attention that Concrete Nor'West has applied to open a gravel mine near the Samish River. As a resident on Prairie Rd I have many concerns about this proposal, including impacts to residents such as noise, visual, dust, safety and inadequate road systems. I was surprised to hear that this project has been under consideration for some time and disappointed that most local residents have not been notified and are unaware.

My understanding is that the county realized that inital notification was indeed insufficient and have now notified property owners within 300 feet of Concrete Nor'west's contiguous parcels and also re-opened the comment session for the proposal, from December 15-December 30th.

While I appreciate the expansion of notification and comment session, I still have several concerns.

My first concern is that the scope of notification is too small. I am not within 300 feet of these parcels, and will not receive notification from the county. Likewise, most residents along Grip and Prairie Rd will not be

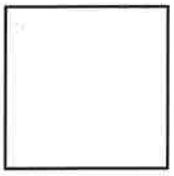
notified. There are many small and private roads that use Prairie Rd daily that will not receive notification. Unfortunately, it puts a burden of both time and money on the few informed residents to spread the word up and down miles of country road to encourage people to give their feedback to the county during an open comment period of 2 weeks.

I'm sure the county would like people who give feedback to be educated on the proposal and not just respond in an emotional manner or be swayed by others opinions. This requires time to research and educate oneself. With the holidays nearing, many county employees who provide that information may understandably take vacation time away from work to spend with families. In fact, it has come to my attention that John Cooper, who is the Senior Natural Resource Planner and listed contact for this project, will be out of his office December 22nd through January 2nd and unavailable to answer questions. In addition, it is easy to imagine my neighbors will be busy with the holidays and find it difficult to spend adequate time considering and responding to this proposal. Therefore, I ask that this comment period be extended to allow residents to be informed by both the county and their neighbors.

I also ask that expanded notification be provided by mail to any resident who is within sight or sound of the proposed mine. Additionally, I request that residents who live on or near the proposed travel route of the gravel trucks be contacted and notified as well. This should include all residents along Grip Rd and Prairie Rd, as well as the small roads that are found along their length. Currently, with the exception of one, signs posted are 8 1/2x 11 inches and not readable from the road. Because our roads our narrow and without shoulders it seems dangerous to ask residents to stop and read these signs from the road nor is it fair to ask them to park on private property and return on foot to read signs. I have attached a photo as example of the sign notification that is currently in place as seen from Grip Rd.

Residents of our county have the right to be fully informed and a project of this magnitude should require notification beyond what is required for residential construction. Thank your for your time and any effort you may take to ensure that all residents have a fair opportunity to become informed in a safe and timely manner.

Sincerely,
Nicole Nickelson
20636 Prairie Rd
Sedro Woolley
360-362-9174



John Cooper

From: Paula Shafransky <pshafransky@gmail.com>
Sent: Monday, December 19, 2016 10:48 AM
To: John Cooper
Subject: Fwd: Concrete Nor'west open pit gravel mine proposal

I tried to send this to betta@co.skagit.wa.us but it didn't go through. Can you please give me the correct address? Thanks - paula

---------- Forwarded message ----------
From: **Paula Shafransky** <pshafransky@gmail.com>
Date: Mon, Dec 19, 2016 at 10:41 AM
Subject: Concrete Nor'west open pit gravel mine proposal
To: betta@co.skagit.wa.us

I am writing to respectfully request an extension for public comments until the end of January on this gravel mine proposal. People in the area are just now being made aware of it. The person to call for questions, John Cooper, will be out of the office from December 22nd until January 2nd. We need more time for people to submit their thoughts and concerns. Thank you for your attention to this matter.

Paula Shafransky
22461 Prairie Road
Sedro Woolley, WA 98284
360-856-1637

John Cooper

From: NICK & NICOLE <NICNICK31@msn.com>
Sent: Monday, December 19, 2016 9:18 AM
To: John Cooper
Subject: Notified property owners

Mr. John Cooper,

Can you please provide me with the list of property owners that have been notified so far as well as the date of notification? I only have names of the people previously notified and have been unable find in public record who else has received notification. Thank you in advance for your assistance.

Sincerely,
Nicole Nickelson

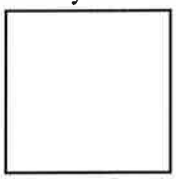
John Cooper

From: Vicky Gonzalez on behalf of Commissioners
Sent: Monday, December 19, 2016 12:21 PM
To: Dale Pernula; Ryan Walters; John Cooper
Subject: FW: Concrete Nor'west open pit gravel mine

Vicky Gonzalez (ext. 1311)
Administrative Coordinator
Administrative Services
Skagit County Commissioners' Office
1800 Continental Place, Suite 100
Mount Vernon, WA 98273
☎ (360) 416-1311
vickyg@co.skagit.wa.us

From: Paula Shafransky [mailto:pshafransky@gmail.com]
Sent: Monday, December 19, 2016 11:25 AM
To: Commissioners
Subject: Concrete Nor'west open pit gravel mine

I am writing to respectfully request an extension for public comments until the end of January on this gravel mine proposal. People in the area are just now being made aware of it. The person to call for questions, John Cooper, will be out of the office from December 22nd until January 2nd. We need more time for people to submit their thoughts and concerns. Thank you for your attention to this matter.



Paula Shafransky
22461 Prairie Road
Sedro Woolley,WA 98284
360-856-1637

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Tuesday, January 2, 2018 12:17 PM
To: Ryan Walters; John Cooper
Cc: Julie S. Nicoll
Subject: please update gravel mine link

Hello John and Ryan,

Happy New Year – hope you are both well.

I just checked the County website to see if the CNW gravel mine info has been at last updated, and it still has not. My husband and I sent an important letter two months ago (on Nov 2, 2017) expressing our concerns about the status of the permit.

A November 21st letter from CNW has been posted, but not ours.

The public deserves to have access to the full picture, especially since the County does not seem to be documenting its own actions well in relation to this proposed development. To show only some of the communications skews the public's perception of the situation.

Please post our letter and other communications you have received more recently as soon as possible.

Thank you,
Martha Bray

Via Email

paulrg@co.skagit.wa.us; pw@co.skagit.wa.us; johnC@co.Skagit.wa.us; julien@co.skagit.wa.us, jsitkin@Chmelik.com, ndavidson@chmelik.com

January 7, 2018

Paul Randall-Grutter
Public Works Department
1800 Continental Place
Mount Vernon, WA 98273

Re: Comment and information concerning personal services contract with Gibson Traffic Consultants (PL16-0097 & PL16-0098)

Dear Mr. Randall-Grutter,

I have become aware that Public Works has engaged Gibson Traffic Consultants to review traffic safety along the proposed haul route for Concrete Nor'West's proposed gravel mine off of Grip Road. While I very much agree with the need for a third party review, I don't understand why the County is proceeding with it at this time, since the data provided by CNW are out of date, and the status of their application is in question. Nevertheless, because of my involvement/familiarity with traffic safety on the proposed haul route, if the County is to proceed with this contract at this time, I have important comments and questions regarding the scope of work, which I urge you to consider.

I have reviewed the consultants' work scope. For convenience I broke the scope into line items below, and added comments and questions regarding specific items. I urge you to consider these comments, to clarify the scope of work to be more specific, and to better address the community's concerns.

I have also attached documents I generated that I believe are very pertinent to Gibson's work scope. These documents consolidate many of my past comments, and have a heavy overlap with comments made by many others in our community.

Please ensure that this letter and the attachments are conveyed to Gibson Traffic Consultants as soon as possible.

Per Gibson Traffic Consultants Contract	**Scope Comments**
1) Determine if county roads and bridges are capable of the volumes proposed.	• Gibson should review the haul route road condition vs. current engineering standards. o For Grip Road compare the current, as-is condition vs the **Rural Major & Minor Collector Roadway Section ADT 401-2000 Figure B-6** from the Skagit County Road Standards o For Prairie Road compare the current, as-is conditions vs **Rural Major & Minor Collector**

	Roadway Section ADT Over 2000 Figure B-7 from the Skagit County Road Standards • After reviewing road conditions, a gap analysis of existing conditions vs current design standard along with proposed mitigation should be generated. • The impact of 25 years of dump truck and trailer traffic on the entire haul route and bridges on the haul route should be evaluated. • Proposed peak truck volumes from CNW should be used for evaluations rather than the average volumes. • Weather impacts should be reviewed for possible haul restrictions (Water over roadway; freeze / thaw cycles; compact snow/ice)
2) Determine if the operations meet LOS	• Does this include turning movements/ operational accommodation? • Considerations for acceleration of dump truck and pups vs cars?
3) Determine if the operations meets safety standards	• Covered by item 4.
4) Determine if the operations meets the standards per the Skagit County Road Standards, the Skagit County Transportations Systems Plan, the Skagit County Comprehensive Plan, and any other applicable State and Local Regulations	• What is Skagit County's standard on operational accommodation (the interference with other traffic when trucks are turning)? • Site Distance Issues: o The stopping and entering sight distance values used in the preliminary traffic analysis by DN Traffic Consultants used the AASHTO guidelines for passenger cars only. The stopping and entering sight distance values for combination trucks is significantly greater. o Sight distance at intersections was not reviewed for all intersections on the haul route. Most intersections along the route do not meet standards. This discrepancy should be reviewed. o Skagit County has no plans to resolve the sight distance issues at the Grip Road and Prairie Road intersection. The flashing beacon serves as a warning, but does not resolve the problem (DN Traffic Consultants identified the flashing beacon as a potential interim solution). o Operational accommodation should be considered with site distance issues when reviewing intersections on the haul route. • Gibson should make a statement whether they believe a Level II Traffic Impact Analysis (TIA) is required for this project per County code. • Locations along the haul route where operational

	accommodation is assumed and acceptable should be identified. • Impacts to school busses, fire trucks, and other EMS vehicles should be evaluated. • Likely passing zones should be identified and reviewed for safety improvements along with existing passing zone locations. • The clear zone (the total roadside border area, starting at the edge of traveled way, available for safe use by errant vehicles. This area may consist of a shoulder, a recoverable slope, a nonrecoverable slope, and/or a clear run-out area.) along the proposal haul route should be evaluated. • The road network circulation should be reviewed. • Impacts to and accommodations for bicycle and pedestrian traffic should be evaluated.
5) Preliminary site evaluation including site/access and road review.	• Is this referring to the gravel road from Grip Road to the pit? If so Gibson should review: o Evaluate bridge crossing on Swede Creek. o Identify improvements required to accommodate proposed truck volume. o Address emergency vehicle access. o Address wetlands impacted by the haul road. • Or is this referring to site accessibility as listed in Skagit County Road Standards? o Area roadway system o Traffic volumes and conditions o Existing safety and capacity deficiencies o Transit service o Pedestrian and bicycle facilities • All the above items should be addressed.
6) Review all existing traffic information related information on county webpage related to this project including citizen comments, applicants traffic studies and traffic reports.	• Is Skagit County providing a filtered list to Gibson or is Gibson going to review 100% of the documents without County input?
7) Check trip generation for AM peak, PM Peak, and daily using individual site survey (ie. How many vehicles will be added to the roads.)	• Who generates this data? • When was the data generated? • Has CNW provided consistent / accurate information to complete this inquiry?
8) Check trip distribution for AM peak, PM peak, and daily (ie. Where those trips will be going)	• Who generates this data? • When was the data generated? • Has CNW provided consistent / accurate information to complete this inquiry?
9) Trip turning movement assignments	• This item should cover every intersection and curve along the proposed haul route.
10) Determine whether traffic from the proposed	• Is this different from item 2?

operation meets level of service (LOS) standards.	
11) Evaluate adequacy and validity of the 2013 counts used.	• Data is now 5 years old. Is the quality of this data typical for a project of this size and impact? • DN Traffic Consultants did not include any non-development traffic growth between 2013 and the start of gravel operations. Is this a correct assumption?
12) Access evaluation including sight distance conditions.	• Sight distance conditions should be evaluated along the entire haul route.
13)Evaluate collision history	• Is the collision data generated by the Skagit County Sherriff directly? Or from the County IMap data? • The data provided to me by the Skagit County Sherriff inconsistent when compared to the data from IMap. • How many years of collision history are being evaluated? • Collision history of the proposed haul route or of all potential haul routes? • Just collisions? Not traffic violations or reported road hazards? • Does the collision history include damage (like a broken stop sign) that was not part of a documented accident?
14) Provide a summary memorandum/report stating opinion and position on the traffic study about the County's standards and codes, and any other applicable laws, and providing Contractors determinations and recommendations as described above.	• Gibson should evaluate and comment on the adequacy of proposed mitigation.

Additional item:

Dump trucks vs log trucks: I have heard county officials make statements like, "log trucks have been traveling on those roads for years, dump trucks should be fine," while in reality, the following is true:

1. Dump trucks and log trucks are engineered differently and have different turning movements. Logging trucks can navigate to places dump trucks with pup trailers cannot.
2. Logging on Grip Road does not produce large quantities of traffic over multiple years. Logging on Grip road will produce increased log truck traffic for a few weeks to a few months at a time every few years *at most*.
3. Log truck traffic from Alger Mountain travels Parson Creek Road to Old Highway 99 or Highway 9 to Highway 20; it does not routinely travel on Prairie Road.
4. CNW is proposing more than 25 years of dump truck traffic on Prairie Road and Grip Road (or any other roads if they are going direct-to-market) with no real limits on the volume of trucks, days of operation, or hours of operation. This is *very different* from historical log truck traffic.

Attachments:

- Presentation W-Notes for Website.pdf
- Grip FS Road Pictures - Letter.pdf
- Road Conditions Letter.pdf
- Operating Hours.pdf
- New – Truck Acceleration.pdf.
- Accident Data.pdf

Thank you for your time and consideration.

Sincerely,

Brian Bowser
21110 Parson Creek Road
Sedro Woolley, WA 98284

January 30, 2017

Dear Mr. Cooper,

This letter is concerning PL16-0097 and is specifically addressing the hours of operation as stated throughout Concrete Nor'West's permit application and supporting documents.

Job Site Hours

Concrete Nor'West has requested unlimited operating hours at the proposed gravel mine located off Grip Road. This is possible per SSC 14.16.440 (10)(i)(i) where it states the operating hours "may be unlimited". Concrete Nor'West has also described the "typical operating hours" in multiple documents turned in to Skagit County but has not been consistent in its statements:

1. "Concrete Nor'West Grip Road Special Use Narrative" dated March 7, 2016 by Skagit County stated the typical operating hours would be Monday through Saturday 7am to 5pm. Section A of the same document states "normal hours would be 7:00 a.m. to 5:00 p.m., Monday through Friday.
2. Email from Dan Cox to John Cooper dated 8/11/16 states that normal operating hours will be Monday through Saturday 6am to 6pm.
3. Staff report states the hours of operation "will generally be limited to Monday through Saturday, from dawn till dusk. The applicant proposes that the hours of operation may be expanded based on market conditions and seasonal demands."

I would like additional details from Concrete Nor'West to help me understand what "typical operating hours" are. What are the real "typical operating hours"? Do the operating hours only apply only to mining on-site or do they extend to hauling the gravel off-site also? What does "typical" mean? How many "typical" days are there in a year? Is "typical" in June the same as "typical" in December?

Will there be any notification requirements to county, school districts, fire departments, the public, etc. when Concrete Nor'West extends their operating hours?

I would also expect this information to be important to the Hearing Examiner in order to understand if Concrete Nor'West's operation will create "significant adverse impacts to existing adjacent land uses" as called out in SSC 14.16.440 (10)(i)(i). This is the criteria that the Hearing Examiner may use to limit operating hours at the site.

I am quite confident residences near the mining operation and/or along the haul route to Grip Road will be adversely impacted by extended operating hours. Additionally, residences along the haul route will also be adversely impacted by extended operating hours.

Brian Bowser
21110 Parson Creek Road
Sedro Woolley, WA 9828

Dear Mr. Cooper,
I have had some time to look through the documents concerning PL16-0097. Below are some of the concerns I have with the transportation plan as listed in the documentation:

DN Traffic Consultants

Grip Road Intersection

1. Decisions about the Grip Road intersection are being made with information from 2013. I did not see that 2.5% of increased traffic per year was considered when calculating the data (As described in the "2013 Skagit County Road Segment & Intersection Concurrency" report).
2. Intersection has "sub-standard observed distance for both stopping and entering sight distance in southbound direction whereas the Grip Road/Site Access has a sub-standard value for entering sight distance in the eastbound direction." DN Traffic Consultants believe the permanent fix for this intersection costs too much although no cost estimate was completed.
3. The recommended solution--advanced warning signs with flashing beacons--was listed as a "potential interim" solution. Neither the Staff Report or the Hearing Examiner Report recognized this as an interim solution. Neither report listed a timeline for the Skagit County to develop a permanent solution.

Additional Studies

1. DN Traffic Consultants expected additional traffic analysis would be required as the proposed gravel pit operation was defined. This analysis has not been required by Skagit County nor offered by Concrete Nor'west.

Other Crucial Issues Not Addressed

1. The report did not address whether the truck counts were Concrete Nor'West trucks only or if they would allow additional independent operators to purchase from the pit on Grip road, thus generating additional traffic.
2. Traffic East bound on Prairie Road is allowed to pass before they reach Park Ridge Lane. This was fixed previously, but after the recent chip sealing was completed, the striping allowed for passing prior to Park Ridge Lane.
3. The F & S Grade Road intersection was not evaluated. It is also a limited site intersection and has had a significant number of accidents at the intersection.
4. Grip Road has a 40 foot right of way. Concrete Nor'West trucks will not be able to pass each other in opposite directions on several portions of Grip Road because they cannot navigate the corners and stay in their lane simultaneously.
5. Per "Skagit County Road Standards Version 5.2 May 26, 2000 section 3.13," a right of way of less than 60' can lead to additional requirements. No studies have been completed to assess the areas "road network circulation".
6. It is doubtful that a dump truck and trailer traveling East on Prairie Road can stay in its lane through the final 90-degree corner.
7. The permit describes the Grip to Prairie to Old Highway 99 North as the "haul route". Does that mean only the loaded trucks must follow this route? Empty trucks can take an alternative route? If so, what is the alternative route?
8. Prairie Road and Grip Road have insufficient "Clear Zone". The Clear Zone is "the total roadside border area, starting at the edge of traveled way, available for safe use by errant vehicles. This area

may consist of a shoulder, a recoverable slope, a nonrecoverable slope, and/or a clear run-out area. The desired width is dependent upon the traffic volumes, speeds, and the roadside geometry." Per "Skagit County Road Standards Version 5.2 May 26, 2000."

9. A pedestrian was hit by a logging truck while walking several years ago. He went to a nursing home to recover but never did make it back home. This accident is an example of what happens when you have insufficient clear zone.
10. Dump trucks will be operating during early morning hours when kids are waiting for the bus in the dark with insufficient clear zone.
11. Sedro Woolley School District has a bus turn-around area just west of the mine access at Grip Road that would be negatively impacted by heavy truck traffic coming down the hill.
12. There will be increased incidents due to West Bound Prairie Road traffic passing dump trucks just past the F&S Grade Road intersection.
13. There will be increased incidents due to East Bound Prairie Road traffic passing dump trucks near the Park Ridge Lane intersection.
14. Many clubs (bicycle, motorcycle, car) and organized athletic events use Prairie Road as part of their routes for events. Dump truck traffic, with current road design, is incompatible with this type of use. The permitting process has ignored this type of use.
15. Many people living in the area use our local roads to walk, run, or bike. Dump truck traffic, with current road design, is incompatible with this type of use. The permitting process has ignored this type of use.
16. The language in the "Skagit County Planning and Development Services Findings of Fact" is specific: "Truck trips shall not exceed an average of 46 truck trips per day or exceed 30 truck trips per hour." This combined with no restrictions on hours of operations means that Concrete Nor'West would be within their permit to operate 24 hours per day, 30 trucks per hour, for 23.3 days and shut down for the remainder of the year. I don't expect this, but my point is that none of the traffic studies determine any upper limits on trucking, hours of operation, impact to the roads and intersections. All the decisions were based on a preliminary traffic study on two intersections and an email from Dan Cox to John Copper. The email stated traffic engineer, Gary Norris, indicated that both intersections evaluated could function within level of service requirements up to 100 trucks per hour during non-peak hours. As a result, Mr.Cox limited the trucks to 30 trucks per hour during non-peak time. This number is not a limit in the permit, nor is it based on anything more than one person's opinion.
17. Actual truck trips per hour and per year appears to be on the honor system. No system of verification is discussed.
18. I did not see that trucks will be weighted prior to leaving the gravel pit. How will Concrete Nor'West verify the trucks are not overloaded prior to leaving the Grip Road gravel pit?
19. Dump Trucks have the highest fatality rate of any type of commercial truck: Per 100 million miles traveled (MMT), 5.96 fatalities.
20. How will the Bow Hill Road Reconstruction Project impact the intersection at Old 99 and Prairie Road? Project execution appears to overlap with the Burlington Northern Overpass Project.
21. How will the Burlington Northern Overpass Project impact the intersection at Old 99 and Prairie Road? Project execution appears to overlap with the Bow Hill Road Reconstruction Project.

22. How will the Samish River Bridge Repair (Old Highway 99 N.) impact the trucking route for Concrete Nor'West from the Grip Road pit to the Old 99 pit or will gravel be hauled to a different location?
23. "Skagit County Planning and Development Services Findings of Fact" states Concrete Nor'West can take product direct to market or to existing Concrete Nor'West site for processing. Trucks may go any direction from the gravel pit yet only two intersections were reviewed. The proposal submitted indicates Concrete Nor'West will take the bulk of the product from Grip Road to the gravel pit at 8198 Old Highway 99 North Road, not an existing Concrete Nor'West site. Taking it to another location is a change to the permit. Concrete Nor'West needs to complete a traffic analysis on all potential routes from the mine on Grip Road.

With all the above issues, I believe a traffic impact analysis should be completed before the permit to mine is approved. In determining what level of traffic analysis is needed, the peak allowable truck traffic allowed per the permit should be used, not an average number of trucks for a given year. The report should address route clear space, geometrics, and hazards. I also recommend accident data be included in the study based on the following information from the public data available on the Skagit County website:

> On Prairie Road alone, from 2010 to 2016, 93 vehicles were abandoned, 182 traffic hazards were reported, 240 vehicle accidents were reported, and 354 traffic citations were issued.

There appears to be a safety issue on Prairie Road before we add dump trucks to the mix. The report should also address route geometrics and hazards.

To help you visualize some of our concerns, here is a picture on Prairie Road, north of Grip Road. The pavement width in the picture (20') is typical of Prairie Road and Grip Road.



Brian Bowser
21110 Parson Creek Road
Sedro Woolley, WA 9828

Truck and trailer combination will take approximately 1,774 feet and 74 seconds to accelerate to the 50 mph speed limit.



Consequently, if you are traveling the speed limit (40mph) and you are 1,720 feet or closer to the Grip Road intersection, you will be slowing down to accommodate the dump truck.



Source of Truck Acceleration: ACCELERATION OF HEAVY TRUCKS, by Woodrow M. Poplin, P.E.

Trucks in the study were typically lighter than trucks proposed by CNW. Expect the above examples to be very conservative. Actual observed acceleration will likely be slower than shown above.

Observed evidence of this:

My wife got on I5 South bound ,at Bow Hill behind a fully loaded CNW dump truck and pup recently. The truck had a rolling start onto the on-ramp ,the ramp slopes downhill, and is approximately 1,218 feet long. The dump truck entered traffic at 34 miles per hour.

In contrast, CNW trucks at the intersection of Grip and Prairie will not have a running start and will be traveling up hill for the first 500'.

CNW Proposed Haul Route Accidents, Enforcement, Hazards

NatureDesc: Vehicle Accident

Count of Category	Column Labels														Average
Count of Category	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Grand Total	Per Year
Prairie Rd / Old 99 Intersection	11	2	9	2	2	4	3	7	9	5	4	5		**63**	5.0
Prairie Rd - S-Curves, Near Friday Ck	2		3	3		1	3	1	5		2		2	**22**	1.8
Prairie Rd - Park Ridge Ln / Water Hazard Area	1			1	1	1	1	1		1	1			**8**	0.6
Prairie Rd - Water Hazard to F&S Grade Rd			1	1	1				1		1			**5**	0.4
Prairie Rd / F&S Grade Rd Intersection	3		1	2	3		1	2	1	2	1	4	1	**21**	1.7
Prairie Rd / Grip Rd Intersection	4	2	1	1		2	1					1	3	**15**	1.2
Grip Rd - Prairie Rd to Proposed Pit Entrance						1		1	1	1			1	**5**	0.4
Old 99 - Prairie Rd to Samish River	1	1					1				2	5		**10**	0.8
Old 99 - Samish River to CNW Pit Entrance	12		4	1	4	5	3	5	1	2	4	5	2	**48**	3.8
Grand Total	**34**	**5**	**19**	**11**	**11**	**14**	**13**	**17**	**18**	**11**	**15**	**20**	**9**	**197**	**15.8**

NatureDesc: Traffic Enforcement

Count of Category	Column Labels														Average
Row Labels	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Grand Total	Per Year
Prairie Rd / Old 99 Intersection	4		8	8	11	6	9	7	12	13	13	9	5	105	8.4
Prairie Rd - S-Curves, Near Friday Ck		2				2						1		5	0.4
Prairie Rd - Park Ridge Ln / Water Hazard Area	1		1		1		1	1		8			1	14	1.1
Prairie Rd - Water Hazard to F&S Grade Rd					1							1		2	0.2
Prairie Rd / F&S Grade Rd Intersection		1	1	3	8	3	3	1	1	3		1		25	2.0
Prairie Rd / Grip Rd Intersection		1		1	1	2	2						1	8	0.6
Grip Rd - Prairie Rd to Proposed Pit Entrance					1			1		1	1			4	0.3
Old 99 - Prairie Rd to Samish River		1			1			2	5	2	2	3		16	1.3
Old 99 - Samish River to CNW Pit Entrance	9	15	5	14	23	28	21	10	14	15	12	11	6	183	14.6
Grand Total	**14**	**20**	**15**	**26**	**47**	**41**	**36**	**22**	**32**	**42**	**28**	**26**	**13**	**362**	**29.0**

NatureDesc: Traffic Hazard

Count of Category	Column Labels														Average
Row Labels	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Grand Total	Per Year
Prairie Rd / Old 99 Intersection	4	6		3	6	7	6	4	3	5	8	3	3	58	4.6
Prairie Rd - S-Curves, Near Friday Ck		1	1				2							4	0.3
Prairie Rd - Park Ridge Ln / Water Hazard Area		1			1	4		1		1	3	4		15	1.2
Prairie Rd / F&S Grade Rd Intersection		3	2	3	5		3	2	4	4	3			29	2.3
Prairie Rd / Grip Rd Intersection	1	1	1			2	1	1						7	0.6
Grip Rd - Prairie Rd to Proposed Pit Entrance								1						1	0.1
Old 99 - Prairie Rd to Samish River	1				1		1	1			1			5	0.4
Old 99 - Samish River to CNW Pit Entrance	8	11	7	1	8	7	4	4	3	1	3	2	2	61	4.9
Grand Total	**14**	**23**	**11**	**7**	**21**	**20**	**17**	**14**	**10**	**11**	**18**	**9**	**5**	**180**	**14.4**

*Data for 2017 is thru 7/17

CNW Proposed Haul Route Accidents, Enforcement, Hazards

NatureDesc — Vehicle Accident

Count of Category	Column Labels												
Count of Category	**January**	**February**	**March**	**April**	**May**	**June**	**July**	**August**	**September**	**October**	**November**	**December**	**Grand Total**
Prairie Rd / Old 99 Intersection	6	1	4	8	4	5	7	5	6	3	8	6	**63**
Prairie Rd - S-Curves, Near Friday Ck		2		3		5	1	2	4	1		4	**22**
Prairie Rd - Park Ridge Ln / Water Hazard Area	1			1	1			1	1	1	1	1	**8**
Prairie Rd - Water Hazard to F&S Grade Rd							1	2			1	1	**5**
Prairie Rd / F&S Grade Rd Intersection	2	3	2	2	2	2	1	1	2	1	1	2	**21**
Prairie Rd / Grip Rd Intersection	2		1			3	1	2	1	1	3	1	**15**
Grip Rd - Prairie Rd to Proposed Pit Entrance		1		1	1			1	1				**5**
Old 99 - Prairie Rd to Samish River	1	1			1		1			3	2	1	**10**
Old 99 - Samish River to CNW Pit Entrance	8	4	5	9	2	3	2	4	2	5	2	2	**48**
Grand Total	**20**	**12**	**12**	**24**	**11**	**18**	**14**	**18**	**17**	**15**	**18**	**18**	**197**

NatureDesc — Traffic Enforcement

Count of Category	Column Labels												
Row Labels	**January**	**February**	**March**	**April**	**May**	**June**	**July**	**August**	**September**	**October**	**November**	**December**	**Grand Total**
Prairie Rd / Old 99 Intersection	11	6	7	9	8	6	12	11	14	9	6	6	105
Prairie Rd - S-Curves, Near Friday Ck				2			1	1	1				5
Prairie Rd - Park Ridge Ln / Water Hazard Area	1			1	1	2		7		1		1	14
Prairie Rd - Water Hazard to F&S Grade Rd						1	1						2
Prairie Rd / F&S Grade Rd Intersection	3	3	1	1		4	4	3		4	1	1	25
Prairie Rd / Grip Rd Intersection		1		1		2		3			1		8
Grip Rd - Prairie Rd to Proposed Pit Entrance				1		1	1	1					4
Old 99 - Prairie Rd to Samish River		1	1	1	3		2	3	1		1	3	16
Old 99 - Samish River to CNW Pit Entrance	13	18	12	21	15	15	16	11	17	13	14	18	183
Grand Total	**28**	**29**	**21**	**37**	**27**	**31**	**37**	**40**	**33**	**27**	**23**	**29**	**362**

NatureDesc — Traffic Hazard

Count of Category	Column Labels												
Row Labels	**January**	**February**	**March**	**April**	**May**	**June**	**July**	**August**	**September**	**October**	**November**	**December**	**Grand Total**
Prairie Rd / Old 99 Intersection	7	6	1	7	1	8	4	5	5	8	2	4	58
Prairie Rd - S-Curves, Near Friday Ck				1			2	1					4
Prairie Rd - Park Ridge Ln / Water Hazard Area	2	2	1	1	2	1	2	1		2		1	15
Prairie Rd / F&S Grade Rd Intersection	1	3	2	3	1	4	1	3	6	4	1		29
Prairie Rd / Grip Rd Intersection	1	1		1			2	2					7
Grip Rd - Prairie Rd to Proposed Pit Entrance										1			1
Old 99 - Prairie Rd to Samish River				1	1			1		1		1	5
Old 99 - Samish River to CNW Pit Entrance	8	1	7	2	3	4	6	8	3	9	6	4	61
Grand Total	**19**	**13**	**11**	**16**	**8**	**17**	**17**	**21**	**14**	**25**	**9**	**10**	**180**

*Data for 2017 is thru 7/17

CNW Proposed Haul Route Accidents, Enforcement, Hazards

NatureDesc: Vehicle Accident

Count of Category / Count of Category	Column Labels Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Grand Total
Prairie Rd / Old 99 Intersection	6	4	9	7	12	12	13	**63**
Prairie Rd - S-Curves, Near Friday Ck	3	1	2	5	1	3	7	**22**
Prairie Rd - Park Ridge Ln / Water Hazard Area	1	1	1	1	3		1	**8**
Prairie Rd - Water Hazard to F&S Grade Rd		1		3	1			**5**
Prairie Rd / F&S Grade Rd Intersection	5	2	1	4	2	6	1	**21**
Prairie Rd / Grip Rd Intersection	3		1	3	4	3	1	**15**
Grip Rd - Prairie Rd to Proposed Pit Entrance				1	1	1	2	**5**
Old 99 - Prairie Rd to Samish River	1		1		3	3	2	**10**
Old 99 - Samish River to CNW Pit Entrance	8	3	6	11	5	5	10	**48**
Grand Total	**27**	**12**	**21**	**35**	**32**	**33**	**37**	**197**

NatureDesc: Traffic Enforcement

Count of Category / Row Labels	Column Labels Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Grand Total
Prairie Rd / Old 99 Intersection	12	11	10	19	23	21	9	105
Prairie Rd - S-Curves, Near Friday Ck		1	1		3			5
Prairie Rd - Park Ridge Ln / Water Hazard Area		6	5	1	1		1	14
Prairie Rd - Water Hazard to F&S Grade Rd				1			1	2
Prairie Rd / F&S Grade Rd Intersection	5	3	3	3	4	4	3	25
Prairie Rd / Grip Rd Intersection		1		2	1	4		8
Grip Rd - Prairie Rd to Proposed Pit Entrance			3		1			4
Old 99 - Prairie Rd to Samish River		6	1		3	4	2	16
Old 99 - Samish River to CNW Pit Entrance	28	23	31	28	33	20	20	183
Grand Total	**45**	**51**	**54**	**54**	**69**	**53**	**36**	**362**

NatureDesc: Traffic Hazard

Count of Category / Row Labels	Column Labels Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Grand Total
Prairie Rd / Old 99 Intersection	5	8	9	11	8	8	9	58
Prairie Rd - S-Curves, Near Friday Ck		1			1	2		4
Prairie Rd - Park Ridge Ln / Water Hazard Area	1	2	3	2	1	3	3	15
Prairie Rd / F&S Grade Rd Intersection	2	1	7	4	6	2	7	29
Prairie Rd / Grip Rd Intersection		1	1				5	7
Grip Rd - Prairie Rd to Proposed Pit Entrance					1			1
Old 99 - Prairie Rd to Samish River		1	1		1		2	5
Old 99 - Samish River to CNW Pit Entrance	8	3	11	10	10	9	10	61
Grand Total	**16**	**17**	**32**	**27**	**28**	**24**	**36**	**180**

*Data for 2017 is thru 7/17

CNW Proposed Haul Route Accidents, Enforcement, Hazards

NatureDesc: Vehicle Accident

Count of Category	Column Labels					
Row Labels	Wee Hours Midnight to 5:30AM	Morning 5:30AM - 9:00AM	Mid Day 9:00AM to 3:30PM	Evening 3:30PM to 7:00PM	Late Evening 7:00PM to Midnight	Grand Total
Prairie Rd / Old 99 Intersection	15	11	28	8	1	63
Prairie Rd - S-Curves, Near Friday Ck	4	4	8	3	3	22
Prairie Rd - Park Ridge Ln / Water Hazard Area		3	3	1	1	8
Prairie Rd - Water Hazard to F&S Grade Rd	1	1	1		2	5
Prairie Rd / F&S Grade Rd Intersection	5	2	10	1	3	21
Prairie Rd / Grip Rd Intersection	7	4	4			15
Grip Rd - Prairie Rd to Proposed Pit Entrance	1		3		1	5
Old 99 - Prairie Rd to Samish River	1		5	1	3	10
Old 99 - Samish River to CNW Pit Entrance	12	11	16	5	4	48
Grand Total	**46**	**36**	**78**	**19**	**18**	**197**

NatureDesc: Traffic Enforcement

Count of Category	Column Labels					
Row Labels	Wee Hours Midnight to 5:30AM	Morning 5:30AM - 9:00AM	Mid Day 9:00AM to 3:30PM	Evening 3:30PM to 7:00PM	Late Evening 7:00PM to Midnight	Grand Total
Prairie Rd / Old 99 Intersection	19	20	48	13	5	105
Prairie Rd - S-Curves, Near Friday Ck	1		4			5
Prairie Rd - Park Ridge Ln / Water Hazard Area	5	2	6	1		14
Prairie Rd - Water Hazard to F&S Grade Rd			2			2
Prairie Rd / F&S Grade Rd Intersection	2	6	14	3		25
Prairie Rd / Grip Rd Intersection	1	2	3	1	1	8
Grip Rd - Prairie Rd to Proposed Pit Entrance		1	3			4
Old 99 - Prairie Rd to Samish River	5	6	3	2		16
Old 99 - Samish River to CNW Pit Entrance	36	27	76	35	9	183
Grand Total	**69**	**64**	**159**	**55**	**15**	**362**

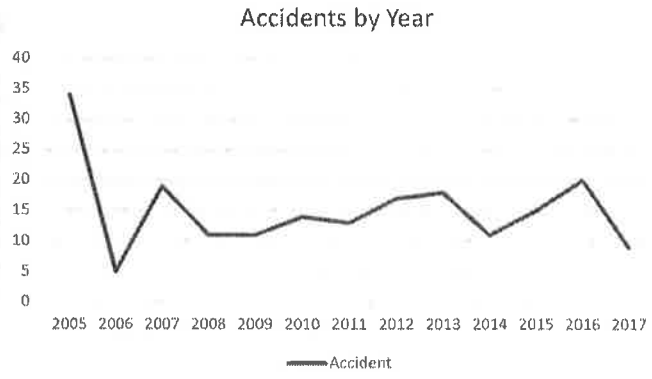
NatureDesc: Traffic Hazard

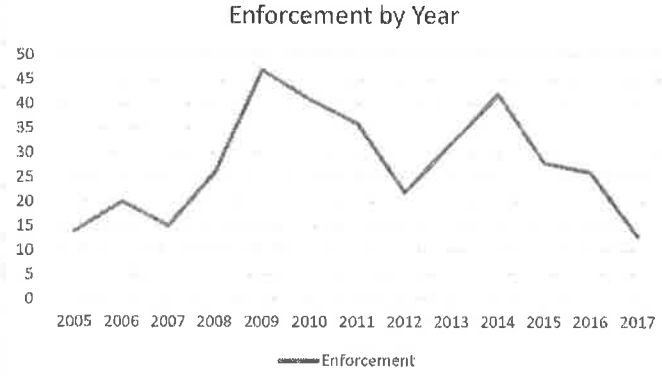
Count of Category	Column Labels					
Row Labels	Wee Hours Midnight to 5:30AM	Morning 5:30AM - 9:00AM	Mid Day 9:00AM to 3:30PM	Evening 3:30PM to 7:00PM	Late Evening 7:00PM to Midnight	Grand Total
Prairie Rd / Old 99 Intersection	10	12	19	10	7	58
Prairie Rd - S-Curves, Near Friday Ck			4			4
Prairie Rd - Park Ridge Ln / Water Hazard Area	5		4		6	15
Prairie Rd / F&S Grade Rd Intersection	4	4	11	4	6	29
Prairie Rd / Grip Rd Intersection	1	2	3		1	7
Grip Rd - Prairie Rd to Proposed Pit Entrance				1		1
Old 99 - Prairie Rd to Samish River	2		2		1	5
Old 99 - Samish River to CNW Pit Entrance	18	8	19	5	11	61
Grand Total	**40**	**26**	**62**	**20**	**32**	**180**

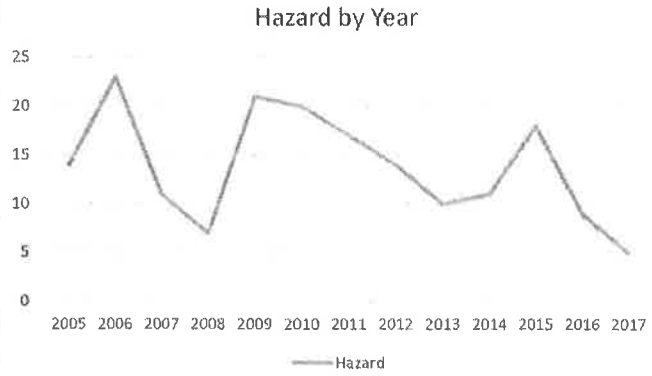
*Data for 2017 is thru 7/17

Incidents By Year



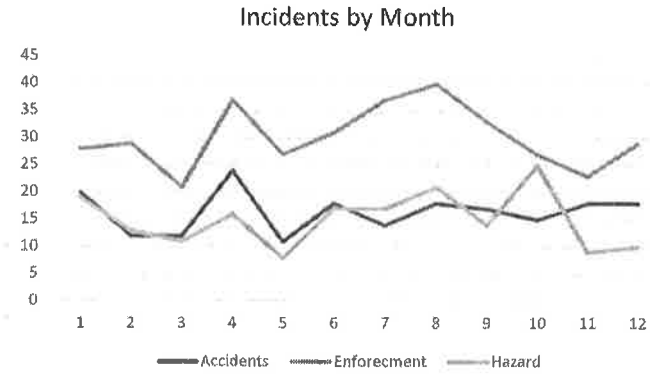




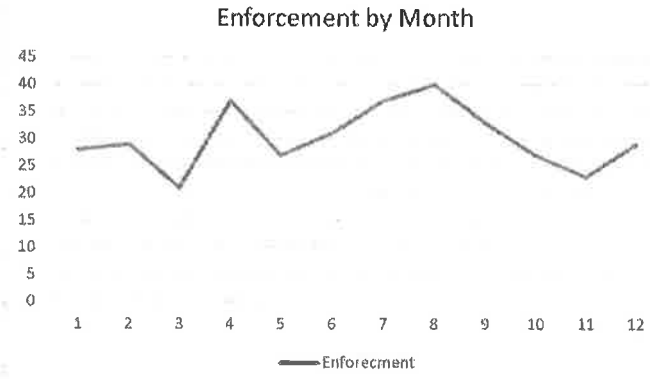


*Data for 2017 is thru 7/17

Incidents By Month



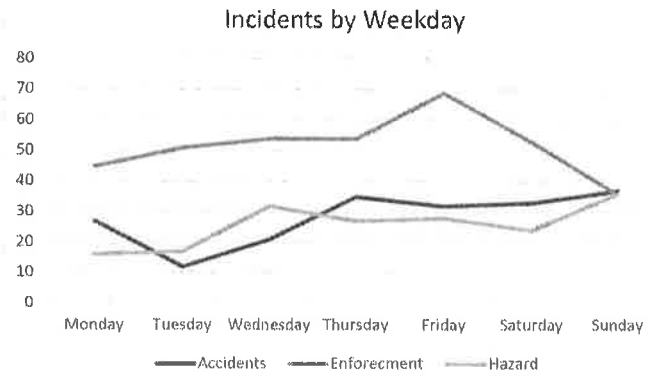


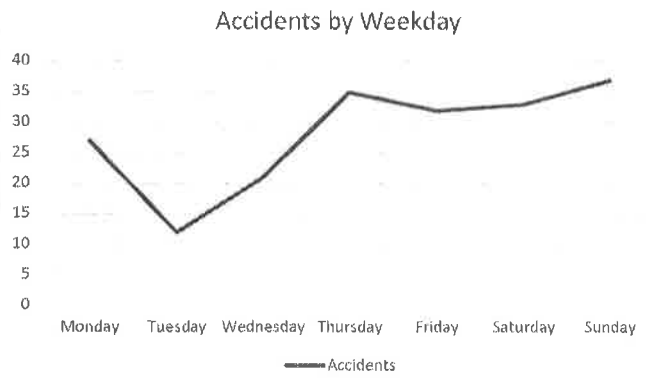


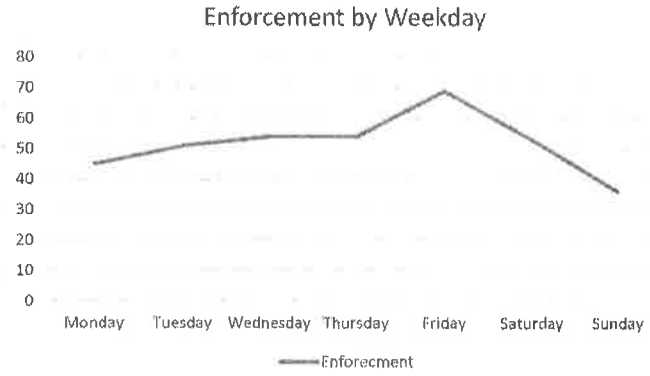


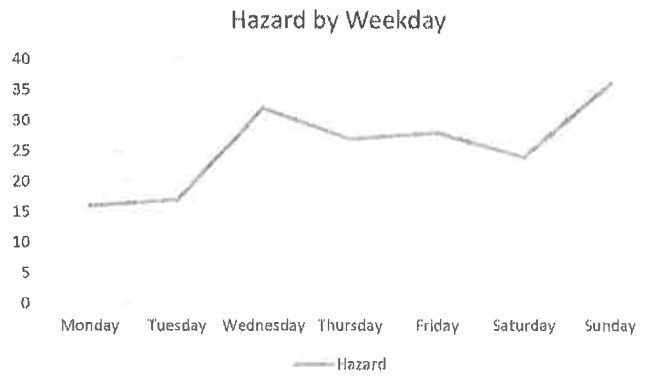
*Data for 2017 is thru 7/17

Incidents By Weekday



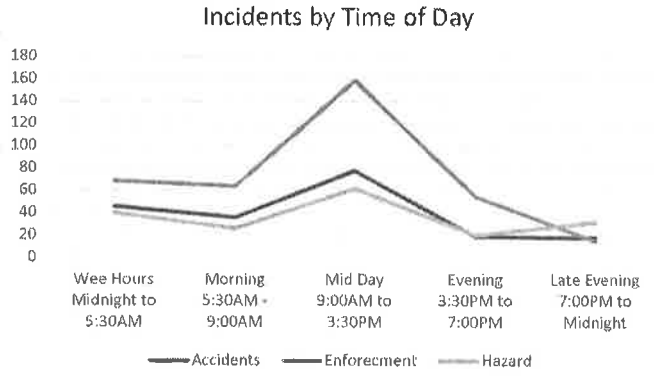


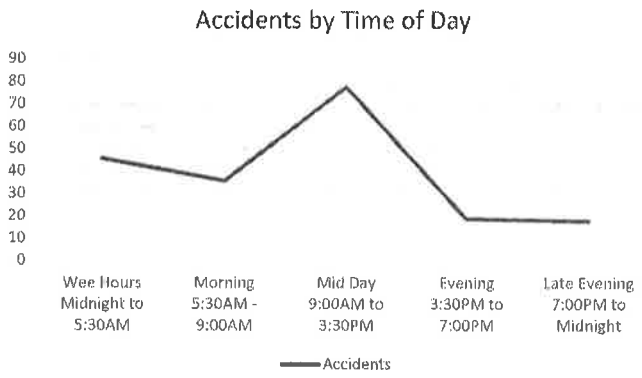


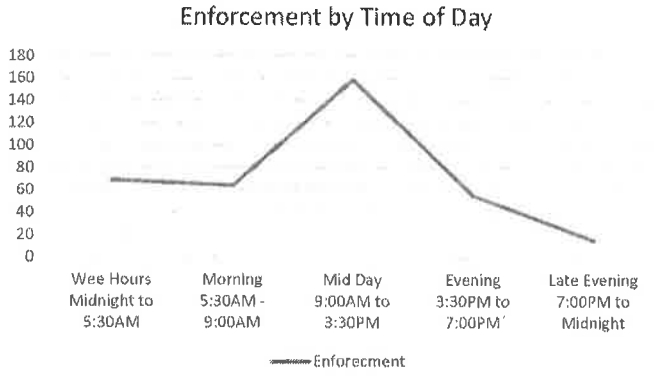


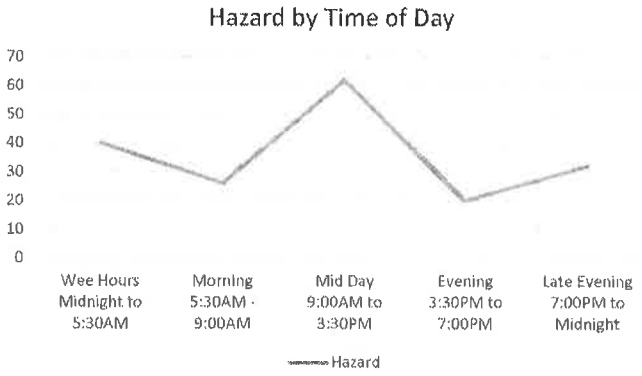
*Data for 2017 is thru 7/17

Incidents By Time of Day









*Data for 2017 is thru 7/17

Incidents By Year

Year	Accident
2005	34
2006	5
2007	19
2008	11
2009	11
2010	14
2011	13
2012	17
2013	18
2014	11
2015	15
2016	20
2017	9

Year	Enforcement
2005	14
2006	20
2007	15
2008	26
2009	47
2010	41
2011	36
2012	22
2013	32
2014	42
2015	28
2016	26
2017	13

Year	Hazard
2005	14
2006	23
2007	11
2008	7
2009	21
2010	20
2011	17
2012	14
2013	10
2014	11
2015	18
2016	9
2017	5

Incidents By Month

Month	Accidents
1	20
2	12
3	12
4	24
5	11
6	18
7	14
8	18
9	17
10	15
11	18
12	18

Month	Enforecment
1	28
2	29
3	21
4	37
5	27
6	31
7	37
8	40
9	33
10	27
11	23
12	29

Month	Hazard
1	19
2	13
3	11
4	16
5	8
6	17
7	17
8	21
9	14
10	25
11	9
12	10

Incidents By Weekday

Weekday	Accidents
Monday	27
Tuesday	12
Wednesday	21
Thursday	35
Friday	32
Saturday	33
Sunday	37

Weekday	Enforecment
Monday	45
Tuesday	51
Wednesday	54
Thursday	54
Friday	69
Saturday	53
Sunday	36

Weekday	Hazard
Monday	16
Tuesday	17
Wednesday	32
Thursday	27
Friday	28
Saturday	24
Sunday	36

Incidents By Time of Day

Time of Day	Accidents
Wee Hours Midnight to 5:30AM	46
Morning 5:30AM - 9:00AM	36
Mid Day 9:00AM to 3:30PM	78
Evening 3:30PM to 7:00PM	19
Late Evening 7:00PM to Midnight	18

Time of Day	Enforecment
Wee Hours Midnight to 5:30AM	69
Morning 5:30AM - 9:00AM	64
Mid Day 9:00AM to 3:30PM	159
Evening 3:30PM to 7:00PM	55
Late Evening 7:00PM to Midnight	15

Time of Day	Hazard
Wee Hours Midnight to 5:30AM	40
Morning 5:30AM - 9:00AM	26
Mid Day 9:00AM to 3:30PM	62
Evening 3:30PM to 7:00PM	20
Late Evening 7:00PM to Midnight	32

Estimated Accident Totals Using Cited NHTSA Study

Location	2005-2017	Estimated Unreported	Total Estimated Accidents
Prairie Rd / Old 99 Intersection	63	19	82
Prairie Rd - S-Curves, Near Friday Ck	22	7	29
Prairie Rd - Park Ridge Ln / Water Hazard A	8	2	10
Prairie Rd - Water Hazard to F&S Grade Rd	5	2	7
Prairie Rd / F&S Grade Rd Intersection	21	6	27
Prairie Rd / Grip Rd Intersection	15	5	20
Grip Rd - Prairie Rd to Proposed Pit Entran	5	2	7
Old 99 - Prairie Rd to Samish River	10	3	13
Old 99 - Samish River to CNW Pit Entrance	48	14	62
Grand Total	**197**	**60**	**257**

Estimated accident totals were generated using this report:
https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812183

From Sleight County Crime Map					Manual / Formulaic Added Data													
TimeDate	Agency	CaseNumber	ReturnDesc	Category	Where	Type	WhereID	Year	Month	Day	Date	Day of Week	Time	Commute	Commute 2	Commute 3	Jurisdiction	Season
February 26 2003 08:17	SCSO	03-02900	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2003	2	26	2/26/2003	4	9:17	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Standard
March 20 2003 15:11	SCSO	03-04104	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2003	3	20	3/20/2003	7	15:11	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Standard
August 16 2005 07:48	SCSO	05-13746	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2005	8	16	8/16/2005	2	7:48	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
March 21 2006 08:49	SCSO	06-04249	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2006	3	21	3/21/2006	2	8:49	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
October 6 2006 18:46	SCSO	06-16206	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2006	10	6	10/6/2006	5	18:46	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
July 4 2007 12:23	SCSO	07-10530	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2007	7	4	7/4/2007	3	12:23	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
July 12 2007 12:33	SCSO	07-10830	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2007	7	12	7/12/2007	4	12:33	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
November 19 2007 17:31	SCSO	07-18195	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2007	11	19	11/19/2007	1	17:31	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
December 17 2007 00:46	SCSO	07-19428	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2007	12	17	12/17/2007	1	0:46	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
April 12 2008 07:21	SCSO	08-04965	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2008	4	12	4/12/2008	6	7:21	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
September 19 2008 12:48	SCSO	08-14157	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2008	9	19	9/19/2008	5	12:48	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
November 6 2008 23:39	SCSO	08-16597	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2008	11	6	11/6/2008	4	23:39	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Standard
September 4 2009 18:56	SCSO	09-12881	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2009	9	4	9/4/2009	5	18:56	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
October 4 2009 07:24	SCSO	09-14417	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2009	10	4	10/4/2009	7	7:24	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
November 22 2009 14:18	SCSO	09-15604	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2009	11	22	11/22/2009	7	14:18	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Standard
December 17 2009 23:12	SCSO	09-17662	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2009	12	17	12/17/2009	4	23:12	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Standard
October 28 2010 01:26	SCSO	10-14326	Abandoned Vehicle	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2010	10	28	10/28/2010	4	1:26	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
October 29 2010 12:39	SCSO	10-14915	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2010	10	29	10/29/2010	5	12:39	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
June 11 2011 14:47	SCSO	11-07126	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2011	6	11	6/11/2011	6	14:47	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
August 12 2011 03:06	SCSO	11-10936	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2011	8	12	8/12/2011	5	3:06	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
September 20 2011 01:04	SCSO	11-12444	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2011	9	20	9/20/2011	2	1:04	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
October 1 2011 14:14	SCSO	11-13225	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2011	10	1	10/1/2011	7	14:14	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
October 31 2011 00:53	SCSO	11-14314	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2011	10	31	10/31/2011	1	0:53	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
June 16 2012 05:23	SCSO	12-07182	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2012	6	16	6/16/2012	6	5:23	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3 Traffic Hazard		Daylight Savings
August 23 2012 11:56	SCSO	12-11220	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2012	8	23	8/23/2012	4	11:56	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM, Traffic Enforce		Daylight Savings
September 23 2012 09:45	SCSO	12-12919	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2012	9	23	9/23/2012	7	9:45	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
November 1 2012 13:49	SCSO	12-14840	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2012	11	1	11/1/2012	5	13:49	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM, Traffic Enforce		Standard
January 6 2013 03:54	SCSO	13-00241	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2013	1	6	1/6/2013	7	3:54	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3 MVA		Standard
April 4 2013 16:27	SCSO	13-04231	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2013	4	4	4/4/2013	4	16:27	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM, Traffic Hazard		Daylight Savings
May 10 2013 13:33	SCSO	13-05995	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2013	5	10	5/10/2013	5	13:33	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM,	#N/A	Daylight Savings
July 8 2013 06:07	SCSO	13-09360	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2013	7	8	7/8/2013	2	6:07	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
August 15 2013 16:42	SCSO	13-11616	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2013	8	15	8/15/2013	4	16:42	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM Traffic Enforce		Daylight Savings
August 31 2013 07:44	SCSO	13-12312	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2013	8	31	8/31/2013	6	7:44	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM MVA		Daylight Savings
November 1 2013 10:25	SCSO	13-15761	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2013	11	1	11/1/2013	5	10:25	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Standard
January 1 2014 08:33	SCSO	14-00037	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2014	1	1	1/1/2014	3	8:33	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
June 20 2015 08:27	SCSO	15-08517	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2015	6	20	6/20/2015	6	8:27	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM Traffic Enforce		Daylight Savings
July 11 2015 15:16	SCSO	15-09888	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2015	7	11	7/11/2015	6	15:16	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM, Traffic Enforce		Daylight Savings
August 12 2015 09:34	SCSO	15-11778	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2015	8	12	8/12/2015	3	9:34	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM, Traffic Hazard		Daylight Savings
April 24 2016 09:10	SCSO	16-05576	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2016	4	24	4/24/2016	7	9:10	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM, Traffic Enforce		Daylight Savings
May 6 2016 10:55	SCSO	16-06193	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2016	5	6	5/6/2016	5	10:55	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM, MVA		Daylight Savings
April 18 2017 00:49	SCSO	17-05183	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2017	4	18	4/18/2017	2	0:49	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
June 16 2017 16:18	SCSO	17-08500	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2017	6	16	6/16/2017	5	16:18	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
June 13 2005 16:03	SCSO	05-09130	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2005	6	13	6/13/2005	6	16:03	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
June 17 2005 01:58	SCSO	05-09455	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2005	6	17	6/17/2005	5	1:58	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
June 17 2005 08:53	SCSO	05-09490	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2005	6	17	6/17/2005	5	8:51	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
July 8 2005 01:10	SCSO	05-10942	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2005	7	8	7/8/2005	5	1:10	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
October 3 2005 11:54	SCSO	05-16968	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2005	10	3	10/3/2005	1	11:54	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM,	#N/A	Daylight Savings
December 24 2005 02:06	SCSO	05-21560	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2005	12	24	12/24/2005	6	2:06	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
September 22 2006 01:23	SCSO	06-15387	Abandoned Vehicle	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2006	9	22	9/22/2006	5	1:23	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
October 22 2006 11:10	SCSO	06-17070	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2006	10	22	10/22/2006	7	11:10	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM,	#N/A	Daylight Savings
November 27 2006 11:53	SCSO	06-19106	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2006	11	27	11/27/2006	1	11:53	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM,	#N/A	Standard
January 10 2007 17:10	SCSO	07-00581	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2007	1	10	1/10/2007	3	17:10	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM,	#N/A	Standard
March 14 2007 16:32	SCSO	07-03779	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2007	3	14	3/14/2007	3	16:32	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Standard
September 9 2007 09:24	SCSO	07-14218	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2007	9	9	9/9/2007	7	9:24	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM,	#N/A	Daylight Savings
October 16 2007 06:43	SCSO	07-16441	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2007	10	16	10/16/2007	3	6:43	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
January 18 2008 07:25	SCSO	08-00821	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2008	1	18	1/18/2008	5	7:25	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
February 10 2008 13:37	SCSO	08-01920	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2008	2	10	2/10/2009	2	13:37	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM,	#N/A	Standard
February 23 2008 05:47	SCSO	09-02446	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2009	2	23	2/23/2009	1	5:47	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
March 28 2008 07:49	SCSO	09-04099	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2009	3	28	3/28/2009	6	7:49	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
July 16 2009 13:09	SCSO	09-10612	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2009	7	26	7/26/2009	3	13:29	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM,	#N/A	Daylight Savings
October 21 2009 16:00	SCSO	09-15215	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2009	10	21	10/21/2009	3	16:00	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
December 28 2009 08:26	SCSO	09-18085	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2009	12	28	12/28/2009	1	8:26	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM,	#N/A	Standard
January 15 2010 07:03	SCSO	10-00646	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2010	1	15	1/15/2010	5	7:03	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
January 17 2010 10:42	SCSO	10-00729	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2010	1	17	1/17/2010	7	10:42	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM,	#N/A	Standard
February 15 2010 21:58	SCSO	10-02054	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2010	2	15	2/15/2010	1	21:58	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Standard
May 28 2010 17:37	SCSO	10-06868	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2010	5	28	5/28/2010	5	17:17	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
September 6 2010 06:30	SCSO	10-12334	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2010	9	6	9/6/2010	1	6:30	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
September 18 2010 15:15	SCSO	10-12914	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2010	9	18	9/18/2010	6	15:15	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
September 19 2010 10:51	SCSO	10-12948	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2010	9	19	9/19/2010	7	10:51	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM,	#N/A	Daylight Savings
November 7 2010 09:31	SCSO	10-15353	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2010	11	7	11/7/2010	7	9:31	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM,	#N/A	Standard
January 6 2011 10:30	SCSO	11-00235	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2011	1	6	1/6/2011	4	10:30	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM,	#N/A	Standard
June 16 2011 08:14	SCSO	11-07452	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2011	6	16	6/16/2011	4	8:14	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
September 27 2011 08:54	SCSO	11-11851	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2011	9	27	9/27/2011	2	8:54	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
October 21 2011 01:18	SCSO	11-13186	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2011	10	21	10/21/2011	5	1:18	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
December 24 2011 12:33	SCSO	11-16624	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2011	12	24	12/24/2011	6	12:33	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM,	#N/A	Standard
March 4 2012 10:44	SCSO	12-02707	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2012	3	4	3/4/2012	7	10:44	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM,	#N/A	Standard
March 22 2012 10:16	SCSO	12-03478	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2012	3	22	3/22/2012	4	10:16	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM, Traffic Enforce		Standard
June 1 2012 08:28	SCSO	12-06737	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2012	6	1	6/1/2012	5	8:28	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM Traffic Enforce		Daylight Savings
September 7 2012 17:14	SCSO	12-11771	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2012	9	7	9/7/2012	7	17:14	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM Traffic Hazard		Daylight Savings
October 11 2012 15:00	SCSO	12-13483	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2012	10	11	10/11/2012	5	15:00	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM, Traffic Hazard		Daylight Savings
November 24 2011 09:57	SCSO	12-15693	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2012	11	24	11/24/2012	6	9:57	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM, Traffic Enforce		Standard
December 7 2012 03:32	SCSO	12-16320	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2012	12	7	12/7/2012	5	2:32	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
August 6 2013 15:02	SCSO	13-13088	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2013	8	6	8/6/2013	2	15:02	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM, MVA		Daylight Savings
August 8 2013 13:38	SCSO	13-13193	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2013	8	8	8/8/2013	4	13:38	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM,	#N/A	Daylight Savings
November 27 2013 07:08	SCSO	13-16876	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2013	11	27	11/27/2013	3	7:08	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM MVA		Standard
December 9 2013 12:58	SCSO	13-17369	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2013	12	9	12/9/2013	1	12:58	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM, Traffic Enforce		Standard
January 14 2014 14:20	SCSO	14-00610	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2014	1	14	1/14/2014	2	14:20	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM, Traffic Enforce		Standard
January 17 2014 07:00	SCSO	14-00714	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2014	1	17	1/17/2014	5	7:00	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM, Traffic Enforce		Standard
February 22 2014 23:01	SCSO	14-02313	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	4	2014	2	22	2/22/2014	6	23:01	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi Traffic Hazard		Standard

From Skagit County Crime Map					Manual / Formulaic Added Data													
TimeDate	Agency	CaseNumber	NatureDesc	Category	Where	Type	Whereid	Year	Month	Day	Date	Day of Week	Time	Comments	Comments 2	Comments 3	Subfeature	Season
March 29 2014 13:40	SCSO	14-03932	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2014	3	29	3/29/2014	6	13:40	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	Traffic Enforce	Standard
April 11 2014 13:21	SCSO	14-04583	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2014	4	11	4/11/2014	5	13:21	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
July 3 2014 12:45	SCSO	14-08733	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2014	7	3	7/3/2014	4	12:45	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
September 12 2014 14:21	SCSO	14-12763	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2014	9	12	9/12/2014	5	14:21	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
June 8 2015 07:44	SCSO	15-07751	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	6	6	6/8/2015	6	7:44	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
July 23 2015 06:57	SCSO	15-10583	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	7	23	7/23/2015	4	6:57	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
August 29 2015 15:05	SCSO	15-12396	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	8	25	8/29/2015	7	15:05	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
September 19 2015 05:06	SCSO	15-13887	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	9	19	9/19/2015	6	5:06	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
December 19 2015 01:21	SCSO	15-18415	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	12	19	12/19/2015	6	1:21	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
January 15 2016 10:17	SCSO	16-00631	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2016	1	15	1/15/2016	5	10:17	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	Traffic Hazard	Standard
January 29 2016 11:20	SCSO	16-01294	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2016	1	29	1/29/2016	5	11:20	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	Traffic Hazard	Standard
June 17 2016 05:20	SCSO	16-05448	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2016	6	17	6/17/2016	5	5:20	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	MVA	Daylight Savings
August 24 2016 18:25	SCSO	16-12766	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2016	8	24	8/24/2016	3	18:25	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	Traffic Enforce	Daylight Savings
September 29 2016 13:33	SCSO	16-14634	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2016	9	29	9/29/2016	4	13:33	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	Traffic Enforce	Daylight Savings
October 9 2016 00:32	SCSO	16-15357	Abandoned Vehicle	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2016	10	9	10/9/2016	7	0:32	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	Abandoned Vehicle	Daylight Savings
October 14 2016 19:27	SCSO	16-15468	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2016	10	14	10/14/2016	5	19:27	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	Traffic Enforce	Daylight Savings
November 17 2016 09:52	SCSO	16-17291	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2016	11	17	11/17/2016	4	9:52	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	MVA	Standard
April 2 2017 16:25	SCSO	17-04347	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2017	4	2	4/2/2017	7	16:25	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
April 20 2017 16:49	SCSO	17-05335	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2017	4	20	4/20/2017	4	16:49	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
January 18 2005 09:04	SCSO	05-00873	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2005	1	18	1/18/2005	2	3:04	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
April 3 2005 09:25	SCSO	05-04857	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2005	4	3	4/3/2005	5	9:25	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
June 27 2005 09:38	SCSO	05-10188	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2005	6	27	6/27/2005	1	9:38	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
August 9 2005 01:25	SCSO	05-13102	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2005	8	9	8/9/2005	2	1:25	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
August 24 2005 11:55	SCSO	05-14327	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2005	8	24	8/24/2005	3	11:55	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
September 29 2005 16:22	SCSO	05-16720	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2005	9	29	9/29/2005	4	16:22	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
June 17 2005 13:08	BPD	05-806398	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2005	6	17	6/17/2005	5	13:08	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
April 12 2007 08:19	SCSO	07-05374	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2007	4	12	4/12/2007	4	8:19	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
May 17 2007 10:13	SCSO	07-07068	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2007	5	17	5/17/2007	4	10:13	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
July 24 2007 02:01	SCSO	07-11342	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2007	7	24	7/24/2007	2	2:01	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
August 21 2007 17:52	SCSO	07-13380	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2007	8	21	8/21/2007	2	17:52	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
December 10 2007 09:03	SCSO	07-19128	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2007	12	10	12/10/2007	2	9:53	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
February 9 2008 00:00	SCSO	08-01848	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2008	2	9	2/9/2008	6	1:00	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
April 2 2008 00:40	SCSO	08-04410	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2008	4	2	4/2/2008	3	0:40	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
June 29 2008 00:52	SCSO	08-09218	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2008	6	29	6/29/2008	7	0:52	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
September 28 2008 04:33	SCSO	08-14610	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2008	9	28	9/28/2008	7	4:33	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
December 2 2008 05:04	SCSO	08-17868	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2008	12	2	12/2/2008	2	5:04	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
March 10 2009 14:17	SCSO	09-03514	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2009	3	16	3/16/2009	1	14:37	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
September 25 2009 03:31	SCSO	09-13690	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2009	9	25	9/25/2009	5	3:31	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
September 26 2009 09:38	SCSO	09-14030	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2009	9	26	9/26/2009	6	9:38	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
January 26 2010 10:16	SCSO	10-01141	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2010	1	26	1/26/2010	2	10:16	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
February 18 2010 18:22	SCSO	10-02203	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2010	2	18	2/18/2010	4	18:22	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Standard
July 5 2010 04:22	SCSO	10-08903	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2010	7	5	7/5/2010	1	4:22	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
July 13 2010 17:22	SCSO	10-09406	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2010	7	13	7/13/2010	2	17:22	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
May 5 2011 11:04	SCSO	11-05420	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2011	5	5	5/5/2011	4	11:04	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
October 21 2011 12:37	SCSO	11-13095	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2011	10	21	10/21/2011	5	12:37	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
November 24 2011 12:36	SCSO	11-15354	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2011	11	24	11/24/2011	4	12:36	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
January 21 2012 17:25	SCSO	12-00923	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2012	1	21	1/21/2012	6	17:25	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Standard
March 22 2012 02:02	SCSO	12-03454	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2012	3	22	3/22/2012	5	2:02	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
July 7 2012 11:17	SCSO	12-08570	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2012	7	7	7/7/2012	6	11:17	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	MVA	Daylight Savings
January 29 2013 11:26	SCSO	13-01267	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2013	1	29	1/29/2013	2	11:26	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
March 22 2013 09:46	SCSO	13-03545	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2013	3	22	3/22/2013	5	9:46	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	Traffic Enforce	Standard
May 27 2013 05:43	SCSO	13-06942	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2013	5	27	5/27/2013	1	5:43	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	MVA	Daylight Savings
September 20 2013 12:16	SCSO	13-13688	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2013	9	20	9/20/2013	5	12:16	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
October 18 2013 08:06	SCSO	13-15019	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2013	10	18	10/18/2013	5	8:06	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	Traffic Enforce	Daylight Savings
December 1 2013 06:52	SCSO	13-17012	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2013	12	1	12/1/2013	7	6:52	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
April 9 2014 01:05	SCSO	14-04409	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2014	4	9	4/9/2014	3	2:01	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	MVA	Daylight Savings
April 24 2014 04:13	SCSO	14-05133	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2014	4	24	4/24/2014	4	4:13	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	Traffic Hazard	Daylight Savings
July 15 2014 10:18	SCSO	14-09234	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2014	7	11	7/11/2014	5	10:18	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
August 1 2014 10:12	SCSO	14-10485	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2014	8	1	8/1/2014	7	10:12	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	Traffic Hazard	Daylight Savings
August 13 2014 00:38	SCSO	14-11036	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2014	8	13	8/13/2014	3	0:38	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	Traffic Enforce	Daylight Savings
September 4 2014 15:29	SCSO	14-12292	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2014	9	4	9/4/2014	5	15:29	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
September 12 2014 02:53	SCSO	14-12712	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2014	9	12	9/12/2014	5	2:53	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
October 3 2014 10:17	SCSO	14-13844	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2014	10	3	10/3/2014	5	16:17	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
October 5 2014 09:47	SCSO	14-13934	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2014	10	5	10/5/2014	7	9:47	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
November 30 2014 09:26	SCSO	14-18630	Abandoned Vehicle	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2014	11	30	11/30/2014	7	9:26	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
December 17 2014 07:20	SCSO	14-17432	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2014	12	17	12/17/2014	3	7:20	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	MVA	Standard
January 4 2015 23:38	SCSO	15-00178	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	1	4	1/4/2015	7	21:08	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Standard
January 11 2015 10:10	SCSO	15-00448	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	1	11	1/11/2015	6	10:10	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
April 16 2015 15:58	SCSO	15-05177	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	4	16	4/16/2015	6	15:58	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
July 15 2015 13:41	SCSO	15-10101	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	7	15	7/15/2015	3	13:41	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	Traffic Enforce	Daylight Savings
September 22 2015 02:01	SCSO	15-14021	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	9	22	9/22/2015	2	2:01	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
November 22 2015 05:44	SCSO	15-17077	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	11	22	11/22/2015	7	5:44	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	Traffic Enforce	Standard
January 7 2016 11:06	SCSO	16-00321	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2016	1	7	1/7/2016	4	11:06	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
February 16 2016 08:11	SCSO	16-01977	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2016	2	16	2/16/2016	3	8:11	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	Traffic Enforce	Standard
January 14 2017 19:49	SCSO	17-00550	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2017	1	14	1/14/2017	5	14:49	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	Traffic Enforce	Standard
April 14 2017 01:13	SCSO	17-04960	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2017	4	14	4/14/2017	5	1:13	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
May 13 2017 20:33	SCSO	17-06581	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2017	5	13	5/13/2017	6	20:33	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
May 18 2005 00:40	SCSO	05-07505	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2005	5	18	5/18/2005	3	0:40	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
July 25 2005 16:12	SCSO	05-12191	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2005	7	25	7/25/2005	1	16:12	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
July 27 2005 10:55	SCSO	05-12302	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2005	7	27	7/27/2005	3	10:55	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
September 3 2005 09:28	SCSO	05-14298	Abandoned Vehicle	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2005	9	3	9/3/2005	6	9:28	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
June 7 2006 18:31	SCSO	06-08651	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2006	6	7	6/7/2006	3	18:31	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
July 5 2006 03:56	SCSO	06-10512	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2006	7	5	7/5/2006	3	3:56	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
September 17 2006 11:07	SCSO	06-13156	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2006	9	17	9/17/2006	7	11:07	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
December 11 2006 08:23	SCSO	06-18905	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2006	12	11	12/11/2006	1	8:23	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
April 16 2007 11:45	SCSO	07-05649	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2007	4	16	4/16/2007	1	11:45	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
April 21 2007 09:34	SCSO	07-05927	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2007	4	21	4/21/2007	6	9:34	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
July 11 2007 10:07	SCSO	07-11177	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2007	7	11	7/11/2007	6	10:07	Mid Day	9:00AM to 3:30PM	Mid Day 8:00AM to 3:30Ph	#N/A	Daylight Savings
November 9 2007 01:56	SCSO	07-17600	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2007	11	8	11/8/2007	4	1:56	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
April 1 2008 22:23	SCSO	08-04408	Theft From Motor Vehicle	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2008	4	1	4/1/2008	2	22:23	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings

From Skagit County Crime Map					Manual / Formulaic Added Data													
Timestamp	Agency	CaseNumber	NatureDesc	Category	Where	Type	WhereID	Year	Month	Day	Date	Day of Week	Time	Comments	Comments 2	Comments 3	IsDaylight	Season
April 1 2008 11:32	SCSO	08-04490	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2008	4	3	4/3/2008	4	11:32	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
May 10 2008 04:33	SCSO	08-06404	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2008	5	10	5/10/2008	6	4:33	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
December 7 2008 06:54	SCSO	08-18326	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2008	12	7	12/7/2008	7	6:54	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
January 6 2009 08:24	SCSO	09-00210	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2009	1	6	1/6/2009	2	8:24	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
January 24 2009 19:52	SCSO	09-01117	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2009	1	24	1/24/2009	6	19:52	Late Evening	7:00PM to Midnight	Late Evening P 00PM to Mi	#N/A	Standard
April 3 2009 15:38	SCSO	09-04360	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2009	4	3	4/3/2009	5	15:38	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
April 18 2009 03:46	SCSO	09-05117	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2009	4	18	4/18/2009	6	3:46	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
June 12 2009 15:47	SCSO	09-08060	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2009	6	12	6/12/2009	5	15:47	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
July 22 2009 05:40	SCSO	09-10348	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2009	7	22	7/22/2009	3	5:40	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
July 4 2010 12:38	SCSO	10-08846	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2010	7	4	7/4/2010	7	12:38	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
August 13 2010 05:57	SCSO	10-11106	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2010	8	13	8/13/2010	6	5:57	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
October 22 2010 11:29	SCSO	10-14574	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2010	10	22	10/22/2010	5	11:29	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
October 31 2010 10:41	SCSO	10-15020	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2010	10	31	10/31/2010	7	10:41	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
February 2 2011 08:36	SCSO	11-01378	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2011	2	2	2/2/2011	3	9:36	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Standard
February 24 2011 07:14	SCSO	11-02442	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2011	2	24	2/24/2011	4	7:14	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
April 28 2011 02:58	SCSO	11-05067	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2011	4	28	4/28/2011	4	2:58	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
July 29 2011 08:12	SCSO	11-09744	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2011	7	29	7/29/2011	5	8:12	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
September 7 2011 08:27	SCSO	11-11828	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2011	9	7	9/7/2011	3	8:27	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
May 26 2012 14:34	SCSO	12-06488	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2012	5	26	5/26/2012	6	14:34	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	MVA	Daylight Savings
July 23 2012 12:36	SCSO	12-09487	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2012	7	23	7/23/2012	1	12:36	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	Traffic Enforce	Daylight Savings
August 8 2012 08:33	SCSO	12-10259	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2012	8	8	8/8/2012	3	8:33	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	Traffic Hazard	Daylight Savings
August 31 2012 14:38	SCSO	12-11649	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2012	8	31	8/31/2012	5	14:38	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	MVA	Daylight Savings
February 18 2013 04:16	SCSO	13-02101	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2013	2	18	2/18/2013	1	4:16	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
March 9 2013 13:19	SCSO	13-02988	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2013	3	9	3/9/2013	6	13:19	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	Traffic Enforce	Standard
March 16 2013 11:45	SCSO	13-03299	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2013	3	16	3/16/2013	6	11:45	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	Traffic Enforce	Standard
June 15 2013 08:17	SCSO	13-06008	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2013	6	15	6/15/2013	6	8:17	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	Traffic Hazard	Daylight Savings
August 20 2013 08:02	SCSO	13-11367	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2013	8	20	8/20/2013	3	8:02	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	Traffic Enforce	Daylight Savings
September 3 2013 07:40	SCSO	13-12678	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2013	9	3	9/3/2013	2	7:40	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
September 18 2013 10:28	SCSO	13-13567	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2013	9	18	9/18/2013	3	10:28	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	Traffic Enforce	Daylight Savings
February 13 2014 02:39	SCSO	14-01983	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2014	2	13	2/13/2014	4	2:39	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	Traffic Enforce	Standard
April 7 2014 16:44	SCSO	14-04348	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2014	4	7	4/7/2014	1	16:44	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	Traffic Enforce	Daylight Savings
June 19 2014 12:04	SCSO	14-07923	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2014	6	19	6/19/2014	4	12:04	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
July 19 2014 12:20	SCSO	14-09690	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2014	7	19	7/19/2014	6	12:20	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	MVA	Daylight Savings
December 13 2014 21:07	SCSO	14-17156	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2014	12	13	12/13/2014	6	21:07	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Standard
January 5 2015 10:16	SCSO	15-00210	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	1	5	1/5/2015	1	10:16	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Standard
January 16 2015 01:45	SCSO	15-00808	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	1	16	1/16/2015	5	1:45	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
January 18 2015 09:47	SCSO	15-00826	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	1	18	1/18/2015	7	9:47	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Standard
February 26 2015 11:17	SCSO	15-02674	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	2	26	2/26/2015	4	11:17	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	Traffic Hazard	Standard
April 16 2015 09:24	SCSO	15-05051	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	4	16	4/16/2015	4	9:24	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
May 2 2015 08:48	SCSO	15-05868	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	5	2	5/2/2015	5	8:48	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
May 6 2015 23:43	SCSO	15-06112	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	5	6	5/6/2015	3	23:45	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	Traffic Enforce	Daylight Savings
May 20 2015 13:33	SCSO	15-06930	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	5	20	5/20/2015	3	13:33	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	Traffic Enforce	Daylight Savings
November 12 2015 19:49	SCSO	15-16615	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	11	12	11/12/2015	4	19:49	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	Traffic Hazard	Standard
November 20 2015 08:28	SCSO	15-16995	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	11	20	11/20/2015	3	8:28	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	MVA	Standard
December 21 2015 22:15	SCSO	15-18538	Abandoned Vehicle	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	12	21	12/21/2015	1	22:59	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	Abandoned Vehicle	Standard
December 22 2015 14:00	SCSO	15-18583	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2015	12	22	12/22/2015	1	14:00	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	Traffic Enforce	Standard
April 1 2016 11:13	SCSO	16-04390	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2016	4	1	4/1/2016	5	11:13	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	MVA	Daylight Savings
August 29 2016 07:08	SCSO	16-12789	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2016	8	29	8/29/2016	4	7:08	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	Traffic Enforce	Daylight Savings
October 14 2016 20:08	SCSO	16-15678	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2016	10	14	10/14/2016	5	20:08	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	Traffic Enforce	Daylight Savings
October 19 2016 21:31	SCSO	16-15908	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2016	10	19	10/19/2016	3	21:51	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	Traffic Hazard	Daylight Savings
November 2 2016 05:23	SCSO	16-16558	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2016	11	2	11/2/2016	3	5:23	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	MVA	Standard
June 14 2017 14:10	SCSO	17-08377	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Old 99 Intersection	07, Major Collector	3	2017	6	14	6/14/2017	3	14:10	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
August 11 2006 11:24	SCSO	06-12847	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2006	8	11	8/11/2006	5	11:24	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
September 28 2013 12:35	SCSO	13-14123	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2013	9	28	9/28/2013	6	12:35	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	MVA	Daylight Savings
October 17 2013 22:56	SCSO	13-15008	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2013	10	17	10/17/2013	4	22:58	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	MVA	Daylight Savings
August 18 2015 09:47	SCSO	15-12131	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2015	8	18	8/18/2015	2	9:47	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	MVA	Daylight Savings
February 5 2005 16:18	SCSO	05-01846	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2005	2	5	2/5/2005	6	16:18	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Standard
March 30 2005 05:26	SCSO	05-04604	Abandoned Vehicle	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2005	3	30	3/30/2005	3	5:26	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
February 8 2010 13:37	SCSO	10-01754	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2010	2	8	2/8/2010	1	13:37	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Standard
July 13 2010 02:59	SCSO	10-09364	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2010	7	13	7/13/2010	2	2:59	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
November 19 2012 00:17	SCSO	12-15465	Abandoned Vehicle	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2012	11	19	11/19/2012	1	0:17	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	Abandoned Vehicle	Standard
December 18 2013 08:46	SCSO	13-17770	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2013	12	18	12/18/2013	3	8:46	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
December 18 2013 09:33	SCSO	13-17772	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2013	12	18	12/18/2013	3	9:33	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	MVA	Standard
August 3 2006 07:52	SCSO	06-12315	Abandoned Vehicle	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2006	8	3	8/3/2006	4	7:52	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
April 3 2007 11:57	SCSO	07-04634	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2007	4	3	4/3/2007	2	11:57	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
April 12 2008 08:25	SCSO	08-04963	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2008	4	12	4/12/2008	6	8:25	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
June 5 2008 08:48	SCSO	08-07887	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2008	6	5	6/5/2008	4	8:48	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
June 7 2015 21:01	SCSO	15-07821	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2015	6	7	6/7/2015	7	21:01	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	MVA	Daylight Savings
June 15 2017 17:15	SCSO	17-08432	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2017	6	15	6/15/2017	4	17:15	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
April 14 2006 11:11	SCSO	06-05384	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2006	4	14	4/14/2006	5	11:11	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
April 27 2007 14:18	SCSO	07-06394	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2007	4	27	4/27/2007	5	14:18	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
December 9 2007 01:33	SCSO	07-19060	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2007	12	9	12/9/2007	7	1:33	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
September 1 2010 13:33	SCSO	10-12105	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2010	9	1	9/1/2010	3	13:33	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
July 16 2011 12:50	SCSO	11-09012	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2011	7	16	7/16/2011	6	12:50	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
September 18 2011 05:22	SCSO	11-12274	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2011	9	18	9/18/2011	7	5:22	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
April 1 2013 22:33	SCSO	13-04067	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2013	4	1	4/1/2013	1	22:33	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	MVA	Daylight Savings
August 26 2016 15:03	SCSO	16-12877	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2016	8	26	8/26/2016	5	15:03	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	Traffic Enforce	Daylight Savings
June 5 2008 08:48	SCSO	08-07887	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2008	6	5	6/5/2008	4	8:48	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
June 15 2017 17:15	SCSO	17-08432	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2017	6	15	6/15/2017	4	17:15	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
July 4 2011 11:50	SCSO	11-08342	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ck	07, Major Collector	4	2011	7	4	7/4/2011	1	11:50	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
August 28 2005 11:13	SCSO	05-14586	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ct	08, Major Collector	4	2005	8	28	8/28/2005	7	11:13	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
April 14 2006 12:11	SCSO	06-05384	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ct	07, Major Collector	4	2006	4	14	4/14/2006	5	12:11	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
December 9 2007 01:33	SCSO	07-19060	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ct	07, Major Collector	4	2007	12	9	12/9/2007	7	1:33	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
July 16 2011 12:50	SCSO	11-09012	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ct	07, Major Collector	4	2011	7	16	7/16/2011	6	12:50	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Daylight Savings
September 18 2011 05:22	SCSO	11-12274	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ct	07, Major Collector	4	2011	9	18	9/18/2011	7	5:22	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
September 16 2012 12:20	SCSO	12-12361	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - S Curves, Near Friday Ct	07, Major Collector	4	2012	9	16	9/16/2012	7	12:20	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	MVA	Daylight Savings
August 3 2007 08:00	SCSO	07-13988	Abandoned Vehicle	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2007	8	3	8/3/2007	5	8:00	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
January 20 2010 11:07	SCSO	10-00857	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2010	1	20	1/20/2010	3	11:07	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Standard
December 20 2013 06:15	SCSO	13-16438	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2013	12	20	12/20/2013	2	6:55	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
August 31 2012 10:07	SCSO	12-11636	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2012	8	31	8/31/2012	5	10:07	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	MVA	Daylight Savings

From Skagit County Crime Map					Manual / Formulaic Added Data													
TimeDate	Agency	CaseNumber	NatureDesc	Category	Where	Type	WhereID	Year	Month	Day	Date	Day of Week	Time	Comment	Comment 2	Comment 3	Subfeature	Season
January 1 2014 13:08	SCSO	14-00048	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2014	1	1	1/1/2014	5	13:08	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk Traffic Enforce		Standard
February 19 2014 14:23	SCSO	14-02162	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2014	2	19	2/19/2014	3	14:23	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk Traffic Hazard		Standard
August 6 2014 18:44	SCSO	14-10708	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2014	8	6	8/6/2014	3	18:44	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM Traffic Enforce		Daylight Savings
August 1 2007 00:51	SCSO	07-11848	Abandoned Vehicle	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2007	8	1	8/1/2007	3	0:51	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
April 14 2008 23:06	SCSO	08-05141	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2008	4	14	4/14/2008	1	23:06	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
May 27 2010 23:02	SCSO	10-06851	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2010	5	27	5/27/2010	4	23:02	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
May 29 2010 00:14	SCSO	10-06899	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2010	5	29	5/29/2010	6	0:14	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
December 27 2011 15:30	SCSO	11-16734	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2011	12	27	12/27/2011	3	15:30	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
August 5 2014 13:07	SCSO	14-10643	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2014	8	5	8/5/2014	3	13:07	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk Traffic Enforce		Daylight Savings
August 6 2014 01:27	SCSO	14-10656	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2014	8	6	8/6/2014	3	1:27	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3 Traffic Enforce		Daylight Savings
August 6 2014 05:00	SCSO	14-10667	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2014	8	6	8/6/2014	3	5:00	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3 Traffic Enforce		Daylight Savings
November 6 2015 08:58	SCSO	15-16316	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2015	11	6	11/6/2015	6	8:58	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM MVA		Standard
February 14 2016 23:50	SCSO	16-01040	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2016	2	14	2/14/2016	7	23:50	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi Traffic Hazard		Standard
October 17 2016 00:27	SCSO	16-15765	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2016	10	17	10/17/2016	1	0:27	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
October 21 2005 08:19	SCSO	05-18072	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2005	10	21	10/21/2005	5	8:19	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
May 19 2006 08:32	SCSO	06-07549	Abandoned Vehicle	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2006	5	19	5/19/2006	5	8:32	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
August 5 2006 22:15	SCSO	06-12483	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2006	8	5	8/5/2006	6	22:15	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
July 28 2009 00:06	SCSO	09-10687	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2009	7	28	7/28/2009	3	0:06	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
September 20 2009 18:42	SCSO	09-13725	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2009	9	20	9/20/2009	7	18:42	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
January 4 2012 22:43	SCSO	12-00192	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2012	1	4	1/4/2012	3	22:43	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi Traffic Hazard		Standard
May 8 2014 06:46	SCSO	14-05801	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2014	5	8	5/8/2014	4	6:46	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM MVA		Daylight Savings
August 5 2014 08:21	SCSO	14-10621	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2014	8	5	8/5/2014	2	8:21	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM Traffic Enforce		Daylight Savings
August 6 2014 04:02	SCSO	14-10661	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2014	8	6	8/6/2014	3	4:02	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3 Traffic Enforce		Daylight Savings
October 31 2015 01:41	SCSO	15-15968	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2015	10	31	10/31/2015	6	1:41	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3 Traffic Hazard		Daylight Savings
December 17 2015 19:39	SCSO	15-18360	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2015	12	17	12/17/2015	4	19:39	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi Traffic Hazard		Standard
January 26 2016 02:52	SCSO	16-01111	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2016	1	26	1/26/2016	3	2:52	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3 Traffic Hazard		Standard
March 6 2016 11:35	SCSO	16-03047	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2016	3	6	3/6/2016	7	11:35	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk Traffic Hazard		Standard
June 14 2005 09:39	SCSO	05-09277	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2005	6	14	6/14/2005	2	9:39	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
May 18 2007 11:33	SCSO	07-07377	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2007	5	18	5/18/2007	6	11:33	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
December 17 2007 01:21	SCSO	07-19434	Abandoned Vehicle	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2007	12	17	12/17/2007	1	1:21	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
October 13 2009 01:44	SCSO	09-14827	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2009	10	13	10/13/2009	2	1:44	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
April 2 2010 12:42	SCSO	10-04129	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2010	4	2	4/2/2010	5	12:42	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
June 9 2010 12:44	SCSO	10-07468	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2010	6	9	6/9/2010	3	12:44	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
June 28 2012 12:24	SCSO	12-08018	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2012	6	28	6/28/2012	4	12:24	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk Traffic Enforce		Daylight Savings
August 5 2014 14:46	SCSO	14-10649	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2014	8	5	8/5/2014	2	14:46	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk Traffic Enforce		Daylight Savings
July 19 2015 21:51	SCSO	15-13068	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2015	7	19	7/19/2015	7	21:51	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi Traffic Hazard		Daylight Savings
December 4 2016 08:08	SCSO	16-18057	Abandoned Vehicle	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2016	12	4	12/4/2016	7	8:08	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
April 16 2017 04:24	SCSO	17-05081	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd - Park Ridge Ln / Water Hazard Area	07, Major Collector	5	2017	4	16	4/16/2017	7	4:24	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
August 4 2009 07:35	SCSO	09-11143	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - Water Hazard to F&S Grade Rd	07, Major Collector	6	2009	8	4	8/4/2009	2	7:35	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
July 27 2007 23:19	SCSO	07-11571	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - Water Hazard to F&S Grade Rd	07, Major Collector	6	2007	7	27	7/27/2007	5	23:19	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi MVA	#N/A	Daylight Savings
November 19 2015 22:25	SCSO	15-16972	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - Water Hazard to F&S Grade Rd	07, Major Collector	6	2015	11	19	11/19/2015	4	22:25	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi MVA		Standard
August 7 2008 18:28	SCSO	08-11676	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - Water Hazard to F&S Grade Rd	07, Major Collector	6	2008	8	7	8/7/2008	4	23:28	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
December 18 2013 01:46	SCSO	13-17792	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd - Water Hazard to F&S Grade Rd	07, Major Collector	6	2013	12	18	12/18/2013	4	1:46	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
June 19 2016 12:23	SCSO	16-08580	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd - Water Hazard to F&S Grade Rd	07, Major Collector	6	2016	6	19	6/19/2016	7	12:23	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk Traffic Enforce		Standard
March 3 2006 07:41	SCSO	06-03307	Abandoned Vehicle	Motor Vehicle Incidents	Prairie Rd - Water Hazard to F&S Grade Rd	07, Major Collector	6	2006	3	3	3/3/2006	5	7:41	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
July 23 2008 12:51	SCSO	09-10436	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd - Water Hazard to F&S Grade Rd	07, Major Collector	6	2008	7	23	7/23/2008	4	12:51	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
October 29 2006 11:41	SCSO	06-17478	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2006	10	29	10/29/2006	7	11:41	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
January 3 2008 14:34	SCSO	08-00041	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2008	1	3	1/3/2008	5	14:34	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
March 27 2008 09:32	SCSO	08-04128	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2008	3	27	3/27/2008	4	9:32	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
June 16 2009 14:52	SCSO	09-08283	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2009	6	16	6/16/2009	3	14:52	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
July 26 2008 13:50	SCSO	09-10615	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2008	7	26	7/26/2008	7	13:50	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
August 8 2009 11:00	SCSO	09-11366	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2009	8	8	8/8/2009	6	11:00	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
September 14 2009 22:52	SCSO	09-13440	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2009	9	14	9/14/2009	1	22:52	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
November 11 2010 14:30	SWPD	10-W07338	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2010	11	11	11/11/2010	4	14:30	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
December 18 2011 11:11	SCSO	11-18345	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2011	12	18	12/18/2011	7	11:11	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
May 18 2012 15:48	SCSO	12-06133	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2012	5	18	5/18/2012	5	15:48	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM Traffic Hazard		Daylight Savings
June 13 2012 18:40	SCSO	12-07303	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2012	6	13	6/13/2012	3	18:40	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk MVA		Daylight Savings
February 28 2013 13:04	SCSO	13-02366	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2013	2	28	2/28/2013	4	13:04	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk Traffic Hazard		Standard
February 10 2014 00:32	SCSO	14-01760	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2014	2	10	2/10/2014	1	0:32	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3 Traffic Enforce		Standard
February 23 2014 10:35	SCSO	14-01935	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2014	2	23	2/23/2014	7	10:35	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk Traffic Hazard		Standard
February 23 2014 21:38	SCSO	14-01951	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2014	2	23	2/23/2014	7	21:38	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi Traffic Hazard		Standard
September 5 2014 18:31	SCSO	14-12355	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2014	9	5	9/5/2014	5	18:31	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM Traffic Hazard		Daylight Savings
November 28 2005 01:40	SCSO	05-20183	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2005	11	28	11/28/2005	1	1:40	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
April 29 2006 05:16	SCSO	06-05414	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2006	4	29	4/29/2006	6	5:16	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
June 19 2007 17:57	SCSO	07-09222	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2007	6	19	6/19/2007	2	17:57	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
April 11 2008 09:51	SCSO	08-04913	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2008	4	11	4/11/2008	3	9:51	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
August 13 2008 15:20	SCSO	08-12010	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2008	8	13	8/13/2008	3	15:20	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
November 11 2008 14:50	SCSO	08-16827	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2008	11	11	11/11/2008	2	14:50	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
June 29 2009 05:54	SCSO	09-08975	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2009	6	29	6/29/2009	3	5:54	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
August 1 2009 19:31	SCSO	09-11007	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2009	8	1	8/1/2009	6	19:31	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
August 5 2009 07:12	SCSO	09-11192	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2009	8	5	8/5/2009	3	7:12	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
August 21 2009 00:28	SCSO	08-12058	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2009	8	21	8/21/2009	5	0:28	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
October 16 2010 12:17	SCSO	10-14105	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2010	10	16	10/16/2010	6	12:17	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
April 4 2011 21:36	SCSO	11-04053	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2011	4	4	4/4/2011	1	21:36	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
February 17 2012 12:09	SCSO	12-00941	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2012	2	17	2/17/2012	5	12:09	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk Traffic Enforce		Standard
May 6 2013 10:18	SCSO	13-05798	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2013	5	6	5/6/2013	1	10:18	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk MVA		Daylight Savings
January 22 2015 01:31	SCSO	15-00869	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2015	1	22	1/22/2015	4	1:31	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3 Traffic Hazard		Standard
January 27 2016 09:19	SCSO	16-01185	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2016	1	27	1/27/2016	3	9:19	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk MVA		Standard
March 7 2016 00:40	SCSO	16-03064	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2016	3	7	3/7/2016	1	0:40	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3 MVA		Standard
December 19 2016 11:10	SCSO	16-18724	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2016	12	19	12/19/2016	1	11:10	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk MVA		Standard
February 5 2005 08:36	SCSO	05-01810	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2005	2	5	2/5/2005	6	8:36	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
September 22 2006 11:31	SCSO	06-15410	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2006	9	22	9/22/2006	5	11:31	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
July 5 2007 09:37	SCSO	07-10394	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2007	7	5	7/5/2007	4	9:37	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
September 27 2008 13:56	SCSO	08-14589	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2008	9	27	9/27/2008	6	13:56	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
October 30 2008 13:21	SCSO	08-15774	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2008	10	30	10/30/2008	4	13:21	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
January 5 2009 07:17	SCSO	09-00181	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2009	1	5	1/5/2009	1	7:17	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
March 4 2009 10:51	SCSO	09-02961	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2009	3	4	3/4/2009	3	10:51	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
August 12 2009 14:31	SCSO	09-11576	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2009	8	12	8/12/2009	3	14:31	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
October 14 2009 10:44	SCSO	09-14888	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2009	10	14	10/14/2009	3	10:44	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
April 8 2010 12:44	SCSO	10-04580	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07, Major Collector	7	2010	4	8	4/8/2010	4	12:44	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings

From Skagit County Crime Map					Manual / Formulaic Added Data													
Timestamp	Agency	CaseNumber	NatureDesc	Category	Where	Type	WhereID	Year	Month	Day	Date	Day of Week	Time	Comments	Comments 2	Comments 3	Subtitutions	Season
June 17 2010 03:24	SCSO	10-07866	Abandoned Vehicle	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2010	6	17	6/17/2010	4	3:24	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
February 3 2011 12:14	SCSO	11-01437	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2011	2	3	2/3/2011	4	12:14	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Standard
February 3 2011 17:15	SCSO	11-01566	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2011	2	3	2/3/2011	4	17:15	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Standard
July 13 2011 18:01	SCSO	11-04800	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2011	7	13	7/13/2011	3	18:01	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
June 5 2013 12:38	SCSO	13-07546	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2013	6	5	6/5/2013	4	12:38	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn Traffic Hazard		Daylight Savings
September 13 2013 23:58	SCSO	13-13401	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2013	9	13	9/13/2013	7	23:18	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi Traffic Hazard		Daylight Savings
January 11 2014 08:42	SCSO	14-00481	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2014	1	11	1/11/2014	6	9:42	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn MVA		Standard
January 21 2014 07:31	SCSO	14-00894	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2014	1	21	1/21/2014	3	7:31	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM Traffic Enforce		Standard
June 28 2014 08:44	SCSO	14-04439	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2014	6	28	6/28/2014	6	8:44	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM Traffic Enforce		Daylight Savings
October 26 2014 07:05	SCSO	14-14403	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2014	10	26	10/26/2014	7	7:05	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM Traffic Hazard		Daylight Savings
April 25 2015 17:24	SCSO	15-05544	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2015	4	25	4/25/2015	6	17:24	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM MVA		Daylight Savings
September 16 2005 00:13	SCSO	05-15833	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2005	9	16	9/16/2005	5	0:13	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
June 11 2006 15:15	SCSO	06-04489	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2006	6	11	6/11/2006	7	15:15	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Daylight Savings
June 13 2007 11:57	SCSO	07-04876	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2007	6	13	6/13/2007	3	11:57	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Daylight Savings
June 13 2007 12:36	SCSO	07-04879	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2007	6	13	6/13/2007	3	12:36	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Daylight Savings
October 27 2008 10:13	SCSO	08-16071	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2008	10	27	10/27/2008	1	10:13	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Daylight Savings
February 19 2009 08:46	SCSO	09-02304	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2009	2	19	2/19/2009	4	8:46	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
March 4 2009 16:51	SCSO	09-03971	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2009	3	4	3/4/2009	3	16:51	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Standard
July 17 2009 08:08	SCSO	09-10049	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2009	7	17	7/17/2009	5	8:08	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
October 25 2009 22:23	SCSO	09-15404	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2009	10	25	10/25/2009	7	22:23	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
July 26 2011 11:18	SCSO	11-09572	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2011	7	26	7/26/2011	2	11:18	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Daylight Savings
September 23 2011 21:52	SCSO	11-12658	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2011	9	23	9/23/2011	5	21:52	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
September 14 2012 05:51	SCSO	12-12432	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2012	9	14	9/14/2012	5	5:52	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM Traffic Hazard		Daylight Savings
October 18 2012 10:47	SCSO	12-14589	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2012	10	18	10/18/2012	7	10:47	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn MVA		Daylight Savings
July 17 2013 06:14	SCSO	13-09886	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2013	7	17	7/17/2013	3	6:14	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM Traffic Enforce		Daylight Savings
August 29 2013 07:16	SCSO	13-12180	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2013	8	29	8/29/2013	4	7:10	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM Traffic Hazard		Daylight Savings
April 4 2014 12:44	SCSO	14-04214	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2014	4	4	4/4/2014	5	21:44	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi MVA		Daylight Savings
March 29 2015 03:55	SCSO	15-04140	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2015	3	29	3/29/2015	7	3:55	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3 Traffic Hazard		Standard
October 31 2003 04:50	SCSO	15-15971	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2015	10	31	10/31/2015	6	4:50	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3 Traffic Hazard		Daylight Savings
June 17 2016 17:50	SCSO	16-08493	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2016	6	17	6/17/2016	5	17:50	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM Traffic Enforce		Daylight Savings
December 26 2014 03:38	SCSO	16-15974	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2016	12	26	12/26/2016	1	3:38	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3 MVA		Standard
May 20 2017 19:01	SCSO	17-06978	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / F&S Grade Rd Intersection	07_Major Collector	7	2017	5	20	5/20/2017	6	19:01	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
January 6 2005 06:23	SCSO	05-00276	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2005	1	6	1/6/2005	4	6:23	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
August 8 2005 13:05	SCSO	05-13017	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2005	8	8	8/8/2005	4	13:05	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Daylight Savings
November 18 2005 11:05	SCSO	05-19730	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2005	11	18	11/18/2005	5	11:05	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Standard
October 27 2007 13:47	SCSO	07-17045	Abandoned Vehicle	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2007	10	27	10/27/2007	6	13:47	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Daylight Savings
August 29 2008 08:15	SCSO	08-13962	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2008	8	29	8/29/2008	5	8:15	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
January 31 2012 21:41	SCSO	12-01326	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2012	1	31	1/31/2012	2	21:41	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi Traffic Hazard		Standard
January 20 2017 03:47	SCSO	17-00863	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2017	1	20	1/20/2017	5	3:47	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3 MVA		Standard
June 13 2017 05:33	SCSO	17-08304	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2017	6	13	6/13/2017	2	5:33	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
June 18 2017 04:35	SCSO	17-08458	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2017	6	18	6/18/2017	5	4:35	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
June 15 2006 23:31	SCSO	06-09160	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2006	6	15	6/15/2006	4	23:31	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
August 2 2008 13:05	SCSO	08-11369	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2008	8	2	8/2/2008	6	13:05	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Daylight Savings
April 10 2010 06:25	SCSO	10-04449	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2010	4	10	4/10/2010	6	6:25	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
August 13 2010 02:43	SCSO	10-11045	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2010	8	13	8/13/2010	5	2:43	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
August 27 2011 13:16	SCSO	11-11141	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2011	8	27	8/27/2011	6	13:16	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Daylight Savings
November 3 2011 11:28	SCSO	11-14555	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2011	11	3	11/3/2011	5	11:28	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Standard
April 26 2012 22:48	SCSO	12-05072	Abandoned Vehicle	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2012	4	26	4/26/2012	4	22:48	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi Abandoned Vehicle		Daylight Savings
December 10 2005 00:24	SCSO	05-10798	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2005	12	10	12/10/2005	6	0:24	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
February 12 2006 03:25	SCSO	06-02274	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2006	2	12	2/12/2006	7	3:25	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
April 29 2007 09:34	SCSO	07-06379	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2007	4	29	4/29/2007	7	9:34	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Daylight Savings
July 9 2007 13:11	SCSO	07-10475	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2007	7	9	7/9/2007	1	13:11	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Daylight Savings
February 19 2008 17:20	SCSO	09-02322	Traffic Enforcement	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2008	2	19	2/19/2009	4	17:20	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Standard
September 23 2010 01:55	SCSO	10-13117	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2010	9	23	9/23/2010	4	1:55	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
July 24 2011 09:04	SCSO	11-09469	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2011	7	24	7/24/2011	7	9:04	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Daylight Savings
August 7 2005 06:27	SCSO	05-13054	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2005	8	7	8/7/2005	7	6:27	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
October 18 2006 01:24	SCSO	06-17386	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2006	10	18	10/18/2006	4	5:24	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
November 13 2006 03:31	SCSO	06-18342	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2006	11	13	11/13/2006	1	3:31	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
July 29 2010 12:18	SCSO	10-10203	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2010	7	28	7/28/2010	3	12:18	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Daylight Savings
August 1 2010 06:14	SCSO	10-10416	Traffic Hazard	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2010	8	1	8/1/2010	7	6:14	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
November 23 2010 08:41	SCSO	10-18156	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2010	11	23	11/25/2010	4	1:41	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
March 6 2011 14:06	SCSO	11-02864	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2011	3	6	3/6/2011	7	14:06	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Standard
June 6 2016 06:58	SCSO	16-07868	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2016	6	6	6/6/2016	1	6:58	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM MVA		Daylight Savings
June 28 2017 06:06	SCSO	17-09218	Vehicle Accident	Motor Vehicle Incidents	Prairie Rd / Grip Rd Intersection	07_Major Collector	8	2017	6	28	6/28/2017	3	6:06	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
July 22 2009 07:46	SCSO	09-10658	Traffic Enforcement	Motor Vehicle Incidents	Grip Rd - Prairie Rd to Proposed Pit Entrance	08_Minor Collector	9	2009	7	22	7/22/2009	3	7:46	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
April 16 2010 12:22	SCSO	10-04783	Vehicle Accident	Motor Vehicle Incidents	Grip Rd - Prairie Rd to Proposed Pit Entrance	08_Minor Collector	9	2010	4	16	4/16/2010	5	12:22	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Daylight Savings
May 30 2013 10:17	SCSO	13-07140	Vehicle Accident	Motor Vehicle Incidents	Grip Rd - Prairie Rd to Proposed Pit Entrance	08_Minor Collector	9	2013	5	30	5/30/2013	4	10:17	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn MVA		Daylight Savings
August 20 2014 13:43	SCSO	14-11470	Traffic Enforcement	Motor Vehicle Incidents	Grip Rd - Prairie Rd to Proposed Pit Entrance	08_Minor Collector	9	2014	8	20	8/20/2014	3	13:43	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn Traffic Enforce		Daylight Savings
September 20 2014 09:27	SCSO	14-13171	Vehicle Accident	Motor Vehicle Incidents	Grip Rd - Prairie Rd to Proposed Pit Entrance	08_Minor Collector	9	2014	9	20	9/20/2014	6	9:27	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn MVA		Daylight Savings
February 9 2015 01:14	SCSO	15-01829	Abandoned Vehicle	Motor Vehicle Incidents	Grip Rd - Prairie Rd to Proposed Pit Entrance	08_Minor Collector	9	2015	2	9	2/9/2015	1	1:14	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3 Abandoned Vehicle		Standard
April 3 2008 10:37	SCSO	08-04489	Abandoned Vehicle	Motor Vehicle Incidents	Grip Rd - Prairie Rd to Proposed Pit Entrance	08_Minor Collector	9	2008	4	3	4/3/2008	4	10:37	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Daylight Savings
June 29 2012 12:01	SCSO	12-08079	Traffic Enforcement	Motor Vehicle Incidents	Grip Rd - Prairie Rd to Proposed Pit Entrance	08_Minor Collector	9	2012	6	29	6/29/2012	5	12:01	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn Traffic Enforce		Daylight Savings
August 19 2012 04:58	SCSO	12-10984	Vehicle Accident	Motor Vehicle Incidents	Grip Rd - Prairie Rd to Proposed Pit Entrance	08_Minor Collector	9	2012	8	19	8/19/2012	7	4:58	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3 MVA		Daylight Savings
October 26 2012 16:07	SCSO	12-13442	Traffic Hazard	Motor Vehicle Incidents	Grip Rd - Prairie Rd to Proposed Pit Entrance	08_Minor Collector	9	2012	10	26	10/26/2012	5	16:07	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
April 15 2015 13:25	SCSO	15-05012	Traffic Enforcement	Motor Vehicle Incidents	Grip Rd - Prairie Rd to Proposed Pit Entrance	08_Minor Collector	9	2015	4	15	4/15/2015	3	13:25	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn Traffic Enforce		Daylight Savings
February 5 2017 22:51	SCSO	17-01698	Vehicle Accident	Motor Vehicle Incidents	Grip Rd - Prairie Rd to Proposed Pit Entrance	08_Minor Collector	9	2017	2	5	2/5/2017	7	22:51	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Standard
May 9 2006 05:16	SCSO	06-06977	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07_Major Collector	1	2006	5	9	5/9/2006	7	5:16	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
December 12 2012 08:43	SCSO	12-16582	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07_Major Collector	1	2012	12	12	12/12/2012	3	8:43	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
July 16 2013 15:45	SCSO	13-09855	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07_Major Collector	1	2013	7	16	7/16/2013	2	15:45	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM MVA		Daylight Savings
May 4 2014 04:13	SCSO	14-05611	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07_Major Collector	1	2014	5	4	5/4/2014	7	4:13	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
May 27 2016 05:52	SCSO	16-07314	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07_Major Collector	1	2016	5	27	5/27/2016	5	5:52	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
October 13 2009 13:33	SCSO	09-14651	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07_Major Collector	1	2009	10	13	10/13/2009	2	13:33	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Daylight Savings
December 21 2012 08:33	SCSO	12-17017	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07_Major Collector	1	2012	12	21	12/21/2012	5	8:33	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
January 3 2016 22:22	SCSO	16-00151	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07_Major Collector	1	2016	1	3	1/3/2016	7	22:22	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Standard
November 11 2016 02:30	SCSO	16-16880	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07_Major Collector	1	2016	11	11	11/11/2016	5	2:30	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
March 31 2009 10:01	SCSO	09-04215	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07_Major Collector	1	2009	3	31	3/31/2009	3	10:01	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Standard
October 19 2011 13:00	SCSO	11-13851	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07_Major Collector	1	2011	10	19	10/19/2011	3	13:00	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Daylight Savings
December 4 2011 13:40	SCSO	11-15757	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07_Major Collector	1	2011	12	4	12/4/2011	7	13:40	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pn	#N/A	Standard
August 1 2012 20:46	SCSO	12-09597	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07_Major Collector	1	2012	8	1	8/1/2012	3	20:46	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
July 6 2013 03:26	SCSO	13-08243	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07_Major Collector	1	2013	7	6	7/6/2013	6	3:26	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings

From Skagit County Crime Map					Manual / Formulaic Added Data													
TimeDate	Agency	CaseNumber	NatureDesc	Category	Where	Type	WhereID	Year	Month	Day	Date	Day of Week	Time	Comments	Comments 2	Comments 3	Subtotals	Season
August 6 2013 13:28	SCSO	13-11081	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07, Major Collector	1	2013	8	6	8/6/2013	3	13:28	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Daylight Savings
November 4 2006 09:00	SCSO	06-17858	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07, Major Collector	1	2006	11	4	11/4/2006	6	9:00	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Standard
November 28 2014 05:18	SCSO	14-16534	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07, Major Collector	1	2014	11	28	11/28/2014	5	5:18	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
February 21 2013 06:55	SCSO	13-02423	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07, Major Collector	1	2013	2	21	2/21/2013	6	6:55	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
May 29 2015 09:37	SCSO	15-07313	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07, Major Collector	1	2015	5	29	5/29/2015	5	9:37	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Daylight Savings
May 31 2015 04:35	SCSO	15-07407	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07, Major Collector	1	2015	5	31	5/31/2015	7	4:35	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
December 30 2016 09:04	SCSO	16-19180	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07, Major Collector	1	2016	12	30	12/30/2016	5	9:04	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Standard
February 26 2005 19:11	SCSO	05-01926	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07, Major Collector	1	2005	2	26	2/26/2005	6	19:11	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Standard
April 17 2008 09:30	SCSO	08-05233	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07, Major Collector	1	2008	4	17	4/17/2008	4	9:30	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Daylight Savings
October 24 2015 22:39	SCSO	15-13697	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07, Major Collector	1	2015	10	24	10/24/2015	6	22:39	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
September 22 2015 07:41	SCSO	15-14061	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07, Major Collector	1	2015	9	22	9/22/2015	2	7:41	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
August 6 2016 12:37	SCSO	16-13617	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07, Major Collector	1	2016	8	6	8/6/2016	6	12:37	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Daylight Savings
December 8 2013 06:48	SCSO	13-17305	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07, Major Collector	1	2013	12	8	12/8/2013	7	6:48	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
July 31 2016 17:02	SCSO	16-11361	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07, Major Collector	1	2016	7	31	7/31/2016	7	17:02	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
April 1 2005 00:32	SCSO	05-04701	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07, Major Collector	1	2005	4	1	4/1/2005	5	0:32	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
April 6 2013 17:18	SCSO	13-04329	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07, Major Collector	1	2013	4	6	4/6/2013	6	17:18	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
August 23 2016 08:08	SCSO	16-12878	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07, Major Collector	1	2016	8	23	8/23/2016	2	8:08	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
October 17 2016 12:17	SCSO	16-15801	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Prairie Rd to Samish River	07, Major Collector	1	2016	10	17	10/17/2016	1	12:17	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Daylight Savings
April 26 2014 13:35	SCSO	14-05147	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2014	4	26	4/26/2014	6	13:35	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Daylight Savings
September 5 2016 16:50	SCSO	16-13478	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2016	9	5	9/5/2016	1	16:50	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
April 20 2011 02:19	SCSO	11-04707	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2011	4	20	4/20/2011	3	2:19	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
May 6 2012 00:49	SCSO	12-05300	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2012	5	6	5/6/2012	7	0:49	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
March 15 2014 08:08	SCSO	14-03124	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2014	3	15	3/15/2014	6	8:08	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
March 8 2015 14:20	SCSO	15-03108	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2015	3	8	3/8/2015	7	14:20	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Standard
April 4 2017 16:31	SCSO	17-04481	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2017	4	4	4/4/2017	2	16:31	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
January 22 2007 00:15	SCSO	07-01057	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2007	1	22	1/22/2007	1	0:15	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
May 25 2009 14:47	SCSO	09-07055	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	5	25	5/25/2009	1	14:47	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Daylight Savings
July 31 2010 06:25	SCSO	10-10543	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2010	7	31	7/31/2010	6	6:25	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
March 24 2012 10:41	SCSO	12-01984	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2012	3	24	3/24/2012	6	10:41	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Standard
December 14 2012 00:27	SCSO	12-16628	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2012	12	14	12/14/2012	5	0:27	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
April 2 2017 16:49	SCSO	17-04248	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2017	4	2	4/2/2017	7	16:49	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
August 4 2005 16:05	SCSO	05-12890	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	8	4	8/4/2005	4	16:05	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
August 12 2007 06:39	SCSO	07-12574	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2007	8	12	8/12/2007	7	6:39	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
March 11 2009 10:22	SCSO	09-03268	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	3	11	3/11/2009	3	10:22	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Standard
May 25 2010 11:56	SCSO	10-06727	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2010	5	25	5/25/2010	2	11:56	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Daylight Savings
February 19 2015 11:54	SCSO	15-02331	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2015	2	19	2/19/2015	4	11:54	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Standard
January 18 2016 00:48	SCSO	16-00738	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2016	1	18	1/18/2016	1	0:48	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
January 25 2017 04:39	SCSO	17-01332	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2017	1	25	1/25/2017	3	4:39	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
May 2 2009 06:18	SCSO	09-03650	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	5	2	5/2/2009	6	6:18	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
March 24 2005 05:31	SCSO	05-04284	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	3	24	3/24/2005	4	5:31	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
April 27 2005 10:32	SCSO	05-06256	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	4	27	4/27/2005	3	10:32	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Daylight Savings
December 20 2005 17:53	SCSO	05-21363	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	12	20	12/20/2005	2	17:53	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Standard
September 2 2008 07:26	SCSO	08-13250	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2008	9	2	9/2/2008	2	7:26	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
December 18 2012 10:49	SCSO	12-19818	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2012	12	18	12/18/2012	3	10:49	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Standard
May 6 2015 08:48	SCSO	15-05895	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2015	5	4	5/4/2015	1	8:48	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
April 14 2016 10:14	SCSO	16-05083	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2016	4	14	4/14/2016	4	10:14	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Daylight Savings
June 17 2013 17:12	SCSO	13-08145	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2013	6	17	6/17/2013	1	17:12	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
January 3 2016 22:42	SCSO	16-00152	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2016	1	3	1/3/2016	7	22:42	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Standard
April 16 2013 17:47	SCSO	13-04566	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2013	4	16	4/16/2013	6	17:47	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
April 1 2005 02:48	SCSO	05-04716	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	4	1	4/1/2005	5	2:48	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
August 15 2007 00:48	SCSO	07-12762	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2007	8	15	8/15/2007	3	0:48	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
April 13 2006 05:58	SCSO	06-05501	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	4	13	4/13/2006	4	5:53	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
February 15 2009 14:31	SCSO	09-02389	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	2	15	2/15/2009	3	14:31	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Standard
November 8 2009 10:42	SCSO	09-10019	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	11	8	11/8/2009	7	10:42	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Standard
July 7 2010 09:36	SCSO	10-09047	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2010	7	7	7/7/2010	3	9:36	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Daylight Savings
December 10 2011 22:29	SCSO	11-16383	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2011	12	12	12/12/2011	4	22:29	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Standard
September 4 2014 10:53	SCSO	14-12285	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2014	9	4	9/4/2014	4	10:53	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Daylight Savings
October 20 2014 16:03	SCSO	14-14652	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2014	10	20	10/20/2014	1	16:03	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
January 28 2015 23:46	SCSO	15-01350	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2015	1	28	1/28/2015	3	23:46	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Standard
March 29 2015 00:55	SCSO	15-04115	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2015	3	29	3/29/2015	7	0:55	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
August 5 2015 23:52	SCSO	15-11451	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2015	8	5	8/5/2015	3	23:52	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
August 22 2006 21:00	SCSO	06-17329	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	8	22	8/22/2006	2	21:00	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
June 19 2008 15:51	SCSO	08-08672	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	1	2008	6	19	6/19/2008	4	15:51	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
February 3 2009 21:17	SCSO	09-01581	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	2	3	2/3/2009	2	21:17	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Standard
March 23 2009 09:26	SCSO	09-03842	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	3	23	3/23/2009	1	9:26	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Standard
December 18 2009 02:43	SCSO	09-17714	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	12	18	12/18/2009	6	2:43	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
April 25 2010 17:10	SCSO	10-04745	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2010	4	15	4/15/2010	4	17:10	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
July 3 2011 14:33	SCSO	11-08182	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2011	7	3	7/3/2011	5	14:33	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Daylight Savings
December 7 2011 07:56	SCSO	11-15886	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2011	12	7	12/7/2011	3	7:56	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
July 6 2013 04:06	SCSO	13-09147	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2013	7	6	7/6/2013	6	4:06	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
November 19 2013 09:54	SCSO	13-16526	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2013	11	19	11/19/2013	2	9:54	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Standard
February 2 2014 11:14	SCSO	14-01411	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2014	2	2	2/2/2014	7	11:14	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Standard
February 27 2014 11:51	SCSO	14-02512	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2014	2	27	2/27/2014	4	11:51	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Standard
August 5 2014 10:51	SCSO	14-13053	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2014	8	5	8/5/2014	2	10:51	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Daylight Savings
February 22 2015 02:52	SCSO	15-02456	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2015	2	22	2/22/2015	7	2:52	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
January 8 2017 05:09	SCSO	17-00534	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2017	1	8	1/8/2017	7	5:09	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
April 2 2005 11:29	SCSO	05-04825	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	4	2	4/2/2005	6	11:29	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Daylight Savings
April 21 2005 05:53	SCSO	05-05827	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	4	21	4/21/2005	4	5:53	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
August 8 2007 17:01	SCSO	07-12186	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2007	8	8	8/8/2007	3	17:01	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
August 13 2009 13:43	SCSO	09-11742	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	8	15	8/15/2009	6	13:43	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Daylight Savings
July 7 2010 10:38	SCSO	10-09052	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2010	7	7	7/7/2010	3	10:38	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Daylight Savings
August 16 2010 07:18	SCSO	10-11214	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2010	8	16	8/16/2010	1	7:18	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
December 6 2010 02:52	SCSO	10-16578	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2010	12	6	12/6/2010	1	2:52	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
April 7 2011 02:29	SCSO	11-04145	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2011	4	7	4/7/2011	4	2:29	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
November 30 2011 02:52	SCSO	11-15362	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2011	11	30	11/30/2011	3	2:52	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
November 23 2012 02:37	SCSO	12-18642	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2012	11	23	11/23/2012	5	2:37	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
March 4 2013 13:04	SCSO	13-02769	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2013	3	4	3/4/2013	1	13:04	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Standard
November 19 2013 13:09	SCSO	13-16056	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2013	11	19	11/19/2013	5	13:09	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Standard
September 2 2016 14:16	SCSO	16-13305	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2016	9	2	9/2/2016	5	14:16	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pm	#N/A	Daylight Savings
October 27 2016 17:08	SCSO	16-16304	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2016	10	27	10/27/2016	4	17:08	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings

From Skagit County Crime Map					Manual / Formulaic Added Data													
TimeDate	Agency	CaseNumber	NatureDesc	Category	Where	Type	Where#	Year	Month	Day	Date	Day of Week	Time	Composite	Composite 2	Composite 3	Influence	Season
December 7 2016 00:20	SCSO	16-18136	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2016	12	7	12/7/2016	3	0:20	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
May 19 2017 10:36	SCSO	17-06892	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2017	5	19	5/19/2017	5	10:36	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
September 2 2006 18:30	SCSO	06-14289	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	9	2	9/2/2006	6	18:30	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
January 14 2007 15:29	SCSO	07-00762	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2007	1	14	1/14/2007	7	15:29	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
July 6 2008 19:23	SCSO	08-09751	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2008	7	6	7/6/2008	7	19:23	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
May 14 2009 15:59	SCSO	09-06307	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	5	14	5/14/2009	4	15:59	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
November 25 2009 11:05	SCSO	09-16725	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	11	25	11/25/2009	3	11:05	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
August 24 2010 14:27	SCSO	10-13577	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2010	8	24	8/24/2010	3	14:27	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
March 11 2011 10:45	SCSO	11-03263	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2011	3	11	3/11/2011	5	10:45	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
April 8 2011 07:18	SCSO	11-04204	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2011	4	8	4/8/2011	5	7:18	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
January 15 2012 09:19	SCSO	12-00615	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2012	1	15	1/15/2012	7	2:19	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
March 17 2013 18:41	SCSO	13-03331	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2013	3	17	3/17/2013	7	18:41	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Standard
November 25 2013 09:51	SCSO	13-16798	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2013	11	25	11/25/2013	1	9:51	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
February 16 2005 04:22	SCSO	05-02340	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	2	16	2/16/2005	3	4:22	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
April 30 2009 14:31	SCSO	05-06462	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	4	30	4/30/2005	6	14:31	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
July 24 2005 08:50	SCSO	05-12083	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	7	24	7/24/2005	7	8:50	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
October 1 2005 00:09	SCSO	05-16768	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	10	1	10/1/2005	6	0:09	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
December 12 2005 09:58	SCSO	05-21469	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	12	12	12/12/2005	6	9:58	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
May 23 2006 06:07	SCSO	06-07764	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	5	23	5/23/2006	2	6:07	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
August 2 2006 11:05	SCSO	06-12868	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	8	2	8/2/2006	3	11:05	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
September 22 2006 07:55	SCSO	06-15410	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	9	22	9/22/2006	5	7:55	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
January 24 2007 08:23	SCSO	07-01226	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2007	1	24	1/24/2007	3	8:23	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
January 29 2007 10:07	SCSO	07-01457	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2007	1	29	1/29/2007	1	10:07	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
August 26 2007 21:45	SCSO	07-13510	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2007	8	26	8/26/2007	7	21:45	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
January 14 2008 05:58	SCSO	08-00621	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2008	1	14	1/14/2008	1	5:58	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
January 20 2008 22:46	SCSO	08-00985	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2008	1	20	1/20/2008	7	22:46	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Standard
June 14 2008 13:47	SCSO	08-08273	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2008	6	14	6/14/2008	6	13:47	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
December 7 2009 16:05	SCSO	09-17203	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	12	7	12/7/2009	1	16:05	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Standard
October 7 2010 13:12	SCSO	10-13843	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2010	10	7	10/7/2010	4	13:12	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
October 29 2010 03:09	SCSO	10-14687	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2010	10	29	10/29/2010	5	3:09	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
January 10 2012 08:26	SCSO	12-00414	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2012	1	10	1/10/2012	3	8:26	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
June 6 2012 10:42	SCSO	12-06978	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2012	6	6	6/6/2012	3	10:42	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
February 26 2014 11:53	SCSO	14-02473	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2014	2	26	2/26/2014	3	11:53	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
September 11 2015 09:32	SCSO	15-13414	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2015	9	11	9/11/2015	5	9:32	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
January 8 2005 02:16	SCSO	05-00273	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	1	8	1/8/2005	6	2:16	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
January 21 2005 05:03	SCSO	05-01060	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	1	21	1/21/2005	5	5:03	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
March 30 2005 01:29	SCSO	05-04585	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	3	30	3/30/2005	3	1:29	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
July 22 2005 03:51	SCSO	05-11932	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	7	22	7/22/2005	5	3:51	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
July 30 2005 16:28	SCSO	05-12547	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	7	30	7/30/2005	6	16:28	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
September 25 2005 09:27	SCSO	05-16439	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	9	25	9/25/2005	7	9:27	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
November 8 2005 08:18	SCSO	05-19170	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	11	8	11/8/2005	2	9:18	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
January 11 2006 08:50	SCSO	06-00968	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	1	11	1/11/2006	3	8:50	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
April 11 2006 05:25	SCSO	06-05411	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	4	11	4/11/2006	2	5:25	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
April 24 2006 14:37	SCSO	06-08181	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	4	24	4/24/2006	1	14:37	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
July 25 2006 10:32	SCSO	06-11806	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	7	25	7/25/2006	2	10:32	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
August 7 2006 06:40	SCSO	06-12570	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	8	7	8/7/2006	1	6:40	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
September 22 2006 08:51	SCSO	06-15412	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	9	22	9/22/2006	5	8:51	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
September 27 2006 16:08	SCSO	06-15703	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	9	27	9/27/2006	3	16:08	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
October 14 2008 07:45	SCSO	08-15483	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2008	10	14	10/14/2008	2	7:45	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
November 12 2008 16:23	SCSO	08-16901	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2008	11	12	11/12/2008	3	16:23	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Standard
January 29 2009 02:29	SCSO	09-01283	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	1	29	1/29/2009	4	2:29	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
June 23 2009 08:04	SCSO	09-04803	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	6	23	6/23/2009	3	9:04	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
October 8 2009 10:44	SCSO	09-14621	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	10	8	10/8/2009	4	10:44	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
November 11 2009 11:31	SCSO	09-15021	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	11	8	11/8/2009	7	11:31	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
January 20 2010 23:53	SCSO	10-00879	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2010	1	20	1/20/2010	3	23:53	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Standard
January 29 2010 12:37	SCSO	10-01501	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2010	1	29	1/29/2010	5	12:37	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
February 22 2010 05:07	SCSO	10-02353	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2010	2	22	2/22/2010	1	5:07	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
July 28 2010 12:20	SCSO	10-10204	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2010	7	28	7/28/2010	3	12:20	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
October 1 2010 19:04	SCSO	10-12364	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2010	10	1	10/1/2010	5	19:04	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
October 18 2010 01:39	SCSO	10-14407	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2010	10	18	10/18/2010	1	1:39	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
August 21 2011 19:40	SCSO	11-11042	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2011	8	21	8/21/2011	7	19:40	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
February 22 2012 23:29	SCSO	12-02258	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2012	2	22	2/22/2012	3	23:29	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Standard
February 28 2012 02:08	SCSO	12-02467	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2012	2	28	2/28/2012	2	2:08	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
May 19 2013 05:23	SCSO	13-06478	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2013	5	19	5/19/2013	7	5:33	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
May 24 2013 07:31	SCSO	13-06769	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2013	5	24	5/24/2013	5	7:31	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
June 14 2014 05:36	SCSO	14-07660	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2014	6	14	6/14/2014	6	5:36	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	Traffic Hazard	Daylight Savings
December 22 2014 08:15	SCSO	14-17611	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2014	12	22	12/22/2014	1	8:15	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
February 3 2015 16:25	SCSO	15-01601	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2015	2	3	2/3/2015	2	16:25	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Standard
March 27 2015 07:49	SCSO	15-04051	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2015	3	27	3/27/2015	5	7:49	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
June 16 2005 17:42	SCSO	05-09445	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	6	16	6/16/2005	4	17:42	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
August 27 2005 23:13	SCSO	05-14554	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	8	27	8/27/2005	6	23:13	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
September 16 2005 09:23	SCSO	05-15850	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	9	16	9/16/2005	5	9:23	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
October 16 2005 12:31	SCSO	05-17765	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	10	16	10/16/2005	7	12:31	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
November 2 2005 09:47	SCSO	05-18639	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	11	2	11/2/2005	3	9:47	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
February 17 2006 01:39	SCSO	06-03082	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	2	17	2/17/2006	1	1:39	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
April 24 2006 13:36	SCSO	06-08176	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	4	24	4/24/2006	1	13:36	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
May 6 2006 16:30	SCSO	06-09850	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	5	6	5/6/2006	6	16:30	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
June 26 2006 17:42	SCSO	06-09815	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	6	26	6/26/2006	1	17:42	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
November 6 2006 00:34	SCSO	06-17945	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	11	6	11/6/2006	1	0:34	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
January 11 2007 08:11	SCSO	07-00625	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2007	1	11	1/11/2007	4	8:11	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
August 27 2007 02:18	SCSO	07-13525	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2007	8	27	8/27/2007	1	2:18	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
June 3 2008 11:24	SCSO	08-07787	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2008	6	3	6/3/2008	2	11:24	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
September 16 2008 14:39	SCSO	08-12896	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2008	9	16	9/16/2008	3	14:39	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
July 2 2009 03:38	SCSO	09-09134	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	7	2	7/2/2009	4	3:38	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
July 30 2009 05:17	SCSO	09-10855	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	7	30	7/30/2009	4	5:17	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
August 27 2009 13:19	SCSO	09-12453	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	8	27	8/27/2009	4	13:19	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
September 19 2008 13:39	SCSO	09-13646	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	9	19	9/19/2009	6	13:39	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
October 5 2009 04:33	SCSO	09-14471	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	10	5	10/5/2009	1	4:33	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
October 10 2009 09:30	SCSO	09-14722	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	10	10	10/10/2009	6	9:30	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
August 20 2010 03:32	SCSO	10-11428	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2010	8	20	8/20/2010	5	3:32	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings

From Skagit County Crime Map				Manual / Formulaic Added Date													
TimeDate	Agency	CaseNumber	DataTypeDesc	Category	Where	Type	WhereID	Year	Month	Day	Date	Day of Week	Time	Comments	Comments 2	Comments 3	IsInMature	Season
October 25 2010 22:07	SCSO	10-74726	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	1	2010	10	25	10/25/2010	1	22:07	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
January 9 2011 11:22	SCSO	11-00381	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	1	2011	1	9	1/9/2011	7	11:22	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30PM	#N/A	Standard
September 1 2011 02:42	SCSO	11-11510	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	1	2011	9	1	9/1/2011	4	2:42	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
November 14 2012 16:29	SCSO	12-15300	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	1	2012	11	14	11/14/2012	3	16:29	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Standard
January 1 2013 23:01	SCSO	13-00054	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	1	2013	1	1	1/1/2013	3	23:01	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Standard
February 19 2014 02:50	SCSO	14-02136	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	1	2014	2	19	2/19/2014	3	2:50	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
June 7 2014 11:07	SCSO	14-07355	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	1	2014	6	7	6/7/2014	6	11:07	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
October 22 2015 12:37	SCSO	15-15577	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	1	2015	10	22	10/22/2015	4	12:37	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
April 26 2017 05:53	SCSO	17-05643	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	1	2017	4	26	4/26/2017	3	5:53	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
January 28 2005 08:44	SCSO	05-01426	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	1	2005	1	28	1/28/2005	6	9:44	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
March 20 2005 01:51	SCSO	05-04060	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	1	2005	3	20	3/20/2005	7	1:51	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
April 8 2005 22:08	SCSO	05-05051	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	4	8	4/8/2005	3	22:09	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
September 11 2005 14:32	SCSO	05-13691	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	9	11	9/11/2005	2	14:32	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
October 6 2005 14:25	SCSO	05-17148	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	10	6	10/6/2005	4	14:25	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
November 23 2005 10:14	SCSO	05-20051	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	11	23	11/25/2005	3	10:14	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
March 16 2006 15:19	SCSO	06-03694	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	3	16	3/16/2006	4	15:19	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
May 3 2006 01:54	SCSO	06-09862	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	5	3	5/3/2006	3	1:54	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
May 23 2006 04:13	SCSO	06-07760	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	5	23	5/23/2006	3	4:13	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
October 12 2006 04:40	SCSO	06-16485	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	10	12	10/12/2006	4	4:40	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
December 1 2006 21:52	SCSO	06-19472	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	12	1	12/1/2006	5	21:50	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Standard
April 21 2007 07:18	SCSO	07-05833	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2007	4	21	4/21/2007	6	7:18	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
October 7 2007 04:13	SCSO	07-15917	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2007	10	7	10/7/2007	7	3:15	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
April 10 2008 16:08	SCSO	08-04873	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2008	4	10	4/10/2008	4	16:08	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
May 5 2008 13:20	SCSO	08-06155	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2008	5	5	5/5/2008	1	13:20	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
March 4 2009 09:41	SCSO	09-02956	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2009	3	4	3/4/2009	3	9:41	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
September 30 2008 03:46	SCSO	09-14723	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2008	9	30	9/30/2009	3	3:46	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
February 18 2010 05:13	SCSO	10-02161	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2010	2	18	2/18/2010	4	5:13	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
April 19 2010 08:49	SCSO	10-04998	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2010	4	19	4/19/2010	1	8:49	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
April 29 2010 14:15	SCSO	10-05448	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2010	4	29	4/29/2010	5	14:15	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
August 11 2010 11:36	SCSO	10-10852	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2010	8	11	8/11/2010	3	11:36	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
September 25 2010 07:48	SCSO	10-13221	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2010	9	25	9/25/2010	6	7:48	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
February 1 2011 06:46	SCSO	11-01342	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2011	2	1	2/1/2011	2	9:46	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
February 4 2011 06:37	SCSO	11-01469	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2011	2	4	2/4/2011	5	6:37	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
July 27 2011 05:17	SCSO	11-09607	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2011	7	27	7/27/2011	3	5:17	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
November 25 2011 15:55	SCSO	11-15869	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2011	11	25	11/25/2011	5	15:55	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Standard
December 13 2011 09:14	SCSO	11-16133	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2011	12	13	12/13/2011	2	9:14	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
January 10 2012 08:56	SCSO	12-00410	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2012	1	10	1/10/2012	3	8:56	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
October 4 2012 02:27	SCSO	12-13451	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2012	10	4	10/4/2012	4	2:27	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
May 12 2013 01:06	SCSO	13-06083	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2013	5	12	5/12/2013	7	1:06	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
July 25 2014 16:17	SCSO	14-12011	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2014	7	25	7/25/2014	5	16:17	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
September 15 2015 13:42	SCSO	15-13905	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2015	9	15	9/15/2015	5	13:42	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
March 19 2005 18:31	SCSO	05-04060	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	3	19	3/19/2005	6	18:31	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Standard
July 10 2007 10:47	SCSO	07-11013	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2007	7	10	7/10/2007	3	10:47	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
September 13 2007 15:56	SCSO	07-14673	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2007	9	13	9/13/2007	4	15:56	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
May 14 2008 11:55	SCSO	08-06604	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2008	5	14	5/14/2008	3	11:55	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
June 8 2009 00:53	SCSO	09-07808	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2009	6	8	6/8/2009	1	0:53	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
October 28 2009 04:24	SCSO	09-13585	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2009	10	28	10/28/2009	4	4:24	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
December 8 2009 14:36	SCSO	09-17151	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2009	12	8	12/8/2009	2	14:39	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
June 6 2010 04:12	SCSO	10-07291	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2010	6	6	6/6/2010	7	4:12	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
July 13 2010 07:18	SCSO	10-09383	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2010	7	13	7/13/2010	2	7:19	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
August 7 2010 04:21	SCSO	10-10741	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2010	8	7	8/7/2010	5	4:21	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
October 29 2010 15:37	SCSO	10-14926	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2010	10	29	10/29/2010	5	15:37	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
December 20 2010 08:21	SCSO	10-17217	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2010	12	20	12/20/2010	1	8:21	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
June 13 2011 15:16	SCSO	11-07227	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2011	6	13	6/13/2011	1	15:14	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
July 19 2011 10:18	SCSO	11-09178	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2011	7	19	7/19/2011	2	10:18	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
November 14 2011 23:04	SCSO	11-13304	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2011	11	14	11/15/2011	3	23:04	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Standard
December 22 2011 12:18	SCSO	11-16564	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2011	12	22	12/22/2011	4	12:18	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
August 31 2013 20:03	SCSO	13-12542	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2013	8	31	8/31/2013	6	20:03	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
December 20 2013 09:31	SCSO	13-17869	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2013	12	20	12/20/2013	5	9:31	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
January 24 2014 06:35	SCSO	14-01042	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2014	1	24	1/24/2014	5	8:35	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
October 30 2014 07:53	SCSO	14-15136	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2014	10	30	10/30/2014	4	7:53	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
June 25 2015 15:35	SCSO	15-08823	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2015	6	25	6/25/2015	4	15:35	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
October 21 2015 04:29	SCSO	15-13486	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2015	10	21	10/21/2015	3	4:29	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
March 27 2016 06:27	SCSO	16-04113	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2016	3	27	3/27/2016	7	6:27	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
November 22 2016 15:20	SCSO	16-17522	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2016	11	22	11/22/2016	2	15:20	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
July 1 2017 15:07	SCSO	17-09593	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2017	7	1	7/1/2017	6	15:07	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
April 7 2005 16:31	SCSO	05-03106	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	4	7	4/7/2005	4	16:31	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
March 2 2006 09:33	SCSO	06-03249	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	3	2	3/2/2006	4	5:31	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
October 12 2007 07:23	SCSO	07-16226	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2007	10	12	10/12/2007	5	7:23	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
March 14 2008 13:52	SCSO	09-03436	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2008	3	14	3/14/2008	5	13:52	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
September 10 2009 09:06	SCSO	09-13178	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2009	9	10	9/10/2009	4	9:06	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
April 21 2010 01:45	SCSO	10-05003	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2010	4	21	4/21/2010	3	1:45	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
April 23 2010 17:02	SCSO	10-05157	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2010	4	23	4/23/2010	5	17:02	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
October 1 2010 08:19	SCSO	10-13531	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2010	10	1	10/1/2010	5	8:19	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
February 5 2011 15:47	SCSO	11-01593	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2011	2	5	2/5/2011	6	15:47	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Standard
October 1 2011 08:26	SCSO	11-13128	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2011	10	1	10/1/2011	5	8:26	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
November 9 2011 14:15	SCSO	11-14715	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2011	11	9	11/9/2011	4	14:15	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
May 3 2012 12:18	SCSO	12-05305	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2012	5	3	5/3/2012	4	12:18	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
June 18 2012 05:50	SCSO	12-07484	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2012	6	18	6/18/2012	1	5:50	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
October 18 2012 07:31	SCSO	12-14123	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2012	10	18	10/18/2012	4	7:51	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
March 13 2013 10:33	SCSO	13-03149	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2013	3	13	3/13/2013	3	10:23	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
June 19 2014 11:46	SCSO	14-08510	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2014	6	19	6/19/2014	3	11:46	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
December 3 2015 08:55	SCSO	15-17387	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2015	12	3	12/3/2015	4	8:55	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
January 8 2016 17:18	SCSO	16-00082	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2016	1	8	1/8/2016	5	17:18	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Standard
February 10 2016 12:03	SCSO	16-01851	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2016	2	10	2/10/2016	3	12:03	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
April 10 2016 01:42	SCSO	16-05361	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2016	4	20	4/10/2016	3	1:42	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
June 18 2016 12:37	SCSO	16-08583	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2016	6	19	6/19/2016	7	12:37	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Daylight Savings
February 15 2017 13:50	SCSO	17-02179	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	3	2017	2	15	2/15/2017	3	13:50	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
December 16 2005 12:22	SCSO	05-21169	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2005	12	16	12/16/2005	5	12:22	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Pk	#N/A	Standard
February 17 2006 03:37	SCSO	06-01558	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07, Major Collector	2	2006	2	17	2/17/2006	5	3:37	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard

From Skagit County Crime Map					Manual / Formulaic Added Data												
TimeDate	Agency	CaseNumber	NatureDesc	Category	Where	Type	WhereID	Year	Month	Day	Date	Day of Week	Time	Comments	Comments 2	Comments 3	Jurisdiction	Season
November 18 2006 17:05	SCSO	06-18234	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2006	11	18	11/18/2006	5	17:05	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Standard
April 13 2007 02:02	SCSO	07-05412	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2007	4	13	4/13/2007	5	2:02	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
September 14 2007 17:05	SCSO	07-14741	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2007	9	14	9/14/2007	5	17:05	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
November 18 2007 03:26	SCSO	07-18123	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2007	11	18	11/18/2007	7	3:26	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
March 17 2008 11:53	SCSO	08-03632	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2008	3	17	3/17/2008	1	11:53	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
July 6 2006 14:27	SCSO	08-09715	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2008	7	6	7/6/2006	7	14:27	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
October 29 2008 21:15	SCSO	08-16182	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2008	10	29	10/29/2008	3	21:15	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
January 17 2009 10:10	SCSO	09-00771	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2009	1	17	1/17/2009	6	10:10	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
April 22 2009 10:53	SCSO	09-05346	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2009	4	22	4/22/2009	3	10:53	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
December 10 2009 05:08	SCSO	09-17227	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2009	12	10	12/10/2009	4	5:08	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
December 11 2009 04:17	SCSO	09-17361	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2009	12	11	12/11/2009	5	4:17	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
May 30 2010 19:33	SCSO	10-06973	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2010	5	30	5/30/2010	7	19:33	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
July 23 2010 07:03	SCSO	10-09868	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2010	7	23	7/23/2010	5	7:03	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
July 23 2010 16:27	SCSO	10-09929	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2010	7	23	7/23/2010	5	16:27	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
August 22 2010 11:21	SCSO	10-11558	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2010	8	22	8/22/2010	7	11:21	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
October 2 2010 13:25	SCSO	10-13612	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2010	10	2	10/2/2010	6	13:25	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
December 24 2010 10:53	SCSO	10-17392	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2010	12	24	12/24/2010	5	10:53	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
May 9 2011 09:20	SCSO	11-05581	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2011	5	9	5/9/2011	1	9:20	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
June 17 2011 16:09	SCSO	11-07429	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2011	6	17	6/17/2011	5	16:09	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
September 4 2011 04:07	SCSO	11-11668	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2011	9	4	9/4/2011	7	4:07	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
April 21 2012 06:37	SCSO	12-04770	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2012	4	21	4/21/2012	6	6:37	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
May 7 2012 05:01	SCSO	12-05566	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2012	5	7	5/7/2012	1	5:01	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
June 14 2012 18:56	SCSO	12-07315	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	03_Major Collector	2	2012	6	14	6/14/2012	4	18:56	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
April 12 2013 14:25	SCSO	13-04615	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2013	4	12	4/12/2013	5	14:25	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
July 19 2013 17:42	SCSO	13-10062	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2013	7	19	7/19/2013	5	17:42	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
August 22 2013 06:03	SCSO	13-12008	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2013	8	22	8/22/2013	4	6:03	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
April 7 2014 00:01	SCSO	14-04110	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2014	4	7	4/7/2014	1	0:01	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
November 2 2014 05:04	SCSO	14-15292	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2014	11	2	11/2/2014	7	5:04	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
February 26 2015 03:48	SCSO	15-02650	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2015	2	26	2/26/2015	4	3:48	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
March 3 2015 21:53	SCSO	15-02910	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2015	3	3	3/3/2015	2	21:53	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Standard
May 13 2015 17:25	SCSO	15-06500	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2015	5	13	5/13/2015	3	17:25	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
September 20 2015 14:49	SCSO	15-13952	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2015	9	20	9/20/2015	7	14:49	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
April 25 2016 19:53	SCSO	16-05650	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2016	4	25	4/25/2016	1	19:53	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Daylight Savings
March 6 2017 05:19	SCSO	17-01992	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2017	3	6	3/6/2017	1	5:19	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
May 3 2017 05:53	SCSO	17-03897	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2017	5	3	5/3/2017	3	5:53	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
May 7 2017 07:49	SCSO	17-06247	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2017	5	7	5/7/2017	7	7:49	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
August 19 2005 12:19	SCSO	05-13969	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2005	8	19	8/19/2005	5	12:19	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
March 30 2006 22:42	SCSO	06-04770	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2006	3	30	3/30/2006	4	22:42	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Standard
May 2 2006 08:10	SCSO	06-06379	Aircraft Problem	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2006	5	2	5/2/2006	2	8:10	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
July 3 2006 15:54	SCSO	06-10401	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2006	7	3	7/3/2006	1	15:54	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
December 3 2006 08:57	SCSO	06-19530	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2006	12	3	12/3/2006	7	8:57	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
December 12 2006 07:50	SCSO	06-19980	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2006	12	12	12/12/2006	2	7:50	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
November 4 2008 09:11	SCSO	08-16447	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2008	11	4	11/4/2008	2	9:11	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
January 30 2009 04:30	SCSO	09-01343	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2009	1	30	1/30/2009	5	4:30	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
May 14 2009 12:10	SCSO	09-06493	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2009	5	14	5/14/2009	4	12:10	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
August 25 2009 14:51	SCSO	09-12336	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2009	8	25	8/25/2009	2	14:51	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
October 24 2009 07:47	SCSO	09-15347	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2009	10	24	10/24/2009	6	7:47	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Daylight Savings
December 11 2009 18:09	SCSO	09-17405	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2009	12	11	12/11/2009	5	18:09	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Standard
April 19 2010 05:28	SCSO	10-04921	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2010	4	19	4/19/2010	1	5:28	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
April 26 2010 05:23	SCSO	10-05258	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2010	4	26	4/26/2010	1	5:23	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
June 28 2010 15:15	SCSO	10-08021	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2010	6	18	6/18/2010	5	15:15	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
January 5 2011 06:36	SCSO	11-00168	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2011	1	5	1/5/2011	3	6:36	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
January 24 2011 04:30	SCSO	11-00366	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2011	1	24	1/24/2011	1	4:30	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
July 6 2011 15:30	SCSO	11-08460	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2011	7	6	7/6/2011	3	15:30	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
May 12 2012 13:11	SCSO	12-05841	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2012	5	12	5/12/2012	6	13:11	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
June 28 2012 17:18	SCSO	12-08032	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2012	6	28	6/28/2012	4	17:18	Evening	3:30PM to 7:00PM	Evening 3:30PM to 7:00PM	#N/A	Daylight Savings
March 4 2013 02:24	SCSO	13-02733	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2013	3	4	3/4/2013	1	2:24	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
November 14 2013 00:13	SCSO	13-16299	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2013	11	14	11/14/2013	4	0:13	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Standard
July 19 2014 12:56	SCSO	14-09693	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2014	7	19	7/19/2014	6	12:56	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
August 5 2014 00:03	SCSO	14-10587	Abandoned Vehicle	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2014	8	5	8/5/2014	2	0:03	Wee Hours	Midnight to 5:30AM	Wee Hours Midnight to 5:3	#N/A	Daylight Savings
August 23 2015 10:08	SCSO	15-12387	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2015	8	23	8/23/2015	7	10:08	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
January 29 2016 08:30	SCSO	16-01268	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2016	1	29	1/29/2016	5	8:30	Morning	5:30AM - 9:00AM	Morning 5:30AM - 9:00AM	#N/A	Standard
June 10 2016 09:42	SCSO	16-08087	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2016	6	10	6/10/2016	5	9:42	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Daylight Savings
November 25 2016 13:00	SCSO	16-17646	Traffic Hazard	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	02_Major Collector	2	2016	11	25	11/25/2016	5	13:00	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
December 8 2016 21:59	SCSO	16-18288	Vehicle Accident	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2016	12	8	12/8/2016	4	21:59	Late Evening	7:00PM to Midnight	Late Evening 7:00PM to Mi	#N/A	Standard
February 19 2017 09:04	SCSO	17-03339	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2017	2	19	2/19/2017	7	9:04	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard
March 17 2017 11:37	SCSO	17-02529	Traffic Enforcement	Motor Vehicle Incidents	Old 99 - Samish River to CNW Pit Entrance	07_Major Collector	2	2017	3	17	3/17/2017	5	11:37	Mid Day	9:00AM to 3:30PM	Mid Day 9:00AM to 3:30Ph	#N/A	Standard

January 29, 2017

Dear Mr. Cooper,

This letter is concerning PL16-0097. I took a closer look at Grip Road itself and the F&S Grade Road intersection with Prairie Road.

Here are a few examples of typical geometrics and hazards on Grip Road:



This picture is taken looking West on Grip Road to the East of the Samish River and Swede Creek.

The narrowest point is at Swede Creek (nearest sign on the right).

Notice there is not a fog line.



This picture is taken looking East on Grip Road to the East of the Samish River and Swede Creek.

No fog lines in this direction either.

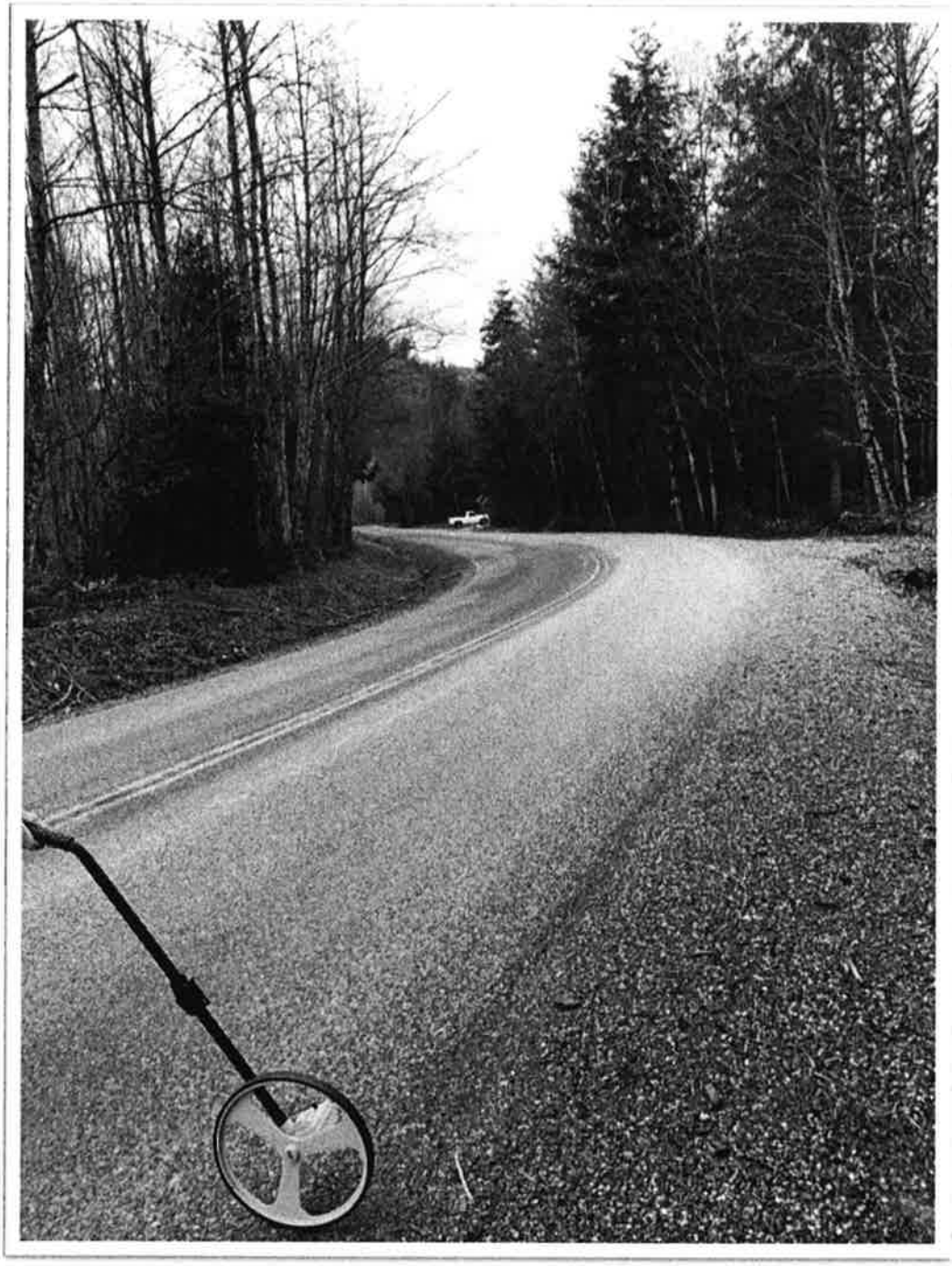
Very abrubt lane edge on the left side of the picture.



This a closer look at the abrupt lane edge.

Notice the pole in the middle of the ditch. I assume this is due to only having a 40' right of way.

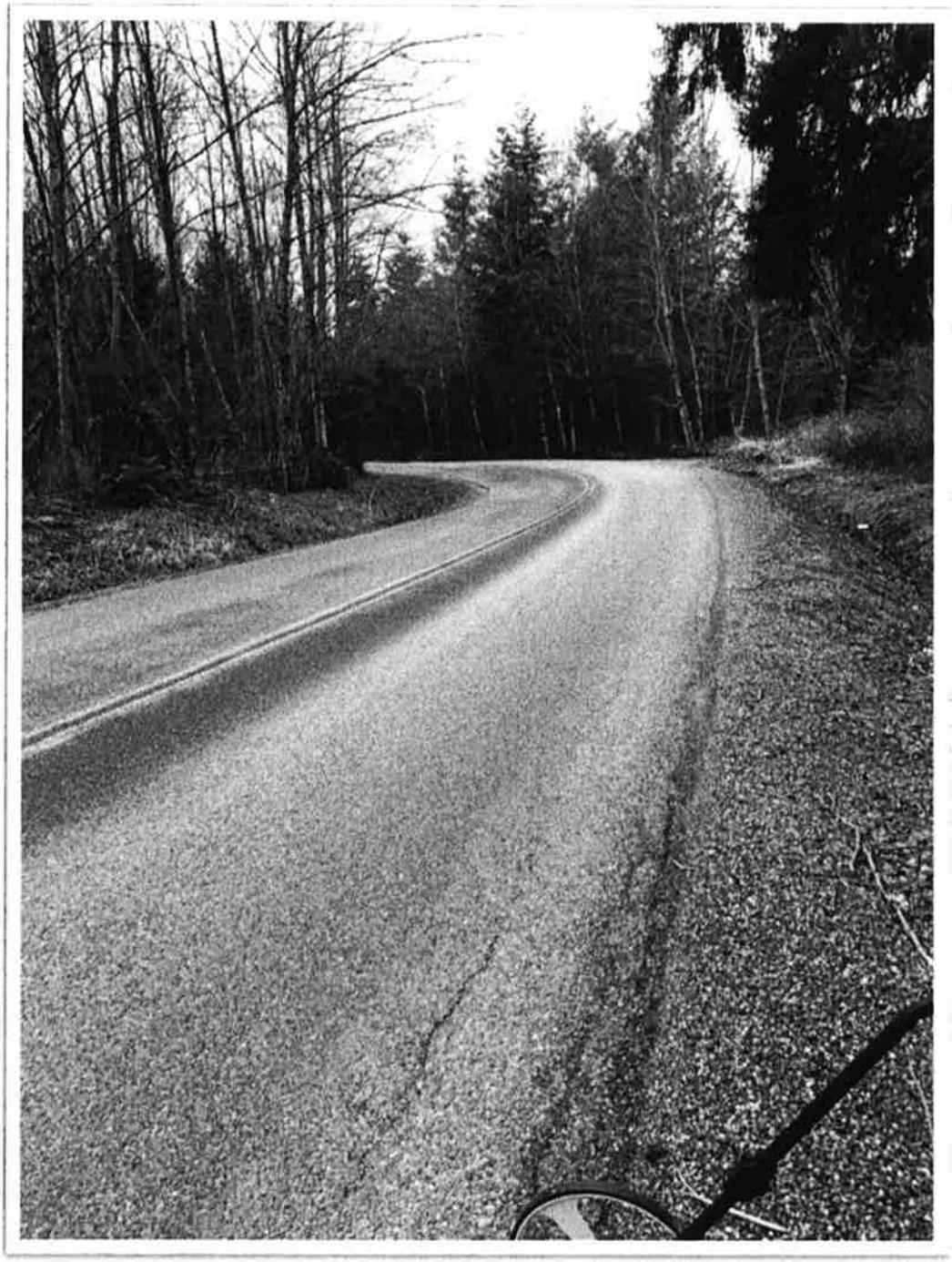
The following two pictures are of the Grip Road entrance to the proposed gravel pit:



This picture is looking West on Grip Road.

The white truck is parked in the entrance to the proposed gravel pit. This picture was taken 374' from the entrance.

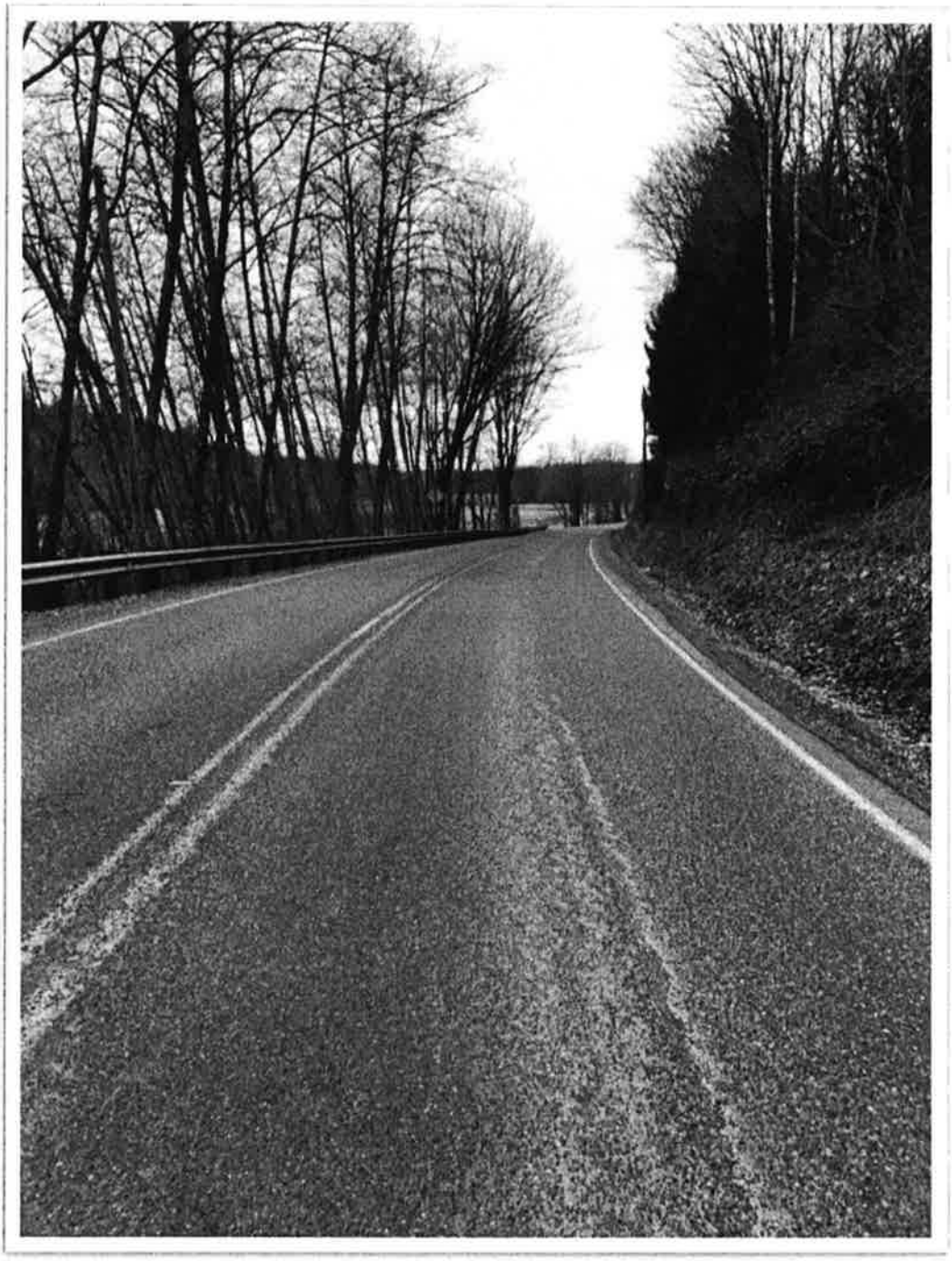
Notice the absence of fog lines in this section of road, as well.



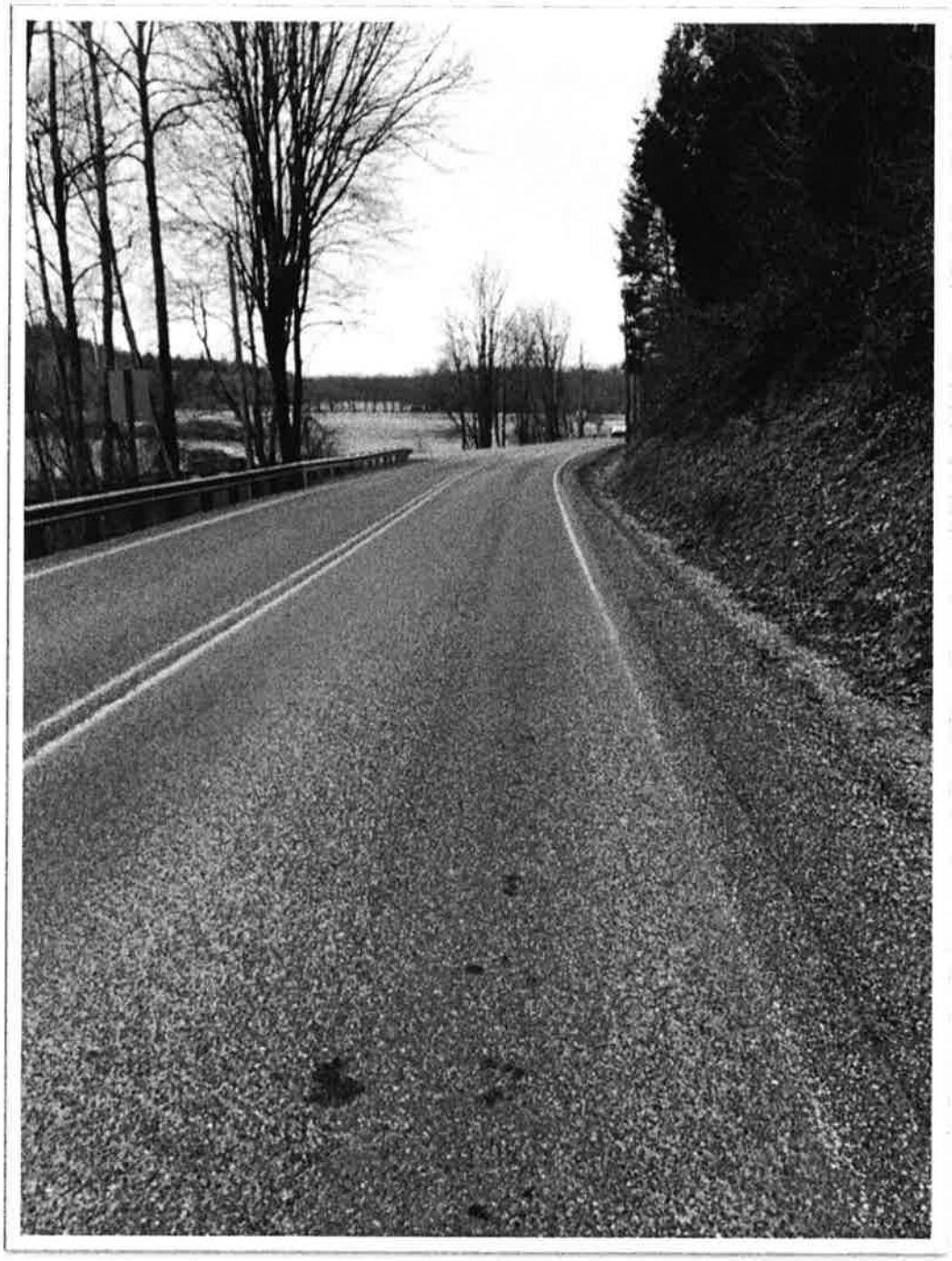
This picture is looking West on Grip Road, 445' from the entrance to the proposed gravel pit. The white truck is no longer visible.

Based on the requirements stated in the DN Traffic Consultants report, the entrance from the gravel pit onto Grip Road has a sub-standard value for sight distance in the westbound direction.

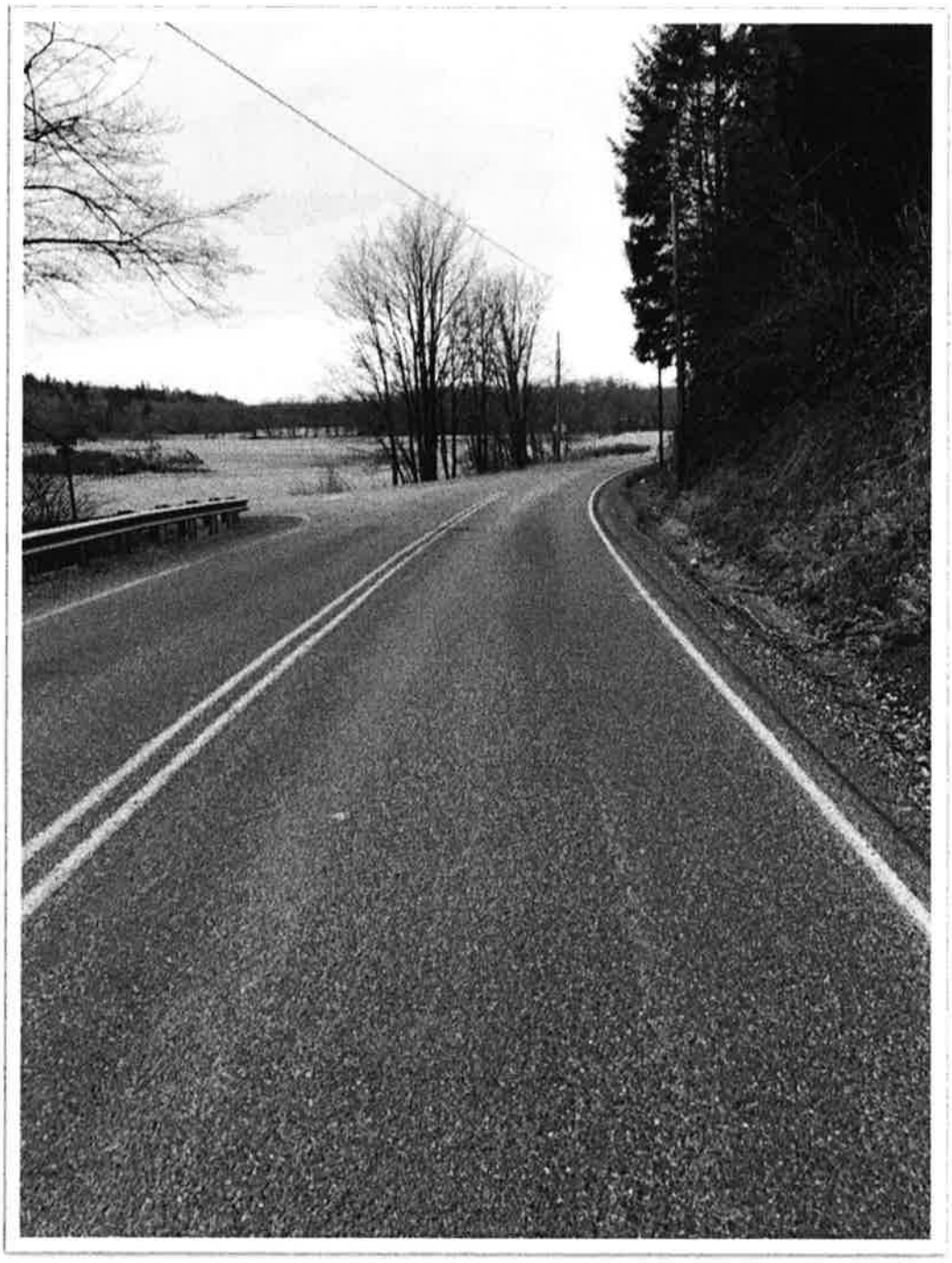
The five pictures below are of the intersection of F&S Grade Road and Prairie Road, focusing on westbound Prairie Road traffic.



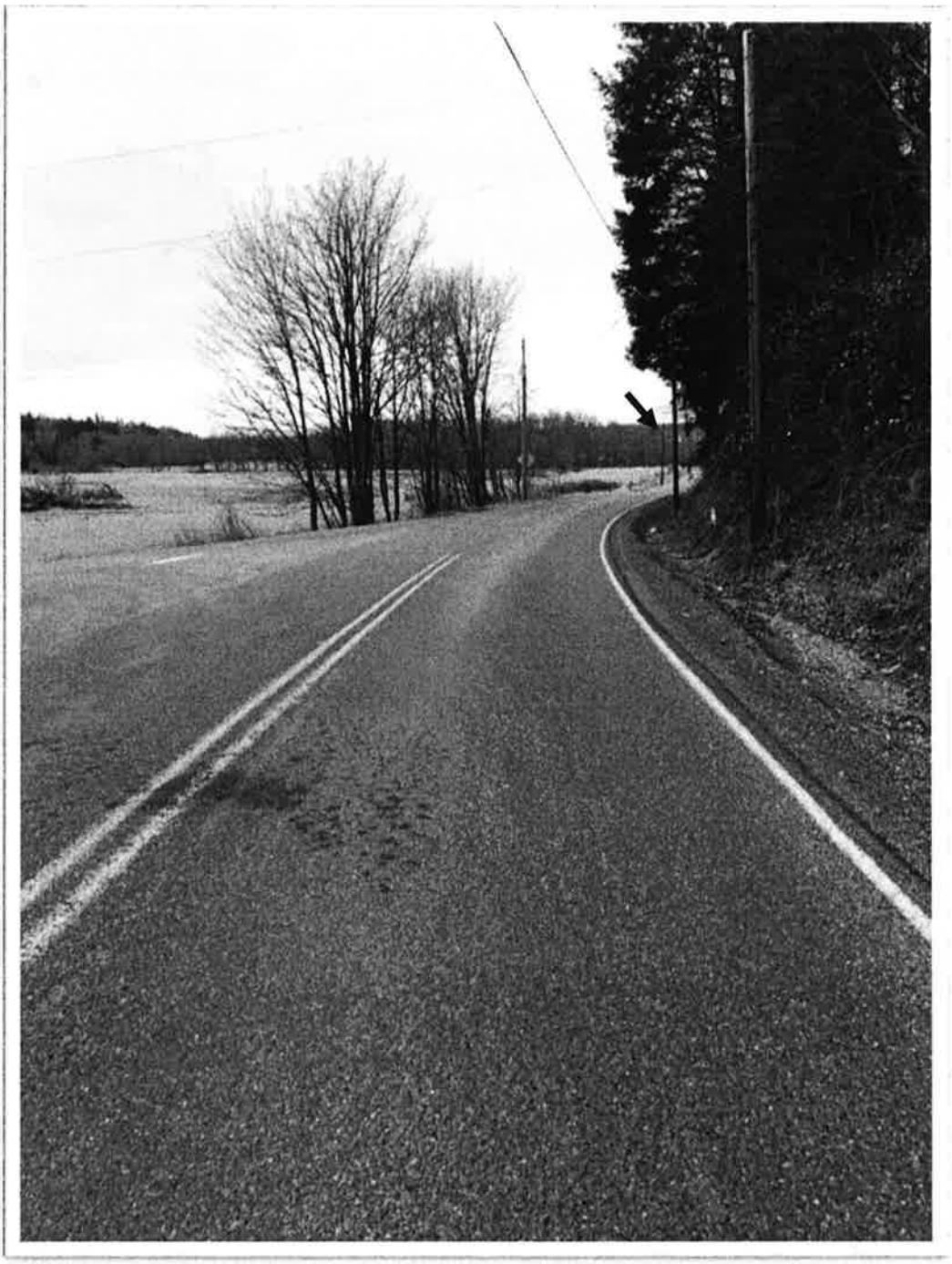
This is the view of the F&S Grade Road intersection from westbound Prairie Road at 445'.



This is the view of the F&S Grade Road intersection from westbound Prairie Road at 200'.

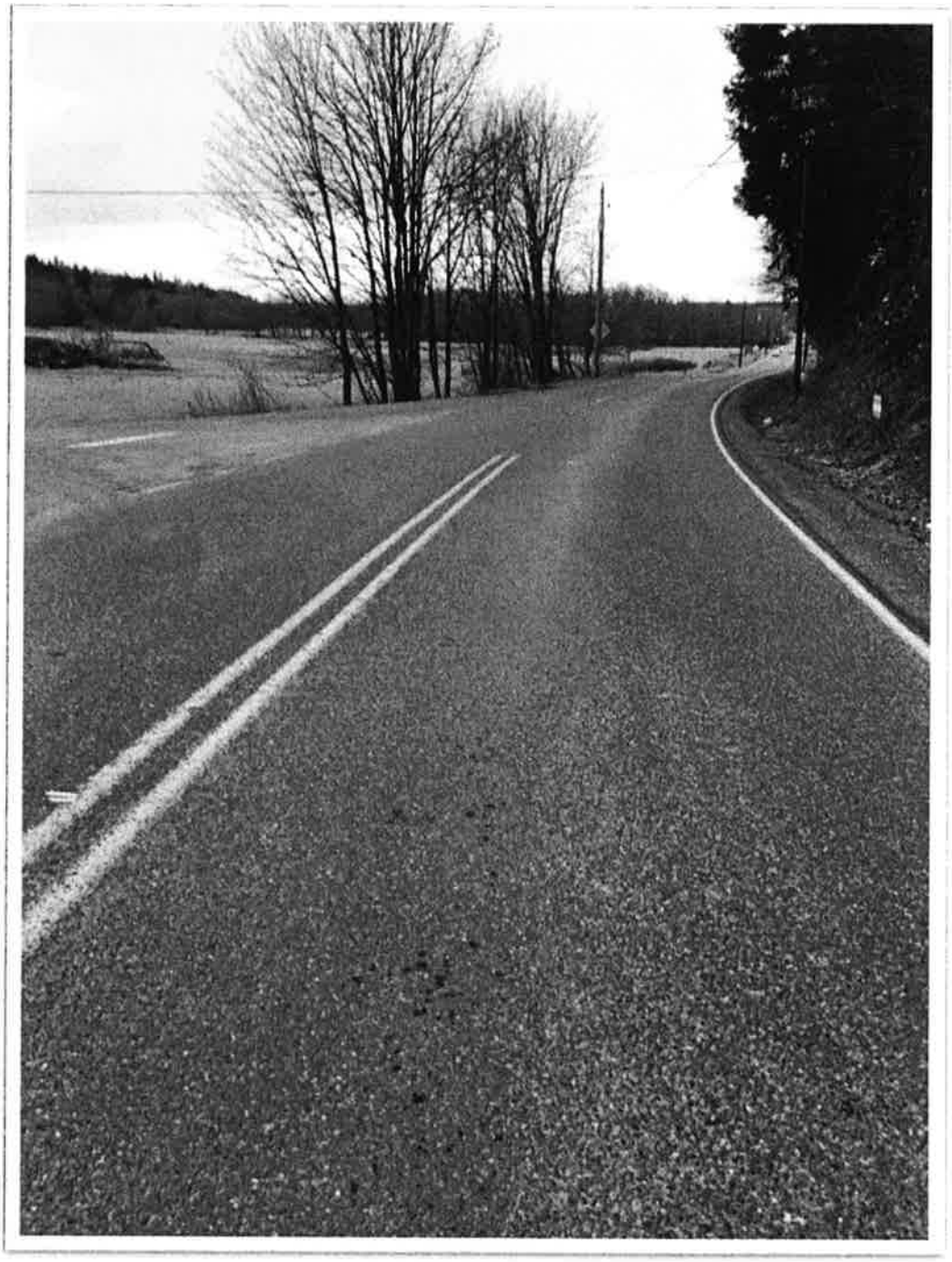


This is the view of the F&S Grade Road intersection from westbound Prairie Road at 100'.



This is the view of the F&S Grade Road intersection from westbound Prairie Road at 50'.

The pole in the distance with the arrow pointing at it is approximately 445' from the intersection



This is the view of the F&S Grade Road intersection from westbound Prairie Road at 25'.

Per information in the DN Traffic Consultants report, Westbound Prairie Road traffic making a left on F&S Grade Road has an extremely sub-standard value for sight distance.

Westbound Prairie Road traffic making a left turn on Grip Road has a very similar (possibly worse) sight distance issue. I did not include pictures of the intersection because I did not feel I could take them safely.

Brian Bowser
21110 Parson Creek Road
Sedro Woolley, WA 9828



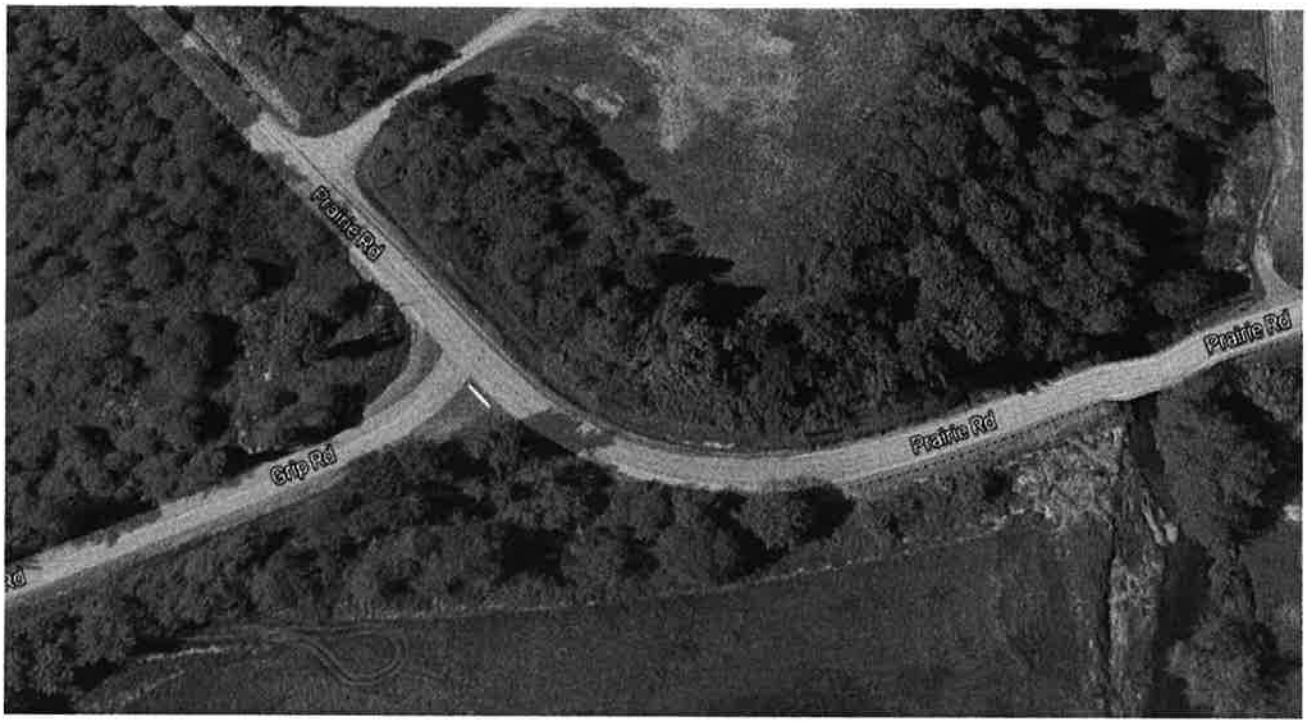
Description: The haul route from CNW pit near Kelleher Road and Old Highway 99 North. Traveling North on Old 99 to Prairie Road, East on Prairie Road to Grip Road, East on Grip Road to the entrance of the haul road, North approximately 2 miles on the gravel haul road.

Issues: The permit does not limit traffic to this route. The permit allows for direct to market sales – meaning trucks can leave from the pit to wherever the market takes them. Traveling East on Grip Road there are four 90 degree turns. Traveling East on Prairie Road would take a dump truck through about 2 miles of narrow, curved road. Truck and pup trailers would have issues on many of these curves. Traveling South on F&S takes trucks through a very limited view intersection (later slide)
Only the proposed haul route has been officially reviewed by CNW and Skagit County. The review was limited to the intersection of Grip Road and Prairie Road and the intersection of Prairie Road and Old Highway 99 North.



Description: Grip Road traveling East of the mine entrance. Four 90 degree turns are not navigable for dump truck and pup trailer.

Issues: Example of what you find on other protentional haul routes. This is why every potential haul route needs to be identified and studied prior to issuing a permit.

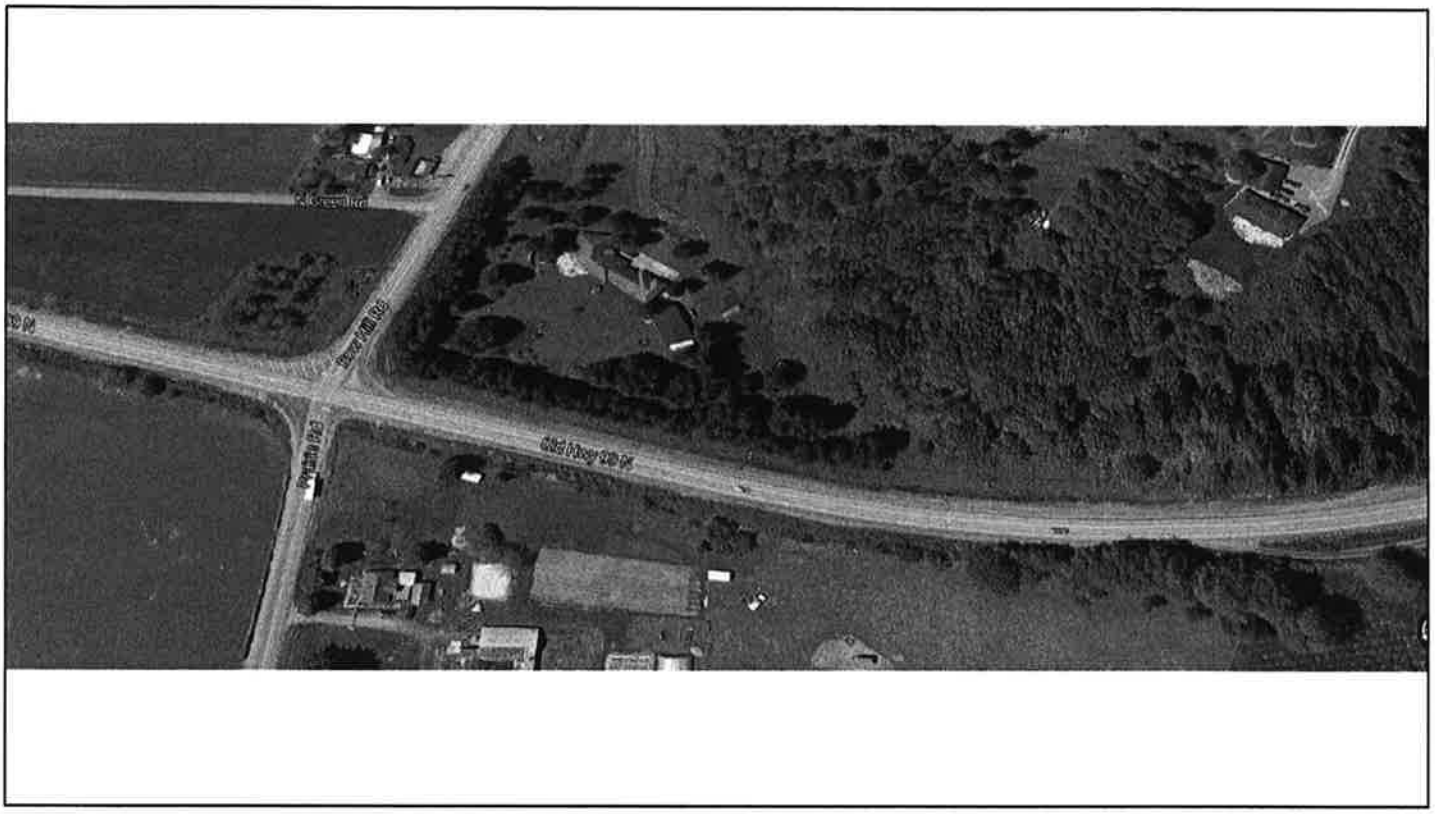


Description: Grip Road and Prairie Road intersection.

Anyone ever see an accident at this intersection? Anyone ever have a near miss at this intersection?

Issues: Per DN Traffic Consultants, this intersection is sub-standard. Should have 445' of site distance. DN recommended fixing the sight distance issue but due to cost, recommend "advanced warning signs with flashing beacons". DN did not provide any cost estimates of the recommended permanent fix.

A county official discussed this intersection with a Sherriff dispatched to an accident at Grip and Prairie Road. The sheriff said that a flashing light is not adequate for the intersection. He also stated that the configuration of Grip Road is insufficient for a truck and a pup. This was confirmed visually when the County sent a dump truck and pup trailer to test the proposed haul route.



Description: Intersection of Old Hwy 99 N and Prairie Road from the West.

Who here has seen an accident at this intersection? Has anyone had a near miss? Any confusion on whose turn it is to go next? Ever see the intersection backed up significantly?

Issues: This intersection has near misses and accidents on a daily basis prior to adding regular dump truck traffic to the intersection.

It was acknowledged by Skagit County at an informational meeting discussing the Burlington Northern Overpass Project that this intersection is a problem but it costs about $3 million dollars for a round-a-bout.

The Burlington Northern Overpass Project was scheduled to start 2/21 with an initial duration of 18 months. For 18 months after the project starts traffic will detour through this intersection making it much busier than it already is. We will see additional accidents at this intersection as a result.

Bottom line is this intersection has too many safety issues for today's use before adding dump trucks with pup trailers.



Description: Traveling East from Old 99 – This is the first 90 degree curve just past the Friday Creek Bridge on Prairie Road.

Issues: A West bound dump truck and pup trailer cannot stay in its lane through this corner without the trailer leaving the pavement on the inside of the corner. This has been confirmed by local truck drivers and by witnessing Skagit County on the haul route test run.



Description: Traveling East on Prairie Road. Approximately 1.5 miles East of Grip Road. Road width, shoulder, and road conditions are typical of Prairie Road.

Issues: This fifth wheel trailer was in its lane but veered over the centerline prior to entering the curve so the trailer would not leave the pavement as it travels through the corner. Notice the space between the trailer and the fog line? Looks like about 18" after crossing the center line. This combination is smaller than a dump truck and pup.



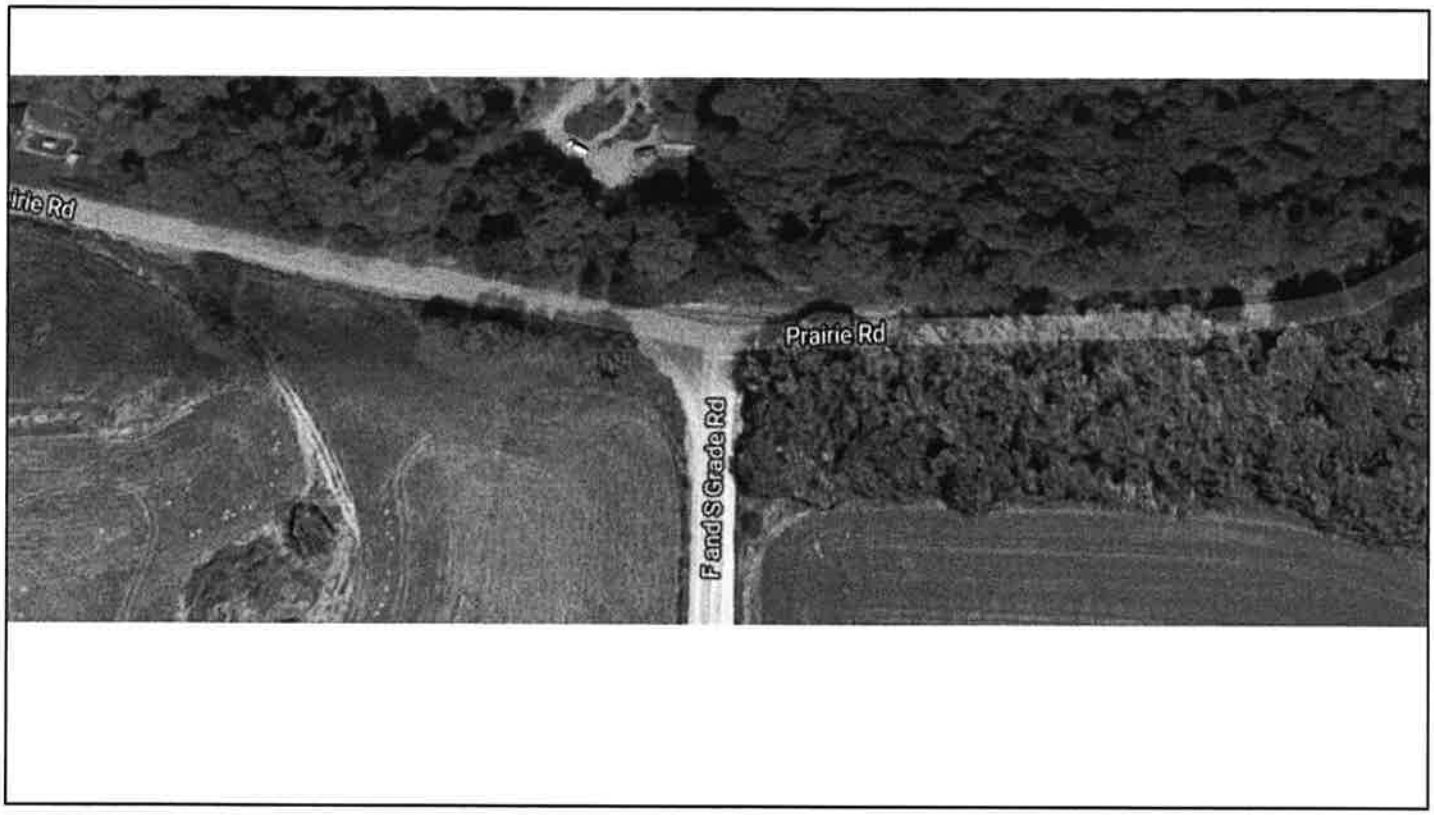
Description: Prairie Road at Park Ridge Lane. Traveling East, you just passed through the two 90 degree corners and are entering the first straight away.

Issues: The issue at Park Ridge Lane needs to be fixed regardless of the CNW mining operation. East bound traffic on Prairie Road is allowed to pass prior to Park Ridge Lane. This can create a situation where someone Eastbound is passing while someone from Park Ridge Lane is entering the roadway Westbound. Not a combination many of us want to encounter. When dump truck traffic is added, you will have people trying to pass as soon as possible so they don't get stuck behind the dump truck. Who wants to be stuck behind a slow dump truck that also might drop a rock and nail your windshield?

Anyone ever see water is often over the road way in this area? This creates a traffic hazard and a weak spot for dump trucks to tear up.

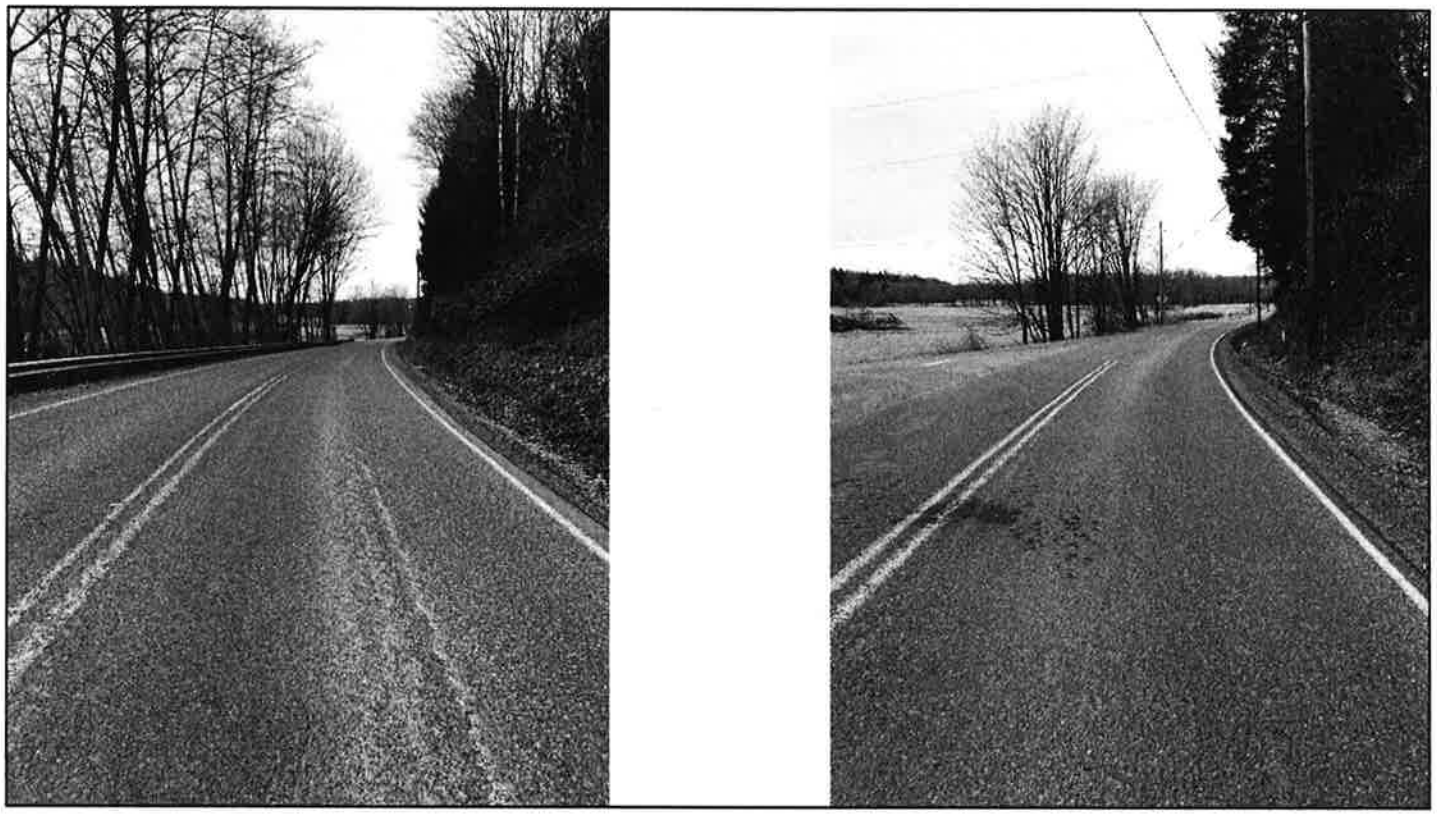
Has anyone ever noticed their vehicle roll side to side between Park Ridge Lane and Grip Road? This is something to pay attention to. We will have 105,000 pound trucks traveling 50 mph with the road giving them a little bit of weave. This is much more manageable in a car than it is a dump truck.

Another note: Otto Day used to walk almost every day through this stretch of road. He was hit by a logging truck and never made it out of the nursing home.



Description: Intersection of F & S Grade Road and Prairie Road.

Issue: This intersection has not been part of any review that I am aware of. East Bound traffic tends to lean into the center line due to the geometry of the curve and the intersection. This will create a bad situation when someone decides to cut the corner and a dump truck and pup trailer is coming the other way with no place to go.
Another challenge at this intersection is West Bound Prairie Road traffic making a left-hand turn onto F & S Grade Road. The next slide shows the limited view at this intersection.



Description: Intersection of F&S Grade Road and Prairie Road. View while traveling Westbound on Prairie Road.

Issues: The first picture is at 455' from the intersection of Prairie Road and F&S Grade Road. I believe this is how much clear view is required at 40 mph.

The second picture is at 50' from the intersection of Prairie Road and F&S Grade Road. This is the distance where you have appropriate site distance. There have been a few accidents here too.

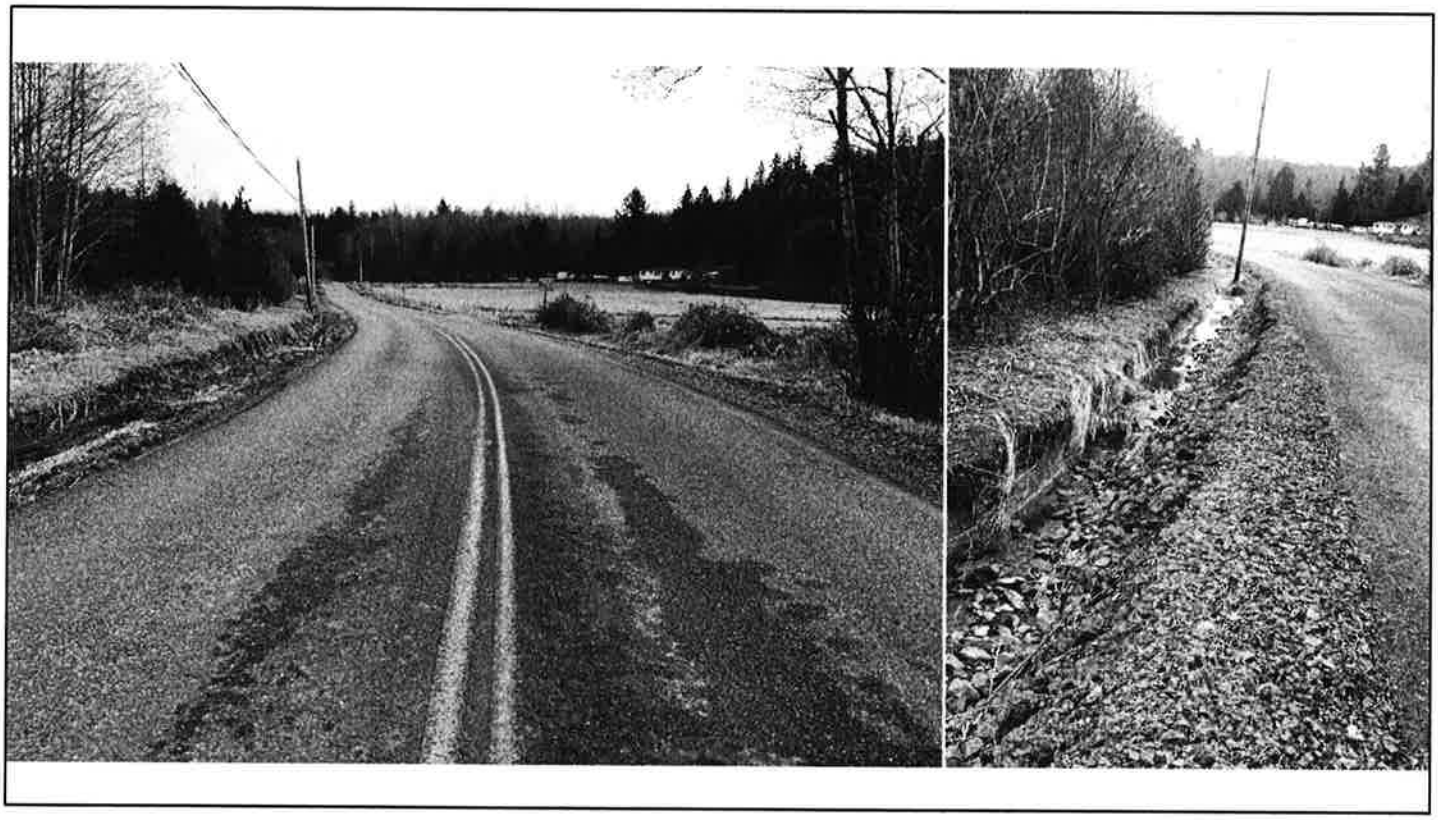
This is where the passing lane starts for West Bound Prairie Road. **Can you envision this:** You just caught up to a fully loaded truck and pup, and it has accelerated to 25 mph. How many people are going to try to pass ASAP? The view is limited and the geometry of Prairie Road at this location pulls you to the South. Bad things are going to happen with people passing at this location. You certainly don't want to be on a bicycle or a motorcycle heading East on Prairie Road near this intersection when this happens.



Description: East Bound on Grip Road a few hundred yards from the intersection of Grip Road and Prairie Road.

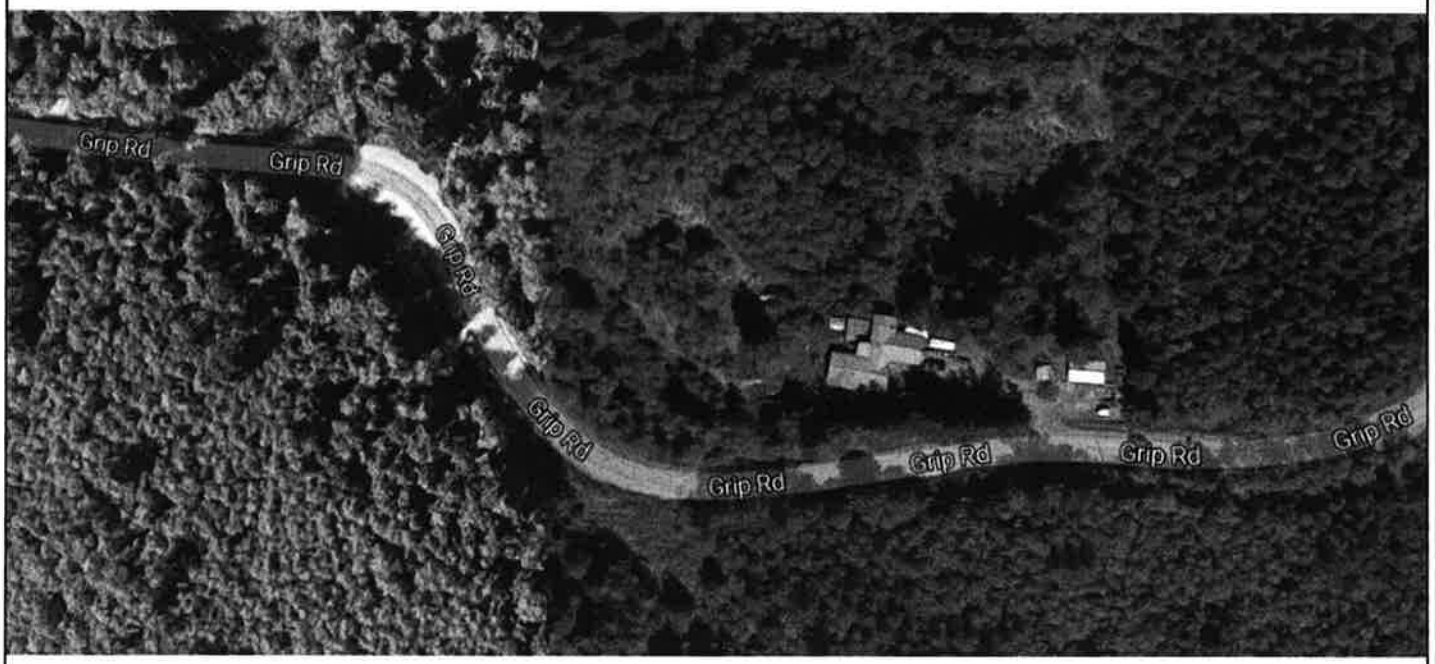
Issues: Not certain the truck and pup can pass the corner just prior to the Samish River bridge and keep the pup in its lane. There is not a lot of room for the truck to swing wide. (When the County did their test run, I was unable to see the truck move through this area.)

Grip Road is narrow, has abrupt lane edges, only a 40' right of way as apposed to a 60' right of way, and no fog line.



Description: Street view of the previous slide. Just past the Samish River Bridge, looking East on Grip Road to the first corner on the hill.

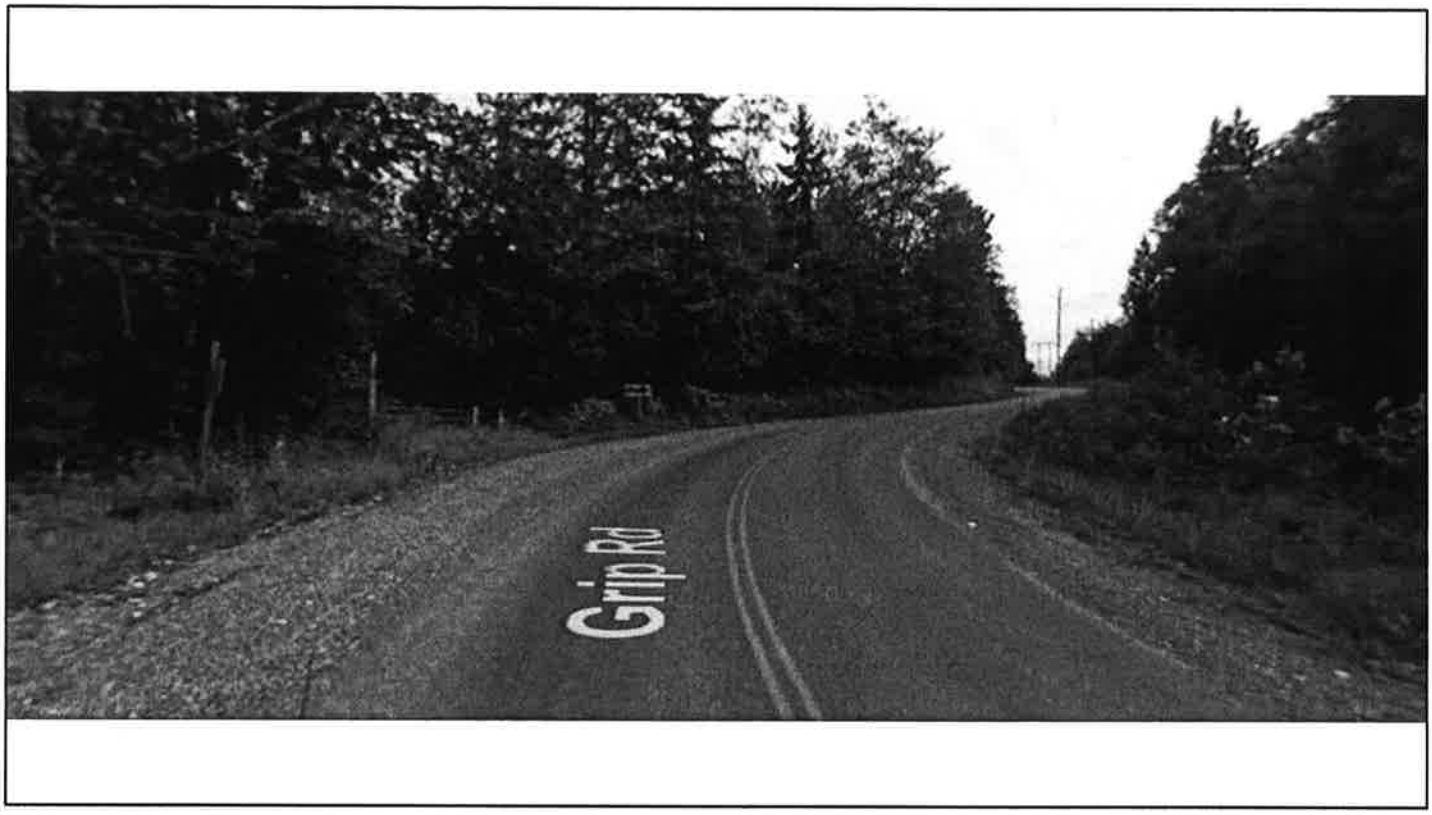
Issues: This area floods often. Notice, no fog line, the abrupt lane edge and the telephone pole in the center of the ditch. Grip road only has a 40' right of way, not a 60'. This limits options to fix these issues.



Description: Still heading East on Grip Road. Showing the two corners going up the hill.

Issue: This first corner does not accommodate a dump truck and a pup trailer heading East or West. Traveling East, the pup trailer tires are in the gravel on the inside of the corner. Traveling West, the pup trailer is at least 1.5 feet over the yellow line. Now picture two trucks trying to pass at the same time. I was unable to witness the County truck and pup traveling through the second corner as I was too far back.

This section of road has no guardrails and has been prone to sluffing for years.



Description: A close-up traveling East on Grip Road through the curves going up the hill

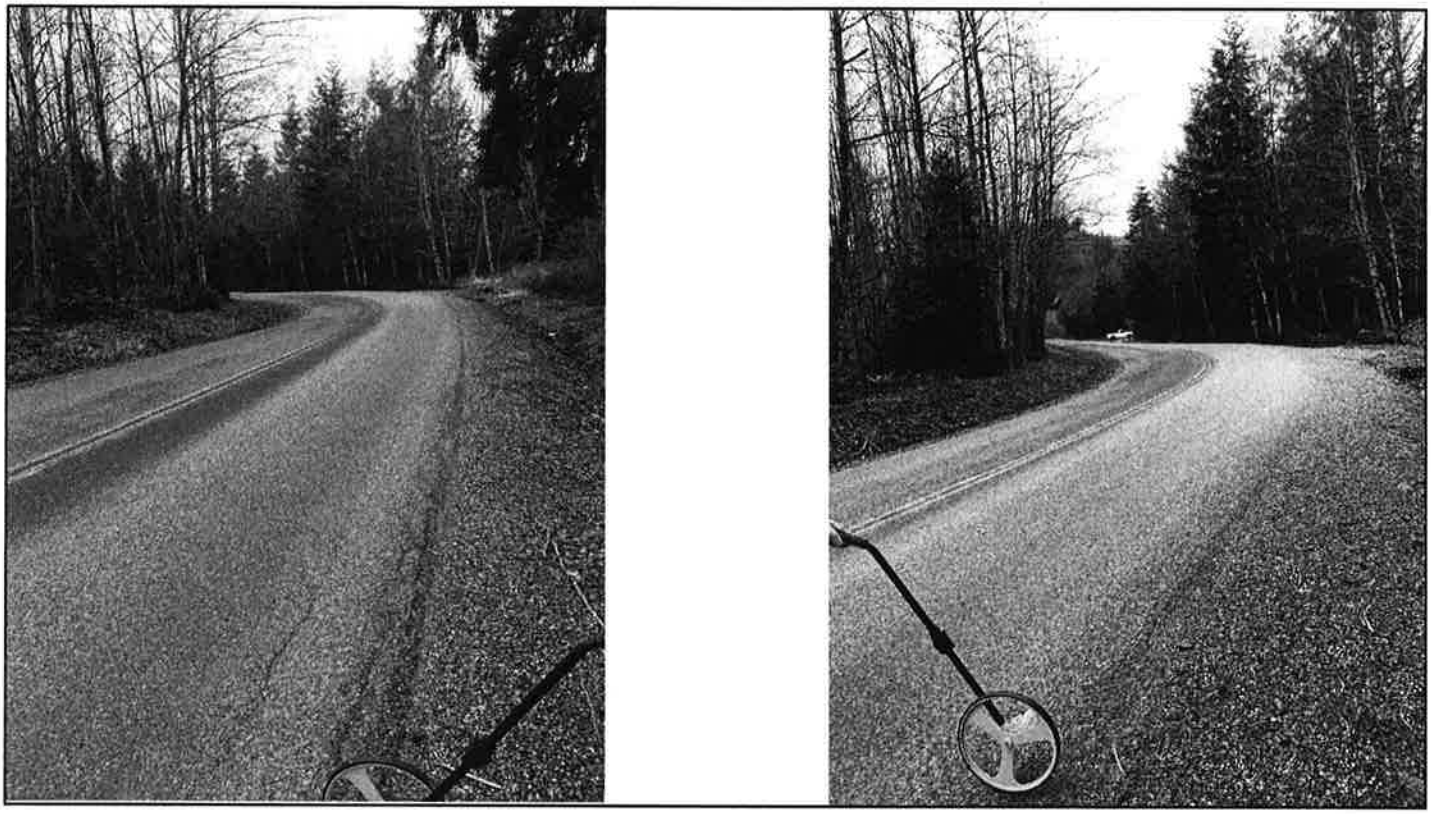
Issues: Notice the width of the road, abrupt lane edges, no fog lines, and no guard rail.



Description: Entrance to the mine from Grip Road.

Issues: The entrance to Grip Road is inadequate/does not meet requirements. Possible site distance issues at the entrance to Grip Road. (Will show on the next slide.)

The house directly downhill from the mine entrance has a site distance issue with their driveway – it will be worse with fully loaded truck and pup coming down hill at them. (Approximately 105,000 lbs) There are many driveways on the haul route that will have similar issues.



Description: The first picture is looking West toward the mine entrance. This is the view at 445' from the mine entrance/exit on Grip Road. The second picture is 374' from the mine entrance/exit on Grip Road.

Issues: Possible site issues. Again, notice no fog lines, cracking pavement, narrow shoulders, etc.



Description: Overview of the haul route from Grip Road to the mine.

Additional Notes: This project is currently planned for a 25-year duration. This is not a temporary thing. There is a lot more gravel in the area than the 68 acres CNW is requesting to mine which leads me to believe, we are really looking at more than 25 years of gravel mining at this location.

Additional issues with the haul route not covered are: school buses, bus stops, road shoulder issues, traveling in poor weather conditions, noise, air brakes, etc.

Prairie Road Accident Data – From County Crime Map

Reported Incident	2010	2011	2012	2013	2014	2015	2016	Total	Annual Ave.
Dui - Alcohol Or Drugs	5	6	9	5	6	1	3	**35**	5.8
Abandoned Vehicle	18	15	17	12	6	14	11	**93**	15.5
Traffic Enforcement	62	47	41	53	57	50	44	**354**	59.0
Traffic Hazard	34	25	22	24	23	33	21	**182**	30.3
Vehicle Accident	33	26	33	34	21	42	51	**240**	40.0
Total	152	119	122	128	113	140	130	**904**	150.7

This data is readily available from the Crime Map on Skagit County's website. I believe this data is over stated and double counts some data. An example of this is someone has an auto accident and gets ticketed. The incident could potentially show up twice as an auto accident even though it was one event. The Crime Map does not allow me to parse out the information so that I can limit data to just the proposed haul route. This data is all of Prairie Road.

I have requested and received more detailed data from the Skagit County Sheriffs Office. The data could not be produced in and "electronic" format that allowed any analysis. Because of this, I am manually entering all of the data and will have a clearer picture of the real accident statistics. The data will not include hit and run issues like someone taking out the stop sign at Grip and Prairie Road (happened recently) or someone who might have hit my Grandmas mail box. We found the mailbox a ¼ mile down the road and over a guard rail about 6 months after it disappeared.

Jed Holmes
7691 Delvan Hill Road
Sedro-Woolley, WA 98284



January 12, 2018

Commissioner Lisa Janicki
Commissioner Ron Wesen
Commissioner Ken Dahlstedt
Skagit County Commissioners Office
1800 Continental Pl #100,
Mount Vernon, WA 98273

Re: Contract with Gibson Traffic Consultants

Dear Commissioners Janicki, Wesen and Dahlstedt:

For more than a year now, the community of the Central Samish Valley has been civilly, but adamantly, requesting that the permit application process for the proposed mine on Grip Road take into account the community's concerns, especially with regard to road and traffic safety. We have received assurances from you, and from County staff, that the County will act diligently in carrying out its responsibilities.

Unfortunately, the County has been extraordinarily inconsistent at best, and completely opaque, at worst, in its handling of this permit application. Most recently we have been seeking clarification regarding the status of the application, which should have expired in November 2017 since the applicant did not comply with County requirements for additional information in a timely manner. However, the permit was apparently extended by outgoing PDS Director Dale Pernula through informal verbal communication with the applicant. Further, there appears to be no written record of this action. Not only does this appear contrary to County code, it is also very confusing to the community and completely lacking in transparency.

And then, on December 18, 2017, you signed a contract with Gibson Traffic Consultants to review the traffic situation in relation to the proposed mine. While we appreciate that this effort has been taken at least in part to address the community's concerns, we find it difficult to understand why it has been done with no consultation with the community, and at a time when the permit application arguably has expired and the traffic data provided by the applicant is out of date and insufficient.

The idea of hiring a third-party consultant was first mentioned by the County 9 months ago (see letter from John Cooper to CNW dated July 6, 2017). At the time, the community saw this as recognition of the inadequacy of the applicant's traffic analysis, and we were generally supportive of this idea. On multiple occasions, since then, members and representatives of the community have requested more information on the scope of the proposed third-party traffic review and its timing. Unfortunately, we have never been provided with this information.

No attempt was made by the County to notify, inform or consult with the community in regard to the traffic review. We only discovered the contract was signed after the fact, and only by reviewing records received through a public records request. After the contract came to light, Brian Bowser, a community member with a high level of knowledge about the traffic situation on Grip Road and Prairie Road, drew up a comprehensive commentary on the scope of the contract. This commentary reflects the views and concerns of the community, and could easily have been provided ahead of the drafting of the scope of contract.

So, the community has been left completely in the dark, work is already proceeding under the very loosely defined scope of contract, and we now have no avenue to ensure the study addresses the community's concerns. Mr. Bowser's commentary was sent to Public Works (see letter to Paul Randall-Grutter dated January 7, 2017, attached). **However, as we were recently informed, County staff have been instructed *not* to correspond with us on this matter, so we have no idea whether Public Works is reacting in any manner to our concerns.**

Please act quickly to ensure that his commentary, with attachments, is delivered to Gibson Traffic Consultants. If the result of this third-party study is another superficial and unprofessional traffic analysis similar to the one provided by Miles Sand & Gravel, the County will only have wasted more time and money on something that does not address the substantive concerns raised by the community.

Thank you for your time and consideration.

Sincerely,

Jed Holmes
for Central Samish Valley Neighbors

Via Email

paulrg@co.skagit.wa.us; pw@co.skagit.wa.us; johnC@co.Skagit.wa.us; julien@co.skagit.wa.us, jsitkin@Chmelik.com, ndavidson@chmelik.com

January 7, 2018

Paul Randall-Grutter
Public Works Department
1800 Continental Place
Mount Vernon, WA 98273

Re: Comment and information concerning personal services contract with Gibson Traffic Consultants (PL16-0097 & PL16-0098)

Dear Mr. Randall-Grutter,

I have become aware that Public Works has engaged Gibson Traffic Consultants to review traffic safety along the proposed haul route for Concrete Nor'West's proposed gravel mine off of Grip Road. While I very much agree with the need for a third party review, I don't understand why the County is proceeding with it at this time, since the data provided by CNW are out of date, and the status of their application is in question. Nevertheless, because of my involvement/familiarity with traffic safety on the proposed haul route, if the County is to proceed with this contract at this time, I have important comments and questions regarding the scope of work, which I urge you to consider.

I have reviewed the consultants' work scope. For convenience I broke the scope into line items below, and added comments and questions regarding specific items. I urge you to consider these comments, to clarify the scope of work to be more specific, and to better address the community's concerns.

I have also attached documents I generated that I believe are very pertinent to Gibson's work scope. These documents consolidate many of my past comments, and have a heavy overlap with comments made by many others in our community.

Please ensure that this letter and the attachments are conveyed to Gibson Traffic Consultants as soon as possible.

Per Gibson Traffic Consultants Contract	**Scope Comments**
1) Determine if county roads and bridges are capable of the volumes proposed. .	• Gibson should review the haul route road condition vs. current engineering standards. o For Grip Road compare the current, as-is condition vs the **Rural Major & Minor Collector Roadway Section ADT 401-2000 Figure B-6** from the Skagit County Road Standards o For Prairie Road compare the current, as-is conditions vs **Rural Major & Minor Collector**

	Roadway Section ADT Over 2000 Figure B-7 from the Skagit County Road Standards • After reviewing road conditions, a gap analysis of existing conditions vs current design standard along with proposed mitigation should be generated. • The impact of 25 years of dump truck and trailer traffic on the entire haul route and bridges on the haul route should be evaluated. • Proposed peak truck volumes from CNW should be used for evaluations rather than the average volumes. • Weather impacts should be reviewed for possible haul restrictions (Water over roadway; freeze / thaw cycles; compact snow/ice)
2) Determine if the operations meet LOS	• Does this include turning movements/ operational accommodation? • Considerations for acceleration of dump truck and pups vs cars?
3) Determine if the operations meets safety standards	• Covered by item 4.

4) Determine if the operations meets the standards per the Skagit County Road Standards, the Skagit County Transportations Systems Plan, the Skagit County Comprehensive Plan, and any other applicable State and Local Regulations	• What is Skagit County's standard on operational accommodation (the interference with other traffic when trucks are turning)?
	• Site Distance Issues:
	  ○ The stopping and entering sight distance values used in the preliminary traffic analysis by DN Traffic Consultants used the AASHTO guidelines for passenger cars only. The stopping and entering sight distance values for combination trucks is significantly greater.
	  ○ Sight distance at intersections was not reviewed for all intersections on the haul route. Most intersections along the route do not meet standards. This discrepancy should be reviewed.
	  ○ Skagit County has no plans to resolve the sight distance issues at the Grip Road and Prairie Road intersection. The flashing beacon serves as a warning, but does not resolve the problem (DN Traffic Consultants identified the flashing beacon as a potential interim solution).
	  ○ Operational accommodation should be considered with site distance issues when reviewing intersections on the haul route.
	• Gibson should make a statement whether they believe a Level II Traffic Impact Analysis (TIA) is required for this project per County code.
	• Locations along the haul route where operational

	accommodation is assumed and acceptable should be identified. • Impacts to school busses, fire trucks, and other EMS vehicles should be evaluated. • Likely passing zones should be identified and reviewed for safety improvements along with existing passing zone locations. • The clear zone (the total roadside border area, starting at the edge of traveled way, available for safe use by errant vehicles. This area may consist of a shoulder, a recoverable slope, a nonrecoverable slope, and/or a clear run-out area.) along the proposal haul route should be evaluated. • The road network circulation should be reviewed. • Impacts to and accommodations for bicycle and pedestrian traffic should be evaluated.
5) Preliminary site evaluation including site/access and road review.	• Is this referring to the gravel road from Grip Road to the pit? If so Gibson should review: o Evaluate bridge crossing on Swede Creek. o Identify improvements required to accommodate proposed truck volume. o Address emergency vehicle access. o Address wetlands impacted by the haul road. • Or is this referring to site accessibility as listed in Skagit County Road Standards? o Area roadway system o Traffic volumes and conditions o Existing safety and capacity deficiencies o Transit service o Pedestrian and bicycle facilities • All the above items should be addressed.
6) Review all existing traffic information related information on county webpage related to this project including citizen comments, applicants traffic studies and traffic reports.	• Is Skagit County providing a filtered list to Gibson or is Gibson going to review 100% of the documents without County input?
7) Check trip generation for AM peak, PM Peak, and daily using individual site survey (ie. How many vehicles will be added to the roads.)	• Who generates this data? • When was the data generated? • Has CNW provided consistent / accurate information to complete this inquiry?
8) Check trip distribution for AM peak, PM peak, and daily (ie. Where those trips will be going)	• Who generates this data? • When was the data generated? • Has CNW provided consistent / accurate information to complete this inquiry?
9) Trip turning movement assignments	• This item should cover every intersection and curve along the proposed haul route.
10) Determine whether traffic from the proposed	• Is this different from item 2?

operation meets level of service (LOS) standards.	
11) Evaluate adequacy and validity of the 2013 counts used.	• Data is now 5 years old. Is the quality of this data typical for a project of this size and impact? • DN Traffic Consultants did not include any non-development traffic growth between 2013 and the start of gravel operations. Is this a correct assumption?
12) Access evaluation including sight distance conditions.	• Sight distance conditions should be evaluated along the entire haul route.
13)Evaluate collision history	• Is the collision data generated by the Skagit County Sherriff directly? Or from the County IMap data? • The data provided to me by the Skagit County Sherriff inconsistent when compared to the data from IMap. • How many years of collision history are being evaluated? • Collision history of the proposed haul route or of all potential haul routes? • Just collisions? Not traffic violations or reported road hazards? • Does the collision history include damage (like a broken stop sign) that was not part of a documented accident?
14) Provide a summary memorandum/report stating opinion and position on the traffic study about the County's standards and codes, and any other applicable laws, and providing Contractors determinations and recommendations as described above.	• Gibson should evaluate and comment on the adequacy of proposed mitigation.

Additional item:

Dump trucks vs log trucks: I have heard county officials make statements like, "log trucks have been traveling on those roads for years, dump trucks should be fine," while in reality, the following is true:

1. Dump trucks and log trucks are engineered differently and have different turning movements. Logging trucks can navigate to places dump trucks with pup trailers cannot.
2. Logging on Grip Road does not produce large quantities of traffic over multiple years. Logging on Grip road will produce increased log truck traffic for a few weeks to a few months at a time every few years *at most*.
3. Log truck traffic from Alger Mountain travels Parson Creek Road to Old Highway 99 or Highway 9 to Highway 20; it does not routinely travel on Prairie Road.
4. CNW is proposing more than 25 years of dump truck traffic on Prairie Road and Grip Road (or any other roads if they are going direct-to-market) with no real limits on the volume of trucks, days of operation, or hours of operation. This is *very different* from historical log truck traffic.

Attachments:

- Presentation W-Notes for Website.pdf
- Grip FS Road Pictures - Letter.pdf
- Road Conditions Letter.pdf
- Operating Hours.pdf
- New – Truck Acceleration.pdf.
- Accident Data.pdf

Thank you for your time and consideration.

Sincerely,

Brian Bowser
21110 Parson Creek Road
Sedro Woolley, WA 98284

From: PDS comments
To: JohnCooper
Subject: FW: PL16-0097 & PL16-0098
Date: Friday, April 15, 2016 9:30:23 AM

This was in the pdscomments inbox. Debbie

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Thursday, April 14, 2016 4:23 PM
To: PDS comments
Subject: RE: PL16-0097 & PL16-0098

Dear Mr. Cooper,

This email is to register our concern about Concrete Nor'west's (CNW) applications for forest practice conversion, PL16-0098 and mining special use permit, PL16-0097, located on CNW's property near Grip Road. Please keep us informed of deadlines for comments, hearings, actions and decisions taken related to these applications. As of this date, we have not had time to come to the County offices to review the application materials in detail, but intend to do so. We live in the Grip Road area, and are concerned about several aspects of this proposal including: impact to wetlands and the Samish River, fragmentation of habitat, noise, and the volume of truck traffic expected on Grip and Prairie Roads. We also serve as the volunteer steward of the Skagit Land Trust's nearby Tope Ryan Natural Area, which is on the Samish River downstream of this proposal; this property is important habitat for numerous native species, and the impact of the mining proposal on this property needs to be considered.

We are also concerned that the people living in the vicinity of this proposal may not be aware of it since there has been little publicity about it. Families living on Grip Road north of the site and west on Prairie Road, who will experience very heavy truck traffic for the foreseeable future, especially need to know. It is our understanding, based on a recent phone inquiry to you that there will be further opportunity for public involvement in relation to the special use permit, even though the legal notice published in the Skagit Valley Herald stated that written comments must be received by April 15, 2016. We certainly hope there will be more thorough notice and information provided to the public, and more time for review and comment, as fifteen days published notice is insufficient; and written notification to landowners only within 300 feet of the development proposal does not seem adequate given the large scale of the mining activity. This proposal will have significant impacts to a much larger neighborhood for many years to come.

Thank you for the opportunity to comment. We look forward to learning more.

Sincerely,

Martha Bray and John Day
6368 Erwin Lane
Sedro Woolley, WA 98284


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From:	PDS comments
To:	JohnCooper
Subject:	FW: PL16-0097 & PL16-0098
Date:	Monday, June 13, 2016 6:47:57 AM
Importance:	High

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Friday, June 10, 2016 4:50 PM
To: PDS comments
Subject: RE: PL16-0097 & PL16-0098

Dear Mr. Cooper,

This email is in response to the Mitigated Determination of NonSignificance (MDNS) issued on Concrete Nor'west's (CNW) applications for forest practice conversion, PL16-0098, and mining special use permit, PL16-0097, located on CNW's property near Grip Road. We submitted comments on April 14, 2016 in response to the initial legal notice for this proposal. After reviewing the MDNS and the referenced "supporting documents" that we could track down (February 8, 2016 "Traffic Memo" and May 18, 2015 "OHWM Determination"), we feel that the concerns we expressed in our original comments are not addressed. The conditions placed on this proposal do not seem to mitigate the impacts of this project; instead, it appears that existing regulations are simply restated. This project is of a scale that needs much more thorough evaluation and review with real mitigation measures required to reduce the impacts. Either that, or the scale of the project needs to be reduced to a size that is more appropriate to the existing roads and neighborhood.

Our concerns include:

- **Impact of truck traffic on Grip and Prairie Roads:** The proposal states that the project will generate "about 46 *[gravel]* truck trips a day over a 25 year period". This is more than 5 gravel trucks per hour/ 8 hours a day/ 5 days a week for 25 years. This is a stunning amount of truck traffic on small country roads! These roads are not constructed for this kind of industrial level traffic. These roads have little or no shoulder, and this stretch of Grip Road, in particular, is already in poor condition. The traffic "study" only made a perfunctory evaluation of two intersections. It did not address safety in relation to: existing road width and the functionality of the road shoulders; entrance and exit of vehicles from existing farm roads and homes, or the safety of pedestrians and bicyclists (Grip and Prairie Roads are part of a very popular bicycling route). The increased need for road maintenance over time was not addressed. Who will pay for the inevitable damage from the gravel hauling? In addition, the recommendations in the "study" to address the limited sight distance at the intersection of Prairie and Grip Roads was vague and inconclusive, and no reference was made to these recommendations in the MDNS. This is a dangerous intersection already, with a sharp curve and limited visibility on Prairie Road just to the northeast. What will be done about this intersection? Mitigation of all of these issues, including ongoing maintenance and appropriate upgrades to the roads needs to be commensurate with the significant scale of this project. How much additional weight will be carried on these roads with this new gravel

truck traffic? What percentage of all of the vehicle traffic is this? Please also consider the impact to the roads over the entire lifetime of the project.

- **Impact to fish and wildlife habitat.** The site of this proposed mine is between Butler Hill and Anderson Mountain; these forested hills remain largely undeveloped and provide important habitat for many native species. This larger landscape is still capable of supporting cougar and bear (which have been seen in the area fairly recently). These animals require open land to move across the landscape where they do not conflict with humans. At the scale this project is proposed, it will severely reduce the potential for wildlife passage from the north to south between these two areas. A wider setback from the mining operation and the property boundaries would at least provide some undisturbed area for a wildlife corridor. (This could also help to create a better buffer for the noise impacts from the mining activity.) In addition, the project is adjacent to the Samish River which has been the focus of considerable planning effort to prevent further water quality degradation. The river also provides important wildlife cover and travel corridors. A wider buffer on the river and associated wetlands would seem a small price to pay to help maintain a healthy river system and landscape connectivity, especially given the level of noise generated from this project. Finally, what is the impact of the loss of forest cover and mining activity on the hydrology of Swede Creek and the Samish River? This does not appear to be addressed in the proposal. These waterways are already subject to very 'flashy' conditions during rain events that cause problems to public infrastructure, as well as exacerbating water quality concerns.

- **Quality of life.** We continue to be concerned that many people who will be heavily impacted by this proposal are unaware of it. It is not sufficient to simply notify landowners adjacent to the site. What about all the people living on Grip and Prairie Roads who will experience 45 more gravel trucks a day passing by their house, and will be subject to the noise from mining activities for the next 25 years? Don't they deserve to know about this and have some sort of voice in how the project is permitted?

Thank you for the opportunity to comment. Please keep us informed as to the next steps in this permitting process, and any additional conditions placed on the proposed activities.

Sincerely,

Martha Bray and John Day
6368 Erwin Lane
Sedro Woolley, WA 98284

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CHMELIK SITKIN & DAVIS P.S.
ATTORNEYS AT LAW

Jonathan K. Sitkin
ATTORNEY
el jsitkin@chmelik.com

March 2, 2017

VIA REGULAR U.S. MAIL AND E-MAIL
johnc@co.skagit.wa.us

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

RE: SPECIAL USE PERMIT APPLICATION NO. PL 16-0097
PROPOSED PROJECT: CONCRETE NOR'WEST GRAVEL MINE
APPLICANT: CONCRETE NOR'WEST

Dear Mr. Cooper:

As I have mentioned in my previous correspondence to you, we represent a group of citizens who live near the above-referenced proposed project. Our clients have a number of concerns with both the project and the direct, indirect, and cumulative significant impacts of the project, the lack of consistency of the project with the comprehensive plan policy and goals, and the errors in the County processing of the application, which have effectively denied our clients' ability to meaningfully participate in the SEPA process which resulted in a lack of disclosure of the project impacts and potential mitigation contrary to SEPA and the County's SEPA rules. This letter is intended to be the first in a series of installments outlining our concerns and objections. One of the reasons for the installment responses is due to the County's installment responses to our public records request. We have just recently received the 2nd and 3rd installment responses, but we have not been advised if these are the final installments or if additional responses are anticipated.

I have attempted to reach you by telephone a few times over the past week or so to discuss the project and our clients' concerns. I understand that you were out of the office on vacation during part of this time. Previously, I sent a letter to your office asking for notice of any matters that arise with regard to the project. Earlier this week, I sent to your office and the Hearing Examiner's office a Notice of Unavailability to assure that any pre-hearing conferences, scheduling of matters such as pre-hearing discovery, briefing, and the hearing are coordinated with my schedule. At the conclusion of this letter, you will find an invitation for County staff and the applicant to attend a community meeting regarding the project. We will arrange a suitable location and a facilitator for the meeting to ensure there's a constructive dialogue so that you and the applicant can hear the community's concerns and address potential solutions.

1500 Railroad Avenue
Bellingham, WA 98225
p) 360.671.1796
f) 360.671.3781
www.chmelik.com

We also request that you outline what anticipated actions by the County are forthcoming, such as the timing for deciding whether to withdraw the MDNS, when a new threshold determination would be made, when a hearing schedule will be proposed, and other key decision points. We request that you keep our firm advised in advance of all such actions.

We ask that you forward to my attention all communication from the applicant or any agency or tribe, as well as all documents received by the County provided by the applicant or their representatives in response to those other agencies or tribes.

DEFECTIVE
SEPA PROCESS

For the initial reasons outlined herein, the County is requested to immediately withdraw the SEPA Threshold Determination of a Mitigated Non-Significance due to the lack of compliance with notice requirements, the effective violation of the fundamental disclosure and notice requirements of SEPA, and the resulting violation of our clients' procedural due process rights. When properly noticed, such a comment hearing assures that the County has provided the public with a reasonable and meaningful opportunity to provide comments regarding the project and the SEPA Checklist when conducting its threshold determination under SEPA. When proper notice is not provided, then the public is denied this opportunity.

DEFECTIVE NOTICE
UNDER COUNTY CODE AND SEPA RULES

As you know, the original Notice of Application was issued in error in March 2016, due to the failure to provide mail of the notice to the proper parties.[1] The Skagit County Code requires that the Notice of Application be sent to the property owners surrounding the boundaries of the adjacent properties owned by the applicant—but it was not. The failure to mail the Notice of Application to the correct parties was a material nondisclosure and a failure to comply with disclosure requirements. This resulted in the cancellation of the public hearing scheduled for last fall and the re-issuance of the Notice of Application in December of 2016. However, SEPA, the County Code, and procedural due process requirements require that the Notice of Application be properly issued in advance of the SEPA determination and SEPA comment period. Proper issuance of the Notice of Application is fundamental to the required SEPA notice process. SEPA is fundamentally a public notice and public disclosure statute.[2]

The defective Notice of Application in March of 2016 infected the SEPA threshold determination process and the SEPA MDNS itself. The defective Notice of Application resulted in a denial of an opportunity to timely comment on the SEPA Checklist, depriving our clients of their rights and

[1] SCC 14.06.150(2) requires that a Notice of Application be mailed to all physical addresses and all owners of real property within 300 feet of any portion of the boundaries of such adjacent properties owned by the applicant. *See* SCC 14.06.150(2)(d)(iii). The County's Notice of Application issued in March of 2016 did not comply with this requirement.

[2] "[T]he procedural provisions of SEPA constitute an environmental full disclosure law." *Norway Hill Pres. & Prot. Ass'n v. King Cty Council*, 87 Wn.2d 267, 272, 552 P.2d 674, 677 (1976). "The act's procedures promote the policy of fully informed decision making by government bodies when undertaking 'major actions significantly affecting the quality of the environment.'" *Id.* (quoting RCW 43.21C.010; RCW 43.21C.030).

prejudicing our clients. Because the notice was defective, our clients were denied their ability to participate in the SEPA process. This is significant, substantial, and sufficient prejudice and harm to our clients that if the County were not to withdraw the MDNS immediately, we would anticipate that the Hearing Examiner or Court would require that a permit and a MDNS be invalidated with a requirement that the County re-commence the SEPA process.

As the Court of Appeals noted, "[o]ne purpose of specific statutory requirements for public notice of an impending land use decision is to ensure that the decision makers receive enough information from those who may be affected by the action to make an intelligent decision" and "defective notice undermines the information-gathering process." *Prosser Hill Coal. v. Cty. of Spokane*, 176 Wn. App. 280, 291, 309 P.3d 1202, 1208 (2013).

The lead agency is required to consider the timely comments from the general public regarding a threshold determination. WAC 197-11-340(2)(c) and (f).[3] Recognizing the importance of the Notice of Application and the ability of the public to meaningfully comment on the SEPA Checklist and threshold determination, Skagit County has integrated the SEPA review process with the Notice of Application.[4]

The SEPA Rules (WAC 197-11) contemplate a situation where DNS was issued are a result of a misrepresentation or a lack of material disclosure, as is the case here, due to the failure to properly issue the Notice of Application. In such instances, the lead agency has no choice but to withdraw the DNS. And, in this case, the County or its consultant must prepare the SEPA Checklist at the expense of the applicant. WAC 197-11-340(3)(a) provides, in part, (emphasis added):

> The lead agency shall withdraw a DNS if:
>
> ...
>
> (iii) The DNS was procured by misrepresentation or lack of material disclosure; if such DNS resulted from the actions of an applicant, **any subsequent environmental checklist on the proposal shall be prepared directly by the lead agency or its consultant at the expense of the applicant**.

State agencies have also complained to the County regarding the lack of proper notice of the application and of the SEPA threshold determination. For example, the Department of Archaeology and Historic Preservation ("DAHP") informed the County that "[w]e were not notified of the project in order to provide timely comments. One of our tribal partners notified us and we share his concerns that cultural resources may be damaged by this project."

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[3] SCC 16.12.070 adopts WAC 197-11-340.

[4] *See* SCC 14.06.070(2)(c). The Skagit County Code allows a SEPA threshold determination notice to be issued with the Notice of Application, provided that a determination of non-significance may not be issued until after the expiration of the comment period. The County's SEPA ordinance requires that if a SEPA document is issued with the Notice of Application, the public notice requirements for the Notice of Application suffice to meet the SEPA notice requirements. SCC 16.12.160 (2)(c). *See, also,* SCC 16.12.160(3).

Due to the lack of proper disclosure of the adjacent property owners and state agencies, and potentially others, as required by Skagit County Code, Skagit County is obligated to withdraw the MDNS.

MATERIAL DISCREPANCIES IN THE APPLICATION

In addition to the above procedural defects in the SEPA process, there are material discrepancies regarding the project description and its impact between the special use permit application, the SEPA Checklist prepared by the applicant, and other material submitted regarding the application. These discrepancies are so significant that one cannot discern what is proposed, other than it is a gravel mine at a particular location. The following is a summary of these discrepancies:

- Traffic Figures: A May 2015 traffic study presumed 25,000 tons of gravel would be removed from the mine each year, and used this figure to calculate that there would be an average of 6 truck trips per day. The same traffic study was apparently reissued in February 2016 with new figures—200,000 tons of gravel to be removed annually, and 46 truck trips per day—but no new conclusions. Both traffic studies were identified by the author as "preliminary" and stated that "additional traffic analysis will be required," which was never undertaken. The applicant's Special Use Permit Application, which was filed with the County on March 7, 2016, refers only to the earlier May 2015 study. However, the applicant's SEPA Checklist refers to the later February 2016 study. The Staff Report issued by Skagit County Planning & Development doesn't specify which study it relies upon but uses the later February 2016 figures (and contemplates a theoretical maximum of 720 truck trips per day).

- Hours of Operation: The Special Use Permit Application proposes that the mine's hours of operation will be "unlimited." The applicant then suggests that "normal" hours of operation would be 7:00 a.m. to 5:00 p.m., Monday through Friday. Elsewhere in the application, the applicant suggests these "normal" hours would actually be Monday through Saturday. An email from the applicant to the County explains that the mine would operate "in general" from 6:00 a.m. to 6:00 p.m., Monday through Saturday, but the applicant reserved the right to work through the night "without restriction." The Staff Report lists the hours of operation as "Monday through Saturday, dawn to dusk," with expanded hours depending on "market conditions" and "seasonal demands."

- Hazardous Substances: The Special Use Permit Application states that hazardous substances will be stored on site, including a 2,000-gallon diesel fuel tank. The Staff Report contradicts the application, stating that "no hazardous materials or fuels are proposed to be stored on site." The Staff Report, then, contradicts *itself*, stating that "relatively minor" amounts of fuel will be stored on site.

- Depth of the Mine: The SEPA Checklist and Staff Report both state a proposed depth of 154 to 163 feet above mean sea level ("msl"), which is purportedly "ten feet above the water table." However, the hydrogeological site assessment performed by Associated

Earth Sciences states that the water table ranges from 145 to 155 feet above msl. If the applicant mines to a depth of 154 feet msl, as proposed, the mine could be below the water table, not ten feet above it. NOT True!

- Amount of Gravel to be Removed: The SEPA Checklist, Special Use Permit Application, and Staff Report all say 4.28 million cubic yards of gravel are proposed to be excavated over the life of the mine. But, the traffic studies relied upon figures of 25,000 tons (earlier May 2015 study) and 200,000 tons (later February 2016 study) to be removed annually. There is no explanation of how those figures were calculated in reference to the cubic yards of excavation, or why the figure was apparently off by a factor of ten in the earlier study. There is 4.2K mill ~~tons~~ cuyds of Gravel Available

- On Site Processing: The fish and wildlife site assessment conducted by Graham-Bunting Associates states that "[n]o processing or industrial activity will occur on site." However, the hydrogeological report states that certain processing—including stockpiling and dry screening—will be performed on site. The MDNS and the Staff Report both state that no on site processing is proposed "at this time," suggesting that on site processing is contemplated in the future.

- Noise: In the Special Use Permit Application, the applicant cites unspecified personal experience for the assertion that there will be no effect from noise, vibration, or dust. The Staff Report gives three contradictory assessments of noise. First, it states that "[t]he applicant has indicated that the proposal would not result in noise or vibration impact beyond the site boundaries." The Staff Report then states that "[t]he applicant has indicated the noise at receiving properties is expected to be relatively low" and identifies certain noise mitigation measures. Elsewhere, the Staff Report states that "[p]otential impacts from noise, dust and traffic to surrounding, existing or potential dwelling units from the proposed operation are possible and exceed those currently experienced in the area."

The inconsistent project descriptions and analysis identified above is effectively material nondisclosure and misrepresentation requiring withdrawal of the MDNS. *See WAC 197-11-340(3)(a)(iii), discussed above.* The applicant has not disclosed an accurate, consistent project description capable of environmental review. The inconsistencies are significant and functionally a material misrepresentation of the project because the actual project and its potential impacts cannot be readily discerned. This misrepresentation undermines and defeats the public's ability to review and comment upon the SEPA environmental review process. Because the MDNS was procured due to such misrepresentation resulting from inconsistent project information, Skagit County is obligated to withdraw the MDNS and require the applicant to provide a specific and detailed project description in one definitive document.

WAC 197-11-340, cited in part above, also requires that the lead agency shall withdraw an MDNS where there are substantial changes to the proposal, or significant new information indicating probable significant adverse impact. *See WAC 197-11-340 (3)(a)(ii).* The application itself is sufficiently unclear and inconsistent with other submissions by the applicant that there are either substantial changes to the proposal since the SEPA Checklist was submitted or the

more recent submissions that expand the scope and potential impact of the project requiring withdrawal of the MDNS by Skagit County.

AGENCY COMMENTS

We also note from our initial cursory review of the County's installments provided in response to our records request, that an archeological review has been required since the SEPA MDNS was issued, and the Department of Ecology has questioned the moderate use intensity evaluation of the wetland by the applicant's consultant. These two comments alone warrant and require withdrawal of the MDNS by the County under WAC 197-11-340(3)(a). Indeed, the Skagit County Code encourages withdrawal when a mitigation measure is not included in an MDNS, such as the requirement to conduct an archeological study. *See SCC 16.12.110(8).* In addition, as to the wetland report, initially it does not appear that a wetland delineation and assessment occurred. Rather, the applicant sought the bare minimum reconnaissance review which, not surprisingly, limits the scope and detail review that the consultant could perform, and results in material questions as to whether the assessment was accurate as noted by the Department of Ecology. The County should require a full wetland delineation and assessment as part of the full disclosure associated with a SEPA review.

WAC 197-11-350(2)

It is noted that the MDNS indicates that it was issued pursuant to WAC 197-11-350(2). This provision of the SEPA Rules allows an applicant to seek early notice of whether a Determination of Significance is likely, and that the applicant may change the project and submit a revised SEPA Checklist to bring the project below the level of significance. There is no indication in the MDNS that a revised SEPA Checklist was submitted. Perhaps when we have a complete record from Skagit County we will receive a copy of the revised SEPA Checklist. If not, then this is a procedural error in the environmental review process and/or the issuance of the MDNS itself necessitating withdrawal of the MDNS and requiring a revised SEPA Checklist to be submitted, or re-issuing the MDNS under a correct provision of the SEPA Rules.

The forgoing are our initial comments on the SEPA procedural errors and defects. We anticipate further substantive comments on the application and the SEPA process once we have received the complete record and any additional reports submitted by the applicant.

INVITATION

To date, neither the applicant nor the County has directly and meaningfully engaged the adjacent property owners regarding the proposed project. We are arranging for a community/neighborhood meeting where the County Planning Staff, Public Works staff, and the applicant will be invited to discuss the neighborhood's concern with the project. We are working to retain an independent facilitator for such a meeting. The time and place for such a meeting is forthcoming. I am happy to speak with Tim Holloran, Dale Pernula, or others, as necessary to ensure the County's involvement.

I look forward to an opportunity to discuss these concerns with you.

Sincerely,

CHMELIK SITKIN & DAVIS P.S.

Jonathan K. Sitkin
Nolan F. Davidson

JKS/NFD/rsv
cc: Clients

John Cooper

From: John Cooper
Sent: Tuesday, April 17, 2018 10:00 AM
To: 'CSD - Jon Sitkin'
Subject: RE: Notice of Decision Re: PL16-0097

Mr. Sitkin, FYI, Skagit County PDS received an appeal application (PL18-0200) for the denial of the special use application PL16-0097 from Concrete Nor'west yesterday afternoon.

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
(360) 416-1334

From: CSD - Jon Sitkin <jsitkin@Chmelik.com>
Sent: Wednesday, April 11, 2018 1:44 PM
To: Brenda Olson <bolson@co.skagit.wa.us>; John Cooper <johnc@co.skagit.wa.us>
Cc: Julie S. Nicoll <julien@co.skagit.wa.us>
Subject: RE: Notice of Decision Re: PL16-0097

Thank you. If an appeal is filed, please let me know as soon as possible.

Thank you.

Jon Sitkin
Chmelik Sitkin & Davis P.S.
1500 Railroad Ave.
Bellingham, WA
98225

e: jsitkin@chmelik.com
d: 360.306.3007
p: 360.671.1796 ext. 214
f: 360.671.3781

Legal Assistant to Jon Sitkin is Kim Barnhill at ext. 223

Confidential Communication:
Attorney-Client Privileged and
Attorney Work Product

John Cooper

From: CSD - Jon Sitkin <jsitkin@Chmelik.com>
Sent: Tuesday, April 17, 2018 10:01 AM
To: John Cooper
Subject: RE: Notice of Decision Re: PL16-0097

Thank you. Would you please send me a copy.

Thank you.

Jon

Jon Sitkin
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Legal Assistant to Jon Sitkin is Kim Barnhill at ext. 223

Confidential Communication:
Attorney-Client Privileged and
Attorney Work Product

From: John Cooper [mailto:johnc@co.skagit.wa.us]
Sent: Tuesday, April 17, 2018 10:00 AM
To: CSD - Jon Sitkin <jsitkin@Chmelik.com>
Subject: RE: Notice of Decision Re: PL16-0097

Mr. Sitkin, FYI, Skagit County PDS received an appeal application (PL18-0200) for the denial of the special use application PL16-0097 from Concrete Nor'west yesterday afternoon.

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
(360) 416-1334

John Cooper

From: John Cooper
Sent: Tuesday, April 17, 2018 11:27 AM
To: 'CSD - Jon Sitkin'
Cc: Julie S. Nicoll
Subject: Concrete Nor'West appeal application
Attachments: 4841_001.pdf

As per your request, the appeal application is attached.

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
(360) 416-1334

Appeal or Request for Reconsideration

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
voice 360-416-1320 · inspections 360-416-1330 · www.skagitcounty.net/planning

File #: PL18-0200

RECEIVED
APR 16 2018
SKAGIT COUNTY
Received PDS

Appeal

What are you appealing?

- ☑ Appeal of an Administrative Interpretation/Decision/Action to the Hearing Examiner
- ☐ Appeal of an Administrative Order to Abate (code enforcement order) to the Hearing Examiner
- ☐ Appeal of Impact Fees to the Hearing Examiner (impact fees must be paid) (SCC 14.30.070)
- ☐ Appeal of Hearing Examiner Decision/Action to the Board of County Commissioners
- ☐ Request for Reconsideration of a Hearing Examiner Decision (SCC 14.06.180)

File # of Appealed Decision or Permit	PL16-0097	**Appeal Fee**	$ 1000.00	*PDS will calculate*
Date of Appealed Decision or Permit	4-5-2018	**Publication Fee**	$ 280.-	*PDS will calculate*

PDS staff: do not accept appeal form without full payment of fees

$74- Rec Dec

Appellant

Standing to appeal	☑ Permit applicant ☐ Party of Record ☐ Party subject to code enforcement order ☐ Other		
Name	Miles Sand & Gravel — Dan Cox (Contact)		
Address	PO Box 280		
City, State	Mount Vernon 98273 Zip	**Phone**	(360) 757-3191
Email	dan.cox@miles.rocks **Signature**	Dan Cox	

Attorney or Representative ☐ None

Name	William T Lynn		
Address	1201 Pacific Ave Ste 2100		
City, State	Tacoma, WA **Zip** 98402	**Phone**	253-620-6416
Email	blynn@gth-law.com		

Attachments

☑ For any of the **appeals** listed above, please attach a concise statement with numbered responses to the following questions.

1. What is your interest in this decision?
2. How are you aggrieved by the decision you are appealing?
3. What are the specific reasons you believe the decision is wrong?
   e.g. erroneous procedures, error in law, error in judgment, discovery of new evidence
4. Describe any new evidence.
5. List relevant sections of Skagit County Code.
6. Describe your desired outcome or changes to the decision.

☐ For a request for **reconsideration** of a Hearing Examiner decision, attach a statement identifying the specific errors alleged.

GORDON THOMAS HONEYWELL

PL18-0200
RECEIVED
APR 16 2018
SKAGIT COUNTY
PDS

William T. Lynn
Direct: (253) 620-6416
E-mail: blynn@gth-law.com

April 12, 2018

Skagit County Hearing Examiner
1800 Continental Place
Mount Vernon, WA 98273

RE: Concrete Nor'west
PC16-0097 – County Decision to Deny Application dated April 5, 2018

This letter shall serve as the Appeal by Miles Sand & Gravel Company and Concrete Nor'west of the Skagit County Planning and Development Services Department Decision April 5, 2018 to deny the above-referenced Miles' application for failure to submit timely requested information. A copy of the Decision appealed from is attached.

This Appeal is filed under Skagit County Code (SCC) 14.06.105 and .110. The following statements are set forth to meet the requirements of SCC 14.06.110(8)(a-e)

a) The Decision Being Appealed. The Decision being appealed is the letter dated April 5, 2018 a copy of which is attached as Exhibit A.

b) The Name and Address of the Appellant and His Interest(s) in the Matter. The Appellant is Miles Sand & Gravel Company and Concrete Nor'west, c/o Dan Cox, P.O. Box 280, Mt. Vernon, Washington 98273. The Appellant's Attorney is William T. Lynn, Gordon Thomas Honeywell, 1201 Pacific Avenue, Suite 2100, Tacoma, Washington 98402. Appellant has standing in this matter because it is the owner of the property that is the subject of the application and is the applicant for the permit at issue.

c) *The specific reasons why the appellant believes the decision to be wrong.* See attached Exhibit B.

d) Desired outcome or changes to the decision. The appellant requests that the decision be reversed and the application processed. Alternatively, the Appellant requests that the matter be remanded by the Examiner so that the Appellant has a fair opportunity to cure any defects.

e) Any Skagit County Code Section(s) the appellant deems relevant. Relevant Code Sections are included on Exhibit B. In general, this is based on SCC 14.06 chapter which implements RCW 36.70B chapter

We submit this appeal with a filing fee in the amount of $1,000.00. If anything further is necessary to perfect this appeal please notify me immediately.

Very truly yours,

William T. Lynn

WTL:lb
Enclosures
cc: Client

Approved this 16 day of April, 2018.

Miles Sand & Gravel Company
(Concrete Nor'west)

By: _____
Dan Cox

[4845-1949-8337]

EXHIBIT B

The Appellant alleges that the County Decision dated April 5, 2018 is incorrect for the following reasons:

1. Brief Procedural History. A brief procedural history will help provide context for the additional allegations set forth below. The Special Use Permit Application (Application) was filed March 7, 2016, assigned permit number PL16-0097, and deemed complete by the County on March 22, 2016. Notice of the Application was published March 31, 2016. The SEPA review process was completed, the SEPA MDNS was issued May 24, 2016, and the matter was set to go before the Hearing Examiner for public hearing. The Examiner actually convened the Hearing on November 16, 2016. The published staff report presented to the Examiner (attached here as Exhibit C) found that the Application met the requirements of applicable County codes, and that all findings necessary for the approval by the Examiner could be made. The staff report recommended approval subject to conditions.

Near the time of the public hearing, the County determined that notice of the Application had not been properly given. As a result, the hearing was opened by the Hearing Examiner, but then continued to a date to be set in the future. The County then recirculated a Notice of the Application for public comment and provided an opportunity for additional public comment with a deadline of December 30, 2016.

Since that time, the County has essentially treated the Application as being in an unending public comment period. In place of codes that formed the basis of its prior staff determination, the County has requested information seemingly based on "whatever the public wants", and has required the Appellant to meet a standard of "whatever will satisfy objecting parties."

The County has disregarded its own previous determinations made as to the completeness of the Application, and has disregarded the analysis of its own experts in reviewing Application materials, particularly related to wetlands, public works and traffic. In some cases (the noise and vibration study) the Appellant has been given no County comments and no real opportunity to respond to public comments. In some cases (traffic) the Appellant is still awaiting County comments. In other cases, the County has completely ceded its review authority to others (agencies or the public) without exercising the review discretion that the County staff is provided by code and statute. In still other cases, the County has ignored important mitigation measures provided by other agency permitting, in contravention of SEPA. More specific allegations are set forth below.

2. The first cited basis for denial in the letter is the Appellant's failure to show a 300-foot buffer from the edge of the wetland to the gravel mining operation. This ignores the previous County determination that a 200-foot buffer was consistent with County standards (see staff report attached as Exhibit B, p. 6). Moreover, this so-called defect does not affect the sufficiency of the Application. An application is complete if the submittal standards are met and requested information is provided SCC 14.06.090, .100 and .105. Here, the County is not requesting "information" but rather substantive changes to the proposal. The Application should go to the Examiner for his review. If the Hearing Examiner should determine that a 300-foot buffer is

required, that condition can be imposed at the time of the public hearing on the Application and the plan can be simply revised.

3. The County asserts that the Application must be modified to ensure the access road is in compliance with the private road standards that it deems applicable. This again does not affect the adequacy of the Application, which was previously deemed complete. And again, this is not a request for "information". If the Hearing Examiner determines that the project has to meet the private road standards, then a condition to that effect can be imposed. The most recent application materials submitted by the Appellant (February 23, 2018) specifically suggest a condition of approval to this effect if deemed necessary.

4. The County then requests a "site-specific Spill Control Plan" to address potential water pollution impacts. The County is required by SEPA to take into account mitigation provided by other permits to which an application is also subject. WAC 197-11-330(1)(c). The Appellant has advised the County on several occasions that the Department of Ecology has authority under the Clean Water Act to protect water quality and will require the applicant to comply with the provisions of the Sand and Gravel General Permit issued by the Department of Ecology under the National Pollution Discharge Elimination System process and the requirements of the State Waste Discharge General Permit. This includes the requirement for a Spill Control Plan. The County erred in failing to consider the requirements of these permit requirements administered by the State agency with primary authority with respect to water quality.

The County further asserts that the Spill Control Plan is inadequate because it fails to address "on-site operations and site-specific equipment and does not contain a site plan." This ignores the fact that a surface mine by its very nature is a land use that evolves over time. The various features that have the potential to adversely affect water quality move throughout the site as the mining proceeds. That is the reason that, as a generally accepted practice in the field, spill control plans are written generically so that the required measures (BMPs) apply wherever on the site activities with potential impact might occur. Nothing in the County Code including the provision cited by the County in its letter (SCC 14.16.900(1)(b)(v)(C) requires the details requested by the County, and the absence of those certainly has no bearing on the completeness of the Application. In fact a site specific plan would defeat the purpose of the measures by tying them to a specific location.

5. The County's comments regarding the noise study are particularly disturbing for several reasons. First, there was no evidence presented to the County to support the need for a study. The County should have adhered to its staff report finding of no adverse impact unless presented with facts to overcome that. Community displeasure is not a basis for land use decision-making. *Marantha Mining v. Pierce County*, 59 Wn. App. 795 (1990). The County's finding is supported by adopted noise standards (SCC Chapter 9.50) that apply to the proposal.

Second, the noise report was submitted on February 23, 2018 at the County's request, and the Appellant was never provided any County comments about the alleged "defects" until the application was denied. The only comments the Appellant received from the County were those forwarded from a neighbor on March 29th, four business days before the County denied the Application as incomplete. It is arbitrary and capricious and an erroneous process to summarily reject a noise study prepared by the professional without any opportunity to respond to

comments. We are confident that none of the bases cited in the County's April 5th letter would change the conclusions of the noise expert. In any event, the standard practice in this County and elsewhere (and the only process consistent with the rights of an applicant) is to provide comments and then allow an opportunity for correction or modification.

Moreover, the alleged deficiencies in the April 5 letter are exactly the same as those identified by the objecting neighbor in the comment forwarded by email on March 29th. The County is clearly not providing its own analysis and applying its own expertise. It is simply forwarding comments of neighbors and asking the Appellant to respond. In this case, the County went a step further and determined that the Appellant's failure to respond to the neighbor concerns within 4 business days was a reason to deny the Application altogether. This is completely inconsistent with any fair and objective process and unlawfully delegates the County's duties and powers to the public.

6. The County asserts that the Appellant failed to provide sufficient evidence showing that the criteria for the issuance of the Special Use Permit have been met. Of course, this first ignores the County's own previous findings that the criteria were met (see staff report). Second, it is not a request for "information". Third, it ignores the fact that the County staff's role here is to merely provide a recommendation and input to the Hearing Examiner. The Hearing Examiner's role is to make these determinations. Though this Appellant certainly makes every effort to do so, it is not required to satisfy the staff as to the merit of the proposal. The Appellant's burden is to satisfy the Hearing Examiner, and in denying the Application on the basis of incompleteness, the staff has usurped the Examiner's authority.

It is particularly troublesome that the staff's assertion here is that there were "numerous public comments" as to adverse effects that the applicant failed to address. It is not the Appellant's responsibility to respond to every public concern (though the Appellant certainly attempts to respond to all legitimate comments). The County staff's responsibility is to analyze the public comments and discern which of those require further analysis and then to advise the Appellant of that in due course. The staff is not to simply pass along every public comment and determine as a gate-keeper that all must be satisfied prior to advancing the Application to the Hearing Examiner process.

7. Although not mentioned in the letter, the Appellant is also concerned about the County's review of traffic impacts. We were advised some months ago that the County has retained a third party expert to review and comment upon the traffic study submitted to support the Application. To date, the Appellant has received no communications regarding the third party experts' conclusions. Based upon the history of this County review, the Appellant is justifiably concerned that, should this Application move forward as requested, the County will at some later point present a new list of comments requiring a response. The County should be required to provide all of its comments, including any as to the traffic report, in a specified period of time, well in advance of the hearing on this appeal. And, an extension of the Application time is appropriate for this. The County has specific authority to extend the time when needed to get input from another reviewer. SCC 14.06.105(5).

8. The staff has opened this Application to what seems to be unending public comment, and has changed its views about the proposal based upon those comments, even when they consisted of statements of opinion or mere conclusions. Many if not most comments do not present facts,

and certainly not facts based on expertise. The staff has set impossible goals for the Appellant: to address all public comments even from those who would never be satisfied. It would be bad enough if these public comments simply affected the staff's recommendation to the Hearing Examiner, but here, they are being used as a screen to deny the Appellant an opportunity to present its case to the Hearing Examiner. That is not a lawful process. It is arbitrary and capricious and contrary to the Appellant's right to have its proposal heard fairly before the Hearing Examiner. It also denies the Appellant the due process the U.S. and State Constitutions require.

9. On these bases, the Appellant will be requesting that the Hearing Examiner either overturn the staff's decision altogether and bring the matter on for hearing, or at the very least, remand the application for specific information requests consistent with the requirements of law.

Skagit County
Planning & Development Services

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

March 14, 2017

Via E-mail: Dan.Cox@miles.rocks; john@semrau.com; BLynn@gth-law.com

Dan Cox
Concrete Nor'west
P.O. Box 280
Mount Vernon, WA 98273

John Semrau, PE & PLS
2118 Riverside Drive, Suite 208
Mount Vernon, WA 98273

William Lyn
1201 Pacific Avenue, Suite 2100
Tacoma, WA 98402

RE: Request for Additional Information (PL16-0097)

Gentleman:

As you know, the second public comment period for Concrete Nor'West's gravel mining application has resulted in over one hundred comment letters. The comments indicated great concern about truck traffic and road safety. To address these concerns, Skagit County Public Works will run additional traffic models and road tests to ensure compliance.

Comment letters also indicated concern about noise and the facility's hours of operation. Per SCC 14.16.900 (Special Use Permit Requirements), the proposed use shall "not create undue noise, odor, heat, vibration, air or water pollution impacts" to its surroundings and shall "not cause potential adverse effects on the general public health, safety and welfare." To achieve compliance with this rule, the maximum number of truck trips per day and hours of operation will be conditioned. Based on the information you provided us, 46 truck trips per day is a reasonable limit. In addition, operations will be limited to Monday through Friday, 7:00 a.m. to 5:00 p.m. (except holidays).

In order for Skagit County to further evaluate the public's concerns, the following information is required:

- The Upper Skagit Tribe and Washington Department of Archaeology and Historic Preservation have indicated that the area proposed for mining has been inhabited by the Nuwaha band of the Upper Skagit Tribe. In order to confirm that mining activities do not disturb archaeologic resources, please submit a professional archaeological survey for the project area.

- Comment letters stated that improvements to the access road are required to meet private road standards. Skagit County Public Works Department confirmed the access road is insufficient to meet private road standards and the Fire Marshal's Office requires improvements to the access road to meet private road standards. For example, 20 feet of driving surface is required for emergency access. *See* SCC 15.040.030(2)(f) (Section D103.2 Fire Department Vehicle Access Roads) and

Skagit County Road Standards. Please provide a plan indicating the proposed improvements to the access road to achieve private road standards. Also include verification that the bridge over Swede Creek is rated as HS-25. In the event that the improvements to the access road are required within 200 feet of Swede Creek or other critical areas, additional critical areas review may be necessary.

- The application indicates that a 2,000 gallon fuel tank *may* be stored on-site. However, the Hydrogeologic Site Assessment indicated that a mobile fuel truck may be used and no permanent fueling or maintenance facilities are proposed on-site. Please verify whether a fuel storage tank will be placed on-site or if a mobile fuel system will be used. Comment letters have also indicated a concern about potential fuel, hydraulic fluid, and oil spills on-site and potential impacts to water quality. Please include all plans to contain and prevent hazardous material spills, including the spill control plan and a clean-up plan in the event of a spill.

- The application indicates that no processing of material, including dry screening will occur on-site. However, the Hydrogeological Site Assessment indicates that dry screening of material (page 4, second paragraph) may occur. Accordingly, please verify whether processing or screening will occur on-site.

- Comment letters indicated that a full review of Endangered Species Act (ESA)-listed species, such as the Oregon spotted frog and Washington State sensitive species, was not addressed in the fish & wildlife/wetland site assessment per SCC 14.24.220 and SCC 14.24.520. Comment letters also indicate a 300 foot buffer should be applied due to the high intensity use. Currently, your fish & wildlife/site assessment plan includes a 200 foot buffer. Please update your fish & wildlife/wetland site assessment to address these comments.

Finally, as noted above and in the public comment letters received to date, there are numerous factual discrepancies in your Application, Project Description, SEPA Checklist, Traffic Study, and Fish & Wildlife Site Assessmen . While we understand these materials were prepared at different times throughout the planning process, we ask that you update these materials to include the supplemental information requested above and to ensure consistency with your current project plans.

After receiving your updated materials, the County will issue a Revised SEPA Determination for public comment. Since certain neighbors were inadvertently excluded from the original notice list you prepared, we will update the list and ensure that proper notice is provided. Subsequently, the Staff Report for the Special Use Permit will be revised and published for public comment and hearing.

Thank you for your patience in this matter. If you have any questions, please contact my office at (360) 416-1334.

Sincerely,

John Cooper, LG
Planner/Geologist

Planning & Development Services

1800 Continental Place • Mount Vernon, Washington 98273
office 360-416-1320 • pds@co.skagit.wa.us • www.skagitcounty.net/planning

July 6, 2017

Via E-mail Only: Dan.Cox@miles.rocks; John@semrau.com; BLynn@gth-law.com

Dan Cox
Concrete Nor'West
P.O. Box 280
Mount Vernon, WA 98273

John Semrau, PE & PLS
2118 Riverside Drive, Suite 208
Mount Vernon, WA 98273

William Lynn
1201 Pacific Avenue, Suite 2100
Tacoma, WA 98402

RE: Response to Concrete Nor'West May 15, 2017 Letter (PL16-0097)

Gentlemen:

Thank you for your response letter dated May 15, 2017. Your revised application materials are incomplete, as described below. Accordingly, additional information is necessary before we can continue processing your application.

1. With respect to the proposed hours of operations, SCC 14.16.440 states:

   (i) Hours of operation **shall vary according to the location of the site as stated below and may be shortened by the Hearing Examiner based on site-specific circumstances**:

   (I) Within designated natural resource lands, the hours of operation ***may be*** unlimited. **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**, on any portion of the mining site where mining activity is proposed to occur less than 1/4 mile from existing Rural Intermediate, Rural Village, or Urban Growth Area designated lands[.]

   While the Hearing Examiner is the decision-maker with respect to the hours of operation, Planning & Development Services (PDS) provides the Hearing Examiner with recommendations based on its review and analysis of the proposed project and its potential impacts. Based on the limited information received to date from Concrete Nor'West, we initially recommended that operations be limited to Monday through Friday, 7:00 a.m. to 5:00 p.m. (except holidays). It is unclear what evidence Concrete Nor'West relies on to support its position of unlimited operations pursuant to SCC 14.16.440.

2. Furthermore, there are additional general special use permit criteria that Concrete Nor'West must comply with as set forth in SCC 14.16.900(1)(b)(v). To date, Concrete Nor'West's application materials have failed to provide sufficient evidence to support the following criteria in SCC 14.16.900(1)(b)(v):

   (A) The proposed use will be compatible with existing and planned land use and comply with the Comprehensive Plan.

   (B) The proposed use complies with the Skagit County Code.

   (C) The proposed use will not create undue noise, odor, heat, vibration, air and water pollution impacts on surrounding, existing, or potential dwelling units, based on the performance standards of SCC 14.16.840.

   (D) The proposed use will not generate intrusions on privacy of surrounding uses.

   (E) The proposed use will not cause potential adverse effects on the general public health, safety, and welfare.

   (F) For special uses in Industrial Forest—Natural Resource Lands, Secondary Forest—Natural Resource Lands, Agricultural—Natural Resource Lands, and Rural Resource—Natural Resource Lands, the impacts on long-term natural resource management and production will be minimized.

   (G) The proposed use is not in conflict with the health and safety of the community.

   (H) The proposed use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding areas, or conditions can be established to mitigate adverse impacts on such facilities.

   (I) The proposed use will maintain the character, landscape and lifestyle of the rural area. For new uses, proximity to existing businesses operating via special use permit shall be reviewed and considered for cumulative impacts.

   To show compliance with the above criteria, a noise and vibration study should be conducted and your application materials should be updated to include all supporting evidence. This type of assessment will identify any potential noise and vibration impacts to the surrounding community and will support a final determination on the proposed hours of operations and any limitations to address potential impacts.

3. Concrete Nor'West's proposed operation includes an average of 46 truck trips per day, with a potential maximum limit of 720 truck trips per day. These figures have resulted in significant public concern about traffic and noise impacts to local residents. Per SCC 14.16.900 (Special Use Permit Requirements), the proposed use shall "not create undue noise, odor, heat, vibration, air or water pollution impacts" to its surroundings and shall "not cause potential adverse effects on the general public health, safety and welfare." As previously noted, to achieve compliance with Skagit County Code, we initially recommended that the number of truck trips be limited to 46 per day based on the information provided by Concrete Nor'West to date. Based on the results

of the additional traffic study that will be conducted as described below, we may revisit this proposed limitation.

Additionally, existing traffic reports from DN Traffic Consultants have not alleviated public concern. As a result, Skagit County Public Works is in the process of retaining a third party traffic consultant to further evaluate potential traffic impacts of the proposed project, including safety concerns relating to pedestrians, bicycle riders, and school bus stops. Pursuant to SCC 14.16.440(8)(i), the consultant will also determine whether the "roads or bridges are capable of sustaining the necessary traffic for the proposed mineral extraction operation, and that the proposed operation meets level-of-service, safety, and other standards as outlined in the Skagit County Transportation Systems Plan, the Skagit County Comprehensive Plan, and applicable State and local regulations." Finally, the consultant will evaluate the sufficiency of the proposed mitigation and may propose additional mitigation if necessary to reduce or eliminate potential traffic impacts.

4. While the access road is currently being used for forest practice activities, the road will need to be upgraded to Skagit County private road standards to accommodate the commercial gravel operations pursuant to SCC 14.36.010, the County Road Standards adopted by Resolution 17930, and the Fire Marshal Standards set forth in SCC 15.04.030(2)(f) (Section D103.2 Fire Dept. Vehicle Access Roads). Accordingly, **please amend your application to ensure compliance with these requirements.** In the event that the improvements to the access road are required within 200 feet of Swede Creek or other critical areas, additional critical areas review may be necessary.

5. Thank you for confirming that your proposal includes the potential of storing a 2,000 gallon fuel tank on-site. Your application will be processed reflecting the possibility of potential fuel, hydraulic fluid, and oil spills on-site and potential impacts to water quality. You have indicated that you will include this mining location into Miles' Sand and Gravel General Permit and will apply certain provisions of the Sand and Gravel General Permit as your procedures for managing fuel and other hazardous materials onsite. It is our understanding that the Sand and Gravel General Permit does not include a site-specific Spill Control Plan for the proposed operations. Accordingly, **please submit a copy of your site-specific Spill Control Plan.**

6. The Fish and Wildlife Site Assessment prepared by Graham Bunting and Associates discusses land use impacts in Section 5.2.2 and concludes that the gravel mining operation is a moderate impact land use, thus a 200-foot buffer is adequate to protect the Samish River and associated wetlands. However, comment letters received from the Washington Department of Ecology (dated June 1, 2016 and December 27, 2016) and other local wetland professionals conclude that the gravel mining operation is a high impact land use and will require a 300-foot buffer from the edge of the wetland to the gravel mine. SCC 14.04 defines High Impact Land Use as *"land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium- and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and commercial and industrial land uses."* Since your proposal is both a commercial and industrial land use that involves the extraction of approximately 4,280,000 cubic yards of material over 20 years, the proposed operations are a high impact land use. **Please amend your application and plans to indicate a 300-foot buffer from the edge of the wetlands to the gravel mining operation.**

7. Although the information you provided included many supporting documents, your submittal did not include updated application materials, as requested in our March 14, 2017 letter, resolving the numerous factual discrepancies in your Application, Project Description, and SEPA Checklist. **Please update these materials to include the supplemental information requested and to ensure consistency with your current project plans.**

After receiving your updated materials, the County will determine if your application is complete and proceed accordingly. Thank you for your patience in this matter. If you have any questions, please contact my office at (360) 416-1334.

Sincerely,

John Cooper, LG
Planner/Geologist

Planning & Development Services

1800 Continental Place • Mount Vernon, Washington 98273
office 360-416-1320 • pds@co.skagit.wa.us • www.skagitcounty.net/planning

October 24, 2017

Via E-mail Only: Dan.Cox@miles.rocks; john@semrau.com; BLynn@gth-law.com

Dan Cox
Concrete Nor'West
P.O. Box 280
Mount Vernon, WA 98273

John Semrau, PE & PLS
2118 Riverside Drive, Suite 208
Mount Vernon, WA 98273

William Lynn
1201 Pacific Avenue, Suite 2100
Tacoma, WA 98402

RE: Response to Concrete Nor'West September 20, 2017 Letter (PL16-0097)

Gentlemen:

We are writing to respond to your letter dated September 20, 2017. Your revised application materials remain incomplete as described in our prior letters dated March 14, 2017 and July 6, 2017 (copies of which are enclosed). Skagit County Planning & Development Services (PDS) requested additional information pursuant to Skagit County Code (SCC) 14.06.100(5), and we cannot continue processing your application without this information. In addition, the Spill Control Plan submitted with your September 20, 2017 letter is incomplete and should be re-submitted.

Pursuant to SCC 14.06.105(1), you have 120 days to submit the information requested on July 6, 2017. Accordingly, please submit the additional information **on or before November 3, 2017**. If all of the requested information is not received by PDS within 120 days, PDS will deny the application for failure to timely submit the requested information.

If you have any questions regarding this matter, please contact me directly at (360) 416-1328.

Sincerely,

Dale Pernula, AICP
Director

Enclosures

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Wednesday, April 18, 2018 11:49 AM
To: John Cooper
Cc: Hal Hart
Subject: Questions per appeal of decision to deny application PL16-0097

Hello John,

I hope you are well.

We have received the notice that CNW has appealed the County's decision to deny their application PL 16-0097.

I have a couple of questions regarding procedures. I have read the relevant section of County Code (14.06.110 and 14.06.160).

1. Are the comments we (and other community members) have already submitted on this project automatically a part of the record for this appeal hearing, or do we need to resubmit them?

2. Is there a particular procedure for submitting new comments regarding the appeal?

3. I assume that we are parties of record, and as such will receive copies of the notice of hearing and other relevant documents in a timely fashion. Please confirm.

4. Please note that I have heard from some community members that they received in the mail, a copy of the County's 4/12/2018 Notice of Decision (to deny application). I received a copy of the 4/5/2018 letter from the County to CNW denying the application, directly from Julie Nicoll, and appreciate such. However, neither my husband nor I received the Notice of Decision, except through the attorney representing Central Samish Valley Neighbors.

   Since the timing and notice regarding the appeal hearing is very short, I would like to understand who will receive these notices and who will not. Since we are presumably parties of record, it seems we should be receiving such notices directly. (Email transmittal of such documents would be adequate.)

5. We would very much appreciate as much lead time as possible regarding the scheduling of the appeal hearing. If possible please give me some idea of when it may be scheduled.

Thank you,
Martha Bray

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Friday, April 20, 2018 11:41 AM
To: John Cooper
Cc: Hal Hart
Subject: FW: PDS Comments

From dept email

From: website@co.skagit.wa.us <website@co.skagit.wa.us>
Sent: Thursday, April 19, 2018 10:10 AM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: PDS Comments

Name : Terri Wilde
Address : PO Box 5
City : Rockport
State : WA
Zip : 98283
email : terriwilde@yahoo.com
Phone : 360 654-3734
PermitProposal : CNW/Miles Sand and Gravel Mining Special Use Permit
Comments : Thank you for denying CNW/Miles Sand and Gravel Mining Special Use Permit. We were concerned with the inaccuracies in their application. And frankly, I believe the County would be much better served protecting the natural environment than opening up yet another gravel pit.
Thank you for your hard work.
Terri

From Host Address: 71.212.143.117

Date and time received: 4/19/2018 10:07:14 AM

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Wednesday, May 2, 2018 9:57 AM
To: John Cooper
Cc: Hal Hart
Subject: FW: Questions per appeal of decision to deny application PL16-0097

Hi again John and Hal,
Please find below questions I sent you two weeks ago. I would appreciate hearing back on this. If you can't answer these questions at this time, perhaps you could at least tell me that, and give me some idea of what the process is going forward.
Thank you,
Martha Bray

On Wed, Apr 18, 2018, 11:49 AM Martha Bray <mbray1107@gmail.com> wrote:

Hello John,

I hope you are well.

We have received the notice that CNW has appealed the County's decision to deny their application PL 16-0097.

I have a couple of questions regarding procedures. I have read the relevant section of County Code (14.06.110 and 14.06.160).

1. Are the comments we (and other community members) have already submitted on this project automatically a part of the record for this appeal hearing, or do we need to resubmit them?

2. Is there a particular procedure for submitting new comments regarding the appeal?

3. I assume that we are parties of record, and as such will receive copies of the notice of hearing and other relevant documents in a timely fashion. Please confirm.

4. Please note that I have heard from some community members that they received in the mail, a copy of the County's 4/12/2018 Notice of Decision (to deny application). I received a copy of the 4/5/2018 letter from the County to CNW denying the application, directly from Julie Nicoll, and appreciate such. However, neither my husband nor I received the Notice of Decision, except through the attorney representing Central Samish Valley Neighbors.

Since the timing and notice regarding the appeal hearing is very short, I would like to understand who will receive these notices and who will not. Since we are presumably parties of record, it seems we should be receiving such notices directly. (Email transmittal of such documents would be adequate.)

5. We would very much appreciate as much lead time as possible regarding the scheduling of the appeal hearing. If possible please give me some idea of when it may be scheduled.

Thank you,

Martha Bray

John Cooper

From: John Cooper
Sent: Thursday, May 3, 2018 4:15 PM
To: 'Mbray1107@gmail.com'
Subject: Questions per appeal of decision to deny application PL16-0097
Attachments: 4997_001.pdf; 2008 Hearing Examiner Rules (002).pdf

Ms. Bray. We apologize for the delay. Our responses to your questions are included below.

Sincerely,

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
(360) 416-1334

From: Martha Bray <mbray1107@gmail.com>
Sent: Wednesday, April 18, 2018 11:49 AM
To: John Cooper <johnc@co.skagit.wa.us>
Cc: Hal Hart <hhart@co.skagit.wa.us>
Subject: Questions per appeal of decision to deny application PL16-0097

Hello John,

I hope you are well.

We have received the notice that CNW has appealed the County's decision to deny their application PL 16-0097.

I have a couple of questions regarding procedures. I have read the relevant section of County Code (14.06.110 and 14.06.160).

1. Are the comments we (and other community members) have already submitted on this project automatically a part of the record for this appeal hearing, or do we need to resubmit them?

   Yes, comments submitted on this project are part of the project file that will be included in the record by the Planning Dept. for the appeal hearing.

2. Is there a particular procedure for submitting new comments regarding the appeal?

   No, see Hearing Examiner's rules attached (3.14 Limited Public Participation).

3. I assume that we are parties of record, and as such will receive copies of the notice of hearing and other relevant documents in a timely fashion. Please confirm.

You are not a party of record to the appeal filed by Concrete Nor'West, so you will not automatically receive copies of the appeal documents. We will do our best to put the relevant appeal documents on our website and provide you notice of their availability.

4. Please note that I have heard from some community members that they received in the mail, a copy of the County's 4/12/2018 Notice of Decision (to deny application). I received a copy of the 4/5/2018 letter from the County to CNW denying the application, directly from Julie Nicoll, and appreciate such. However, neither my husband nor I received the Notice of Decision, except through the attorney representing Central Samish Valley Neighbors.

Our records indicate that a notice of decision was sent to you and Mr. Day via email on April 11, 2018 (copies of which are attached). Those commenters that did not provide an email address, but did include a mailing address were mailed a paper copy of the notice.

Since the timing and notice regarding the appeal hearing is very short, I would like to understand who will receive these notices and who will not. Since we are presumably parties of record, it seems we should be receiving such notices directly. (Email transmittal of such documents would be adequate.)

5. We would very much appreciate as much lead time as possible regarding the scheduling of the appeal hearing. If possible please give me some idea of when it may be scheduled.

The Hearing Examiner will set the hearing schedule at a pre-hearing conference on May 9. Shortly thereafter, a Pre-Hearing Order will be issued by the Hearing Examiner. We can post this order on our website and let you know when it is available.

If you have additional questions about the Hearing Examiner's rules, please contact the Hearing Examiner's office or your legal counsel. Stevee Kivi is the Hearing Coordinator and can be reached at skivi@co.skagit.wa.us.

Thank you,
Martha Bray

Brenda Olson

From: Brenda Olson
Sent: Wednesday, April 11, 2018 12:13 PM
To: 'mbray1107@gmail.com'
Subject: Notice of Decision Re: PL16-0097

SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES
NOTICE OF DECISION
File #**PL16-0097**

Notice is hereby given that on April 5, 2018, the Skagit County Planning and Development Services **denied** special use application PL16-0097 submitted by Concrete Nor'west to develop a gravel mining operation north of Grip Road. The applicant proposed to remove approximately 4,280,000 cubic yards of gravel from the site over an approximately 25 year period. The applicant failed to provide the necessary additional information to process the application within 120 days of the request. Pursuant to 14.06.105, the application has been denied. The subject site is located north of Grip Road and south of the Samish River, within a portion of the southeast quarter of Section 27, Township 36 North, Range 4 East, Skagit County, WA (Parcels *P50155, P125644 & P125645*).

Applicant: Concrete Nor'west, PO Box 280, Mount Vernon, WA 98273

Pursuant to Skagit County Code 14.06.200, the Notice of Decision shall be forwarded to parties of record, the applicant and other applicable parties of interest.

The applicant and/or a party of record may appeal the decision of the Skagit County Planning & Development Services to the Skagit County Hearing Examiner pursuant to the provisions of Section 14.06.110. Parties with standing to appeal must submit the appeal form and appeal fees to the Planning and Development Services Department within 14 calendar days of the date of the Decision.

Transmitted to the Skagit Valley Herald: April 10, 2018
Please publish: April 12, 2018
Appeals must be submitted by: April 20, 2018

John Cooper, LG
Senior Natural Resource Planner
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
(360) 416-1334

Brenda Olson

From: Brenda Olson
Sent: Wednesday, April 11, 2018 12:13 PM
To: 'jday0730@gmail.com'
Subject: Notice of Decision Re: PL16-0097

SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES
NOTICE OF DECISION
File #PL16-0097

Notice is hereby given that on April 5, 2018, the Skagit County Planning and Development Services **denied** special use application PL16-0097 submitted by Concrete Nor'west to develop a gravel mining operation north of Grip Road. The applicant proposed to remove approximately 4,280,000 cubic yards of gravel from the site over an approximately 25 year period. The applicant failed to provide the necessary additional information to process the application within 120 days of the request. Pursuant to 14.06.105, the application has been denied. The subject site is located north of Grip Road and south of the Samish River, within a portion of the southeast quarter of Section 27, Township 36 North, Range 4 East, Skagit County, WA (Parcels *P50155, P125644 & P125645*).

Applicant: Concrete Nor'west, PO Box 280, Mount Vernon, WA 98273

Pursuant to Skagit County Code 14.06.200, the Notice of Decision shall be forwarded to parties of record, the applicant and other applicable parties of interest.

The applicant and/or a party of record may appeal the decision of the Skagit County Planning & Development Services to the Skagit County Hearing Examiner pursuant to the provisions of Section 14.06.110. Parties with standing to appeal must submit the appeal form and appeal fees to the Planning and Development Services Department within 14 calendar days of the date of the Decision.

Transmitted to the Skagit Valley Herald: April 10, 2018
Please publish: April 12, 2018
Appeals must be submitted by: April 20, 2018

John Cooper, LG
Senior Natural Resource Planner
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
(360) 416-1334

Skagit County
Planning & Development Services

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

April 5, 2018

Via E-mail Only: john@semrau.com; BLyn@gth-law.com

William Lyn
Gordon Thomas Honeywell LLP
1201 Pacific Avenue, Suite 2100
Tacoma, WA 98402

John Semrau, PE & PLS
2118 Riverside Drive, Suite 208
Mount Vernon, WA 98273

Via Certified Mail and E-Mail: danc@gravelpits.com

Dan Cox
Concrete Nor'West/Miles Sand & Gravel
P.O. Box 280
Mount Vernon, WA 98273

RE: Denial of Application for Failure to Timely Submit Requested Information (PL16-0097)

Gentlemen:

We are in receipt of your correspondence dated February 23, 2018. Your project application materials continue to be incomplete as discussed in person with Planning & Development Services on November 20, 2017 and as noted in our prior correspondence. Courtesy copies of our prior correspondence are enclosed for your convenience. To summarize, dating back to our March 14, 2017 letter, we asked you to update your application materials and all supporting documentation to address numerous factual inaccuracies and to ensure consistency with your current project plans. We reiterated our request for this additional information in our July 6, 2017 letter. As discussed at the November 20, 2017 meeting, we specifically requested new, updated versions of these documents, which we have not received.

In our July 6, 2017 letter, we asked you to revise your application and plans to indicate a 300-foot buffer from the edge of the wetlands to the gravel mining operation. We also asked you to amend your application to ensure the access road is in compliance with the private road standards. However, your submittal on February 23, 2018 did not include this information. The revised application form recently transmitted fails to address the access road.

Our July 6, 2017 letter also requested a site-specific Spill Control Plan to address potential water pollution impacts under Skagit County Code ("SCC") 14.16.900(1)(b)(v)(C). Via letter on October 24, 2017 and again in person on November 20, 2017, we informed you that the Spill Control Plan was incomplete. The revised Spill Control Plan submitted on February 23, 2018 remains incomplete since it fails to address on-site operations and site-specific equipment, and does not contain a site plan.

With respect to the Noise Study submitted on February 23, 2018, several underlying assumptions in the study appear to be incorrect. For example, page 7 of the study states the primary noise source will be a "front-end loader excavating material from the floor of the pit." However, a front-end loader is not used to excavate material. In addition, the Noise Study fails to analyze other heavy equipment (excavator, dozer and dump trucks) that may be used at the site according to your application. The Noise Study also inaccurately states that the proposed mine "would be situated in the middle of 726 acres of continuously owned property" and presumes that "most of the existing buffers would remain intact." It is our understanding that your surrounding properties may be harvested and buffers de-forested, which may impact noise transmission off-site. It is unclear whether this was addressed in the Noise Study. Accordingly, we find the Noise Study to be inaccurate and incomplete for the operations proposed.

Concrete Nor'West's revised application materials also failed to provide sufficient evidence showing compliance with the criteria in SCC 14.16.900(1)(b)(v) as noted in the March 14, 2017 letter. Specifically, there have been numerous public comments on the "potential adverse effects on the general public health, safety and welfare" of the proposed operations, which Concrete Nor'West has failed to address.

Since the additional information requested on March 14, 2017 and again on July 6, 2017 was not provided (despite an extension through the end of February, 2018), Skagit County Planning & Development Services is denying your application (PL16-0097) at this time pursuant to SCC 14.06.105. A denial for failure to timely submit requested information is a Level I decision that may be appealed to the Hearing Examiner. Pursuant to SCC 14.06.105(4), Concrete Nor'West may only reinitiate review by submitting a new application consistent with all current requirements.

If you have any questions, please contact me at (360) 416-1328.

Sincerely,

Hal Hart
Director of Planning & Development Services

Enclosures
1. March 14, 2017 letter from Skagit County
2. July 6, 2017 letter from Skagit County
3. October 24, 2017 letter from Skagit County

cc: John Cooper
Betsy Stevenson
Board of County Commissioners
Tim Holloran
Julie Nicoll

PL18-0200

RECEIVED

APR 16 2018

SKAGIT COUNTY
PDS

GORDON THOMAS HONEYWELL

William T. Lynn
Direct: (253) 620-6416
E-mail: blynn@gth-law.com

April 12, 2018

Skagit County Hearing Examiner
1800 Continental Place
Mount Vernon, WA 98273

RE: Concrete Nor'west
PC16-0097 – County Decision to Deny Application dated April 5, 2018

This letter shall serve as the Appeal by Miles Sand & Gravel Company and Concrete Nor'west of the Skagit County Planning and Development Services Department Decision April 5, 2018 to deny the above-referenced Miles' application for failure to submit timely requested information. A copy of the Decision appealed from is attached.

This Appeal is filed under Skagit County Code (SCC) 14.06.105 and .110. The following statements are set forth to meet the requirements of SCC 14.06.110(8)(a-e)

a) *The Decision Being Appealed.* The Decision being appealed is the letter dated April 5, 2018 a copy of which is attached as Exhibit A.

b) *The Name and Address of the Appellant and His Interest(s) in the Matter.* The Appellant is Miles Sand & Gravel Company and Concrete Nor'west, c/o Dan Cox, P.O. Box 280, Mt. Vernon, Washington 98273. The Appellant's Attorney is William T. Lynn, Gordon Thomas Honeywell, 1201 Pacific Avenue, Suite 2100, Tacoma, Washington 98402. Appellant has standing in this matter because it is the owner of the property that is the subject of the application and is the applicant for the permit at issue.

c) *The specific reasons why the appellant believes the decision to be wrong.* See attached Exhibit B.

d) *Desired outcome or changes to the decision.* The appellant requests that the decision be reversed and the application processed. Alternatively, the Appellant requests that the matter be remanded by the Examiner so that the Appellant has a fair opportunity to cure any defects.

e) Any Skagit County Code Section(s) the appellant deems relevant. Relevant Code Sections are included on Exhibit B. In general, this is based on SCC 14.06 chapter which implements RCW 36.70B chapter

We submit this appeal with a filing fee in the amount of $1,000.00. If anything further is necessary to perfect this appeal please notify me immediately.

Very truly yours,

William T. Lynn

WTL:lb
Enclosures
cc: Client

Approved this 16 day of April, 2018.

Miles Sand & Gravel Company
(Concrete Nor'west)

By: _____
Dan Cox

[4845-1949-8337]

EXHIBIT B

The Appellant alleges that the County Decision dated April 5, 2018 is incorrect for the following reasons:

1. Brief Procedural History. A brief procedural history will help provide context for the additional allegations set forth below. The Special Use Permit Application (Application) was filed March 7, 2016, assigned permit number PL16-0097, and deemed complete by the County on March 22, 2016. Notice of the Application was published March 31, 2016. The SEPA review process was completed, the SEPA MDNS was issued May 24, 2016, and the matter was set to go before the Hearing Examiner for public hearing. The Examiner actually convened the Hearing on November 16, 2016. The published staff report presented to the Examiner (attached here as Exhibit C) found that the Application met the requirements of applicable County codes, and that all findings necessary for the approval by the Examiner could be made. The staff report recommended approval subject to conditions.

Near the time of the public hearing, the County determined that notice of the Application had not been properly given. As a result, the hearing was opened by the Hearing Examiner, but then continued to a date to be set in the future. The County then recirculated a Notice of the Application for public comment and provided an opportunity for additional public comment with a deadline of December 30, 2016.

Since that time, the County has essentially treated the Application as being in an unending public comment period. In place of codes that formed the basis of its prior staff determination, the County has requested information seemingly based on "whatever the public wants", and has required the Appellant to meet a standard of "whatever will satisfy objecting parties."

The County has disregarded its own previous determinations made as to the completeness of the Application, and has disregarded the analysis of its own experts in reviewing Application materials, particularly related to wetlands, public works and traffic. In some cases (the noise and vibration study) the Appellant has been given no County comments and no real opportunity to respond to public comments. In some cases (traffic) the Appellant is still awaiting County comments. In other cases, the County has completely ceded its review authority to others (agencies or the public) without exercising the review discretion that the County staff is provided by code and statute. In still other cases, the County has ignored important mitigation measures provided by other agency permitting, in contravention of SEPA. More specific allegations are set forth below.

2. The first cited basis for denial in the letter is the Appellant's failure to show a 300-foot buffer from the edge of the wetland to the gravel mining operation. This ignores the previous County determination that a 200-foot buffer was consistent with County standards (see staff report attached as Exhibit B, p. 6). Moreover, this so-called defect does not affect the sufficiency of the Application. An application is complete if the submittal standards are met and requested information is provided SCC 14.06.090, .100 and .105. Here, the County is not requesting "information" but rather substantive changes to the proposal. The Application should go to the Examiner for his review. If the Hearing Examiner should determine that a 300-foot buffer is

required, that condition can be imposed at the time of the public hearing on the Application and the plan can be simply revised.

3. The County asserts that the Application must be modified to ensure the access road is in compliance with the private road standards that it deems applicable. This again does not affect the adequacy of the Application, which was previously deemed complete. And again, this is not a request for "information". If the Hearing Examiner determines that the project has to meet the private road standards, then a condition to that effect can be imposed. The most recent application materials submitted by the Appellant (February 23, 2018) specifically suggest a condition of approval to this effect if deemed necessary.

4. The County then requests a "site-specific Spill Control Plan" to address potential water pollution impacts. The County is required by SEPA to take into account mitigation provided by other permits to which an application is also subject. WAC 197-11-330(1)(c). The Appellant has advised the County on several occasions that the Department of Ecology has authority under the Clean Water Act to protect water quality and will require the applicant to comply with the provisions of the Sand and Gravel General Permit issued by the Department of Ecology under the National Pollution Discharge Elimination System process and the requirements of the State Waste Discharge General Permit. This includes the requirement for a Spill Control Plan. The County erred in failing to consider the requirements of these permit requirements administered by the State agency with primary authority with respect to water quality.

The County further asserts that the Spill Control Plan is inadequate because it fails to address "on-site operations and site-specific equipment and does not contain a site plan." This ignores the fact that a surface mine by its very nature is a land use that evolves over time. The various features that have the potential to adversely affect water quality move throughout the site as the mining proceeds. That is the reason that, as a generally accepted practice in the field, spill control plans are written generically so that the required measures (BMPs) apply wherever on the site activities with potential impact might occur. Nothing in the County Code including the provision cited by the County in its letter (SCC 14.16.900(1)(b)(v)(C) requires the details requested by the County, and the absence of those certainly has no bearing on the completeness of the Application. In fact a site specific plan would defeat the purpose of the measures by tying them to a specific location.

5. The County's comments regarding the noise study are particularly disturbing for several reasons. First, there was no evidence presented to the County to support the need for a study. The County should have adhered to its staff report finding of no adverse impact unless presented with facts to overcome that. Community displeasure is not a basis for land use decision-making. *Marantha Mining v. Pierce County*, 59 Wn. App. 795 (1990). The County's finding is supported by adopted noise standards (SCC Chapter 9.50) that apply to the proposal.

Second, the noise report was submitted on February 23, 2018 at the County's request, and the Appellant was never provided any County comments about the alleged "defects" until the application was denied. The only comments the Appellant received from the County were those forwarded from a neighbor on March 29th, four business days before the County denied the Application as incomplete. It is arbitrary and capricious and an erroneous process to summarily reject a noise study prepared by the professional without any opportunity to respond to

comments. We are confident that none of the bases cited in the County's April 5th letter would change the conclusions of the noise expert. In any event, the standard practice in this County and elsewhere (and the only process consistent with the rights of an applicant) is to provide comments and then allow an opportunity for correction or modification.

Moreover, the alleged deficiencies in the April 5 letter are exactly the same as those identified by the objecting neighbor in the comment forwarded by email on March 29th. The County is clearly not providing its own analysis and applying its own expertise. It is simply forwarding comments of neighbors and asking the Appellant to respond. In this case, the County went a step further and determined that the Appellant's failure to respond to the neighbor concerns within 4 business days was a reason to deny the Application altogether. This is completely inconsistent with any fair and objective process and unlawfully delegates the County's duties and powers to the public.

6. The County asserts that the Appellant failed to provide sufficient evidence showing that the criteria for the issuance of the Special Use Permit have been met. Of course, this first ignores the County's own previous findings that the criteria were met (see staff report). Second, it is not a request for "information". Third, it ignores the fact that the County staff's role here is to merely provide a recommendation and input to the Hearing Examiner. The Hearing Examiner's role is to make these determinations. Though this Appellant certainly makes every effort to do so, it is not required to satisfy the staff as to the merit of the proposal. The Appellant's burden is to satisfy the Hearing Examiner, and in denying the Application on the basis of incompleteness, the staff has usurped the Examiner's authority.

It is particularly troublesome that the staff's assertion here is that there were "numerous public comments" as to adverse effects that the applicant failed to address. It is not the Appellant's responsibility to respond to every public concern (though the Appellant certainly attempts to respond to all legitimate comments). The County staff's responsibility is to analyze the public comments and discern which of those require further analysis and then to advise the Appellant of that in due course. The staff is not to simply pass along every public comment and determine as a gate-keeper that all must be satisfied prior to advancing the Application to the Hearing Examiner process.

7. Although not mentioned in the letter, the Appellant is also concerned about the County's review of traffic impacts. We were advised some months ago that the County has retained a third party expert to review and comment upon the traffic study submitted to support the Application. To date, the Appellant has received no communications regarding the third party experts' conclusions. Based upon the history of this County review, the Appellant is justifiably concerned that, should this Application move forward as requested, the County will at some later point present a new list of comments requiring a response. The County should be required to provide all of its comments, including any as to the traffic report, in a specified period of time, well in advance of the hearing on this appeal. And, an extension of the Application time is appropriate for this. The County has specific authority to extend the time when needed to get input from another reviewer. SCC 14.06.105(5).

8. The staff has opened this Application to what seems to be unending public comment, and has changed its views about the proposal based upon those comments, even when they consisted of statements of opinion or mere conclusions. Many if not most comments do not present facts,

and certainly not facts based on expertise. The staff has set impossible goals for the Appellant: to address all public comments even from those who would never be satisfied. It would be bad enough if these public comments simply affected the staff's recommendation to the Hearing Examiner, but here, they are being used as a screen to deny the Appellant an opportunity to present its case to the Hearing Examiner. That is not a lawful process. It is arbitrary and capricious and contrary to the Appellant's right to have its proposal heard fairly before the Hearing Examiner. It also denies the Appellant the due process the U.S. and State Constitutions require.

9. On these bases, the Appellant will be requesting that the Hearing Examiner either overturn the staff's decision altogether and bring the matter on for hearing, or at the very least, remand the application for specific information requests consistent with the requirements of law.

Skagit County
Planning & Development Services

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April 5, 2018

Via E-mail Only: john@semrau.com; BLynn@gth-law.com

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Via Certified Mail and E-Mail: danc@gravelpits.com

Dan Cox
Concrete Nor'West/Miles Sand & Gravel
P.O. Box 280
Mount Vernon, WA 98273

RE: Denial of Application for Failure to Timely Submit Requested Information (PL16-0097)

Gentlemen:

We are in receipt of your correspondence dated February 23, 2018. Your project application materials continue to be incomplete as discussed in person with Planning & Development Services on November 20, 2017 and as noted in our prior correspondence. Courtesy copies of our prior correspondence are enclosed for your convenience. To summarize, dating back to our March 14, 2017 letter, we asked you to update your application materials and all supporting documentation to address numerous factual inaccuracies and to ensure consistency with your current project plans. We reiterated our request for this additional information in our July 6, 2017 letter. As discussed at the November 20, 2017 meeting, we specifically requested new, updated versions of these documents, which we have not received.

In our July 6, 2017 letter, we asked you to revise your application and plans to indicate a 300-foot buffer from the edge of the wetlands to the gravel mining operation. We also asked you to amend your application to ensure the access road is in compliance with the private road standards. However, your submittal on February 23, 2018 did not include this information. The revised application form recently transmitted fails to address the access road.

Our July 6, 2017 letter also requested a site-specific Spill Control Plan to address potential water pollution impacts under Skagit County Code ("SCC") 14.16.900(1)(b)(v)(C). Via letter on October 24, 2017 and again in person on November 20, 2017, we informed you that the Spill Control Plan was incomplete. The revised Spill Control Plan submitted on February 23, 2018 remains incomplete since it fails to address on-site operations and site-specific equipment, and does not contain a site plan.

With respect to the Noise Study submitted on February 23, 2018, several underlying assumptions in the study appear to be incorrect. For example, page 7 of the study states the primary noise source will be a "front-end loader excavating material from the floor of the pit." However, a front-end loader is not used to excavate material. In addition, the Noise Study fails to analyze other heavy equipment (excavator, dozer and dump trucks) that may be used at the site according to your application. The Noise Study also inaccurately states that the proposed mine "would be situated in the middle of 726 acres of continuously owned property" and presumes that "most of the existing buffers would remain intact." It is our understanding that your surrounding properties may be harvested and buffers de-forested, which may impact noise transmission off-site. It is unclear whether this was addressed in the Noise Study. Accordingly, we find the Noise Study to be inaccurate and incomplete for the operations proposed.

Concrete Nor'West's revised application materials also failed to provide sufficient evidence showing compliance with the criteria in SCC 14.16.900(1)(b)(v) as noted in the March 14, 2017 letter. Specifically, there have been numerous public comments on the "potential adverse effects on the general public health, safety and welfare" of the proposed operations, which Concrete Nor'West has failed to address.

Since the additional information requested on March 14, 2017 and again on July 6, 2017 was not provided (despite an extension through the end of February, 2018), Skagit County Planning & Development Services is denying your application (PL16-0097) at this time pursuant to SCC 14.06.105. A denial for failure to timely submit requested information is a Level I decision that may be appealed to the Hearing Examiner. P rsuant to SCC 14.06.105(4), Concrete Nor'West may only reinitiate review by submitting a new application consistent with all current requirements.

If you have any questions, please contact me at (360) 416-1328.

Sincerely,

Hal Hart
Director of Planning & Development Services

Enclosures

1. March 14, 2017 letter from Skagit County
2. July 6, 2017 letter from Skagit County
3. October 24, 2017 letter from Skagit County

cc: John Cooper
Betsy Stevenson
Board of County Commissioners
Tim Holloran
Julie Nicoll

Skagit County
Planning & Development Services

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March 14, 2017

Via E-mail: Dan.Cox@miles.rocks; john@semrau.com; BLynn@gth-law.com

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William Lyn
1201 Pacific Avenue, Suite 2100
Tacoma, WA 98402

RE: Request for Additional Information (PL16-0097)

Gentleman:

As you know, the second public comment period for Concrete Nor'West's gravel mining application has resulted in over one hundred comment letters. The comments indicated great concern about truck traffic and road safety. To address these concerns, Skagit County Public Works will run additional traffic models and road tests to ensure compliance.

Comment letters also indicated concern about noise and the facility's hours of operation. Per SCC 14.16.900 (Special Use Permit Requirements), the proposed use shall "not create undue noise, odor, heat, vibration, air or water pollution impacts" to its surroundings and shall "not cause potential adverse effects on the general public health, safety and welfare." To achieve compliance with this rule, the maximum number of truck trips per day and hours of operation will be conditioned. Based on the information you provided us, 46 truck trips per day is a reasonable limit. In addition, operations will be limited to Monday through Friday, 7:00 a.m. to 5:00 p.m. (except holidays).

In order for Skagit County to further evaluate the public's concerns, the following information is required:

- The Upper Skagit Tribe and Washington Department of Archaeology and Historic Preservation have indicated that the area proposed for mining has been inhabited by the Nuwaha band of the Upper Skagit Tribe. In order to confirm that mining activities do not disturb archaeologic resources, please submit a professional archaeological survey for the project area.

- Comment letters stated that improvements to the access road are required to meet private road standards. Skagit County Public Works Department confirmed the access road is insufficient to meet private road standards and the Fire Marshal's Office requires improvements to the access road to meet private road standards. For example, 20 feet of driving surface is required for emergency access. *See* SCC 15.040.030(2)(f) (Section D103.2 Fire Department Vehicle Access Roads) and

Skagit County Road Standards. Please provide a plan indicating the proposed improvements to the access road to achieve private road standards. Also include verification that the bridge over Swede Creek is rated as HS-25. In the event that the improvements to the access road are required within 200 feet of Swede Creek or other critical areas, additional critical areas review may be necessary.

- The application indicates that a 2,000 gallon fuel tank *may* be stored on-site. However, the Hydrogeologic Site Assessment indicated that a mobile fuel truck may be used and no permanent fueling or maintenance facilities are proposed on-site. Please verify whether a fuel storage tank will be placed on-site or if a mobile fuel system will be used. Comment letters have also indicated a concern about potential fuel, hydraulic fluid, and oil spills on-site and potential impacts to water quality. Please include all plans to contain and prevent hazardous material spills, including the spill control plan and a clean-up plan in the event of a spill.

- The application indicates that no processing of material, including dry screening will occur on-site. However, the Hydrogeological Site Assessment indicates that dry screening of material (page 4, second paragraph) may occur. Accordingly, please verify whether processing or screening will occur on-site.

- Comment letters indicated that a full review of Endangered Species Act (ESA)-listed species, such as the Oregon spotted frog and Washington State sensitive species, was not addressed in the fish & wildlife/wetland site assessment per SCC 14.24.220 and SCC 14.24.520. Comment letters also indicate a 300 foot buffer should be applied due to the high intensity use. Currently, your fish & wildlife/site assessment plan includes a 200 foot buffer. Please update your fish & wildlife/wetland site assessment to address these comments.

Finally, as noted above and in the public comment letters received to date, there are numerous factual discrepancies in your Application, Project Description, SEPA Checklist, Traffic Study, and Fish & Wildlife Site Assessmen . While we understand these materials were prepared at different times throughout the planning process, we ask that you update these materials to include the supplemental information requested above and to ensure consistency with your current project plans.

After receiving your updated materials, the County will issue a Revised SEPA Determination for public comment. Since certain neighbors were inadvertently excluded from the original notice list you prepared, we will update the list and ensure that proper notice is provided. Subsequently, the Staff Report for the Special Use Permit will be revised and published for public comment and hearing.

Thank you for your patience in this matter. If you have any questions, please contact my office at (360) 416-1334.

Sincerely,

John Cooper, LG
Planner/Geologist

Planning & Development Services

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July 6, 2017

Via E-mail Only: Dan.Cox@miles.rocks; john@semrau.com; BLynn@gth-law.com

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RE: Response to Concrete Nor'West May 15, 2017 Letter (PL16-0097)

Gentlemen:

Thank you for your response letter dated May 15, 2017. Your revised application materials are incomplete, as described below. Accordingly, additional information is necessary before we can continue processing your application.

1. With respect to the proposed hours of operations, SCC 14.16.440 states:

   (i) Hours of operation **shall vary according to the location of the site as stated below and may be shortened by the Hearing Examiner based on site-specific circumstances**:

   (i) Within designated natural resource lands, the hours of operation ***may be*** unlimited. **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**, on any portion of the mining site where mining activity is proposed to occur less than 1/4 mile from existing Rural Intermediate, Rural Village, or Urban Growth Area designated lands[.]

   While the Hearing Examiner is the decision-maker with respect to the hours of operation, Planning & Development Services (PDS) provides the Hearing Examiner with recommendations based on its review and analysis of the proposed project and its potential impacts. Based on the limited information received to date from Concrete Nor'West, we initially recommended that operations be limited to Monday through Friday, 7:00 a.m. to 5:00 p.m. (except holidays). It is unclear what evidence Concrete Nor'West relies on to support its position of unlimited operations pursuant to SCC 14.16.440.

2. Furthermore, there are additional general special use permit criteria that Concrete Nor'West must comply with as set forth in SCC 14.16.900(1)(b)(v). To date, Concrete Nor'West's application materials have failed to provide sufficient evidence to support the following criteria in SCC 14.16.900(1)(b)(v):

   (A) The proposed use will be compatible with existing and planned land use and comply with the Comprehensive Plan.

   (B) The proposed use complies with the Skagit County Code.

   (C) The proposed use will not create undue noise, odor, heat, vibration, air and water pollution impacts on surrounding, existing, or potential dwelling units, based on the performance standards of SCC 14.16.840.

   (D) The proposed use will not generate intrusions on privacy of surrounding uses.

   (E) The proposed use will not cause potential adverse effects on the general public health, safety, and welfare.

   (F) For special uses in Industrial Forest—Natural Resource Lands, Secondary Forest—Natural Resource Lands, Agricultural—Natural Resource Lands, and Rural Resource—Natural Resource Lands, the impacts on long-term natural resource management and production will be minimized.

   (G) The proposed use is not in conflict with the health and safety of the community.

   (H) The proposed use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding areas, or conditions can be established to mitigate adverse impacts on such facilities.

   (I) The proposed use will maintain the character, landscape and lifestyle of the rural area. For new uses, proximity to existing businesses operating via special use permit shall be reviewed and considered for cumulative impacts.

   To show compliance with the above criteria, a noise and vibration study should be conducted and your application materials should be updated to include all supporting evidence. This type of assessment will identify any potential noise and vibration impacts to the surrounding community and will support a final determination on the proposed hours of operations and any limitations to address potential impacts.

3. Concrete Nor'West's proposed operation includes an average of 46 truck trips per day, with a potential maximum limit of 720 truck trips per day. These figures have resulted in significant public concern about traffic and noise impacts to local residents. Per SCC 14.16.900 (Special Use Permit Requirements), the proposed use shall "not create undue noise, odor, heat, vibration, air or water pollution impacts" to its surroundings and shall "not cause potential adverse effects on the general public health, safety and welfare." As previously noted, to achieve compliance with Skagit County Code, we initially recommended that the number of truck trips be limited to 46 per day based on the information provided by Concrete Nor'West to date. Based on the results

of the additional traffic study that will be conducted as described below, we may revisit this proposed limitation.

Additionally, existing traffic reports from DN Traffic Consultants have not alleviated public concern. As a result, Skagit County Public Works is in the process of retaining a third party traffic consultant to further evaluate potential traffic impacts of the proposed project, including safety concerns relating to pedestrians, bicycle riders, and school bus stops. Pursuant to SCC 14.16.440(8)(l), the consultant will also determine whether the "roads or bridges are capable of sustaining the necessary traffic for the proposed mineral extraction operation, and that the proposed operation meets level-of-service, safety, and other standards as outlined in the Skagit County Transportation Systems Plan, the Skagit County Comprehensive Plan, and applicable State and local regulations." Finally, the consultant will evaluate the sufficiency of the proposed mitigation and may propose additional mitigation if necessary to reduce or eliminate potential traffic impacts.

4. While the access road is currently being used for forest practice activities, the road will need to be upgraded to Skagit County private road standards to accommodate the commercial gravel operations pursuant to SCC 14.36.010, the County Road Standards adopted by Resolution 17930, and the Fire Marshal Standards set forth in SCC 15.04.030(2)(f) (Section D103.2 Fire Dept. Vehicle Access Roads). Accordingly, **please amend your application to ensure compliance with these requirements.** In the event that the improvements to the access road are required within 200 feet of Swede Creek or other critical areas, additional critical areas review may be necessary.

5. Thank you for confirming that your proposal includes the potential of storing a 2,000 gallon fuel tank on-site. Your application will be processed reflecting the possibility of potential fuel, hydraulic fluid, and oil spills on-site and potential impacts to water quality. You have indicated that you will include this mining location into Miles' Sand and Gravel General Permit and will apply certain provisions of the Sand and Gravel General Permit as your procedures for managing fuel and other hazardous materials onsite. It is our understanding that the Sand and Gravel General Permit does not include a site-specific Spill Control Plan for the proposed operations. Accordingly, **please submit a copy of your site-specific Spill Control Plan.**

6. The Fish and Wildlife Site Assessment prepared by Graham Bunting and Associates discusses land use impacts in Section 5.2.2 and concludes that the gravel mining operation is a moderate impact land use, thus a 200-foot buffer is adequate to protect the Samish River and associated wetlands. However, comment letters received from the Washington Department of Ecology (dated June 1, 2016 and December 27, 2016) and other local wetland professionals conclude that the gravel mining operation is a high impact land use and will require a 300-foot buffer from the edge of the wetland to the gravel mine. SCC 14.04 defines High Impact Land Use as *"land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium- and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and commercial and industrial land uses."* Since your proposal is both a commercial and industrial land use that involves the extraction of approximately 4,280,000 cubic yards of material over 20 years, the proposed operations are a high impact land use. **Please amend your application and plans to indicate a 300-foot buffer from the edge of the wetlands to the gravel mining operation.**

7. Although the information you provided included many supporting documents, your submittal did not include updated application materials, as requested in our March 14, 2017 letter, resolving the numerous factual discrepancies in your Application, Project Description, and SEPA Checklist. **Please update these materials to include the supplemental information requested and to ensure consistency with your current project plans.**

After receiving your updated materials, the County will determine if your application is complete and proceed accordingly. Thank you for your patience in this matter. If you have any questions, please contact my office at (360) 416-1334.

Sincerely,

John Cooper, LG
Planner/Geologist

Planning & Development Services

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October 24, 2017

Via E-mail Only: Dan.Cox@miles.rocks; john@semrau.com; BLynn@gth-law.com

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RE: Response to Concrete Nor'West September 20, 2017 Letter (PL16-0097)

Gentlemen:

We are writing to respond to your letter dated September 20, 2017. Your revised application materials remain incomplete as described in our prior letters dated March 14, 2017 and July 6, 2017 (copies of which are enclosed). Skagit County Planning & Development Services (PDS) requested additional information pursuant to Skagit County Code (SCC) 14.06.100(5), and we cannot continue processing your application without this information. In addition, the Spill Control Plan submitted with your September 20, 2017 letter is incomplete and should be re-submitted.

Pursuant to SCC 14.06.105(1), you have 120 days to submit the information requested on July 6, 2017. Accordingly, please submit the additional information **on or before November 3, 2017**. If all of the requested information is not received by PDS within 120 days, PDS will deny the application for failure to timely submit the requested information.

If you have any questions regarding this matter, please contact me directly at (360) 416-1328.

Sincerely,

Dale Pernula, AICP
Director

Enclosures

SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES
FINDINGS OF FACT

Hearing Authority: Skagit County Hearing Examiner

Hearing Date: December 7, 2016

Application Number: Special Use Permit Application PL16-0097

Applicant: Concrete Nor'West
Mr. Dan Cox
PO Box 280
Mount Vernon, WA 98273

Zoning/Comprehensive Plan: The property is located within the Rural Resource-Natural Resource Lands zoning/comprehensive plan designated area as indicated in the Skagit County Comprehensive Plan and associated zoning maps. The subject property is within the Mineral Resource Overlay.

Assessor's Account Numbers: 360427-4-003-0100, 360427-4-003-0200 & 360427-4-002-0003.

Parcel Numbers: P125644, P125645 & P50155

Project Location: The proposal is located north of Grip Road and south of the Samish River, within a portion of the southeast quarter of Section 27, Township 36 North, Range 4 East, Skagit County, WA (Parcels *P50155, P125644 & P125645*).

General Project Description: Concrete Nor'West filed an application for a mining special use permit (PL16-0097) to develop a gravel mining operation on three parcels comprising approximately 68 acres. The gravel mining operation will remove approximately 4,280,000 cubic yards of gravel from the site over an approximately 25 year period. Gravel will be removed from the site by truck and trailer, generating about 46 truck trips per day. The material will be either sold directly to market or transported to one of Concrete Nor'Wests nearby facilities for processing. Operations onsite will be limited to excavation and removal from the site. No processing is proposed onsite at this time. The site is accessed from Grip Road on an existing private gravel road.

Exhibits:
1. Staff Report.
2. Special Use Application and narrative received March 7, 2016.
3. Skagit County Zoning and Assessor's map.
4. Site Plan Maps.
5. SEPA Checklist dated March 2, 2016
6. Fish and Wildlife Site Assessment by Graham Bunting Associates, dated August 20, 2015.

7. Hydrogeologic Site Assessment by Associated Earth Sciences, dated August 21, 2015.
8. Fugitive Dust Control Plan by Concrete Nor'West.
9. Notice of Development Application, published March 31, 2016.
10. Mitigated Determination of Non-significance (MDNS) dated May 24, 2016.
11. Traffic plan
12. List of neighboring property owners and parties of record being notified of the Public Hearing.

Correspondence:

13. A letter comment was received from Mr. Tim Hyatt of the Skagit River System Cooperative, dated April 5, 2016, expressing concern over potential impact to the Samish River and the adequacy of the bridge over Swede Creek for the proposed truck traffic. (Address: PO Box 368, LaConner, WA 98257-0368; Email: Thyatt@skagitcoop.org)
14. An email comment was received from Doug Gresham of the Washington Department of Ecology, sent on April 7 2016. Mr. Gresham's comment expressed concern about mining within the buffer of the Samish River. (Address: 3190 160th Ave SE, Bellevue, WA 98008; Email: doug.gresham@ecy.wa.gov)
15. An email comment was received from Mrs. Martha Bray, sent on April 7, 2016, requesting information on the proposal. (Address:6368 Erwin Lane, Sedro-Woolley, WA 98284; Email: mbray1107@gmail.com)
16. An email comment was received from Mrs. Martha Bray, sent on April 14, 2016, expressing concern over impact to wetlands, the Samish river, fragmentation of habitat, noise and volume of truck traffic. (Address:6368 Erwin Lane, Sedro-Woolley, WA 98284; Email: mbray1107@gmail.com)
17. An email comment was received from Robert & Linda Walsh, sent on April 15, 2016, expressing concern over noise, traffic, dust and pollution, impact of water runoff and erosion, traffic, any blasting of rock onsite, wildlife impacts, and a negative impact on property values. (Email: walshL2006@hotmail.com)
18. An email comment was received from Mr. Steve Garey, sent on April 15, 2016, expressing concern over a short comment period duration, traffic and environmental impacts to the Samish River. (Email:swgarey@gmail.com)
19. An email comment was received from Mr. Jim Swift, sent on April 15, 2016, requesting notification of public hearings. (Address: PO Box 4227, Bellingham, WA 98227; Email: juliette@raptorgroup.com)
20. A letter was received from Doug Gresham of the Washington Department of Ecology dated June 1, 2016, including recommendations and conditions for approval of the project. (Address: 3190 160th Ave SE, Bellevue, WA 98008; Email: doug.gresham@ecy.wa.gov)
21. An email comment was received from Ray McEwan of the Washington Department of Transportation (WDOT), sent on June 15, 2016, requesting a copy of the traffic analysis. The traffic analysis was provided to WDOT for review. (Address:1043 Goldenrod Rd, Ste 101, Burlington, WA 98233; Email mcewanr@wsdot.wa.gov)

7. Hydrogeologic Site Assessment by Associated Earth Sciences, dated August 21, 2015.
8. Fugitive Dust Control Plan by Concrete Nor'West.
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10. Mitigated Determination of Non-significance (MDNS) dated May 24, 2016.
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16. An email comment was received from Mrs. Martha Bray, sent on April 14, 2016, expressing concern over impact to wetlands, the Samish river, fragmentation of habitat, noise and volume of truck traffic. (Address:6368 Erwin Lane, Sedro-Woolley, WA 98284; Email: mbray1107@gmail.com)
17. An email comment was received from Robert & Linda Walsh, sent on April 15, 2016, expressing concern over noise, traffic, dust and pollution, impact of water runoff and erosion, traffic, any blasting of rock onsite, wildlife impacts, and a negative impact on property values. (Email: walshL2006@hotmail.com)
18. An email comment was received from Mr. Steve Garey, sent on April 15, 2016, expressing concern over a short comment period duration, traffic and environmental impacts to the Samish River. (Email:swgarey@gmail.com)
19. An email comment was received from Mr. Jim Swift, sent on April 15, 2016, requesting notification of public hearings. (Address: PO Box 4227, Bellingham, WA 98227; Email: juliette@raptorgroup.com)
20. A letter was received from Doug Gresham of the Washington Department of Ecology dated June 1, 2016, including recommendations and conditions for approval of the project. (Address: 3190 160th Ave SE, Bellevue, WA 98008; Email: doug.gresham@ecy.wa.gov)
21. An email comment was received from Ray McEwan of the Washington Department of Transportation (WDOT), sent on June 15, 2016, requesting a copy of the traffic analysis. The traffic analysis was provided to WDOT for review. (Address:1043 Goldenrod Rd, Ste 101, Burlington, WA 98233; Email mcewanr@wsdot.wa.gov)

22. An email comment was received from Ray McEwan of the WDOT, sent on June 21, 2016. Mr. McEwan has no further comments but reserves the right to comment should any changes to the project be proposed. (Address:1043 Goldenrod Rd, Ste 101, Burlington, WA 98233; Email mcewanr@wsdot.wa.gov)
23. An email comment was received from Mrs. Martha Bray, sent on June 10, 2016, expressing concern over impact to fish and wildlife habitat, the quality of life in the area and the impact of truck traffic to Grip and Prairie Road. (Address:6368 Erwin Lane, Sedro-Woolley, WA 98284; Email: mbray1107@gmail.com)

GENERAL PROPERTY/PROJECT INFORMATION:

Development schedule - The project proposal will consist of dry mining limited to excavation and removal from the site. The project will consist of one phase of excavation from the surface grade extending down to a depth approximately 10 feet above the groundwater table with a finished elevation ranging from 154 to 163 feet in elevation. Mining is anticipated to yield approximately 4,280,000 cubic yards of sand and gravel over an approximate 25 year period. The applicant proposes to mine to an elevation above the reclamation contours indicated on the Reclamation Plan.

The initial phase of the mining operation will include installation of site drainage facilities and designating stockpiling areas. Reclamation will be ongoing throughout the mining process, but is not anticipated to be completed until final mining. Timber harvest will be required and the applicant has applied for and received a forest practice conversion permit, PL16-0098. After removal of timber, the area will be stripped of topsoil and stockpiled onsite for use in final reclamation of the site. After reclamation, the subject site will be reforested.

Project Access – Access to the proposed mining area is from the existing private gravel road extending north from Grip Road.

Traffic and Parking - Truck trips generated by the proposal is anticipated as an average of 46 daily trips during mining operations not to exceed 30 trucks per hour (potential of 720 truck trips per day). Parking for employees, trucks, and operations vehicles will be available on-site. Traffic haul routes from the mine on public roads will include west on Grip Road to Prairie Road, west on Prairie Road to Old Highway 99, then south on Old Highway 99 to the existing Concrete Nor'West gravel mining operation south of the Samish River. Sand and gravel obtained from the Grip Road Mining site will be sold directly to market or processed at the existing Concrete Nor'West gravel mining operation.

Surrounding Land Use- The parcels located adjacent and to the north, south and west of the subject site are zoned as Rural Resource Natural Resource Lands (RRc-NRL) and are utilized as low density residential developments and forestry. RRc-NRL lands allow residential development of 1 residence per 40 acres or 4 residences per 40 acres under the provisions of the Conservation and Reserve Development subdivision criteria, SCC 14.18.300. Properties adjacent to the east of the subject site are zoned as Agricultural-

Natural resource Lands (AG-NRL) and are utilized for agriculture, low density residential developments and forest lands. Rural Reserve (RRv) zoned areas are located approximately ¼ of a mile to the east and west of the site and 1 mile to the south of the subject site.

Aesthetic Impacts – the remote geographic location and topography of the site including perimeter buffers will largely prevent views into the mining site. Lights from trucks and equipment may be visible from Grip Road or Prairie Road in the early morning and early evening hours of the winter months. Perimeter vegetated buffers to the north, south, east and west will control most of the potential light and glare impacts.

Site Buffers and Setbacks - As per SCC 14.16.440 (10) (b) (iii), a 100-foot buffer will be maintained around the perimeter of the mining site. Once the extraction and transportation operations have been completed, the material in the buffer may be utilized during reclamation. The applicant has volunteered a 50 foot setback from the mining area around the north, south, and west perimeter of the mining area. A 200 foot critical area buffer is proposed on the east perimeter of the subject site.

Employees - The applicant has indicated that up to 1 to 2 employees would be working on the site at maximum operation. No groundwater will be used for mining purposes. Restrooms for the employees are provided by an onsite portable sanitation facility.

Proposed Hours and Days of Operation – The applicant proposes that the days and hours of operation will generally be limited to Monday through Saturday, from dawn till dusk. The applicant proposes that the hours of operation maybe expanded based on market conditions and seasonal demands.

7AM - 5PM generally SEPA checklist

Skagit County Code 14.16.440 (10)(i) states: *Hours of operation shall vary according to the location of the site as stated below and may be shortened by the Hearing Examiner based on site-specific circumstances.*

> *(i) Within designated natural resource lands, the hours of operation may be unlimited. 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, on any portion of the mining site where mining activity is proposed to occur less than 1/4 mile from existing Rural Intermediate, Rural Village, or Urban Growth Area designated lands;*

The proposed mining site is within the Rural Resource-Natural Resource Lands designation and is greater than ¼ mile from Rural intermediate, Rural Village and Urban Growth Area designated lands.

Storage of Hazardous Materials – No hazardous materials or fuels are proposed to be stored onsite. The primary potential contaminant would be relatively minor volumes of petroleum related fuels (diesel and/or gasoline) contained in a fuel tank for the on-site machinery and vehicles. The ongoing site fuel sources combined with the increased

SEPA checklist 2,000 gal diesel fuel tank

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The proposed mining site is within the Rural Resource-Natural Resource Lands designation and is greater than ¼ mile from Rural intermediate, Rural Village and Urban Growth Area designated lands.

Storage of Hazardous Materials – No hazardous materials or fuels are proposed to be stored onsite. The primary potential contaminant would be relatively minor volumes of petroleum related fuels (diesel and/or gasoline) contained in a fuel tank for the on-site machinery and vehicles. The ongoing site fuel sources combined with the increased

SEPA checklist 2,000 gal diesel fuel tank

susceptibility of the aquifer due to mining would result in a low risk to water quality. The Department recommends that the applicants develop and adhere to a Spill Response Plan and BMPs of the Storm Water Pollution Prevention Plan.

Noise/Emissions/Odors – The applicant has indicated that the mining operation is anticipated to be in compliance with both day and night Skagit County noise regulations. The proposed use would not be expected to generate excessive emissions or odors with the exception of dust generation. The applicant has provided a Fugitive Dust Control Plan (Exhibit 8) which includes spraying water on roads and equipment to control fugitive dust. The Department recommends that the applicant implement the Fugitive Dust Control Plan and during operations, if necessary, modify the plan as necessary to control dust emissions. At no time shall dust emissions exceed standards established by the Northwest Clean Air Agency (NWCAA).

DEPARTMENTAL FINDINGS:

1. **Zoning/Comprehensive Plan Designations.** The property is located within the Rural Resource-Natural Resource Lands zoning/comprehensive plan designated area as indicated in the Skagit County Comprehensive Plan and associated zoning maps. The subject property is located within the Mineral Resource Overlay (MRO) zoning designation.

2. **Processing**. Pursuant to SCC 14.06.100 of the Skagit County Code, the application was deemed complete on March 22, 2016. A Notice of Development Application was posted onsite and published in the Skagit Valley Herald on March 31, 2016, as required by SCC 14.06.150 (Exhibit 9). Notification was provided to all property owners and occupants within 300 feet of the subject property. Seven comment letters and emails were received during the comment period, Exhibits 13 through 19.

3. **State Environmental Policy Act.** The application has been reviewed in accordance with the State Environmental Policy Act guidelines (WAC 197-11 and RCW 43.21C). A Mitigated Determination of Non-significance (MDNS) was issued on May 24, 2016, and became effective following the fifteen-day comment period that ended on June 10, 2016, and a fourteen-day appeal period that ended on June 24, 2016, Exhibit 10. Four comment letters were received during the comment period, Exhibits 20 through 23. The following conditions were placed on the threshold determination:

    - The public right-of-way shall be kept clean. Tracking of mud and debris off site shall not be allowed.
    - The applicant shall comply with Northwest Clean Air Agency (NWCAA) requirements, including all dust control requirements both on and offsite.
    - The applicant shall comply with the provisions of Skagit County Code 14.24, Critical Areas Ordinance. No development or disturbance of soil, vegetation or water may occur within critical areas and associated buffers.

- Temporary erosion/sedimentation control measures, as approved by the Skagit County Department of Public Works, shall be in place prior to the initiation of the project pursuant to Skagit County Code (SCC) 14.32, Drainage Ordinance. The applicant shall maintain all temporary erosion/sedimentation control measures in accordance with the Skagit County Drainage/Erosion/Sedimentation Control Ordinance. Said measures shall remain in place until completion of the project.
- The project shall comply with noise, vibration, and light/glare limitations as per SCC 14.16.840.
- The project is limited to those activities described in the SEPA checklist and supporting documents. Significant deviation from the proposal may require additional review and approval by Skagit County Planning and Development Services.
- The applicant shall comply with the provisions of Washington State Administrative Code (WAC) 173-200 & 173-201A as required to prevent surface water quality and groundwater impacts. Best management practices shall be utilized to prevent interference and/or degradation of water quality.
- No gravel mining operations shall occur within 10 feet of the groundwater table as established by the Hydrogeologic Site Assessment report by Associated Earth Sciences, dated August 21, 2015.

The SEPA threshold determination was not appealed during the appeal period.

4. **Flood Hazard Area Review.** The proposed mining area is not located within a flood hazard zone.

5. **Critical Areas Review:** A Fish and Wildlife Site Assessment report which included wetland delineations have been submitted by the applicant, dated August 20, 2015 Eexhibit 6). The report indicates the eastern portion of the subject site is adjacent to the Samish River and associated wetlands. The Samish River is classified as a Type S (shorelines) water body and the adjacent wetlands were rated as Category II wetlands. Both the wetlands and the Samish river have been provided with a 200 foot buffer as per SCC 14.24.230 (1)(b) and SCC 14.24.530 (1)(c). The Department recommends that a Protected Critical Areas (PCA) agreement be recorded for the wetlands and Samish River and include a 200 foot vegetated buffer between the wetlands/stream and any mining activity. The PCA may be recorded with approval of this special use permit.

The proposed gravel mine is located on an alluvial terrace approximately 50 to 75 feet above the Samish River. The applicant proposes to excavate to a final mining depth of 154 feet, above msl, approximately 10 feet above the existing ground water level for the site (144 feet above msl). Excavation of the gravel mine as proposed will result in a berm approximately 50 to 75 feet high and approximately 350 feet wide at the base. The berm is anticipated to separate the Samish River from the mine and prevent avulsion by the Samish River. The berm

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will also include an undisturbed 200 foot critical areas buffer to preserve wetlands and fish & wildlife habitat conservation areas adjacent to the Samish River.

As required by SCC 14.16.440, the applicant submitted a Hydrogeologic Report prepared by Associated Earth Sciences, Inc. dated August 21, 2015 (Exhibit 7). The report discusses water quality and quantity impacts resulting from the mine expansion and concludes that mining activities on the subject site will not have an adverse impact on local groundwater or surface water quality or quantity.

6. Health Department Review:

Water Supply

No well or water source is currently present onsite. Limited volumes of potable water (bottled water) for employees will be brought in from an offsite source. A water truck will be brought in for dust suppression. Water for dust suppression will be obtained from offsite sources. If the operation should change to include gravel washing or other uses (over 5000 gallons per day or irrigation of over ½ acre of ground), a water right from the Washington State Department of Ecology Water Resources section will be required.

Restrooms and Sewage Disposal

The application states that portable toilets will be provided for employee's onsite.

Control of Petroleum Products and other Toxics

The application states that a portable double walled diesel fuel tank may be brought onsite for fueling heavy equipment. The following mitigations are recommended conditions of approval and should be incorporated into the day to day operating practices.

1. Department of Ecology "Best Management Practices need to be followed.
2. Develop and follow a storm water control plan which includes BMP's for Mobile fueling of vehicles and heavy equipment and a spill cleanup plan.
3. Off-site discharge of surface water (if any) may require a NPDES permit from the Department of Ecology or discharge permit from the Skagit County Public Works Surface Water Division.

Noise and Vibration

Noise: The maximum allowable noise level per Chapter 173-60 WAC allowed to be emitted from this property, a Class C EDNA property, onto a Class A EDNA property (residential) is 60 decibels and between the hours of 10:00 PM and 7:00 AM levels must be reduced by 10 decibels (or 50 decibels). Sound levels generated by the operation shall comply with 173-60 WAC "Maximum Environmental Noise Levels. The operator needs to be aware that minor changes in operation (e.g. Type of Equipment, location of equipment, state of equipment repair and maintenance, screening, presence or lack of berms, presence of reflective surfaces, weather conditions and etc.) can allow additional noise which can interfere with the peace and repose of neighbors. Limiting noise impacts on

neighbors, therefore should be a constant goal. 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. When major noise events such a blasting take place, neighbors need to be adequately notified in advance.

Vibration: Vibration from equipment will not be transmitted into the ground and will be indistinguishable beyond a few feet.

7. **Public Works Department Review:**

Skagit County Public Works has reviewed the above referenced Special Use application and has the following items to add as a condition of approval:

- The applicant shall purchase and install at their expense, a traffic loop activated flashing beacon system in the area of the Grip Road and Prairie Road intersection. The items will include a loop on Grip Road at the intersection and a loop on Prairie Road for left turns onto Grip Road. Additionally, one beacon shall be required for each direction on Prairie Road approaching Grip Road. All equipment and signage that is to be installed shall meet the standards and specifications promulgated by Skagit County Public Works.
- The applicant shall be required to submit for a right-of-way permit to install all the items.
- The applicant shall have the beacons and all necessary signage installed and accepted by Public Works prior to the applicant hauling material out of the pit, or within 1 year of the date of approval of the application.

8. **Fire Marshal Review:** No comments were received from the Fire Marshal.

9. **Current Planning review:** Skagit County PDS current Planning has reviewed the above referenced Special Use application and has no concerns with the proposal.

10. **Special use permit requirements:** The applicant is requesting a Special Use permit pursuant to Skagit County Code 14.16.430 Rural Resource-Natural Resource Lands (4)(g) and SCC 14.16.440 Mineral Resource Overlay (7). Hearing Examiner Special Use permits are processed as a Level II permit as outlined in SCC 14.06.120 Level II Review Procedures.

SPECIAL USE CRITERIA: Skagit County Code Section 14.16.900 (1)(b)(v) Special Uses indicates that certain items will be reviewed when approving or denying Special Use permits. Those items are as follows:

A. The proposed use will be compatible with existing and planned land use and comply with the Comprehensive Plan.

The proposed land use, including reclamation, is consistent with the goals and policies of the Comprehensive Plan and Growth Management Act (GMA)

neighbors, therefore should be a constant goal. 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. When major noise events such a blasting take place, neighbors need to be adequately notified in advance.

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A. **The proposed use will be compatible with existing and planned land use and comply with the Comprehensive Plan.**

The proposed land use, including reclamation, is consistent with the goals and policies of the Comprehensive Plan and Growth Management Act (GMA)

protecting and preserving Natural Resource Land of long-term commercial significance. In addition, many of the Skagit County Comprehensive Plan's goals and policies that support the development of mining operations in the Mineral Resource Overlay zone were specifically created to meet the criteria outlined in the Comprehensive Plan. The Comprehensive Plan states in Chapter 4 Natural Resource Lands Element that:

Skagit County supports environmentally responsible and safe mineral resource extraction and processing activities. Mineral resource lands of long-term commercial significance are to be designated to conserve the mineral resource. These designations apply to areas where mining and processing activities are economically and environmentally feasible and where conflicts with other land uses can be minimized. Because mineral resources cannot be replaced or relocated, Skagit County designates all commercially significant mineral resources to ensure that these lands are available for resource production far into the future.

The proposal is consistent with Goal's D-2, D-3, D-4, D-5 and D-6 of the Comprehensive Plan, Natural Resource Lands Element.

GENERAL POLICY GOALS: MINERAL RESOURCE OVERLAY

Maintain and enhance conservation of long-term commercially significant mineral resource lands so that use of and access to these lands is not precluded by conflicting land uses through the designation of a Mineral Resource Overlay. These principles shall guide Skagit County's actions to:

- *Maintain and enhance conservation of long-term commercially significant mineral resource lands.*
- *Maximize compatibility between mineral extraction operations and other land uses.*
- *Reduce conflicts between mining operations and adjacent land uses so that access to mineral lands is not precluded by conflicting land uses; and*
- *Promote the economic and regulatory stability of the mining industry.*

The proposal is consistent with the following Comprehensive Plan policies and objectives:

GOAL D-2: CONSERVE MINERAL RESOURCE LANDS

> *Protect and conserve mineral resource lands of long-term commercial significance.*

Policy 4D-2.1 Designate Mineral Resource Overlay

Areas meeting the criteria for mineral lands of long-term commercial significance shall be identified as Mineral Resource Overlay on the Comprehensive Plan Land Use and Zoning Map.

Policy 4D-2.2 Allowable Mineral Extraction Activities

Activities associated with mineral extraction operations are those activities that further develop the base product of the mineral being extracted. Examples of these activities include washing, crushing, asphalt plants, and concrete batch plants. Associated activities shall be allowed as a hearing examiner special use within the Mineral Resource Overlay or in areas designated Natural Resource Industrial – NRI. Those associated activities must meet the requirements of the Special Use Permit specific to those areas and must be listed as permitted uses in those Districts. Temporary activities associated with construction projects may be permitted as part of the related construction permit review and may be conditioned as necessary to address applicable mining regulations.

GOAL D-3: REDUCE LAND USE CONFLICTS

Discourage incompatibility and reduce conflicts between mineral extraction operations and other land uses.

Policy 4D-3.1 Exclusive Mineral Resource Overlay

The Mineral Resource Overlay adds additional uses and related requirements to the Industrial Forest, Secondary Forest, Rural Resource, and Natural Resource Industrial districts of the Comprehensive Plan/Zoning Map. New mining is limited to the MRO, subject to applicable permits. However, pre-existing, permitted mining operations outside the Mineral Resource Overlay may operate subject to the terms of the existing approval(s). Such operations may expand beyond the scope of the original permit but within the existing parcel provided that they receive a mining special-use permit.

Policy 4D-3.2 Right to Manage Mineral Resource Lands

The provisions of Right-to-Manage Natural Resource Lands shall apply to all lands designated Mineral Resource Overlay (MRO) to protect mineral resource landowner rights to manage their lands for mining uses.

Policy 4D-3.6 Mining Site Buffer Standards

Mining buffer standards shall maintain the purpose and functions of mineral resource lands. These standards shall require equivalent buffers on mining sites and on adjacent properties with the exception of mines adjacent to mines. Excavation shall not occur within the buffer of any mine except during

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Policy 4D-3.6 Mining Site Buffer Standards

Mining buffer standards shall maintain the purpose and functions of mineral resource lands. These standards shall require equivalent buffers on mining sites and on adjacent properties with the exception of mines adjacent to mines. Excavation shall not occur within the buffer of any mine except during

reclamation and on mines adjacent to mines. Storage of topsoil and excavation associated with reclamation area may be allowed in buffers.

Policy 4D-3.7 Mining Activities Buffer Standards

Buffers and setbacks should be provided for all activities associated with mineral extraction operations in addition to those required for mineral resource areas.

GOAL D-4: EFFECTIVE REGULATORY ENVIRONMENT

Coordinate and implement administrative procedures that encourage consistency among permitting jurisdictions and simplify permitting procedures for the applicants and Skagit County.

Policy 4D-4.1 Coordinate State and Local Regulations

Development regulations for mineral resource lands in the county shall be consistent with applicable Washington State mining regulations and Department of Natural Resources rules. Overlap in the regulatory authority between Skagit County and the DNR may occur to ensure public health and safety in matters not under the DNR's jurisdiction.

GOAL D-5: SAFE OPERATIONS

Ensure safety and minimize off site disturbances associated with operating equipment, noise, dust, glare, vibrations and truck traffic.

Policy 4D-5.1 Noise Impacts

Sound levels, as measured on properties adjacent to the mining site, shall conform to the provisions of WAC Section 173-60-040, Maximum Permissible Environmental Noise Levels.

Policy 4D-5.2 Traffic Impacts

Potential effects of truck traffic from mining operations shall be reviewed as part of the permitting process.

Policy 4D-5.3 Roads and Bridges

New public roads and bridges accessing designated Mineral Resource Overlay Areas shall be designed to sustain the necessary traffic for mineral extraction operations. Existing roads and bridges shall be improved as needed as each new extraction operation is developed. Cost sharing for the improvement of roads and bridges shall be negotiated between the permitting authorities and the applicant.

Policy 4D-5.4 Operation Hours

Standards for hours of operations, appropriate for the underlying land-use designation, shall be established for mineral extraction operations. In determining appropriate hours of operation, consider traffic impacts and requirements, nearby uses, and noise impacts. Project-specific circumstances that demand non-standard or 'off-peak' hours may also be considered.

Policy 4D-5.6 Noise and Blasting Mitigation

Site-specific studies shall be conducted to determine appropriate mitigation of noise and blasting for new operations and expansion areas of existing operations. Standards shall be maintained to implement existing and accepted methods by which vibrations and noise shall be measured and appropriate mitigation established to alleviate incompatibilities.

GOAL D-6: WATER QUALITY

Ensure that water quality protection standards associated with mining operations comply with best management practices.

Policy 4D-6.1 Reclamation Plan

Support the Washington Department of Natural Resources (DNR) requirement that reclamation plans specify how overburden and spoil material is to be handled and placed in a manner which will control erosion, dust, sedimentation or leaching of material and hazardous substances into surface or ground waters.

Policy 4D-6.2 Storage Ponds

Storage pond systems for holding mineral processing waters should be designed to preclude untreated discharge as required by federal and state laws.

Policy 4D-6.3 Erosion Prevention

The flow of natural or process runoff from mineral extraction sites shall be dispersed or regulated such that soil erosion on receiving lands is prevented. Natural runoff includes: Any water that runs on disturbed ground, including stormwater and 'process water' that flows through operation.

Policy 4D-6.4 Aquifer Barriers

Surface mining shall be vertically limited to only one aquifer unless specifically approved by the Washington State Department of Ecology. Hydrological barriers separating aquifers shall not otherwise be destroyed.

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Policy 4D-5.6 Noise and Blasting Mitigation

Site-specific studies shall be conducted to determine appropriate mitigation of noise and blasting for new operations and expansion areas of existing operations. Standards shall be maintained to implement existing and accepted methods by which vibrations and noise shall be measured and appropriate mitigation established to alleviate incompatibilities.

GOAL D-6: WATER QUALITY

Ensure that water quality protection standards associated with mining operations comply with best management practices.

Policy 4D-6.1 Reclamation Plan

Support the Washington Department of Natural Resources (DNR) requirement that reclamation plans specify how overburden and spoil material is to be handled and placed in a manner which will control erosion, dust, sedimentation or leaching of material and hazardous substances into surface or ground waters.

Policy 4D-6.2 Storage Ponds

Storage pond systems for holding mineral processing waters should be designed to preclude untreated discharge as required by federal and state laws.

Policy 4D-6.3 Erosion Prevention

The flow of natural or process runoff from mineral extraction sites shall be dispersed or regulated such that soil erosion on receiving lands is prevented. Natural runoff includes: Any water that runs on disturbed ground, including stormwater and 'process water' that flows through operation.

Policy 4D-6.4 Aquifer Barriers

Surface mining shall be vertically limited to only one aquifer unless specifically approved by the Washington State Department of Ecology. Hydrological barriers separating aquifers shall not otherwise be destroyed.

Policy 4D-6.5 Aquifer Reclamation

Reclamation of disturbed aquifers shall be in accordance with federal, state and local law. Disturbed aquifers should be reclaimed as ponds or lakes. On-site material is preferred where an aquifer has been breached.

Policy 4D-6.6 Aquifer Protection

Activities related to mineral extraction and processing operations in the vicinity of open aquifers must provide safeguards including containment, to prevent contamination to the open aquifer.

Policy 4D-6.8 Groundwater Study

Before a new sand and gravel mine is permitted, the area ground water shall be characterized by a licensed geologist, hydrogeologist or engineer.

Policy 4D-6.9 Aquifer Monitoring

Where a proposed mine will breach an aquifer, monitoring shall be established to measure the impact of the mining activity on water quality and supply to wells relying on the aquifer to be breached.

B. The proposed use complies with Skagit County Code.

The subject parcel is designated as Rural Resource-Natural Resource Lands with a Mineral Resource Overlay. The proposed use is allowed by special use permit in this zoning designation. The zone is designed to protect and encourage resource utilization. The proposal complies with SCC 14.16.430 by providing site reclamation including re-vegetation. Some possibility of low density residential use is anticipated in the future. As per SCC 14.16.440, the proposal meets the requirements of the Mineral Resource Overlay and will comply with the requirements of the Surface Mining Act, Chapter 78.44 RCW.

C. The proposed use will not create undue noise, odor, heat, vibration, air and water pollution impacts on surrounding, existing, or potential dwelling units, based on the performance standards of SCC 14.16.840.

Rural residential development is present near the site. Potential residential development is limited to one home per 10 acres in the Rural Reserve zoning designation and one home per forty acres in the Rural Resource (NRL) zoning designation unless a CaRD design is proposed (4/40). Areas farther west, east and south are also zoned as Rural Reserve (RRv) which allows for a residential development of one residence per 10 acres. Potential impacts from noise, dust and

traffic to surrounding, existing or potential dwelling units from the proposed operation are possible and exceed those currently experienced in the area.

Noise and Vibration
The applicant has indicated that the proposal would not result in noise or vibration impact beyond the site boundaries.

Odor and Heat
No odors or heat are projected to occur with the proposed activities that would impact surrounding residential land uses or the environment.

Air
The Department concludes that fugitive dust emission is an environmental concern at the subject site and mitigation shall be necessary to continue mining operations. The Department recommends that the site operator be responsible for controlling dust impacts during operations and shall utilize both the "Fugitive Dust Control Plan" provided by the applicant and "Reasonably Available Control Technology" specified by the Northwest Clean Air Agency to abate dust emissions. All project related activities will use appropriate BMP's to meet ambient air quality standards enforced by the Northwest Air pollution Authority.

Water Pollution
Potential water pollutants associated with operations at the subject site are primarily limited to those materials associated with the operation of heavy equipment. These materials generally consist of fuel, oil, and associated equipment fluids. There would be a slight risk of spill during operation and maintenance of the equipment and subsequent release of these materials to waters on the subject site. It would be unlikely that waste materials would enter ground or surface waters due to the project proposal. As previously mentioned, BMP's will be used to minimize potential water pollution impacts.

Staff finds that conformance to the local and state environmental regulations and mitigation measures outlined in the staff report, as well as proposed permit conditions, will ensure that water pollution will not result from project implementation.

D. The proposed use will not generate intrusions on privacy of surrounding uses.

The applicant has indicated the noise at receiving properties is expected to be relatively low and that excessive noise will be eliminated through equipment operation limitation. Potential visual impacts would primarily be mitigated by the maintenance of a 100 foot vegetated buffer around the mining site. Native vegetation will be maintained or enhanced as necessary to provide a visual and noise barrier along the site boundaries throughout the life of the mining operation.

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The applicant has indicated the noise at receiving properties is expected to be relatively low and that excessive noise will be eliminated through equipment operation limitation. Potential visual impacts would primarily be mitigated by the maintenance of a 100 foot vegetated buffer around the mining site. Native vegetation will be maintained or enhanced as necessary to provide a visual and noise barrier along the site boundaries throughout the life of the mining operation.

E. The proposed use will not cause potential adverse effects on the general public health, safety, and welfare.

Based on a review of the environmental documentation and the proposed mining operational plan, the general welfare of Skagit County or the surrounding area will not be negatively affected by the proposed mining operation as conditioned. The proposal is located in a designated Mineral Resource Overlay and is substantially compatible with surrounding land uses. The operation will provide needed resources for projects within Skagit County and will contribute to the area's economic base. Mitigation and project conditions have been designed to address any identified issues/concerns related to the public health, safety and general welfare.

Compliance with local, state and federal environmental regulations, as well as permit conditions, will ensure that the general welfare of Skagit County citizens is protected.

F. For special uses in Industrial Forest – Natural Resource Lands, Secondary Forest – Natural Resource Lands, and Rural Resource – Natural Resource Lands, the impacts on long-term natural resource management and production will be minimized.

The proposed site is located in a Rural Resource-Natural Resource Lands designated area. The proposed special use is in compliance with the intent of the Mineral Resource Overlay and its designation as Natural Resource Land. Such designation indicates that the proposed site has been through preliminary land use review during the County's comprehensive planning process to determine the suitability of the parcel as a mining resource site. The proposed site will be re-vegetated and upon completion of mining activities, long-term natural resource use such as timber production may resume.

G. The proposed use is not in conflict with the health and safety of the community.

The approval of a Special Use permit for the proposed use would not impact the health and safety of the community, provided that best management practices are maintained, and all permit conditions and environmental mitigation measures are implemented.

Staff anticipates that the proposed mitigation will be sufficient to protect groundwater resources from the proposed mining activities. However, any activity in close proximity to groundwater resources may represent a risk of impairment to the resource.

H. The proposed use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding areas, or conditions can be established to mitigate adverse impacts on such facilities.

Staff review indicates that the proposed land uses will be supported by adequate public facilities and services with no adverse effects on the services of the surrounding areas. County services are adequate to serve the proposed use.

The applicant has indicated relatively high truck traffic volumes during mining operations. The applicant indicates that the truck traffic would not significantly increase traffic volumes and would not require mitigation. No significant impact to the provision of public services in surrounding areas has been identified and the project can be served by adequate public facilities and services as proposed.

I. The proposed use will maintain the character, landscape and lifestyle of the rural area. For new uses, proximity to existing businesses operating via special use permit shall be reviewed and considered for cumulative impacts.

The proposed use area is not proximal to any existing businesses, except forest practice activities. As there are no ongoing mining activities in the area, it is anticipated that the proposed land use may temporarily disrupt the existing character and landscape of this rural area. Noise from mining operation and truck traffic may slightly alter the quiet lifestyle of this rural area. However mining operations is not inconsistent with the allowed uses in this zoning district. After completion of mining operations, it is anticipated that the character, landscape and lifestyle will return to its previous functions.

11. Specific Criteria for Special Use Permits for Mining Operations Pursuant to SCC 14.16.440

The Mineral Resource Overlay (MRO) overlaps with Natural Resource Lands (NRL) zoning districts and imposes regulations in addition to those normally required in the underlying NRL zoning district. Mineral extraction and processing activities are allowed as a Hearing Examiner Special Use, and must comply with the Surface Mining Act, RCW 78.44. The MRO recognizes those areas that are designated to protect long-term, commercially viable mineral Natural Resource Lands and recognizes that mineral resources must be in close and economic proximity to the market to be served.

The applicant submitted all application materials required for a Mining Special Use Permit under SCC 14.16.440(8). The proposal meets the purpose of the MRO zoning overlay and all of the special criteria related to mining operation special use permits outlined in SCC 14.16.440(1).

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The purpose of the Mineral Resource Overlay designation is to maintain and enhance natural resource-based industries by conserving mineral resource lands, allowing continued operation of existing legally established uses, and by assuring that use of adjacent lands does not interfere with the extraction and quarrying of minerals. Adjacent land uses should not interfere with the processing of sand and gravel at this site.

The location of the project site should keep noise levels in compliance with the provisions of the WAC 173-60, Maximum Environmental Noise Levels. There will be no blasting at this mining site.

The applicant's proposal is in compliance with the operation standards criteria outlined in SCC 14.16.440. Surface mining at this site is proposed to be vertically limited to only one aquifer and hydrological barriers separating aquifers are not proposed to be disturbed.

Surface water protection will be accomplished through project design and compliance with the minimum requirements of SCC 14.32, as well as all pertinent requirements of the Washington State Department of Ecology, the Department of Natural Resources, Department of Fish & Wildlife, and other state and federal regulations regarding surface water protection.

Reclamation of surface mining sites shall be in accordance with the requirements of the State Department of Natural Resources. Reclamation activities shall not include land filling.

Chemical leach or metal mining are not proposed in this Special Use application.

All special use criteria relating to mining operations have been met by the proposal.

12. Hearing Examiner Review Criteria

Pursuant to SCC 14.16.440(9), the following criteria must be reviewed by the Hearing Examiner: Except as may be provided herein to the contrary, all applications for a mining operation special use permit shall be reviewed by the Hearing Examiner under the procedures set forth in SCC 14.06. The Hearing Examiner shall make a decision as to whether or not it should be approved based upon the special use approval criteria and the following provisions:

(a) When reviewing an application for mining operations special use permit, the Hearing Examiner should recognize that surface mining is an essential economic activity and that it is not possible to extract minerals without producing some environmental impacts. The Hearing Examiner shall consider all relevant evidence and conditions that will mitigate detrimental impacts to the environment and conditions that protect the general welfare, health and safety. The permit shall be granted if the impacts are mitigated.

The burden of proof shall be on the applicant. Mitigating conditions shall be performance based, objective standards that:

(i) Are directly and proportionately related to limiting surface mining impacts;

(ii) Are reasonable, practicable and generally capable of being achieved by the mine operator; and

(iii) Take into consideration existing and available technologies applicable to mining operations.

The MDNS issued reflects an environmental analysis and review resulting in multiple mitigation measures that meet the intent of the review criteria.

(b) The Hearing Examiner shall consider the requirements of this Chapter as minimum standards based on unique site-specific factors or conditions as appropriate to protect public health, safety, and the environment.

Permit conditions listed should be considered by the Hearing Examiner to further protect the public health, safety, and the environment.

(c) Appropriate site-specific conditions shall be required to mitigate existing and potential incompatibilities between the mineral extraction operation and adjacent parcels. Such limitations shall reflect the differences in potential impacts based on the mineral extraction operation's location in resource, rural or urban growth areas and recognize that the purpose of designating mineral resource lands is to conserve mineral resource lands, allow continued operation of existing legally established mining operations, and assure that use of adjacent lands does not interfere with the extraction of minerals. The Hearing Examiner shall take into consideration the January 1996 publication *Best Management Practices for Reclaiming Surface Mines in Washington and Oregon*, published jointly by the Oregon Department of Geology and Mineral Industries and the Washington State Department of Natural Resources, Ch. 3, Operation and Reclamation Strategies, in determining appropriate mitigation requirements for operational impacts.

Skagit County Code 14.16.870 Notification of Development Activities on or Adjacent to Designated Natural Resource Lands is implemented to protect Natural Resource Lands from adjacent land uses. Reclamation will be done in accordance with an approved Department of Natural Resources Reclamation Permit.

(d) Appropriate site-specific conditions shall be required to mitigate stormwater runoff and erosion impact. The Hearing Examiner shall take into consideration the January 1996 publication *Best Management Practices for Reclaiming Surface Mines in Washington and Oregon*, published jointly by the Oregon Department of Geology and Mineral Industries and the Washington State Department of Natural Resources, Ch. 2, Storm Water and Erosion Control, and the National Pollutant Discharge Elimination

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System (NPDES) Surface Water Protection requirements in determining appropriate conditions for mitigating stormwater and erosion impacts.

Staff notes that compliance with existing regulations and plans reviewed by the Skagit County Department of Public Works in conjunction with the Washington Department of Ecology NPDES program will address these issues.

(e) The Hearing Examiner shall consider public interests such as fishing, boating, hiking and camping when reviewing a mining operation special use permit, and may impose mitigating measures as necessary and appropriate.

Staff does not recommend any mitigating measures related to surrounding recreational activities with the exception of installing secure gates and warning signage on the subject property near the boundary of the subject site notifying the public of ongoing mining activities. No substantial impacts to such activities have been identified.

STAFF RECOMMENDATION

Based on a review of all associated environmental studies, special use criteria and the above findings, Planning and Development Services staff recommends XXXXX of the requested Special Use Permit PL16-0097 with the following conditions:

1. The applicant shall obtain all necessary land use approvals and comply with the conditions of the MDNS.

2. Prior to operation of the proposed mine expansion, the applicant will be required to record a title notification with the Skagit County Auditor as per SCC 14.16.870.

3. A Department of Natural Resources (DNR) Surface Mine Reclamation Permit shall be applied for and obtained prior to mining, as per RCW 78.44. No mining may take place prior to obtaining a reclamation permit from the DNR.

4. The applicant shall develop and implement a Spill Prevention and Control Plan and a Storm Water Pollution Prevention Plan.

5. The applicant shall implement the Fugitive Dust Control Plan submitted with this application and utilize "Reasonably Available Control Technology" specified by the Northwest Clean Air Agency. During operations, the plan may be modified as necessary to control dust emissions. At no time shall dust emissions exceed standards established by the Northwest Clean Air Agency (NWCAA).

6. A Protected Critical Areas (PCA) agreement shall be approved and recorded for the wetlands onsite and include a 200 foot vegetated buffer. The PCA may be recorded with approval of this special use permit.

7. The maximum allowable noise level per Chapter 173-60 WAC allowed to be emitted from this property, a Class C EDNA property, onto a Class A EDNA property (residential) is 60 decibels. Between the hours of 10:00 PM and 7:00 AM noise levels must be reduced by 10 decibels and not exceed 50 decibels. 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 by the Hearing Examiner.

8. Appropriate permits will be obtained from Skagit County Public Works prior to construction activity occurring within the County right-of-way.

9. The applicant shall purchase and install at their expense, a traffic loop activated flashing beacon system in the area of the Grip Road and Prairie Road intersection. The items will include a loop on Grip Road at the intersection and a loop on Prairie Road for left turns onto Grip Road. Additionally, one beacon shall be required for each direction on Prairie Road approaching Grip Road. All equipment and signage that is to be installed shall meet the standards and specifications promulgated by Skagit County Public Works. Truck trips shall not exceed an average of 46 truck trips per day or exceed 30 truck trips per hour.

10. The applicant shall have the beacons and all necessary signage installed and accepted by Public Works prior to the applicant hauling material out of the pit, or within 1 year of the date of approval of the application.

11. Concrete Nor'West shall notify Skagit County Public Works at least two weeks before pit operations are forecast to meet or exceed the 46 daily truck trips as initially described in their traffic report. This will allow Public Works to issue an informational public notice of the increased operation to warn the public of the growth in truck traffic and determine if any additional roadway traffic measures are necessary.

Date: September 12, 2016

Prepared By: John Cooper, Senior Planner
Reviewed By: Brandon Black
Senior Planner, Current Planning Team Supervisor

7. The maximum allowable noise level per Chapter 173-60 WAC allowed to be emitted from this property, a Class C EDNA property, onto a Class A EDNA property (residential) is 60 decibels. Between the hours of 10:00 PM and 7:00 AM noise levels must be reduced by 10 decibels and not exceed 50 decibels. 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 by the Hearing Examiner.

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Date: September 12, 2016

Prepared By: John Cooper, Senior Planner
Reviewed By: Brandon Black
Senior Planner, Current Planning Team Supervisor

GORDON THOMAS HONEYWELL

William T. Lynn
Direct: (253) 620-6416
E-mail: blynn@gth-law.com

December 7, 2018

Julie Nicoll
Deputy Prosecuting Attorney
Skagit County Prosecuting Attorney's Office
605 S. Third
Mount Vernon, WA 98273

RE: Concrete Nor'west/Miles Sand & Gravel
PL16-0097 – Mining Special Use Permit

Dear Ms. Nicoll:

This letter is submitted on behalf of Concrete Nor'west and Miles Sand & Gravel concerning the Grip Road Mine Application, PL16-0097 (Grip Road Mine). Below, we identify documents that are being resubmitted with notes to indicate what has changed and further notes to respond to comments made by you during our recent telephone call.

1. Special Use Narrative. This is being resubmitted with a few minor changes:

a. We have updated the references to the Ramboll US Corporation Noise and Vibrations Study to the version submitted with this letter dated November 21, 2018.

b. On page 13, an additional sentence is added explaining the term SWMM.

c. On page 14 under (D) a minor clarification was made to the prior sentence that referenced equipment operation.

2. Updated Noise and Vibration Study. (November 18, 2018)

a. Notes were added to Table 3 to explain potential reasons for high readings in current noise conditions.

b. The noise monitoring locations on Figure 1 have been corrected.

c. You asked about the analysis of vibration impacts at 50 feet from the road. Page 11 states that is a standard practice and consistent with the applicable measures.

d. You had expressed a concern about the speed of vehicles for which a vibration assessment was made. As written (page 12) it is clear that adjustments were made to reflect the higher speed limits here (40 and 50 mph) and so no revision to the language was made.

e. Page 12 was revised to make clear that, even if there were more truck trips, the threshold for vibration impact would not be met.

3. Plan Set. You had raised a concern about the fact that several of the plan sheets did not show the buffer. Each plan page has a different function and not all of them show all of the information. That is by design. In fact, it is what the Department of Natural Resources requires. Further, plans with less than all of the information are simpler and easier to read. The fact that the buffer is not depicted on each plan page does not mean it is not proposed. The plan set must be reviewed as a whole.

4. Road Issues. We have previously submitted an as-built drawing of the existing logging access road. I understand the County has made its own inspection.

Thank you for your comments and we hope they have been fully addressed. We look forward to getting this to hearing very soon.

Very truly yours,

William T. Lynn

WTL:lb
cc: Hal Hart, Director, Planning & Development Services
Betsy Stevenson, Senior Planner/Team Supervisor, Planning & Development Services
Dan Cox
Brad Barton
Mike Schuh
Patricia Larson

[4821-0953-9712]

GORDON THOMAS HONEYWELL

William T. Lynn
Direct: (253) 620-6416
E-mail: blynn@gth-law.com

December 7, 2018

Julie Nicoll
Deputy Prosecuting Attorney
Skagit County Prosecuting Attorney's Office
605 S. Third
Mount Vernon, WA 98273

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PL16-0097 - Mining Special Use Permit

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Betsy Stevenson, Senior Planner/Team Supervisor, Planning & Development Services
Dan Cox
Brad Barton
Mike Schuh
Patricia Larson

[4821-0953-9712]

SEMRAU ENGINEERING & SURVEYING, P.L.L.C.

September 14, 2018

RECEIVED
SEP 17 2018
SKAGIT COUNTY

Julie Nicoll
Skagit County Attorney's Office
605 S. Third
Mount Vernon, WA 98273

Subject: **PL16-0097 Mining Special Use Permit**
Concrete Nor'West/Miles Sand and Gravel
Grip Road Mine

Dear Julie:

Following is a summary of the materials and reports we are submitting in response to the letter to you from William T. Lynn, May 11, 2018.

1. We have prepared a revision to Sheets C3, C4, C5, and C6 to show an Alternate 300 Foot Buffer. We are submitting both 22x34 and 11x17 copies of this Alternate to our preferred original application with the proposed 200-foot buffer. Map set is Digital Exhibit No. 1.
2. We are submitting the Updated Noise and Vibration Study, July 18, 2018, prepared by Ramboll US Corp. Digital Exhibit No. 2.
3. On traffic, we look forward to the review being completed by your consultant, Gibson.
4. We are submitting a revised narrative discussion of how our projects meets the special use criteria. This narrative also includes references to the new reports and studies. Narrative is Digital File No. 3. We have included supporting documents referenced in the Narrative under Digital Files 4, 5, 6, 7, 8, 9, and 10.
5. The Site Management Plan for the DOE Sand and Gravel General Permit has been updated. Digital File No. 11
6. In response to our meeting with the County Engineer, we have surveyed and prepared a map documenting the current built condition of the private internal haul road. We have also provided for his review a possible signage plan for the bridge crossing area. Digital File No. 12.

We look forward to your review of our submittal material as well as your consultant Gibson beginning their review of the traffic study. Please don't hesitate to contact me if you have any questions or need additional copies of the submittal information.

John B. Semrau, PE & PLS
john@semrau.com
360-424-9566
360-424-6222 Fax

Cc: William T Lynn
Dan Cox
Brad Barton

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Monday, May 7, 2018 9:14 PM
To: Stevee Kivi - Hearing Examiner/Records
Cc: 'Dan Cox'; dan.mills@concrete.rocks; blynn@gth-law.com; Julie S. Nicoll; John Cooper; Hal Hart; 'CSD - Jon Sitkin'
Subject: Request to be a named party to appeal PL-16-0097
Attachments: 2018-05-07 CSVN Letter to Hearing Examiner.pdf; 2018-04-02_Sitkin to Nicoll.pdf; 2018-03-16_Bowser to Cooper.pdf; 2018-03-04_Wiggins to Cooper.pdf; 2018-03-04 _Bray-Day to Hart.pdf; 2017-12-28_Davidson(CSD) to Nicoll.pdf; 2017-10-04_Sitkin to Nicoll.pdf

Dear Ms. Kivi:

Please find attached a letter to the Hearing Examiner ("CSVN Letter to Hearing Examiner"), together with supporting documentation. This letter requests that certain concerned citizens be named as a party to the appeal by Miles Sand and Gravel/Concrete Nor'west of the County's decision to deny their application to develop a gravel mine near Grip and Prairie Roads.

Please know that a number of those named in this letter would like to attend the Pre-Hearing Conference on Weds May 9th. Please let me know that this letter has been received, and if this request has been approved so that we can plan accordingly.

Thank you,
Martha Bray

May 8, 2018

Skagit County Hearing Examiner
1800 Continental Place
Mount Vernon, WA 98273

RE: PL-16-0097/ Appeal by Miles Sand and Gravel; Request to be a named party to appeal, or alternatively, granted intervention

Honorable Examiner Dufford:

On April 16, 2018 the Skagit County Hearing Examiner received an appeal ("Appeal") filed by Miles Sand and Gravel/Concrete Nor'west ("CNW") challenging Skagit County's decision dated April 5, 2018 denying CNW's application ("Application") for a Special Use Permit for gravel mining and associated activities ("Decision").

The undersigned submitted either themselves, on behalf of each other or through respresentative(s) substantive comments regarding CNW's Application, objecting to the County's continual processing of the Application despite CNW's refusal to respond to the County's request for information, among other objections. *See attached correspondence sent to Skagit County.*

The undersigned have a right to be named a party of record or granted intervention status pursuant to Hearing Examiner Rules ("HER") 3.06 and 3.07.

The undersigned will be significantly harmed by CNW's proposal. The undersigned have repeatedly called for the County's enforcement of the County code that required the County to deny the Application months ago. The County's refusal to timely enforce its own code provisions raises questions whether the County will have the will to enforce its code provisions in the face of this appeal. Accordingly, the only way to assure that the interests of the undersigned are protected is to be allowed to participate in this proceeding. See HER 3.06 and 3.07.

It is not the intent of the undersigned to raise new issues on appeal. The undersigned would respond to arguments raised by the Appellant CNW or the County, as would any party or intervenor. Thus, the undersigned will not cause delay by introducing new issues on appeal.

The undersigned or a group of us as representatives intend on attending the pre-hearing conference related to this appeal. We ask that you issue a decision granting our participation as a party or intervenor at that time.

Copies of this letter are being sent to CNW's representative (dan.mills@concrete.rocks, dan.cox@miles.rocks, and blynn@gth-law.com), the County Attorney (julien@co.skagit.wa.us), and County staff John Cooper and Hal Hart (johnc@co.skagit.wa.us and hhart@co.skagit.wa.us). Copy sent to Jon Sitkin (Jsitkin@chmelik.com).

Thank you.

Name: Jedidiah E. Holmes
Address: 7691 Delvan Hill Rd
Sedro-Woolley, WA
98284

Name: Abbe Rolnick
Address: 21993 Grip Rd.
Sedro Woolley, WA
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Name: Jeannine McLeod
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Name: Jim Wiggins
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Name: Neil McLeod
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Name: Brian A. Bowser
Address: 21110 Parson Ck Rd
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Name: Linda Walsh
Address: 21710 Prairie Rd
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Name: John W. Day
Address: 6368 Erwin Ln
Sedro-Woolley WA 98284

Name: Martha Bray
Address: 6368 Erwin Ln
Sedro-Woolley WA 98284

Name: Larry Hedgepeth
Address: 5809 Brookings
Sedro Woolley WA 98284

Name: Wallace Groda
Address: 6386 Lillian Ln
Sedro-Woolley, WA 98284

Supporting documentation attached. Letter to Nicoll From Sitkin 4/2/2018
Letter to Cooper From Bowser 3/16/2018
Letter to Cooper From Wiggins 3/4/2018
Letter to Hart From Day/Bray 3/4/2018
Letter to Nicoll From Davidson 12/28/2017
Letter to Nicoll From Sitkin 10/04/2017

CHMELIK SITKIN & DAVIS P.S.
ATTORNEYS AT LAW

Jonathan K. Sitkin
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April 2, 2018

VIA REGULAR U.S. MAIL & E-MAIL
julien@co.skagit.wa.us

Julie S. Nicoll
Deputy Prosecuting Attorney
Skagit County
Civil Division – Planning & Development Services
605 S. 3rd Street
Mount Vernon, WA 98273-3867

RE: SPECIAL USE PERMIT APPLICATION NO. PL 16-0097 AND PL 16-0098; DEMAND FOR DENIAL OF APPLICATIONS AND WITHDRAW OF THE SEPA MDNS

Dear Ms. Nicoll:

We write to you to again address several issues regarding the County's handling of the Concrete Nor-West ("CNW") proposed gravel mine located near Grip Road (the "Proposed Project"). As we have stated in the past the ***REQUIRED*** course of action for the County to take is to deny the application pursuant to SCC 14.06.105 and require the CNW file a new application. Our client firmly believes when this application is given a hard look as required under the State Environmental Policy Act ("SEPA") the preparation of an Environmental Impact Statement ("EIS") will be determined to be necessary to properly evaluate the probable significant adverse environmental impacts of the Proposed Project.

1. Summary of Prior Correspondence.

Over the course of the last 15 months, we have repeatedly raised concerns regarding the potential adverse environmental impacts of CNW's proposed gravel mine, the failure of the County to meaningfully examine these potential significant adverse impacts as required by SEPA and the County Code, the County's processing of the application and compliance with County and State regulatory requirements, as well as the general lack of transparency with the process. These communications included[1]:

- January 26, 2017: Letter to John Cooper indicating our representation of the group of concerned citizens and requesting notice of any action be sent to our office.
- March 2, 2017: Letter to John Cooper raising the issues with the Proposed Project including, defective notice, potential adverse environmental impacts, and the County's

[1] Communications regarding public record requests are excluded from this list.

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lack of adequate or legally compliant environmental review. Along with raising these issues, we invited representatives from the County and CNW to attend a community meeting to discuss the Proposed Project. [Note: On March 15, 2017, you responded on behalf of Skagit County assuring that a Revised MDNS would be issued for public comment, even though an analysis of new information from the applicant had not yet occurred][2].

- March 31, 2017: Letter to Julie Nicoll regarding a summary of issues discussed at the community meeting.

- July 19, 2017: Letter to Julie Nicoll regarding responses to CNW's May 15th letter to John Cooper, addressing, among other topics, the legal inadequacy of the SEPA MDNS issued by the County, and requesting the County require an EIS.

- July 27, 2017: Letter to Julie Nicoll requesting third-party review of the DN Traffic Consultants' Traffic Study and request for a Level II traffic impact analysis as required by the Skagit County Code ("SCC").

- October 4, 2017: Letter to Julie Nicoll regarding CNW's inadequate response to the County's request for information and County's obligation to deny CNW application pursuant to SCC 14.06.105.

- December 28, 2017: Letter to Julie Nicoll in response to the County's decision to grant CNW an extension to February 25, 2018 to provide additional information in violation of SCC 14.06.105. In that same letter, we requested the County restart the application process, conduct an appropriate environmental review, and provide the statutorily required notice to the public, which was disregarded during the initial application process.

To date, the County has not responded to our October 4th and December 28th letters[3]. The County has not explained its reasoning or provided any legal basis for allowing CNW to continue to supplement its application in violation of SCC 14.06.105. Furthermore, what is particularly troubling about the lack of response from the County is that it remains unclear how the County plans to proceed with new information submitted by CNW. Indeed, your March 15, 2017 communication advising that the County would issue a revised *threshold determination* rather than a revised *MDNS* ***prior to receipt of supplemental information from the applicant*** is an indicator of bias, improper pre-judgment, and a violation of the SEPA procedural requirements and County Code requirements. The County is so far awry of the permit and

[2] In that March 15, 2017 letter you wrote: "After receiving Concrete Nor'West's updated materials, the County will carefully evaluate them and issue a Revised SEPA Determination for public comment. Since certain neighbors were inadvertently excluded from the original notice list Concrete Nor'West prepared, the County will update the list and ensure that proper notice is provided pursuant to Skagit County Code. Subsequently, the Staff Report for the Special Use Permit will be revised and published for public comment and hearing."

[3] Copies of the County's letters to the Applicant were forwarded to our office.

SEPA review procedures set forth in the County Code that it has left the community guessing as to the County's decision making process.

2. Extension granted to CNW was in violation of the Skagit County Code and CNW's supplemental information is not responsive to the County's requests. The appropriate remedy is for the County to deny CNW's Application.

Despite the County allowing CNW more opportunities to supplement their application than is permissible under the County Code, CNW either failed to respond to the County's questions or responded by pointing to its original incomplete and inconsistent materials. The exchange of communications between the County and CNW demonstrating CNWs inadequate and incomplete responses is outlined in brief below.

- March 14, 2017: The County's first request for more information from CNW, less than three months after the notice of application. The County's letter indicated that hours of operation would be limited to 7:00 AM – 5:00 PM Monday – Friday and that truck trips would be limited to 46 per day, consistent with the analysis from CNW's Preliminary Traffic Information Plan submitted March 2, 2016. In addition, the County requested CNW provide:
    - A professional archaeological survey for the project area confirming that mining activities would not disturb archaeological resources;
    - A plan demonstrating proposed improvements to the roads accessing the mines in order to meet the Private Road requirements in the Skagit County Road Standards and County Code. In addition, the County requested confirmation that the bridge over Swede Creek is rated HS-25 and in the event improvements are needed to the bridge, that CNW provide additional information confirming compliance with critical area regulations;
    - Verification of whether a fuel storage tank will be placed onsite or if a mobile fuel system will be used and provide a plan to contain and prevent hazardous material spills;
    - Verification of whether processing or screening will occur on-site;
    - Update of the wildlife/wetland site assessment to address 300 foot critical area buffer and a full review of the Endangered Species Act (ESA)-listed species; and
    - General request to update its materials to address the "numerous factual discrepancies in your Application, Project Description, SEPA Checklist, Traffic Study, and Fish & Wildlife Site Assessment."
- May 15, 2017: CNW responded to the County's March 14th letter indicating that it objected to the hour limits and truck trip limits proposed by the County. Along with this objection, CNW presented an Addendum to Traffic Analysis requesting a limit of ***720***

truck trips per day (more than *15 times the figures from its Preliminary Traffic Information Plan*). In response to the County's requests for information:

- CNW provided a cultural resource assessment;[4]
- While CNW provided confirmation that the Swede Creek bridge is rated HS-25, it otherwise failed to provide the information requested by the County regarding compliance with the Skagit County Road Standards;
- CNW indicated that fuel would be stored onsite, but did not provide a plan to contain or prevent spills;
- CNW verified that screening and processing of materials are not proposed in this application (but did not foreclose on adding those activities in a future application); and
- While CNW provided an Addendum to its Fish & Wildlife Site Assessment, it did not update its materials to reflect the 300 foot buffer as requested by the County.

- July 6, 2017: The County indicated that CNW's response and application materials remain incomplete. In addition, the County noted the significant increase in the number of truck trips provided in the Addendum to the Traffic Analysis. Based on the incomplete responses and new information revealed by CNW May 2017 materials, the County provided yet another opportunity for CNW to supplement its application, rather than deny the application as required by the County Code. Instead of requiring a new application, the County requested that CNW provide *an amended application.* In addition, the County request the following:
  - Evidence to support that CNW's **unlimited hours of operation** as proposed would not create significant adverse environmental impacts and be consistent with the criteria set forth in SCC 14.16.900(1)(b)(v)[5];

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[4] Note, despite CNW noting in its letter that this report concluding that "no cultural resources were identified during the survey", this report has still not been produced or made available to the public based on the County's claim of exemption under RCW 42.56.300. However, as indicated by our June 20, 2017 letter, the County's claim of exemption may not apply, and in any event, the exemption was not accompanied by an exemption log identifying the records withheld in violation of the Public Records Act.

[5] SCC 14.16.900(1)(b)(v)(A)-(I) require applicants provide proof sufficient to demonstrate the projects (A) compatibility with existing and planned land uses and the Comprehensive Plan, (B) compliance with the Skagit County Code, (C) that the proposed project will not create undue noise, odor, heat, vibration, air and water pollution impacts based on the performance standards in SCC 14.16.840, (D) that the proposed use will not generate intrusion on the privacy of surrounding uses, (E) that the proposed use will not cause potential adverse effects on public health, safety, or welfare, (F) that impacts on long-term natural resource management and production will be minimized, (G) that the use will not conflict with health and safety of the community, (H) that adequate public facilities or services will not be adversely affected, and (I) that the proposed use will maintain the character, landscape and lifestyle of the rural area including consideration of cumulative impacts.

- A noise and vibration study;
- An amended application to ensure compliance with the County Road Standards as requested by the County in its March 14th letter;
- A copy of the site-specific spill control plan as requested by the County in its March 14th letter;
- An amended application indicating plans for a 300-foot buffer from the gravel mining operation to the wetlands as requested by the County in its March 14th letter; and
- An amended application resolving numerous factual discrepancies in CNW's application, again, which was previously requested in the County's March 14th letter.

- September 20, 2017: CNW responded to the County's July 6th letter by pointing to its prior submission rather than providing supplemental information. The only responsive materials produced was "an example" environmental protection plan, but not one specific to the concerns created at the Proposed Project site.

- October 24, 2017: The County responded to CNW's September 20th letter indicating that CNW's application is still incomplete and that failure to submit the requested information by November 3, 2017 would result in the County denying the application. The County again allowed more time to allow CNW to respond, rather than deny CNW's application as required by the County Code.

- November 21, 2017: CNW submits a letter to the County confirming that the County granted CNW an extension to provide materials to February 25, 2018. This extension was granted without explanation by the County and despite its lack of response to our October 4th letter.

- February 23, 2018: CNW's most recent response again failed to adequately respond to the County's requests. Several matters required by the County remained unaddressed, including:
  - The County's repeated requests for CNW to update its application materials to show how its Proposed Project meets the Skagit County Road Standards, and if improvement are required, to demonstrate how those improvements comply with critical area regulations. CNW's February 23rd response merely indicates that CNW disagrees with the County defining the haul road as a "Private Road" and offers no supplemental information. Further, CNW's indication that it will agree to an Emergency Vehicle Access Road as a condition of permit approval does not address the County's request to provide information to show the existing Private Roads will comply with the County Road Standards; and

- The County's request that CNW update its application to indicate a 300-foot buffer from the edge of the wetlands to the gravel mining operations. CNW did submit a letter from Graham-Bunting Associates ("GBA") from May 18, 2015, which was inexplicitly not previously included in the record although claimed to be submitted by CNW to the County in June 2016. The after the fact submission did not address the County's request and again is an example of a failure of fundamental public disclosure requirements as members of the public only first had access to this GBA letter 14 months after the notice of application.

The above list is only a list of the County's issues with CNW's application, it is not an exhaustive list of the omissions and inadequacies of CNW's application materials which our clients would raise to the Hearing Examiner if the County choses to proceed with the present application in violation of the County Code.

The County has continually evidenced deliberate indifference to its own code and procedures. These actions are a violation of our client's procedural due process rights. These actions by the County serve to deprive our clients of their constitutional rights in violation of Section 1983 of the Civil Rights Act.

While the extension should not have been granted by the County in the first place, even if the County considers CNW's February 23rd responses, CNW still failed to respond to the County's requests and therefore CNW's application must be denied at this time.

3. A new SEPA Threshold Determination is required.

Not only does the County Code require that the application be dismissed for the failure and refusal of CNW to timely provide the requested information, the SEPA Rules require the lead agency withdraw the MDNS when the submission of new information warrants additional analysis or when a MDNS was procured by misrepresentation or lack of material disclosure – as is the case here. WAC 197-11-340(3)(a)(ii) and (iii). More than a year ago, we indicated in a letter to Mr. Cooper at the County Planning and Development Department, that the initial MDNS was issued in violation of the fundamental disclosure and notice requirements of SEPA and in violation of our clients' procedural due process rights.[6]

A new threshold determination is required here based on contradicting information presented by CNW throughout the application process and based on the submission of new materials which warrants additional analysis. Therefore, the County should withdraw the MDNS, and issue a new threshold determination. Our clients believe that should be a determination of significance necessitating that an EIS be prepared to appropriately examine the Proposal with clarity, accuracy, and transparency with the purpose of identifying the probable significant adverse environmental impacts resulting from the project.

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[6] *See* March 2, 2017 Letter from J. Sitkin to J. Cooper regarding Special Use Permit Application No. PL 16-0097.

4. The significant probable adverse environmental impacts of the Proposed Project necessitates a determination of significance and preparation of an EIS.

Each time the County received additional information from CNW, inconsistencies in responses become more evident and new environmental impacts are identified necessitating an EIS. The most recent submission from CNW on February 23, 2018 is no exception. The issues with CNW's that have been identified thus far are summarized below.

- Critical Areas: CNW's February 2018 response failed to address the County's July 6, 2017 request for CNW to update its application to provide for a 300-foot buffer from the edge of the wetlands to the gravel mining operations. The County appropriately recognized that this is a high intensity project and requested an updated application to reflect the appropriate buffers. As pointed out in Jim Wiggins[7] March 4, 2018 comment letter, no site plan has been prepared by CNW that identifies the location of the proposed mine in relation to critical areas. Without this information, the County and community are unable to accurately assess the Proposed Project's compliance critical area buffer requirements. A site plan prepared by a Professional Land Surveyor indicating the slope, location of the Ordinary High Water Mark of the adjacent streams and wetlands, location of any riverine wetlands, the 300-foot buffer and the 200-foot shoreline jurisdiction, and the location of the proposed mine in each of its stages is a necessary start for appropriately evaluating the probable significant adverse environmental impacts. This level of detail is warranted for a project of this scale, is a necessary part of project and environmental review, and surely would be a component of an EIS.

- Water Table Issues: It is unclear from CNW's application materials how the mining activities will remain ten (10) feet above the water table. CNW should provide performance standards to monitor ground water elevation prior to the removal of gravel and include a mitigation plan remediate the mine elevation if the bottom of the mine is closer to the 10-foot water table.

- Noise and Vibration: The Ramboll Grip Road Mine Noise and Vibration Study provided by CNW (the "Noise Study") has several inaccuracies, which seriously calls in to question the adequacy of the Noise Study. Some of the Noise Study's errors on which the findings of the study are based include[8]:

    - Page 1 – the Introduction states the proposed gravel mine would be located in the middle of the 726-acre property. This is not accurate as three of the four borders are not contained within the 726 acres. However, defining the project area as 72 acres suggests CNW's long term intent to extract gravel from an area beyond the current application.

[7] Mr. Wiggins is a professional biologist by trade, and a concerned neighbor.
[8] These issues were identified by a desktop review by a non-noise expert. Likely, if this report is scrutinized by an impartial noise expert more issues of concern could be revealed.

- Page 1 – the Introduction states that the site is forested and most of the existing buffers would remain intact. If by buffers, Ramboll is referring to the trees, then the CNW must not have indicated that it is actively removing the trees comprising that buffer under its forestry permit. And, indicates Ramboll may not have even visited the site, suggesting the noise study is nothing more than a desktop evaluation. Furthermore, the study failed to consider the cumulative impacts of the noise generated from the existing logging occurring onsite along with the added noise and vibrations from the proposed mining activity. Based on the forgoing, the noise study apparently did not consider the absence of the tree buffer in regards to noise impacts.

- Page 7 – the Noise Analysis states that the noise sources would include a single front-end loader and the trucks removing pit-run from the mine.[9] This analysis did not include the equipment for clearing the forest or excavating the mine such as stump grinders, dozers, and graders. Notably, the report failed to not indicate the size or quantities of the equipment which will be used onsite, a critical element of any noise study.

- Page 7 – the equipment referenced in the Noise Analysis is inconsistent with and omitted several pieces of equipment that CNW indicated would be used onsite in its Amended Special Use Permit Form, Item 12. There CNW stated that, "standard mining equipment such as front-end loader, dozer and excavator will be used", while the Amended Sand and Gravel General Permit, Item 2 that, "equipment on site typically includes: Front End Loader(s), Dump Trucks, Excavator(s), and other miscellaneous mining equipment." The Noise Analysis does not address dozers, excavators, or miscellaneous mining equipment, all of which would generate noise and vibration in addition to what was considered by Ramboll.

- Traffic: The Proposed Project requires a Level 2 Traffic Study. As was described in Brian Bowser's letter dated January 7, 2018, the Proposed Project causes significant traffic impacts and safety concerns, including vehicle, pedestrian, non-motorized vehicle safety concerns, such as site distance issues, all of which necessitate a Level 2 Analysis. *See* County Road Standards 4.02.B.6. Moreover, CNW's traffic consultant indicated in its reports that "additional traffic analysis will be required", yet to date that analysis has not occurred.

  The County's third party independent review from Gibson Traffic Consultants may likely reveal additional areas of concern not fully addressed by CNW's traffic consultants which would require further review pursuant to the County Road Standards. If the County requires an EIS as it should here, that alone would trigger the need for a Level 2 Traffic Study. *See* County Road Standards 4.02.B.4.

[9] Noise and Vibration Study page 7, Section 4.1.

CNW's inconsistent responses about traffic impacts indicates its intent to expand the scope of the project after approval, which would result in improper segmenting and a piecemealed review. In CNW's May 15, 2017 response letter to the County's inquiries about traffic impacts and road standards, CNW objected to a condition limiting the daily truck trips to 46 trips because "there are certainly days where this [limit of 46 trips] would be exceeded." CNW objected to the 46-trip limit even though that was the number CNW's traffic consultant used to demonstrate concurrency and show that the Proposed Project would not negatively impact the level of service. Rather than the 46-trip daily limit, CNW submitted a revised traffic memorandum from DN Traffic Consultants suggesting a daily limit of 720 truck trips per day. These figures mind you, do not account for any other non-truck trips for employees or other persons' accessing the site. There is also an open ended question of sales of material from the site that will generate independent truck trips to and from the site.

As you know, our clients held a community meeting. During this meeting, which was attended by the prior director of the Planning Department and two of the County Commissioners, Brian Bowser presented a detailed power point addressing the traffic impacts of the Proposed Project on the community and surrounding County roads. Since that time, the County has retained a new Planning Director. Mr. Bowser is available to meet with Hal Hart and Ryan Walters to review the traffic impact power point that was presented to the community. We can facilitate arranging this meeting, or Hal can contact Brian directly to review this power point and related information concerning the traffic impacts of the Proposed Project.

- Piecemeal Review and Hours of Operation: Throughout the review process, CNW has refused to provide definitive answers to straight forward questions. The County must not ignore the resulting vague project scope of the project that implicitly reserves to CNW the ability to pursue broader development actions within the MRO at a later date without comprehensive environmental review. For example, CNW on the one hand updated its application to include that hours of operation will be 7:00 AM to 5:00 PM but continues to include in its amended application that "hours of operation may be unlimited."[10] CNW insistency on allowing unlimited hours of operation suggests its intent to conduct future expansion. Future expansion would amount to an improper segmenting of the project. SEPA requires the County consider the full scope of the project and future environmental impacts resulting from its actions.

  These inconsistency and material non-disclosure results in a piecemeal environmental review in violation of WAC 197-11-060(3)(b). When an applicant does not have a specific proposal to develop the land in question the County "cannot close its eyes to the ultimate probable environmental consequences of its current action."[11] Even if the Proposed Project were to be limited to the minimum hours of 12 hours a day, 5-days per week, this level of activity, including but not limited to truck trips, noise and other

[10] Dan Cox Letter dated February 23, 2018, page 1, item 1 and Amended Special Use Permit Application, page 8, item 2.
[11] *Cheney v. City of Mountlake Terrace*, 87 Wn.2d 338, 334, 553 P.2d 184 (1976).

impacts, would cause probable significant adverse environmental impacts which must be examined and disclosed to the public through the preparation of an EIS.

5. The Proposed Project lacks consistency with the Skagit County Comprehensive Plan.

A project of this magnitude implicates several goals and policies within the Comprehensive Plan. While we did not address all the goals and policies that are violated or compromised here, we do note the significant traffic impacts of the Proposed Project. There is no plan for mitigation of these traffic impacts, which demonstrates the Proposed Project's lack of consistency with the Comprehensive Plan. Applicable provisions include:

- Goal 8A-10 requires the County provide a safe travel environment for county residents and visitors in all modes of transportation. Policy 8A-10.1 makes safety improvements a priority in all capital projects and maintenance decisions related to the County road system.
    - Neither of the traffic studies submitted by CNW analyze the potential for accidents on the roads impacted by the Proposed Project. Given the added truck traffic, narrow roadways, limited shoulders and pass lanes, and sight issues, the Proposed Project likely will result in significant increase in accidents, and an increased likelihood of significant injury or death without significant updates to the roads prior to operation of the Proposed Project.
- Goal 8A-13 requires the County incorporate transportation goals, policies, and strategies into all County land use decisions. Policy 8A-13.1 requires that growth and development ensure the short- and long-term public costs and benefits of needed transportation facilities be addressed concurrently with the associated development impacts.
    - Here, necessary improvements to mitigate the Proposed Project's impacts to the community and impacted County roads are not proposed or accounted for with the Proposed Project to address its traffic impacts.
- Concurrency Goal 8A-14 requires the County ensure that suitable mitigation measures address the impacts of growth fairly and equitably, and that transportation impacts at the project and system levels are mitigated concurrently with the project. Policy 8A-14.5 provides that mitigation measures can be incorporated through assessment of suitable mitigation fees where the development significantly adds to the road's need for capacity improvement, to a roadway safety problem, or to the deterioration of the roadway.
    - Even with the limited information provided by CNW, the Proposed Project will significantly increase trips on County roads, impact road and community safety, and increase road maintenance demands due to damage created by heavy trucks loaded with gravel.

Again, without the detail of a Level 2 Traffic Analysis, it will be difficult to assess the Proposed Project's impacts and ascertain appropriate mitigation measures to address the traffic impacts.

We urge the County to follow its Code and deny the application as it should have initially after CNW's failure to produce the additional information pursuant to the time allotted by SCC 14.06.105. In addition, the inconsistent information provided by CNW and new information submitted after the MDNS was issued in May 2016 requires the County to withdraw the MDNS and restart the environmental review. Our clients believe that the Propose Project requires a determination of significance and the preparation of an EIS. Based on the above, the County must require CNW to restart the application process, including the appropriate environmental review and provide for the appropriate public comment period following proper notice.

Thank you for your consideration.

Sincerely,

CHMELIK SITKIN & DAVIS P.S.

Jonathan K. Sitkin
Timothy D. Schermetzler

JKS/TDS/
Encl.
cc: Client
John Cooper, Skagit County Planning & Development (hard copy only)
Hal Hart (via email)
Ryan Walters (via email)

March 16, 2018

John Cooper
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, Washington 98273

Re: Comment and information concerning personal safety on the CNW proposed haul route (PL16-0097 & PL16-0098)

Dear Mr. Cooper,

I am sorting through the Skagit County Comprehensive Plan, comments made by Paul Randall-Grutter (County Engineer) in a recent Skagit County traffic accident report published in the Skagit Valley Herald, and County traffic statistics to see how they relate to the CNW proposed haul route (Prairie Road and Grip Road). What I find is troubling.

Here is a quote from the Skagit County Comprehensive Plan 2016-2036 on Page 153, Policy 4D-5.3 (emphasis is mine):

> *Roads and Bridges: New public roads and bridges accessing designated Mineral Resource Overlay Areas shall be designed to sustain the necessary traffic for mineral extraction operations. Existing roads and bridges **shall** be improved as needed as each new extraction operation is developed. Cost sharing for the improvement of roads and bridges **shall** be negotiated between the permitting authorities and the applicant.*

Below are details from an accident reported on GoSkagit.com:

> *A 60-year-old Mount Vernon woman was killed Monday evening in a two-vehicle collision on Farm to Market Road.*
>
> *The collision occurred at the intersection of Farm to Market and Josh Wilson roads, according to a news release from the State Patrol.*
>
> *The woman, Karen Wolf, was stopped at a stop sign westbound on Josh Wilson Road, the news release states. Her view was obstructed by other vehicles when she apparently accelerated from the stop sign and was struck by another vehicle, which was traveling northbound on Farm to Market Road.*
>
> *Both vehicles came to rest in a ditch at the northwest corner of the intersection.*

And the quotes from Paul Randall-Grutter as published on 1/31/18 in the Skagit Valley Herald about the above accident report:

> *Old roads such as Josh Wilson and Farm to Market were not built for the level of traffic they now accommodate ...*
>
> *He said a four-way stop, as some have requested, would result in more collisions, based on data collected from other intersections.*
>
> *There's no real funding program to do highway intersection (improvements)," he said. "We have to prioritize projects based on available funding.*

Finally, traffic volumes, right of way, pavement width, and FFC classification for Farm to Market Road, Josh Wilson Road, Grip Road, and Prairie Road from Skagit County Roads Traffic Volumes 2016:

Road Name	Location	FFC*	Ave Daily Traffic	ADT Year	Pave Width	Right of Way
FARM TO MARKET ROAD	at JOSH WILSON ROAD	07	1,954	2015	20	60
JOSH WILSON ROAD	42 ft. West of FARM TO MARKET ROAD	07	1,100	2015	22	50
GRIP ROAD	at PRAIRIE ROAD	08	572	2014	20	40
PRAIRIE ROAD	at F & S GRADE ROAD	08	1,945	2015	20	60
PRAIRIE ROAD	0.38 mi. NE of GRIP ROAD	08	1,466	2015	20	60
PRAIRIE ROAD	at OLD HWY 99 NORTH	07	2,406	2015	20	60

*08 = Minor Collector, 07 = Major Collector

1. The County Comprehensive Plan states "*existing roads and bridges shall be improved as needed as each new extraction operation is developed.*" To date, CNW completed a preliminary traffic evaluation of two intersections on the proposed haul route and is attempting to pass the preliminary evaluation off as complete and approved. CNW has not been required to complete any additional traffic studies and Skagit County is considering a limited third-party review of the proposed haul route.

2. The Skagit County Comprehensive Plan states "*Cost sharing for the improvement of roads and bridges **shall** be negotiated between the permitting authorities and the applicant.*" The only mitigation proposed is a warning light at the intersection of Grip Road and Prairie Road. CNW is responsible for this mitigation. Per DN Traffic Consultants report provided by CNW, the proposed mitigation was only provided as a "potential interim solution". I assume any other future mitigation required because of the new gravel pit will be Skagit County's responsibility. And per Paul Randall-Grutter, "*There's no real funding program to do highway intersection (improvements)," he said. "We have to prioritize projects based on available funding.*" We know, which I have documented extensively in previous letters, much more mitigation should be required before allowing dump trucks to run 24/7 on Prairie Road and Grip Road.

3. The accident at Farm to Market Road and Josh Wilson Road is a real live example of growth without accounting for infrastructure improvements. County comprehensive plans are written to try to tie growth with infrastructure improvements. Currently, Skagit County and CNW are trying bypass these requirements.

4. The statistics on the proposed haul route look eerily similar to the statistics on Farm to Market Road and Josh Wilson Road. A site visit to the roads will confirm the roads are very similar with one exception: Josh Wilson Road and Farm to Market Road are straight, while Prairie Road and Grip Road are not. Based on these similarities, I would say Paul nailed it: Prairie Road and Grip Road are the same as Josh Wilson Road and Farm to Market Road and are "*not built for the level of traffic they now accommodate*.". But now the County wants to allow dozens of additional loaded tandem gravel trucks to run 24/7 on these very same substandard roads?

5. We need a comprehensive third-party review of the proposed haul route and any other potential haul routes (CNW has requested the right to take product straight to market or to other processing locations). The review should compare current engineering standards for the roads to current road conditions. Any areas that do not meet the current standards should be identified and improvements proposed (with cost estimates) to mitigate the deficiencies. Then "*cost sharing for the improvement of roads and bridges **shall** be*

negotiated between the permitting authorities and the applicant." If not, as noted by the County, we do not have a real funding mechanism to make necessary improvements.

In conclusion, Skagit County and Concrete Nor'West need to thoroughly evaluate the proposed and potential haul routes, identify mitigations required, negotiate the financial responsibilities, and complete the mitigations. It is what is required by Skagit County code. We have real life examples of what happens when we do not upgrade infrastructure to accommodate growth. Let's not keep making the same deadly mistakes.

Brian Bowser
21110 Parson Creek Road
Sedro Woolley, WA 98284

Link to Skagit County Comprehensive Plan 2016-2036
https://www.skagitcounty.net/PlanningAndPermit/Documents/CompPlan2016/CP2016%20Public%20Comment%20Draft%2006-09-2016%20tracked.pdf

Link to article published at www.goskagit.com on 1/16/18
https://www.goskagit.com/news/local_news/mount-vernon-woman-killed-in-car-crash/article_68929fb1-39a2-53ac-954c-1673c24043bc.html

Link to article published in the Skagit Valley Herald on 1/31/18
https://www.goskagit.com/news/local_news/fatal-collision-spurs-search-for-solutions/article_852e04a4-f7aa-5859-9e26-fea6a20cb419.html

Cc: Hal Hart
John Sitkin

4 March 2018

John Cooper
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, Washington 98273

Re: Miles Sand and Gravel proposed Grip Road gravel pit, PL160097

Dear Mr. Cooper
I read through the recent package Dan Cox (Miles) sent to the county for their required response, to maintain their permit application. My comments regard the inadequate, inconsistent, and poorly written response by Miles. The four items in the submittal that I am commenting on (I printed these off the County website) include:

1. Cover letter from Miles dated 23 February 2018
2. Grip Road Noise and Vibration Study, dated 20 February 2018
3. Amended Sand and Gravel General Permit
4. Amended Special Use Permit Form

Additionally, I am using the following report and letter for this response:

1. 8 February 2016 DN Preliminary Traffic Information
2. July 6, 2017 Letter from John Cooper to D. Cox, J. Semrau, and W. Lynn.

Re: The Cover letter.

- First paragraph insinuates Miles will do no additional traffic analysis, although the DN traffic study is "only" preliminary. A full traffic study needs to be completed by Miles, the applicant.
- Paragraph 2, Miles states the projected noise limits is "*well below both daytime and nighttime limits*". The term "well below" is a subjective and misleading term. Additionally, Miles states..."*expects no impacts from onsite mining operation*". There is no such thing as "no impacts".
- Paragraph 3, Miles states, "...*DN Traffic Consultants, which have previously been approved by Public Works*", is incorrect. The DN study is only preliminary and in one of their last paragraphs state: "*The above alternatives to intersection reconstruction are only offered as potential interim solutions until the County has sufficient funds to improve the sight distance at this location...*" In other words, there is no approved traffic plan.
- Paragraph 3, last sentence, Miles states, "*In addition, our recently completed Noise and Vibration Study Indicates no potential adverse effects from noise and vibration of haul truck traffic, therefore the initial County recommendation to limit the number of truck trips should be dropped*". This paragraph states "*no potential adverse effects...*" while the

paragraph above states "*no impacts…*" indicating Miles' inconsistency in their argument. Additionally, although noise is a concern regarding truck traffic, our concern also includes the number of trucks on Grip Road, the Prairie and Grip Road intersections, etc., the noise that will be generated, and safety issues (see my comments below regarding the Ramboll Noise Study). Therefore, Miles' argument here is not relevant.

- Paragraph 4, discusses the County's request to upgrade the internal road, which Miles is arguing against any upgrades to said road. Our contention is that there will be upgrades to the internal road due to widening for safety, and general maintenance from the increased truck traffic. Therefore, triggering the need to complete a Wetland, Fish and Wildlife Habitat Assessment of the entire pit site and access road (between the mine and Grip Road, and Grip Road).
- Paragraph 5 is irrelevant regarding, *…managing 17 of these permits…*"
- Paragraph 6 regards the land use intensity, moderate versus high, and the resultant buffer off the Samish River. Their argument is self-defeating when quoting the Skagit County code definition for high intensity land use…"*Land uses…some agricultural practices and commercial and residential land uses.*" Miles continues to state "*While at face, the subject dry mining activity appears to be a high intensity land use, GBA also considered the following elements…*" Miles confirms the proposed pit is "high intensity" but appears to be arguing for a buffer reduction, which is a different approach to permitting using the Skagit County CAO.

  In the GBA report, as bulleted by Miles, the rationale for their argument in land use intensity mentions the mine being greater than 200 horizontal feet from the OHWM of the Samish, separated by 90 vertical feet, a berm between the mine and the OHWM, the mine being 10 feet above the water table, the aggregate extraction will be maintained at a relatively low volume, the project will use existing interior roads, and the site will be reclaimed post pit use.

  The 200 horizontal feet is required for all medium intensity projects, but 300 horizontal feet is required for high intensity projects which a gravel mine is. Mentioning 90 vertical feet has some merit for protection of the river function however there has been no site plan prepared to date that illustrates this factor, or the distance from the river, so how are we to know what is stated here is accurate. Miles needs to have a site plan prepared by a Professional Land Surveyor indicating the slope, location of the river OHWM, location of any riverine wetlands, the 300-foot buffer and the 200-foot shoreline jurisdiction, and the location of the proposed mine, only then will we know what is actually and accurately being proposed. Furthermore, we need to see their reclamation plan.

  Regarding the contention mining will remain 10 feet above the water table; how will this be determined once mining has begun? Miles needs to

provide a performance standard to monitor the ground water elevation in many locations prior to removal of gravel. A mitigation plan to remediate the mine elevation if the bottom of the mine is closer to the 10-foot water table. Also, in all likelihood, the water table will be higher in elevation during the wet Spring season as compared to the dry Fall season, this fact needs to be determined and included in any monitoring and performance standard criteria.

Re: The Grip Road Noise and Vibration Study prepared by Ramboll US Corporation. Please note, I am not qualified to preform a "noise and vibration study" but have the following comments.

- The report lacks the authors names and credentials, these need to be provided.
- The introduction, second sentence states "The mine would be situated in the *middle* of 726 acres... This is not true. The proposed mine is on the extreme northern portion of the 726-acre parcel.
- The next sentence in the introduction states ..."*The site is forested and most of the existing buffers would remain intact*". At this time, much of the 726 acres is being logged. Logging and resultant removal of the trees will affect the buffering capacity. Has this fact been factored into their noise analysis?
- Item 4 Operational Noise Impact, 4.1 states ..."*The primary noise sources introduced by the proposal would be a front-end loader...*" However, in the Amended Special Use Permit Form, Item 12, Miles states "*Yes, standard minimum equipment such as front-end loader, dozer and excavator will be used*". This discrepancy needs to be addressed. Additionally, in the Amended Sand and Gravel General Permit, Item 2., Miles states, "*In addition to the above listed materials, equipment on site typically includes: Front End Loader(s), Dump Trucks, Excavator(s), and other miscellaneous mining equipment.* Other miscellaneous mining equipment needs to be defined and included in the noise study.
- There is no mention of equipment size in either Item 4.3 or in any other location within the study. There is only references to "front end loader". The actual type, size, model, etc. needs to be referenced.
- Further Items in 4.3 do not reference the number/quantity of front end loaders to be used. Will there be a single piece of equipment or many? Also, assumptions about the dBA at a distance of 100 feet needs clarification regarding the source of this information and as stated above, the number, sizes, and other types of equipment to be used.
- Regarding referencing haul trucks and their noise and vibration on Grip Road. Will said trucks be using a "jake or engine brake" when descending Grip Road? If so, was this factored into this study?
- In Section 6 Conclusion there is mention of "..."*less than 3BA during the vast majority of mining activities.*" The term "vast majority" is not science based and needs clarification.

- Same section as above, "*Therefore, no impacts are expected from onsite mining operations*". There is no such thing as "no impacts". There are always project related impacts.

Re: The Amended Special Use Permit Form

- Item 3 references one to two full time employee's and truck drivers. Will there be bathrooms, a heated lunch room, electricity, a generator?
- Item 9. References to the February 8, 2016 DN Traffic report. This report is only preliminary and therefore should not be used nor referenced until a final report has been prepared. Also said report is based on incorrect data.
- Item 19, as referenced above. Because there will be at a minimum one full time employee, and truck drivers frequenting the mine, it is reasonable to assume a bathroom, lunchroom, heated space, work shack, and electricity will be required. These items need to be addressed and included in this amended form.

In conclusion, this latest response by Miles has not adequately responded to the requirements within your letter dated 6 July 2017. The only way to adequately address the impacts on the natural and physical environment, caused by the development of a gravel mine off Grip Road and the relationship of said mine on the people, is to complete an Environmental Impact Statement. I therefore recommend the county deny this permit application. I look forward to the scoping process for an EIS.



Jim Wiggins
21993 Grip Road
Sedro-Woolley, WA 98284

Cc: Hal Hart
Ryan Walters
Betsy Stevenson

March 7, 2018

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

Re: **Concrete Nor'west Gravel Operation near Grip Road, Special Use Permit Application PL16-0097**

Dear Mr. Hart:

We have reviewed the following documents submitted by Concrete Nor'west (CNW) to Skagit County Planning and Development Services (PDS) in response to PDS Senior Planner John Cooper's letter of July 6, 2017 requesting additional information:

- Cover letter (February 23, 2018)
- Noise and Vibration study (February 20, 2018)
- Amended Sand & Gravel General Permit (received February 23, 2018)
- Samish River Ordinary High Water Mark/Wetland Edge (May 18, 2015)
- Amended special use permit form (received February 23, 2018)

Our response to the submissions listed above can be summarized as follows:

1. Skagit County is obligated under Skagit County Code (SCC) 14.06.105 to reject CNW's February 23, 2018 submissions and deny the company's Special Use Permit Application for failure to submit the information requested within the 120 day time limit.
2. Even if CNW had submitted the information referenced above within the required timeframe, its submissions remain non-responsive to PDS' July 6, 2017 request for additional information in several critical aspects.
3. Given the serious flaws in the application process to date and CNW's continued insistence on the legal validity of key steps in that have since been superseded or otherwise invalidated by the county, there is now only one way forward for CNW's proposed gravel mine project: The county must require CNW to start over again, submit a clear, complete new permit application and SEPA checklist, and conduct a full analysis of all the potential impacts through an Environmental Impact Statement (EIS).

With regard to #1 above, we refer you to our November 2, 2017 letter to (former) PDS Director Dale Pernula **(please see enclosed copy)**. As we state in our letter, CNW did not submit a timely written request for an extension as required by code, it did not meet ANY of the required criteria for such an extension to be granted, and PDS has NOT grant a written extension to CNW as would have been required by code had a request been properly submitted and approved. Based on the public record and by PDS Assistant Director Ryan Walters' admission to us in a meeting which you also attended on February __, 2018, all of the foregoing are confirmed. Skagit County, therefore, has no other option but to deny CNW's application and require it to start over again if it wishes to pursue this project.

With regard to #2 above: Questions of legal validity aside, CNW's February 23 submissions clearly show its continued recalcitrance with regard to key requirements laid out by John Cooper in his July 6, 2017

letter. The submissions continue to omit or misrepresent key facts and demonstrate the company's ongoing refusal to address the most critical potential adverse impacts of its proposed mine.

In his cover letter for the February 23 submissions, #3, CNW's Dan Cox states, with regard to the proposed number of truck trips for the project, "Our proposal is clearly presented in the reports by DN Traffic Consultants, which have previously been approved by Public Works; and the conclusions of those approvals were conditions in the September 12, 2016 Staff Report to the Hearing Examiner." This statement is, at best, a gross distortion of fact. In the following paragraphs, we examine this statement in greater detail.

"Our proposal is clearly presented in the reports by DN Traffic Consultants..." This is false. The reports to which Cox refers here are 1) the February 8, 2016 memo from Gary Norris of DN Traffic Consultants (DNTC) to Cox with the subject "Grip Road Gravel Pit Preliminary Traffic Information" and 2) the November 30, 2016 memo from Norris to Cox with the subject "Maximum Daily Truck Traffic". These two documents together raise more questions than answers about what CNW is actually proposing.

The February 8, 2016 DNTC memo, characterized by its author as "preliminary", cites an average of 46 tandem dump truck trips per day, or 8 trips per hour, for the proposed mine. Existing traffic levels on the haul route are based on one, two-hour sample count made at each of two intersections during PM "peak hours" in July, 2013. The memo states that modeling using these already outdated "existing" traffic figures shows that the two intersections currently meet Skagit County's Level of Service (LOS) standards. The memo does NOT state, but is perhaps is intended to imply, that the proposed average of 8 truck trips per hour to and from the mine was also included in the existing LOS modeling. It is unclear from the report, however, whether the modeling actually showed that the intersections would continue to meet standards once the mine is operating. The memo goes on to acknowledge that both of the intersections analyzed "have sight distance values below current standards". It provides a brief, cursory discussion of possible permanent mitigation measures to address this, but then dismisses them as too costly and offers a couple of "potential interim solutions" involving flaggers or flashing warning beacons. The memo concludes with the statement "It is expected that additional traffic analysis will be required as the proposed gravel pit operation is defined."

One thing is abundantly clear. If CNW gets their way, there will be a lot more than 46 truck trips per day on its proposed haul route, at least at certain times of the year. CNW has repeatedly stated that it expects to operate the mine and haul product from it whenever it needs to in order to respond to market conditions. Demand for gravel is far higher in the summer than the rest of the year. This means that mine haul traffic would very likely be much higher than average during the summer months. With CNW's repeated rejection of a limit to the number of trips per day, the mine traffic impact analysis must therefore be based on the maximum possible number of trips for any given period of time.

In its September 12, 2016 Staff Report, PDS initially recommended that truck trips be limited to an average of 46 per day and not exceed 30 per hour. It also required that CNW implement one of DNTC's proposed "interim" mitigation solutions for the LOS deficiency at one of the intersections. Following the receipt of extensive public comment on traffic and other issues, the county informed CNW that, instead of an average number, mine truck trips would be limited to 46 actual trips per day. CNW pushed back, stating that such a limit was unacceptable.

In support of its contention, CNW submitted DNTC's November 30, 2016 "Maximum Daily Truck Traffic" memo. It is interesting and somewhat telling that the author, Gary Norris, refers in this document to his

previous "preliminary" memo as a "Traffic Impact Analysis", seemingly to assign a higher status than he originally intended to the earlier document. The November 30, 2016 memo states that with the addition of 110 truck trips during the PM peak hour, the LOS at one of the intersections analyzed would drop below the level required in the County Road Standard(s). Citing a conversation with Cox, Norris states that this figure is unrealistic given that "there wasn't (sic) enough dump trucks in Skagit County to provide this volume of traffic". He then states that, based on the availability of 30 dump trucks, a more realistic maximum limit would be 60 truck trips per hour or 720 truck trips per day.

So, we ask once again, what is the maximum level of traffic CNW is actually proposing? Is it 46 truck trips per day, as stated in CNW's first "traffic impact analysis"? Is it 60 truck trips per hour and 720 trips per day as "suggested" by Gary Norris in his second memo? The 720 per day figure is based on a 12-hour day, but CNW says they should be allowed to operate up to 24 hours per day, which would make the actual figure 1,440 trips per day! Also, the dump truck availability limitation cited by Norris is a "red herring". CNW's parent company, Miles Sand and Gravel, is a large, regional corporation with multiple gravel mines and processing facilities along the I-5 corridor from the Canadian border to south of Olympia. It seems a little silly to suggest that Miles couldn't (or wouldn't) come up with more than 30 dump trucks from its combined operations if it needed them to move product out of its proposed Grip Road mine at any given time. DNTC's second memo suggests that 108 truck trips per hour (one round trip less than the 110 it says would exceed the LOS requirement) would actually be acceptable. That would be 1,296 trips per 12 hours and 2,592 trips per 24 hours! Obviously this is absurd, but it helps highlight the complete lack of clarity from CNW on this key aspect of its proposed operation. The inadequacy of DNTC's traffic memos in addressing county road standards requirements and clear threats to public safety associated with CNW's mine traffic is laid out in considerable detail by Brian Bowser[1] and Matt Mahaffie[2], in comments they have submitted to PDS on the subject. After more than a year of effort on the part of the community and dozens of comments on this issue, CNW is still making the case that they have somehow answered this key concern with seriously flawed and inadequate traffic documents.

To return to CNW's February 23, 2018 cover letter, Cox continues (with reference to DNTC's traffic reports) "...which have previously been approved by Public Works; and the conclusions of those approvals were conditions in the September 12, 2016 Staff Report to the Hearing Examiner." This is misleading and irrelevant. Based on an incomplete list of neighboring property owners provided to PDS by CNW, the county failed to provide adequate notice of CNW's Mining Special Use Permit Application and subsequent permit milestones as required under SCC to all but a handful of the property owners within a certain distance of CNW's contiguous ownership adjacent to the proposed mine site until after it had been forced to continue the hearing scheduled before the Hearing Examiner on December 7, 2016. As you are probably aware, once the proper notice had been given and word of the proposed mine got out to affected members of the local community, comments questioning the substance of CNW's application and the county's process to date poured in to PDS. On review of the comments, PDS acknowledged that there were significant issues of fact, consistency and completeness with CNW's application (including its traffic report) and informed CNW of this. As a result, any "approval" by Public Works implied by PDS' Staff Report and the recommended conditions included in the report became null and void. It is incredible to us that CNW continues to maintain otherwise.

[1] [list Brian's comment submissions]
[2] M. Mahaffie letter to J. Cooper, December 30, 2016

A key point that the county has yet to explicitly acknowledge is that under Skagit County Road Standards, 2000 (SCRS), an formal Traffic Impact Analysis (TIA) is required for this project. SCRS 4.00, Traffic Analysis, sets out specific criteria for when a TIA is required, what level TIA is required, what must be covered in the analysis, and the format of the analysis. Based on the potential volume of traffic generated by the mine and the fact that there are known, major deficiencies with the existing county roads serving the mine site (to cite only one example, the intersection sight distance issues mentioned above), a Level 2 TIA is specified. For a more detailed discussion of these requirements, please see John Day's comments submitted on March 12, 2017 via PDS' online comment form (copy enclosed).

Instead of requiring the applicant to conduct its own Level 2 TIA, the county has indicated that it intends to have a study completed by a third party consultant. The county's scope of work for the study is somewhat vague and does not specifically reference the TIA requirements of the Road Standards, so it remains to be seen whether or not the study will properly address all the required elements of a Level 2 TIA. It is clear, however, that without a full Level 2 TIA, the county cannot legally approve CNW's proposed use of county roads.

In #4 of his cover letter, Dan Cox addresses the county's insistence that the proposed haul route on CNW property meet the requirements for a "Private Road" as defined by Skagit County Road Standards. First, we must note here that the information in Cox's cover letter with regard to the internal haul route conflicts with that contained in CNW's February 23, 2018 amended special use permit form. Section A, Question #10 on the form asks "Will your operation have an internal road system?", the response to which is "The mine site will not have a defined road system per se, as the mine floor and elevation will be constantly changing as mining progresses." By referring here only to the actual mine site, rather than to CNW's contiguous ownership, the author (presumably Cox) appears to have attempted to avoid any discussion of CNW's internal road system. The following question on the form, #11, asks "How is your property accessed? By private, county or state road?", the response to which is "The site is accessed via Grip Road, which is a County Road." Somehow, the "site" has now become CNW's contiguous ownership, again avoiding any discussion of the two mile long private road accessing the actual mine site from Grip Road. This is a clear example of the sort of evasion and misstatement that has characterized CNW's application from the start. Cox had the opportunity to correct this and other misstatements and omissions when he submitted his "amended" Special Use Permit application form, but apparently he couldn't be bothered to do so. This demonstrates CNW's continuing lack of faith in the entire process.

Cox makes a minor concession to the county in stating that CNW is willing to bring the internal haul road up to standard for an "Emergency Vehicle Access Road" (with the critical exception of the existing approach and bridge over Swede Creek), but not to SCRS "Private Road" standards. Even discounting the fact that Cox excludes a critical portion of the access route, the Swede Creek bridge and its approaches, the minimal standards for emergency vehicle access clearly do not address the actual use the roads would receive. This represents nothing more than continued stonewalling on the part of CNW.

A great deal more critical information with regard to CNW's internal haul route is omitted from its February 23, 2017 submissions. By CNW's own admission, the internal roads that would serve the mine were designed and built as "Forest Roads" for management and harvest of timber on the property. With the development of the gravel mine, however, the intensity of road usage would increase dramatically – instead of infrequent, short term use for hauling timber, the roads would be subject to constant, heavy traffic by fully loaded tandem dump trucks. CNW will clearly have to make significant

improvements to its internal "Forest Roads" for them to withstand this much heavier industrial use. This change in usage intensity and the need for significant road improvements triggers at least two things: 1) the requirement for compliance with County Road Standards for Private Roads accessing commercial/industrial property and 2) Critical Areas Ordinance requirements for delineating protected critical areas and preventing adverse impacts on those areas. The latter comes in to play in particular with regard to the approach and bridge over Swede Creek and at least one regulated wetland immediately adjacent to the internal access road. This consideration was omitted entirely from CNW's Mining Special Use Permit Application, SEPA checklist, and Fish and Wildlife Site Assessment. All of the foregoing issues with regard to the private haul route were presented in writing to CNW by the county, but Cox continues to insist they do not exist.

In his cover letter, #6, Cox states that "...at face, the subject dry mining activity appears to be a high intensity use..." He then proceeds to make the same tired argument that the county has repeatedly (and correctly) rejected by as to why the proposed mine should be designated as a "medium intensity" land use subject to a 200 foot buffer from the Samish and associated wetlands instead of a high intensity use with a 300 foot buffer as required under SCC and state rules. Once again, this is pure stonewalling on the part of Cox. The county's position on this issue is strongly supported by the detailed comments submitted on this application by Doug Gresham, Wetland Specialist for the Washington State Department of Ecology's Shorelands and Environmental Assistance Program[3] and by Matt Mahaffie, a professional wetland/critical areas specialist personally familiar with the proposed mine site and its environs[4].

Notwithstanding that the County should have declared the application incomplete in November 2017, and denied it outright, CNW has still not fulfilled the County's request. It is long past time to deny this application, and require CNW to start the application process over with a clear project proposal, and a real analysis of all the impacts through a complete EIS.

Sincerely,

Martha Bray and John Day

Cc: Ryan Walters; John Cooper

[3] D. Gresham letter to J. Cooper, June 1, 2016
[4] M. Mahaffie letter to J. Cooper, December 30, 2016

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December 28, 2017

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Julie S. Nicoll
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RE: EXTENSION GRANTED TO CONCRETE NOR'WEST IN VIOLATION OF SKAGIT COUNTY CODE

Dear Ms. Nicoll:

This letter is written in response to the County's October 24, 2017 decision to grant Concrete Nor'West ("CNW") an extension to provide the County with requested information regarding CNW's deficient permit application.[1] This extension was granted in flagrant violation of the Skagit County Code, which expressly requires that the permit application be denied.

SCC 14.06.105 is clear and unambiguous. Extensions to requests for information may *only* be granted if three specific conditions are met. First, a written request for extension must be submitted 21 days prior to the specified deadline. Second, the applicant must demonstrate that circumstances beyond the control of the applicant prevented timely submittal of the requested information. Third, the applicant must provide a reasonable schedule for submittal of the requested information. There is no authority for the County to grant an extension if these conditions have not been met.

None of these conditions were met in CNW's case. CNW did not submit a written request for an extension until an email on October 27 memorializing an off-the-record discussion with the County's Director of Planning & Development Services. Thus, CNW's request for an extension, such as it was, came only 7 days prior to the deadline—two weeks beyond the last date to request an extension. Second, CNW made no attempt to explain how circumstances beyond their control prevented a timely

[1] The Skagit County Planning Department has issued multiple requests for more information related to CNW's permit application over the past year. CNW has yet to provide the County with the requested information, yet the County granted an extension in violation of the County Code. The County's most recent request for information from CNW was dated July 6, 2017. CNW's response on September 21, 2017, over two months later, provided no substantive information, arguing instead that the information had either already been provided or was not within the County's authority to request. The Skagit County Code sets a 120-day time limit on such responses. The County wrote to CNW on October 24 to state that CNW's failure to respond with the requested information by November 3 would constitute an abandonment of the permit application pursuant to SCC 14.06.105. On October 30, we were provided an email chain between CNW and the County indicating that, after an October 27 discussion with CNW (no record of which has been provided), the County had decided to grant an extension through February 25, 2018, on the condition that CNW provide, by November 3, a reasonable schedule for producing the requested information.

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submittal of the information. Indeed, CNW's previous correspondence indicated that CNW simply did not believe the County had the authority to request such information, which is incorrect for the various reasons discussed in our previous correspondence on this matter. Third, as for the required "reasonable schedule," the County gave CNW until November 3, 2017, to submit it. CNW immediately repudiated this deadline, stating that they would not provide a schedule until after a meeting with the County that, at the time, had not been scheduled.

Furthermore, a decision to grant an extension is an act taken by the County, the findings for which must be documented in a final decision in order to allow for appeal. The County has never issued a final decision on this extension; the most it has done is privately email CNW to confirm that an extension had been granted. The County has yet to post any final decision or formal writing to its website to disclose to the public that an extension was granted. Indeed, the only indication on the County's website that an extension has been granted is a November 21 letter not from the County but from CNW.[2] There is no confirmation from the County that the terms outlined in this letter accurately reflect the County's expectations regarding the information that CNW is required to provide.

The County's grant of an extension to CNW is in plain violation of the County Code, and CNW's permit application must therefore be administratively denied, as the County expressly stated in its October 25 letter to CNW. SCC 14.06.105 is a mandatory provision; it states that the failure to timely respond to a request for more information "shall" effect a denial of the application. The County staff has no discretion to bend the rules or make up new rules for CNW. Moreover, even if the County's offer of an extension had been valid, CNW has plainly failed to comply with the stated conditions by refusing to provide a reasonable schedule for submittal of the requested information within the prescribed deadline. The County cannot simply disregard the County Code in this manner.

The meeting between CNW and the County to discuss the "reasonable schedule" requirement raises other concerns. The County originally required a schedule by November 3, which CNW rejected out of hand. This meeting did not occur until several weeks later, and despite repeated requests for updates, the public did not learn of the meeting until several weeks after that—and then only when we were provided a copy of the November 21 letter from CNW memorializing the meeting (which was not posted to the County's website until mid-December). CNW's November 21 letter indicates that the County provided certain "clarifications" regarding the earlier requests for information. No written account of the meeting from the County's perspective has yet been provided, so it remains unclear to what extent CNW is being held to the County's original requests for information (which, it is worth noting, did not lack for clarity in any case).

The meeting plainly *did* result in changes to the requirements imposed on CNW's permit application by the County. For example, the County has apparently decided to pursue a third-party review of CNW's traffic study—which we only became aware of through CNW's November 21 letter. Given that this review process had previously been put on hold due to CNW's failure to adequately respond to the County's requests for information, it's not clear what was discussed at the meeting or what (if anything) has changed so as to justify the third-party review now. Moreover, although an objective review of CNW's traffic study is clearly warranted and necessary, CNW's traffic study is now nearly two years out of date. Before taxpayer funds are spent on a third-party review of that study, the County should require CNW to provide a revised traffic study with more current data based upon a revised scope of work, as we have communicated in the past. More importantly, the scope of any third-party review should have been disclosed to the public for comment. Concerned citizens have

[2] At the time of this writing, the link to CNW's November 21 letter on the County's website is not even functional.

expressed significant and substantial comments to the County staff regarding road, pedestrian, and traffic safety. The depth and scope of any traffic assessment—whether CNW's own traffic study or a third-party review thereof—is a matter necessitating public input.

The public frustrations regarding the County's lack of transparency on this permit application has been repeatedly expressed to County officials. The County has now negotiated the terms of an (already unlawful) extension behind closed doors with no public participation or awareness, making it difficult to ignore the growing suspicion that the County's lack of transparency is, at this point, not simply an accident or oversight. While the County had taken steps toward providing for some public awareness by maintaining all correspondence with CNW on the County's website, that practice appears to have been abandoned, opting instead for closed door meetings with decisions of the County prepared and memorialized by CNW. To abandon the practice of open, written communication with CNW at this stage would be a tremendous disservice to the public and a violation of the tenets of good government. If CNW had valid questions that they believed required answers prior to their submittal of a reasonable schedule—which is unlikely, given the clarity of the County's requests—then CNW should have put those questions in writing and the County should have responded in writing, consistent with past practice. The closed-door meeting with CNW and subsequent actions and inactions by the County has damaged the public trust, which the County had appeared to be attempting to regain.

In the end, CNW's stalling on providing the requested information is indicative of its disregard for the environmental review necessitated by its permit applications under both state law and the County Code, and its open repudiation of an extension whose terms were already more favorable than the County Code allows is merely the latest expression of this disregard. Now, the County's grant of an unlawful extension indicates the County's apparent intent to accommodate CNW's disdain to the detriment of the public. The County should—and indeed, is required to under SCC 14.06.105—deny CNW's permit application for failure to timely respond to a request for more information.

Thank you for your consideration.

Sincerely,

CHMELIK SITKIN & DAVIS P.S.



Nolan F. Davidson

JKS/NFD/rsv
cc: Client
John Cooper, Skagit County Planning & Development (hard copy only)

CHMELIK SITKIN & DAVIS P.S.
ATTORNEYS AT LAW

Jonathan K. Sitkin
ATTORNEY
e| jsitkin@chmelik.com

October 4, 2017

VIA REGULAR U.S. MAIL & E-MAIL
julien@co.skagit.wa.us

Julie S. Nicoll
Deputy Prosecuting Attorney
Skagit County
Civil Division – Planning & Development Services
605 S. 3rd Street
Mount Vernon, WA 98273-3867

RE: CONCRETE NOR'WEST'S SEPTEMBER 20 RESPONSE TO SKAGIT COUNTY'S REQUEST FOR INFORMATION

Dear Ms. Nicoll:

Thank you for forwarding the letter from Concrete Nor'West ("CNW") dated September 20 responding to Skagit County's July 6 request for more information regarding CNW's permit applications PL 16-0097 AND PL 16-0098. While CNW purports to respond to the County's requests, they provide no substantive information and, in several instances, make assertions that are demonstrably false. This letter is intended to highlight some of these issues.

As a general matter, CNW's letter does not respond in any meaningful way to any of the County's requests for more information identified in its July 6 letter. Pursuant to SCC 14.16.105, CNW's failure to adequately respond within the timeframe prescribed in that ordinance results in the expiration of its permit application. This is mandatory by the County Code. There is no discretion in this matter. The County has the affirmative duty and obligation to deny the application. In fact, many of the requests articulated in the County's July 6 letter are reiterations of identical requests for information made in its March 14 letter to CNW—requests which, it must be noted, CNW still has not adequately responded to. Under SCC 14.16.105, CNW has repeatedly failed to timely respond to the County's requests for information. The County is obligated to deny the application.

Even if CNW had provided the required information before the expiration of its application, that would not correct the underlying problem: the inadequate environmental review this project has been given by the County under SEPA. For example, in its letter, CNW repeatedly points to the County's September 12, 2016 Staff Report as proof of the completeness of its permit

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Bellingham, WA 98225
o| 360.671.1796
f| 360.671.3781
www.chmelik.com

application. The Staff Report is proof of no such thing,[1] but CNW's point is nonetheless indicative of the inconsistency in the rigor of the County's review of the proposed project—including lapses in public notice that have been extensively detailed in previous correspondence. While the County has undertaken important steps toward rebuilding the trust of the public and properly involving the public in the permit review process, such efforts do not resolve the inconsistencies on which CNW (albeit baselessly) relies. The only way to ensure that the proposed project is subject to the appropriate level of environmental review and the required processes that have *always* been necessitated under SEPA—is to formally withdraw the MDNS and re-commence the environmental review process from the beginning. CNW's most recent refusal to comply with the County's requests merely reinforces this conclusion.

In that context, the items raised in CNW's September 20 letter are each addressed in detail below.

1. Hours of Operation

In response to the County's proposed restriction of the proposed mine's hours of operation to Monday through Friday, 7:00 a.m. to 5:00 p.m., CNW reiterates its baseless contention that the County effectively lacks the authority to restrict its hours of operation under SCC 14.16.440(10)(i)(i).

CNW has made this argument in previous correspondence. The Hearing Examiner has the authority to impose conditions on a permit under SEPA's substantive authority to mitigate the proposed project's adverse environmental impacts. *See* WAC 197-11-660 and RCW 43.21C.060. Because CNW's proposed project will result in documented adverse impacts related to noise and truck traffic (among other impacts), CNW's permit must be conditioned with restricted hours of operation. The adverse impacts from noise and truck traffic were discussed in our July 27 letter to the County, which also provided documentation of such impacts.

Moreover, since CNW has repeatedly asserted its right to unlimited hours of operation, its permit application must be reviewed under the presumption that the proposed gravel mine will be operating 24 hours per day, 7 days per week, every day of the year, which is not what was indicated in the Staff Report. It is simply impossible that such a project would, under a proper SEPA review, result in a threshold determination of nonsignificance, mitigated or otherwise. This indicates that the original SEPA threshold analysis was inadequate, and should be formally withdrawn.

2. Special Use Permit Criteria

The County's July 6 letter identified nine (9) special use permit criteria that required further supporting evidence from CNW and expressly requested a noise and vibration study. Rather than respond to this request for more information, CNW suggests that the County cannot require a noise and vibration study because, first, the County's September 12 Staff Report

[1] To the extent the Staff Report made any assertions, erroneous or otherwise, regarding the completeness of CNW's permit application, SCC 14.16.100(5) permits the County to request more information even after a determination of completeness is issued.

concluded that CNW's proposed project was in compliance with the special use criteria of SCC 14.16.900(1)(b)(v), and second, because CNW believes the site is "very isolated and no processing is proposed."

First, CNW paradoxically argues on the one hand that the County cannot impose certain conditions, but on the other hand seeks to use the County's Staff Report as a final arbiter of an issue necessitating further study. In any case, regardless of whether the September 12 Staff Report correctly deemed CNW's application complete, SCC 14.16.100(5) expressly permits the County to request more information subsequent to a determination of completeness. The County made precisely such a request, and CNW may not now point to the Staff Report as proof of its compliance with the special use criteria.

Second, the site of the proposed mine is not nearly as remote as CNW suggests. According to data obtained from ArcGIS, within one mile of the proposed gravel mine there are 100 households and nearly 250 residents; within two miles there are 374 households and nearly 1,000 residents; within three miles there are 752 households and nearly 2,000 residents. And this is only in reference to the mine itself—the truck trips generated by the mine would undoubtedly produce significant noise and vibration along Prairie Road and Grip Road (not to mention likely alternative haul routes that CNW's traffic analysis has never considered). The same data shows that the number of households that would be affected by the noise and vibration from truck traffic is close to 1,000. Pedestrians and cyclists use these roads as well, as do school buses. This is hardly the isolated operation that CNW depicts, and CNW offers no explanation for why these thousands of Skagit County residents would not be affected by a 68-acre gravel mine theoretically running up to 110 trucks *per hour* through their backyard. Simple logic and basic understanding of living in this environment reveals the adverse impact this proposal has on this neighborhood and community. A noise and vibration study would clarify the extent to which these neighbors would be affected by this aspect of the proposed project, and CNW's resistance to such a study is revealing. By its resistance, CNW suggests that its operation is likely to be more disruptive to the local community than it is willing to disclose.

Moreover, CNW's statement that "no processing is proposed" is inconsistent with statements from both CNW and the County regarding future on-site processing. Although certain of CNW's initial application materials suggested that no on-site processing would occur, both the MDNS and the Staff Report state that no on-site processing is proposed "at this time"—implying that future on-site processing was contemplated. When pressed to clarify this point, CNW's May 15 letter to the County stated only that no processing was proposed "in this application"—again implying that future on-site processing was contemplated. CNW's refusal to categorically state whether or not processing will occur on-site strongly suggests that it intends to process on-site at some point. Under SEPA, the full scope of the proposed project must be considered in order to prevent inappropriate phased or piecemeal review. See WAC 197-11-060(5)(d)(ii). Given that CNW has expressly reserved the right to pursue processing at this site in the future, CNW's project must now be reviewed on the basis of what has been reserved as a potential future activity—that such processing *will* occur at this site, as CNW has repeatedly indicated.

For these reasons, the County's request for more information regarding special use criteria, including a noise and vibration study, is more than justified, and CNW's refusal to comply with the County's request should be treated as a failure to respond under SCC 14.06.105.

3. Truck Trips

The County's July 6 letter suggested that the maximum number of truck trips should be 46 per day, subject to the results of a third-party review of CNW's traffic analysis. CNW rejects this limit and again refers the County to the report and addendum from DN Traffic Consultants, but avoids acknowledging what that report and addendum actually say. The addendum proposed a theoretical limit of 110 truck trips per hour, but pointed out that there weren't enough trucks with pups in Skagit County to actually reach this limit. Effectively, then, CNW is refusing any limit to the number of truck trips, and the County's SEPA review of the proposed project must be based on the operation of a mine that will result in up to 110 trips per hour. As with the hours of operation issue discussed above, the MDNS was therefore erroneous and should be formally withdrawn.

4. Private Road Standards Applicable to the Access Road

In response to the County's request to CNW to amend its application to ensure the access road's compliance with private road standards, CNW acknowledges the need for emergency vehicle access and agrees to a "reasonable performance standard that requires the access road be maintained to private road standards." However, CNW expressly excludes the existing approach and the Swede Creek bridge from this proposal. In essence, CNW recognizes the applicability of private road standards everywhere except where it is likely to trigger further critical areas review.

This is simply an effort to avoid the critical areas regulation by seeking a waiver of the private road standards in critical areas. The presence of critical areas is no basis for a waiver of private road standards. More importantly, there is no authority for such a waiver. *See* SCC 14.36.010; Skagit County Road Standards Section 2.03 ("In all cases, the application of these Standards shall be in conformance with the Critical Areas Ordinance"). There is no question that private road standards are applicable to the access road—the *entire* access road. *See* SCC 14.36.010; Skagit County Road Standards Section 3.02 and 3.05.B. There are, in addition, other critical areas near and along the access road—wetlands in particular—that are subject to critical areas review. It is not within CNW's authority to pick and choose the portions of the road that it will maintain in compliance with such standards in order to avoid critical areas review, and CNW's refusal to comply with the County's request for an amended application should be treated as a failure to submit requested information under SCC 14.16.105.

5. Spill Control Plan

In response to the County's request for a site-specific spill control plan, CNW provides for the first time its Sand & Gravel General Permit, including a spill control plan. The spill control plan is a generic plan that contains no site-specific information other than the address and the plain

statement that "[t]he Grip Road site includes above ground mining." This does not satisfy the County's request for information.

The Sand & Gravel General Permit also raises a number of questions regarding the nature and scope of the proposed project. For example, there are references to a site plan that has never been shared with the public. There are, furthermore, references to a number of materials or processes that suggest CNW has not disclosed the full scope of its proposed project. These include chemical liquids, petroleum products, used oil, spent solvents, fertilizers, and pesticides, the purpose of which is never specified. There are likewise references to unhardened concrete, concrete truck washouts, and tanks that aren't clearly consistent with a proposal to extract *and not process* gravel. The Sand & Gravel General Permit at one point refers to on-site tanks being subject to requirements regarding their construction, but elsewhere states that no tanks will be stored on-site. These discrepancies must be clarified before the project can be properly evaluated.

6. Land Use Intensity Rating

CNW continues to assert that a gravel mine is a moderate intensity land use under the land use impact definitions in SCC 14.04.020, and is therefore subject to only a 200-foot critical areas buffer under Skagit County's Critical Area's Ordinance, Chapter 14.24 SCC. "Moderate impact land use" is defined as:

> land uses which are associated with moderate levels of human disturbance or substantial habitat impacts including, but not limited to, low-density residential (no more than one home per five acres), active recreation, and moderate agricultural land uses.

That definition could not possibly encompass an industrial gravel mine. Such a position is baseless. It is clear that under the County Code *all* commercial and industrial uses fall under the definition of "high impact land use" which is defined as:

> land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and *commercial and industrial land uses*.

The County correctly pointed out, in its July 6 letter, that CNW's project is a high intensity land use, and required CNW to amend its application materials to reflect this. In response, CNW, again, claims that the County has already "decided and approved" the project as a moderate impact land use subject to a 200-foot critical areas buffer. Again, though, the County has authority to request more information from a permit applicant under SCC 14.06.105. CNW cannot point to previous correspondence with the County as proof that its proposed mine would constitute a "moderate impact land use." And, again, on the one hand CNW argues the County cannot impose conditions, seek new information or even change its determination based on new information, and on the other hand seeks to use the Staff Report as a final arbiter of an issue to avoid an accurate and lawful determination that restrains their activity. CNW's refusal

to amend or even clarify its application to correctly identify the intensity of the land use constitutes a failure to respond under SCC 14.06.105, and the County should therefore deny the application.

7. Factual Discrepancies

The County requested updated application materials in its March 14 letter, a request reiterated in the July 6 request. In response, CNW requests specific identification of the factual discrepancies contained in its application materials. Many of these discrepancies have been identified numerous times in previous correspondence between the County and CNW. They include:

- Inconsistencies regarding the hours of operation, which remain unresolved.
- Inconsistencies regarding the number of truck trips, which remain unresolved.
- Inconsistencies regarding on-site processing, which remain unresolved.
- Inconsistencies regarding noise, which remain unresolved.
- Inconsistencies regarding whether CNW plans to store fuel on-site. CNW indicated that fuel *will* be stored on-site, but has not amended its application to so indicate.
- Inconsistencies regarding the amount of gravel to be removed, which remain unresolved.
- Inconsistencies regarding the depth of the mine, which remain unresolved.

All of these discrepancies were discussed in detail in our March 3 letter to John Cooper of Skagit County Planning and Development and again in later correspondence. The County has followed up on several of these, but none of them have been meaningfully or sufficiently clarified.

The County's March 14 request for updated materials has, as of the date of this letter, been ignored by CNW for more than 200 days. This is well beyond the time limit prescribed in SCC 14.16.105. Accordingly, the County has a nondiscretionary obligation to deny the permit application for failure to timely submit requested information. CNW is free to reinitiate review by submitting a new application consistent with all current requirements. SCC 14.16.105(4). This would have the added benefit of allowing the public to make informed comments throughout the SEPA process.

Our clients recognize and appreciate the steps the County has undertaken to regain the public's trust following the deficiencies in SEPA review and public notice that have been highlighted in previous correspondence and need not be discussed in detail here. CNW, on the other hand, has made clear its intention to shirk proper review under SEPA in any way it can, including an open refusal to respond to the County's requests for information. The County must recognize CNW's response—or rather, its refusal to respond—as a failure to submit requested information under SCC 14.06.105, and accordingly deny the permit.

Thank you for your consideration.

Sincerely,

CHMELIK SITKIN & DAVIS P.S.

Jonathan K. Sitkin
Nolan F. Davidson

JKS/NFD/rsv
cc: Client
John Cooper, Skagit County Planning & Development (hard copy only)

GORDON THOMAS HONEYWELL

William T. Lynn
Direct: (253) 620-6416
E-mail: blynn@gth-law.com

May 11, 2018

Julie Nicoll
Skagit County Attorney's Office
605 S. Third
Mount Vernon, WA 98273

RE: Concrete Nor'west/Miles Sand & Gravel

Dear Julie:

I wanted to follow up and set out what I understand our plan of action is for getting additional information to the County. We have 90 days (to August 7) to respond to the Hearing Examiner so I want to make sure we are on the same page. We agreed to submit the following:

1. An alternative site plan showing a 300 foot buffer from the wetland edge. This will be submitted without any waiver of our right to contend to the Hearing Examiner that only a 200 foot buffer is required.

2. We will resubmit the Noise Report or provide a supplement to the report that responds to the concerns set forth in the County's letter dated April 5, 2018 on that subject.

3. On traffic, you will obtain the input from Gibson, the County's third-party expert, on the traffic information that the Applicant has previously submitted. Please let us know when we should expect to receive those comments. If possible, we would like to have our traffic consultant communicate with the County's expert so that we can begin to address any comments as soon as possible. We will then either resubmit the report or submit a supplemental report addressing any comments by the County's consultant.

4. We will submit a revised narrative discussion of how the Applicant believes the proposal meets the criteria for a special use permit. Our revised submittal will make reference to the various reports and studies that have been submitted since the time the original hearing was scheduled and will address other mitigation measures or project elements that help ensure the criteria are met.

5. We will submit a water quality plan that describes the equipment and facilities that could provide potential sources of contamination, and identify ways in which potential risks are avoided or addressed by the proposal. That will likely attach the provisions of the Washington State Department of Ecology Sand And Gravel General Permit with appropriate references to sections where mitigation is provided. We will also provide a conceptual drawing showing implementation of measures to protect water quality and show any sensitive areas.

6. With respect to the private mine access road, the Applicant's consultants will be contacting the Public Works Department representatives who were unable to attend our meeting in hopes of working out a mutually acceptable condition of approval that will identify how the proposal can be conditioned to require compliance with applicable standards. In any event we will submit a proposed condition.

We can provide a more definite time line once we have information about the expected timing of the Gibson input.

The expectation of both the Applicant and the County is that this information will address the requirements of the County so that the current Application can proceed to hearing, hopefully shortly after the materials are submitted. That would allow us to dismiss the currently pending appeal.

We appreciated the productive communications we had Wednesday and hopefully we can continue that as this last remaining information is put together. From our conversation I know we share a commitment to establishing a record that will provide all of the information the Hearing Examiner needs to decide this matter in accordance with legal requirements.

Very truly yours,

William T. Lynn

WTL:lb
cc: Hal Hart, Director, Planning & Development Services
Betsy Stevenson, Senior Planner/Team Supervisor, Planning & Development Services
Dan Cox
Brad Barton
Mike Schuh
Patricia Larson

[4821-5567-9077]

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

MILES SAND AND GRAVEL	)	
	)	
Appellant,	)	PL18-0200
	)	
v.	)	**REPORT ON PREHEARING CONFERENCE/DENIAL OF MOTION TO INTERVENE/ CONTINUANCE OF APPEAL**
	)	
SKAGIT COUNTY,	)	
	)	
Respondent.	)	
	)	

On April 16, 2018, Miles Sand and Gravel (Appellant) filed an appeal of an administrative decision by Skagit County, dated April 5, 2018. The decision denied Appellant's application for a Special Use Permit to develop a gravel mining operation north of Grip Road. The basis for denial was that the applicant "failed to provide the necessary additional information to process the application with 120 days of the request."

A Prehearing Conference on the appeal was convened on May 9, 2018, at Skagit County's offices at 1800 Continental Place in Mount Vernon, Washington. The Appellant was represented by William Lynn, Attorney at Law. The County was represented by Julie Nicoll, Deputy Prosecuting Attorney. Jonathan Sitkin, Attorney at Law, represented a group of citizens seeking to intervene in the appeal.

Initially, the Examiner entertained argument on the intervention request (motion). During the course thereof it became known that the Appellant and the County are actively engaged in settlement discussions which are expected to resolve the appeal within a 90 day time period.

On behalf of those seeking intervention, it was argued that the citizens lack confidence in the County's enforcement of its own Code provisions and that its willingness to entertain settlement reinforces this conviction.

The Examiner denied the motion, opining that any settlement resulting in reversal of the permit decision would be appealable. This means that those requesting intervention would then have an opportunity to appeal the decision on its merits.

The Examiner enters the following order:

ORDER

The Motion to Intervene is denied, without prejudice to being renewed should settlement fail to be achieved within a reasonable time. The appeal is continued for 90 days from the date of this Order – to August 14, 2018. Prior to or on that date, the County shall advise the Hearing Examiner of the status of settlement discussions. An appropriate further Order will be entered by the Examiner on receipt of the County's report.

SO ORDERED, this 17th day of May, 2018.

Wick Dufford, Hearing Examiner

John Cooper

From: Lynn, Bill <BLynn@gth-law.com>
Sent: Tuesday, May 8, 2018 10:55 AM
To: Stevee Kivi - Hearing Examiner/Records
Cc: 'Dan Cox'; dan.mills@concrete.rocks; Julie S. Nicoll; John Cooper; Hal Hart; 'CSD - Jon Sitkin'; Martha Bray; Brad Barton (bradb@gravelpits.com); Patricia Larson (Patricia.Larson@miles.rocks); Mike Schuh (mike.schuh@miles.rocks)
Subject: RE: Request to be a named party to appeal PL-16-0097

We are unsure how the Examiner intends to respond to this letter which we assume may be treated as a motion to intervene. If it is, we would ask for an opportunity to respond, and that can occur after the Prehearing Conference. Briefly though this request does not meet either of the requirements of Rule 3.06. First the requestors do not have a "significant interest not otherwise represented". They hold the same position that the County has asserted-that the application should be denied for failure to timely submit—so the County fully represents that interest. To the extent they have another concern about the prior County process (primarily that the County should have denied earlier), that is not the subject of this very narrow, procedural appeal. As to the issue here, the County does more than adequately represent the interest.

That brings us to the second concern, which is that the requestors clearly wish to expand the issues to include the merits of the proposal, the SEPA decision, and a variety of highly detailed and specific complaints. Although they assert they would not expand the scope, the letters they have attached make clear they have a much broader agenda. The fact that they propose to have a number of people attend a purely procedural conference about a procedural appeal makes the likelihood of prejudice to the Appellant clear. Our goal is to get this matter to a hearing on the merits where the substance of the issues can be discussed as they wish.

At the very least, this issue should be considered after the Prehearing Conference. No prejudice will result from that course of action.

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Monday, May 07, 2018 9:14 PM
To: skivi@co.skagit.wa.us
Cc: 'Dan Cox'; dan.mills@concrete.rocks; Lynn, Bill; 'Julie S. Nicoll'; johnc@co.skagit.wa.us; hhart@co.skagit.wa.us; 'CSD - Jon Sitkin'
Subject: Request to be a named party to appeal PL-16-0097

Dear Ms. Kivi:

Please find attached a letter to the Hearing Examiner ("CSVN Letter to Hearing Examiner"), together with supporting documentation. This letter requests that certain concerned citizens be named as a party to the appeal by Miles Sand and Gravel/Concrete Nor'west of the County's decision to deny their application to develop a gravel mine near Grip and Prairie Roads.

Please know that a number of those named in this letter would like to attend the Pre-Hearing Conference on Weds May 9th. Please let me know that this letter has been received, and if this request has been approved so that we can plan accordingly.

Thank you,
Martha Bray

RECEIVED
APR 18 2017
Skagit County
Planning & Development Services

Skagit County Planning and Development Services, April 17, 2017

I am writing to request that an Environmental Impact Statement be required for Concrete Nor'west for their planned sand and gravel pit near Prairie Road and Grip Road. Their permit application number (Special Use Permit Application PL16-0097).

I am Nadine M. DeGolier, 32620 – 80th Drive NW, Stanwood, WA 98292. I own property in Skagit County, Parcel # P 130919. My father, Elmer S. Wolf bought this property in 1948 and it has been in our family for 69 years. We border the Concrete Nor'west property and are downhill from them. I am very concerned about having a noisy gravel pit uphill from my property. I request that the Concrete Nor'west Environmental Impact Statement include a clear review of the following areas:

1. Road safety and damage to road infrastructure
2. Noise pollution and visual blight
3. Decline in property values and quality of life
4. Habitat degradation and impacts of wildlife
5. Groundwater, well-water and storm-water concerns

My father, Elmer S. Wolf farmed this property for 50 years and then he passed his 65 acres down to me and my brother and sister. We each own 20 acres and a 5 acre easement into the property. We each have plans to build on our property and pass the land on to our children. Our property is not "throw away" property that no one cares about. A large company should not be allowed to put a gravel pit right beside us and destroy the value of our property.

Thank you for your consideration,.

Nadine DeGolier

Nadine DeGolier
32620 – 80th Drive NW
Stanwood, WA 98292

John Cooper

From: PDS comments
Sent: Wednesday, April 19, 2017 10:16 AM
To: John Cooper
Subject: FW: SUPA PL16-0097 Gravel Mine on the Samish River

From: normfranwasson@gmail.com [mailto:normfranwasson@gmail.com]
Sent: Wednesday, April 19, 2017 9:55 AM
To: PDS comments
Subject: RE: SUPA PL16-0097 Gravel Mine on the Samish River

It is extremely frustrating that you are not requiring Concrete Nor'west and Miles Gravel to provide an Environmental Impact Statement pertaining to the proposed gravel mine, SUPA PL16-0097, on the Samish River. I am neighbor, and owner of property that has been several generations in our family, downstream of this proposed pit and have some grave concerns about the safety of this mine. Here are some of my concerns.

As the depth of the mine will go below the surface of the Samish river how will that affect the water quality of our wells in the valley?

As the depth of the mine will exceed 90 feet and the mine is within 200 – 300 feet of the river can you guarantee that another disaster, like the slide at Oso, will not happen?

As for the terrible beating and wear on our road system from all of these extremely heavy trucks and trailers destroying the road surface, why will it be our, the property owners, responsibility to pay for road repair through our taxes?

As for the narrow, winding, no shoulder nature of Grip road and the blind intersection of Prairie road how will traffic safety be ensured?

What will be done to mitigate the decline of our property value by turning our quiet community into an industrial zone?

How will you justify the ongoing noise and air pollution produced by this pit?

What will be done to protect the wildlife in this area and the environment of Swede creek that flows into the Samish river that is designated a Salmon Bearing Stream?

Is your department in the business of *fast tracking* permits for big companies at the expense of the local landowners? If so, you should be ashamed.

If I do anything on my property I have to apply for more permits than you have required for this commercial operation.

Thank you for your time.

Norman Wasson
20836 Prairie Rd.
Sedro Wooley, Wa 98284
(360)724-5054

Sent from Mail for Windows 10

John Cooper

From: website
Sent: Wednesday, April 19, 2017 10:55 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Kristi Gorne
Address : 4840 Wildlife Acres Ln
City : Sedro Woolley
State : WA
Zip : 98284
email : kristi@nordictempcontrol.com
Phone : 6068738163
PermitProposal : PL16-0097
Comments : Please require NorWest Concrete to do an Environmental Impact Statement before allowing this gravel pit the go ahead.

I am concerned about our quality of life in that area, especially the roadways. The roadways are not the safest right now and after adding all of the long trucks it will be very unsafe. I used to drive a semi truck across country and I know that these trucks will tear up the roadways and make driving along Prairie Road very unsafe.

I am also concerned with the Samish River. Our property does not even set adjacent to the river but we had to go through some type of study and we also have to have our drain field inspected yearly. I do not understand why we are not worried about a gravel pit's impact on our river and creeks int he area when you are so concerned with how many dogs I run on our property.

I am very worried about the wildlife in our area too.

Please reconsider this and make sure that every area is covered before considering a gravel pit off of Grip Road.

From Host Address: 173.160.156.161

Date and time received: 4/19/2017 10:50:48 AM

John Cooper

From: website
Sent: Wednesday, April 19, 2017 9:45 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Kathleen Grimbly
Address : 4658 Blank rd
City : Sedro Woolley
State : WA
Zip : 98284
email : bluemoonexplore@gmail.com
Phone : 3608565622
PermitProposal : SUPA PL16-0097 Gravel mine
Comments : The scope, location and nature of this application deserves a full EIS. Unconsolidated glacial till of the entire area will be profoundly affected by deforestation, subsequent water percolation and destabilization. Bald Eagle populations using the river in winter may be night roosting here. The environmental assessments were conducted in March and July, when the eagles are not present. The Samish River supports all five species of salmonids and the federally listed Steelhead trout. Impacts to water quality, in the next 25 years and particularly for future generations need be considered. Finally, this property would make an excellent park in an under-served area. (Were it not for Squires Lake, there would be no substantial recreational trails in at least a 10 mile radius) Historic railroad beds offer potential for a beautiful trail system. And finally, finally, gravel trucks on this road system are a dangerous idea as the roads stand, and a dangerous idea with extensive, expensive modifications (at whose expense??) Improvements to facilitate the trucks would also support higher speed traffic through rural neighborhoods, where children ride bikes, horses, and everyone walks, BECAUSE THERE ARE NO PARKS OR TRAILS WHERE ONE CAN. A dangerous idea. Thank you for your consideration,

From Host Address: 24.113.226.6

Date and time received: 4/19/2017 9:40:46 AM

John Cooper

From: website
Sent: Wednesday, April 19, 2017 9:55 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Kathleen Grimbly
Address : 4658 Blank rd
City : Sedro Woolley
State : WA
Zip : 98284
email : bluemoonexplore@gmail.com
Phone : 3608565622
PermitProposal : SUPA PL16-0097 Gravel mine
Comments : Amendment re 10 mile radius statement: the Cascade trail and Alger mountain (slated to be clearcut) are recreational trail alternatives in a 5-7 mile radius

From Host Address: 24.113.226.6

Date and time received: 4/19/2017 9:50:04 AM

John Cooper

From: website
Sent: Wednesday, April 19, 2017 10:05 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Crystal Scheer
Address : 4868 Blank Rd
City : Sedro Woolley
State : W
Zip : 98284
email : crystalscheer@gmail.com
Phone : (360)630-5025
PermitProposal : PL16-0097
Comments : An environmental impact statement should most definitely be required for this proposed gravel mine for several very important reasons: road safety and damage to road infrastructure
noise pollution and visual blight
decline in property values and quality of life
habitat degradation and impacts on wildlife
groundwater, well-water and storm-water concerns

From Host Address: 50.35.48.169

Date and time received: 4/19/2017 10:00:33 AM

John Cooper

From: website
Sent: Wednesday, April 19, 2017 8:40 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Christy Jo Murdock
Address : 22081 Grip Road
City : Sedro - Woolley
State : WA
Zip : 98284
email : murdock@wavecable.com
Phone : 360-854-0124
PermitProposal : PL16-0097
Comments : Attn: Mr. John Cooper.
I am writing in concern to the proposed use of the gravel pit on Grip Road. My family and I have lived roughly 1 mile from the pit for 21 years. This is a very well used road for bicyclists, runners and walkers. During the spring and summer months this is a very popular area for bicyclists. There are several severe corners that require much caution for even normal sized vehicles. My question would be how will we assure that nobody is hurt with these large trucks on the road and the increased traffic? How in the world are these large trucks going to be able to stay in their lane on the sharp corners when most cars have a hard time doing so? These trucks will have to maneuver around mothers with strollers, teens that I see routinely run on these roads, folks that have been walking and picking up garbage for years, etc... I ask that you require an Environmental Impact Statement before issuing any permits. Thanks so much, Christy Murdock

From Host Address: 172.92.203.64

Date and time received: 4/19/2017 8:39:45 AM

April 21, 2017

To: Skagit Co. Planning Dept
Planner John Cooper 360-416-1320
RE: Miles Sand gravel & Mining, Lisa Inc.
Owners Jim & Lisa Kittilsby
PROS FILE # PL16-0097 & PL16-0098 Mine 330'
Samish 20' elevation

Dear Mr. Cooper,

I called your office in late Jan. 2017 to gather information on PL16-0097 (see above) You stated things were going well in the process moving forward. When I asked you what SK. Co. Health dept. had to say about the gravel pit in so close a proximity to the Samish River? You said "they had no comment, so probably had no concerns on the issue." I was astounded by that as I live in the (Samish Low Flow Area) owners of property with in 1 mile have lived with great scrutiny over many years over what may filter into the Samish Water way. To learn with in the next month the only POLLUTANT OF CONCERN IS the Presence of fecal matter.

What about Chemical Toxins? This Proposed gravel mine is skirted by the Samish River (or more accurately borders it in a large way.) GAS? ANTIFREEZE? DIESEL? OIL? CARBON? I am requesting a full & complete EIS report on these FILE P#S above.

Thank You Kathy Arentzen



Evergreen Islands Board of Trustees

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mailing address
P.O. Box 223
Anacortes WA 98221

web address
evergreenislands.org

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EVERGREEN ISLANDS

April 27th, 2017

To: John Cooper
johnc@co.skagit.wa.us
Senior Planner
Skagit County Planning and Development Services.
1800 Continental Place
Mount Vernon, WA 98273

CC: Evergreen Islands Board of Directors

Re: Concrete Nor'west Gravel Operation near Grip Road.
Permit PL 16-0097

Dear Mr. Cooper,

The proposed gravel mine is a large project that will have impacts well beyond the site and its immediate neighbors.
It is our understanding that the initial SEPA process was defective and that the application process is in review.

Our concern is with the health of the salmon in the Samish River.
How will the gravel mine impact the salmon runs? Will there be pollution to water flowing through the Samish River?
To answer these questions we ask for an Environmental Impact Study (EIS) to be included in the application process.

Respectfully yours,

Wim Houppermans
Director, Evergreen Islands

RECEIVED
MAY 03 2017
SKAGIT COUNTY
PDS

May 2, 2017

RE: PL 16-0097 Miles Sand and Gravel proposed gravel mine near Samish River

Dear Mr. Cooper,

I am writing again about the Concrete Nor'West / Miles Sand and Gravel proposal to develop a gravel mine near Grip and Prairie Roads and the Samish River. I am concerned not only about the proposal itself, but also the County's approach to evaluating it, and the lack of true engagement with the community over our very legitimate concerns. I appreciate that the County has required the applicant to provide more complete and consistent information. However, your March 14, 2017 letter to the applicant did not address some key issues. In addition, by just asking for a few items to be updated, I think it's likely that the 'new' application will look a whole lot like the old one, with yet another even more confusing layer added onto the original flawed version. This review process needs to be started over with a comprehensive evaluation of all of the potential impacts. It is obvious that the impacts will be significant. The different mitigation options need to be evaluated in enough detail for the County and the community to understand the real implications of this project, and the best path forward. The only way this can be done in a thorough and transparent way is to require a full Environmental Impact Statement (EIS).

Briefly, the issues not fully addressed it the March 14 letter include:

1) Traffic and Roads – why is this key issue still being evaluated in-house by Public Works instead of requiring the applicant to conduct a Traffic Impact Analysis as required by the County's Road Standards? Without a real study and written report by a qualified consultant, there is no way for us to access and evaluate the information, or to understand how our concerns are being addressed. The community is increasingly frustrated about this. We feel that we are being kept in the dark and our safety concerns are not being taken seriously.

2) Noise and Vibration – paragraph 2 of your letter implies that by limiting hours of operations and number of truck trips to 46/day, that noise, vibration and a host of other concerns will be adequately addressed. This is not the case. Much more needs to be done to mitigate noise impacts, especially from on-site operations.

3) Private Haul Road – your March 14 letter seems to offer the possibility that if the two-mile long private haul road is not be 'improved' near Critical Areas, that somehow the road would not have to be subject to environmental review. First, it is absurd to think that the haul road will not be 'improved' over the 25 year life of the mine with the volume of truck traffic planned.

John Cooper

From: website
Sent: Tuesday, May 02, 2017 8:45 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Timothy P. Merriman
Address : 4214 State Route 9
City : Sedro Woolley
State : WA
Zip : 98284
email : timothy.p.merriman@gmail.com
Phone : (360) 399-1750
PermitProposal : Permit Application PL16-0097 - Concrete Nor'west Gravel Operation
Comments : I've watched Concrete Nor'west's use of State Route 9 when they are shuttling materials and in 30 minutes I have seen trucks going both north and south pass by my house. Sometimes they crossed paths in front of my house or passed in front of my house in rapid succession. My estimation is that they had at least three trucks working the shuttle all day long for many days. State Route 9 is designed to handle heavy trucks and we're used to them but Concrete Nor'west very noticeably increased the heavy truck use from normal.

Prairie Road residents and the residents on the other area side roads that Concrete Nor'west can use from the mine seldom see a heavy truck (usually a mover's truck for a new resident) and certainly nothing like Concrete Nor'west can generate. Two of their trucks can cross each other's paths on SR 9 without either truck resorting to the shoulder of the road but is that true of the side roads?

What is to become of a farm tractor, a school bus, a walker or a bike rider when they have a Concrete Nor'west truck bearing down on them from one or both directions in some parts of Prairie Road at 50 MPH. I suspect that walker or bike rider will try to get off the road even if that means resorting to a ditch. I have to do that even on SR 9 for cars. Check SR 9's shoulders near my house and you'll see that even there heavy trucks have left tire tracks in the dirt on the shoulders within an inch of the ditch..

If the trucks head east from the mine on Prairie Road they will not be able to get under the railroad bridge and will have to use Samish Heights Road to get around the bridge to SR 9. Samish Heights Road is more of a low traffic road than the others.

Please consider the above in the permitting process.

I think they should be limited to one truck at a time between old Hwy 99 and SR 9 to minimize the impact that Concrete Nor'west will have.

From Host Address: 24.113.228.154

Date and time received: 5/2/2017 8:42:12 AM

John Cooper

From: website
Sent: Tuesday, May 02, 2017 8:30 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Linda & Robert Walsh
Address : 21710 Prairie Road
City : Sedro Woolley
State : WA
Zip : 98284
email : walshl2006@hotmail.com
Phone : 360 708 7736
PermitProposal : PL#16-0097 Special Use Permit Application
Comments : Linda & Robert Walsh
21710 Prairie Road
Sedro Woolley WA 98284
Owners of adjacent property

This project can have significant impacts to our environment. It is well documented, the mining industry is known to have negative impacts and this project is no exception. Therefore, complete and thorough studies, evaluations and analysis should be required. To extract the gravel the process will require stripping all top soil, all vegetation and all timber on 51 of the 68 acres. Then digging a hole to a depth of 50 to 90 feet deep (approximately 52 football fields side by side) within 100 feet of adjacent properties and within 200 feet of the Samish River. 51 acres is approximately 75% of the 68 acres which is currently habitat to many large and small animals and birds. They want to transport the product in Dump Trucks with trailers, many which can weigh 105,500 GVW, on a public road system which is currently inadequate for them to do so safely. The County should require the applicant to do a full Environmental Impact Statement (EIS) to ensure this 68 acre 25 year project is thoroughly evaluated. It is not uncommon to require an EIS when a new mining operation is proposed, in fact the applicant was required to do an EIS for another Skagit County project. According to WAC 197-11-330 for threshold determination, an EIS is required for proposals and other major actions significantly affecting the quality of the environment. This project falls within this code.
All environmental factors should be studied --not only on the proposed mined parcels but also on their entire private haul road and the public roads they will use as a haul route. These should be detailed studies which at minimum should evaluate and analyze the effects this long term proposal will have on Traffic safety, Road improvements needed, Noise pollution on neighboring properties from operating heavy equipment operations at excavation site, Air quality concerns, Noise pollution of trucks with trailers transporting material, Buffer zones, Erosion, Water quality, all Wetlands, Samish River & Swede Creek, Fish & Wildlife habitats, Visual impacts, Road repairs and Long term impacts to quality of rural life and Property values.
The potential adverse effects of this industrial Mine on our Community are Not reversible and therefore all the environmental factors should be thoroughly evaluated. We were here long before the MRO was placed on these parcels. We are depending on the County to require adequate information in order to ensure our safety and well-being. Since this is not a short term industrial site project but will have ongoing industrial activities for 25 years or more I would consider it a permanent change to our environment. This is a decision that Not only affects all of us but our future generations as well and an EIS should be required.
Sincerely,
Linda & Robert Walsh

John Cooper

From:	abbe@abberolnick.com
Sent:	Saturday, May 06, 2017 10:13 AM
To:	John Cooper
Cc:	commissioners@co.skatit.wa.us; Planning & Development Services; atsi@fidalgo.net; pw@co.skagitwa.us
Subject:	Proposed Gravel Pit Grip Road

6 May 2017

RE: PL 16-0097 Miles Sand and Gravel proposed Grip Road gravel mine.

Dear Mr. Cooper:

We request when a revised SEPA determination is made for the above referenced proposed project, the applicant be required to complete a full Environmental Impact Statement. As we have stated in our previous comments to you, we are not opposed to the extraction of gravel from this proposed mine. However, the impacts the proposed gravel mine will have on the environment will be significant. These impacts were not considered in the original application. The original application lacks a thorough and professional analysis of the extraction and transport process, any externalities, and all of its environmental impacts.

A brief summary of our concerns and rationale are as follows:

1. The impacts to the county roads have not been adequately addressed and said roads are not currently up to Skagit County standards. With the added large truck traffic and number of trips, because the roads are currently inadequate, we recommend a Level II TIA (Traffic Impact Analysis) be prepared for Grip Road, Prairie Road, F and S Grade, and all feeder roads or haul routes the gravel trucks are likely to use.
2. The impacts to the private haul road on the parcel will require either improvements or widening. All impacts to the environment, such as wetlands and Swede Creek require identification and assessment.
3. The likelihood of "project creep" will occur. The applicant needs to divulge additional areas of the entire property that are likely to be mined, now and in the future.
4. The effects of a gravel mine to ground water (subsidiary affects to the Samish River and neighboring domestic wells) needs to be assessed.
5. External effects of noise and vibration to the neighbors has not been addressed.
6. Loss of land value due to increased truck traffic, noise and dust was not addressed in the previous application. The applicant needs to determine how the proposed project will affect our property not only physically but the market value as well.
7. We understand the property has a Mineral Resource Overlay, therefore the proposed project is an allowed use, however the applicant is required by law to mitigate for all environmental impacts.

It is the Skagit County Planning Departments job to ensure all code requirements are followed and addressed. This is not the job of the concerned neighbors. An EIS would allow the public to be

involved in the application process prior to the project going to a hearing. Our concerns involve the safety of the community, health of the environment and the sustainability of the infrastructure of our roads. The proposed mine changes dramatically the use of these roads. Because none of the above issues were studied and addressed, and due to the significant nature of the project scope, an EIS is necessary to adequately determine the effects the project will have on our environment.

Respectfully,

Abbe Rolnick and Jim Wiggins
21993 Grip Road
Sedro-Woolley, WA 98284

Cc: Commissioner Janiki
Commissioner Wesen
Commissioner Dahlsedt
Planning Director Pernula
Public Works Director Berentson

Abbe Rolnick
www.abberolnick.com
360-319-6385



RECEIVED
MAY 10 2017
SKAGIT COUNTY
PDS

6 May 2017

RE: PL 16-0097 Miles Sand and Gravel proposed Grip Road gravel mine.

Dear Mr. Cooper:

We request when a revised SEPA determination is made for the above referenced proposed project, the applicant be required to complete a full Environmental Impact Statement. As we have stated in our previous comments to you, we are not opposed to the extraction of gravel from this proposed mine. However, the impacts the proposed gravel mine will have on the environment will be significant. These impacts were not considered in the original application. The original application lacks a thorough and professional analysis of the extraction and transport process, any externalities, and all of its environmental impacts.

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Respectfully,

Abbe Rolnick and Jim Wiggins
21993 Grip Road
Sedro-Woolley, WA 98284

Cc: Commissioner Janiki
Commissioner Wesen
Commissioner Dahlsedt
Planning Director Pernula
Public Works Director Berentson

John Cooper

From: Skagit County Public Works
Sent: Monday, May 08, 2017 6:39 AM
To: John Cooper
Subject: FW: Proposed Gravel Pit Grip Road

God morning~

Would you be the Mr. Cooper to which they are referring?

Have a funny, sunny day! ☺

Cheri Renfro

Skagit County Public Works
1800 Continental Place
Mount Vernon, WA 98273

360-416-1454

The only people with whom you should try to get even are those who have helped you.....John Southard

From: abbe@abberolnick.com [mailto:abbe@abberolnick.com]
Sent: Saturday, May 06, 2017 11:27 AM
To: Commissioners; Skagit County Public Works
Subject: FW: Proposed Gravel Pit Grip Road

From: abbe@abberolnick.com [mailto:abbe@abberolnick.com]
Sent: Saturday, May 6, 2017 10:13 AM
To: 'johnc@co.skagit.wa.us' <johnc@co.skagit.wa.us>

6 May 2017

RE: PL 16-0097 Miles Sand and Gravel proposed Grip Road gravel mine.

Dear Mr. Cooper:

We request when a revised SEPA determination is made for the above referenced proposed project, the applicant be required to complete a full Environmental Impact Statement. As we have stated in our previous comments to you, we are not opposed to the extraction of gravel from this proposed mine. However, the impacts the proposed gravel mine will have on the environment will be significant. These impacts were not considered in the original application. The original application

lacks a thorough and professional analysis of the extraction and transport process, any externalities, and all of its environmental impacts.

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4. The effects of a gravel mine to ground water (subsidiary affects to the Samish River and neighboring domestic wells) needs to be assessed.
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6. Loss of land value due to increased truck traffic, noise and dust was not addressed in the previous application. The applicant needs to determine how the proposed project will affect our property not only physically but the market value as well.
7. We understand the property has a Mineral Resource Overlay, therefore the proposed project is an allowed use, however the applicant is required by law to mitigate for all environmental impacts.

It is the Skagit County Planning Departments job to ensure all code requirements are followed and addressed. This is not the job of the concerned neighbors. An EIS would allow the public to be involved in the application process prior to the project going to a hearing. Our concerns involve the safety of the community, health of the environment and the sustainability of the infrastructure of our roads. The proposed mine changes dramatically the use of these roads. Because none of the above issues were studied and addressed, and due to the significant nature of the project scope, an EIS is necessary to adequately determine the effects the project will have on our environment.

Respectfully,

Abbe Rolnick and Jim Wiggins
21993 Grip Road
Sedro-Woolley, WA 98284

Cc: Commissioner Janiki
Commissioner Wesen
Commissioner Dahlsedt
Planning Director Pernula
Public Works Director Berentson

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Tuesday, May 09, 2017 12:58 PM
To: John Cooper
Subject: FW: PDS Comments

From dept email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Tuesday, May 09, 2017 12:55 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Ingo Lemme
Address : 5856 Park CT
City : Sedro Woolley
State : Washington
Zip : 98284
email : ilemmegm@gmail.com
Phone : 3607244614
PermitProposal : Special Use Permit Application PL16-0097
Comments : This proposal for a gravel mine that will result in gravel truck/trailer combinations traveling the narrow county roads between the gravel mine and Old Hwy 99 N will have multiple disruptive impacts upon the natural and human environments. These impacts are so significant that a full EIS must be required in this case. Please require this EIS so that we can fully understand the impacts in order to make a decision regarding granting the special use permit. In my opinion the roads over which these trucks must travel are inadequate for this type and volume of traffic and this permit should not be granted.

From Host Address: 172.76.137.30

Date and time received: 5/9/2017 12:52:07 PM

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Tuesday, May 09, 2017 12:58 PM
To: John Cooper
Subject: FW: Feedback Submission

From dept email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website
Sent: Monday, May 08, 2017 10:05 AM
To: Planning & Development Services
Cc: Commissioners
Subject: FW: Feedback Submission

From: feedback@co.skagit.wa.us [mailto:feedback@co.skagit.wa.us]
Sent: Saturday, May 06, 2017 11:05 AM
To: website
Subject: Feedback Submission

Department : None
Name : Nancy Swalling
Email : swalling@wavecable.com
Other : I believe that a complete environmental Impact Statement study be done on the complete gravel mine on Grip Road to include the roads that will be used to haul the gravel. This is to include all roads to Highway 9. Thank you

From Host Address: 204.195.10.178

Date and time received: 5/6/2017 11:04:03 AM

John Cooper

From: PDS comments
Sent: Wednesday, May 17, 2017 3:22 PM
To: John Cooper
Subject: FW: Permit application PL16-0097

From: Christine Hunter [mailto:hunterchrism@gmail.com]
Sent: Wednesday, May 17, 2017 3:10 PM
To: PDS comments
Subject: Permit application PL16-0097

my name is Christine M Hunter
I reside at 23490 Mosier Road
Sedro-Woolley WA 98284

I am writing about Special use Permit Application PL16-0097
I would like the county to require a full Environmental impact Statement for the proposed Grip Road Gravel mine.. I would also like Miles sand and Gravel to disclose their long term plans for the property. My concerns include but mot limited to. Safety for car, walkers and bikers along their route to and from the mine, noise I can already hear Skagit Speedway when they are racing, Water Quality for the Samish bay watershed and quality and quantity of well water.

There are just too many questions that are unanswered.

Christine M Hunter
360-610-1539

John Cooper

From: website
Sent: Thursday, May 18, 2017 9:35 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Laura Brakke
Address : 22243 Grip Rd
City : Sedro Woolley
State : WA
Zip : 98284
email : llbrakke@hotmail.com
Phone : 360-739-7400
PermitProposal : PL16-0097
Comments : I am writing to express my concerns regarding permitting the extraction and transportation of gravel from property on Grip Road by Concrete Nor'West.

There are so many community concerns and environmental considerations that I believe a full EIS is warranted. This definitely is not a permit that should ever be deemed "DIS" under SEPA.

The full evaluation and staff report needs to include;
1. The history of the property in ownership by Lisa LLC. How long has it been in a mineral resource designation? What was the process to determine the appropriateness of this designation in this area?
2. The value of the land and the taxes that are paid on this property.
3. What is the degree of harm the County will accept for the residents of this area, in exchange for allowing this mining to go forward.
4. How much tax revenue will this project generate over the course of a year, and the life of this mine. Will it cover the necessary road repairs, bridge repairs and gravel clean-up?
5. Grip Road is not a straight or flat road. The curves that are immediately present as one leaves the driveway of the proposed mine heading to Prairie Rd are sharp and blind. There are 3 main curves, and sight distance and visibility are limited. There are no sidewalks or extra shoulder area for bikes or pedestrians.
Is this a takings issue, as Lisa LLC will then be dominating this public space with private large vehicles (tandem trailers) excluding the safe passage for all other users, including private cars and trucks.
6. The Skagit river is a salmon bearing waterway and as such can suffer "No Net Loss". The sand that will create silt in the river is unavoidable. Wind, rain, and other natural processes exacerbated by human activity will carry sand, gravel and dirt particles of all sizes down the banks to the river bed, excluding areas for salmon eggs and oxygen that is essential for all aquatic life.
7. Noise of blasting and the trucks that carry the gravel must be quantified in the EIS and effects on the residents of the road they plan to traverse to get to their main quarry on Hwy 99.

I am assuming the County Government exists to protect the health and safety of the residents of Skagit County. I also will assume the Planning and Development Dept. does not have a mission to permit all Development Applications to the detriment of current and future residents.

Therefore, I will offer some mitigations if this is mine is allowed to proceed.
1. The gravel trucks must be limited to truck only, no following tongued trailers.
2. The trucks must be limited to one on Grip and Prairie Roads at any one time, this will prevent the passing of 2 large vehicles which would create a very dangerous situation for all other users of this roadway.

3. The time of transport must be limited to daylight hours and should never occur after 8pm at the latest.
4. The permit must include a fund to repair the windshields of the people who travel these roads, as sand and rogue rocks are a hazard. The multiple pock marks create glare in sunlight which creates lowered viability for drivers, especially in the evening sunlight. Also overt cracks and road chips must be paid for and repaired through a fund financed by Lisa LLC/Concrete Nor'West.
5. If a fatal accident ever occurs due to the presence and movement of a gravel truck, the permit must be immediately rescinded.
6. A pedestrian/bike lane or sidewalk must be created on the Grip road hill at the expense of the Applicant, for safety and to make sure that public spaces are not commandeered by Private interests.

This project may be necessary, it may make sense to officials and business people alike, it is just simply put, in the very wrong place to be safe and in the best interests of the people who call Skagit county home.

Thank you for taking my comments into consideration when evaluating this proposal.

From Host Address: 75.172.59.169

Date and time received: 5/18/2017 9:30:14 AM

John Cooper

From: website
Sent: Saturday, May 20, 2017 4:20 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Savannah Yates
Address : 19117 Prairie Rd
City : Burlington
State : Washington
Zip : 98233
email : raesavannah33@gmail.com
Phone : 360-399-1434
PermitProposal : PL16-0097
Comments : I am a student at Burlington Edison High. Every day I take the bus to and from school. On the way home, the bus goes down Prairie Road, along the section where it intersects with Grip Road. Last week, the bus was on that curve on Prairie, near the Grip intersection. A gravel truck was coming down the road in the opposite direction. This truck was a bit over the line, into our lane, and it nearly hit the schoolbus. The bus driver had to swerve and go as far out on to the shoulder as she could. If the gravel truck had been even a little bit further over the line, the bus driver would have had nowhere to go, and the the bus would have been hit.

I am concerned about the safety of children on school buses, if the gravel pit permit is accepted. I hope a through study can be done about school bus interactions with gravel trucks on this section of the road.

Savannah Yates

From Host Address: 24.113.254.134

Date and time received: 5/20/2017 4:19:46 PM

John Cooper

From: website
Sent: Saturday, May 20, 2017 10:45 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Judith mccarthy
Address : 20r26 aliston lane
City : Burlington
State : Wa
Zip : 98233
email : jmccarthy33@hotmail.com
Phone : 3604201353
PermitProposal : Pl16-0097
Comments : Need for environmental impact study to address habitat degradation, groundwater concerns, and need information regarding company long term goals.

From Host Address: 107.77.205.111

Date and time received: 5/20/2017 10:44:22 AM

John Cooper

From: website
Sent: Saturday, May 20, 2017 12:15 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Natalie Niblack
Address : 21357 Mann Rd
City : Mount Vernon
State : WA
Zip : 98273
email : Reecered@earthlink.net
Phone : 3604444803
PermitProposal : PL16-0097
Comments : A full and complete EIS is needed to understand the full impact of a gravel mine in our neighborhood. I rent work space in the area and am concerned about increased traffic, noise and damage toroads

From Host Address: 72.168.145.199

Date and time received: 5/20/2017 12:11:41 PM

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Wednesday, March 08, 2017 4:02 PM
To: John Cooper
Subject: FW: PDS Comments

From Dept Email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Wednesday, March 08, 2017 3:40 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Linda Parks
Address : 5402 Parkridge Pl
City : Sedro Woolley
State : Washington
Zip : 98284
email : dldmm@yahoo.com
Phone : 9713370581
PermitProposal : Permit PL16-0097
Comments : To whom it may concerned.

I am very concerned with the Concrete NW gravel operation proposed off Grip Road, Permit PL16-0097.

Issues are 24 hour operation, noise, property values, road upkeep, road improvements that would be needed, road and accident safety, car damage from gravel, school bus safety. .
I would like to your attention this is an old highway that has many curves that are quite small and short to next turn.
Your traffic figures are old, you cannot compare July 2013 to today. There has been increase of traffic every year as I have driven this way every time I go to town, work, or anywhere.
I do not believe you have considered the severe traffic concerns that will occur and probably increase in severe traffic accidents with large Trucks holding tons of gravel.
Your map does justly show the short quick curves on Prairie Road as it comes off Highway 99 going to the cite from I5.
There are school Buses and left hand turn off Prairie Road to Parkridge lane just after the curves as trucks cross highway and enter Prairie Road
This is our only access to this large neighborhood and School Buses pick up and drop off here as well as other

homes which driveways are left and right turns for access.
Also, I question that the bridge going over the Friday Creek will stay in good condition and can support the continual traffic of Gravel trucks carrying their 34 ton each loads of gravel daily.
The sharp turns and bridge as well as the condition of this road will definitely need continual additional upkeep and improvements for safe travel.
Safety and accident concerns me greatly, Road signs and speed limits are also a concern, in a short distance it goes from 15 mph to 35 mph to 50 mph just before this left on Parkridge lane where all the residents as well as school buses continually pull in and out to access our homes.
The large number of gravel trucks will assuredly create many broken windshields and dented vehicles, this also will cost the county plenty of money should they not address this as well as possible accidents with the slowing and stopping of cars to make turns off this highway to access property. Several times I have had small car drivers don't see (especially in fog) or ignore my left blinker signals as they speed up to 50 MPH and almost miss hitting me or end up passing me on the road on the left as I am getting ready to turn left; what about a large truck with a huge load of gravel that is beginning to accelerate? Or if someone's blinker happens to go out for turn signal? I cannot imagine a large truck just starting to accelerate; trying to hit the brakes for those of us and school buses as they stop to make our left hand turns into Parkridge lane (and other driveways). I know occasionally gravel trucks drive road to take to individuals, but it is not common or often, so I think drivers would be more careful when not familiar with the road. However, as a daily driving of multiple large loaded trucks; Is the county going to maintain the road for safety and signs to ensure prevention of accidents, and have some kind of an indemnify plan families if injuries and or loss of life created due to this Gravel pit heavy load trucks traveling daily on the road?

The noise with explosives (explosives at some future date) and gravel will definitely impact our property values.
These will be daily noise when I try to sell our property people will not want to purchase in this area.
Many of us have high end homes and are planning to sell for retirement within the next 3-5 years; Is the counting willing to compensate the property owners for loss of value and buy our homes for the value they should have sold for if no-one will buy our property due to this gravel pit? This could have a huge financial impact to those of us including ourselves. Our property taxes are too high to afford to maintain and live in this area during retirement and I cannot afford this financial impact! There needs to be payment to property owners and guarantee for those who fall in this category if you allow this Gravel Pit to open!

I know there are many other concerns; the above are the main issues I have with this Concrete NW gravel operation. I just found out recently and your first meeting for public comment is already past. This is such a short period to notify of concerns and to top that off it is after you allowed years of planning (your planning for road volume is from 2013). That seems a little dishonest for the people living in the area! Is this going to end up like a typical bureaucratic procedural thing the county does and then the county just bypass neighbor concerns and does not put in place indemnification plans? I hope that is not what happens with this proposed Gravel pit!

Concerned Citizen,
Linda Parks

From Host Address: 75.233.105.64

Date and time received: 3/8/2017 3:35:14 PM

John Cooper

From: Paula Shafransky <pshafransky@gmail.com>
Sent: Sunday, March 12, 2017 5:26 PM
To: John Cooper
Subject: March 29th meeting

Dear Mr. Cooper,
I sent a comment letter in December and expressed my concerns and ideas regarding CNW Special Use Permit #PL-0097 and as of March XX, 2017 I have still have not received or seen the County's response or actions regarding these concerns. As a concerned community member, please let me know what is being done to address these serious issues.
I request that the County and Concrete Nor'West representatives attend the Community Meeting scheduled for Wednesday March 29th at the Samish School.

Thank you.

John Cooper

From: NICK & NICOLE <NICNICK31@msn.com>
Sent: Monday, March 13, 2017 11:00 AM
To: John Cooper
Subject: Gravel Mine

Dear Mr. Cooper,

I submitted a comment letter on December 30th, 2016 expressing my concerns and ideas regarding CNW Special Use Permit #PL-0097 and as of March 13, 2017 I have still have not received or seen the County's response or actions regarding these concerns. As a concerned community member, please let me know what is being done to address these serious issues.
I also request that the County and Concrete Nor'West have representatives attend the Community meeting at Samish Elementary School that is scheduled for March 29th, 2017 at 6:30.

Sincerely,
Nicole Nickelson

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Tuesday, March 14, 2017 1:50 PM
To: John Cooper; 'Dan Cox'
Cc: Commissioners; Dale Pernula; Dan Berentson; 'Linda Walsh'
Subject: Invitation to Community Meeting 3/29/17 regarding proposed gravel mine

Dear John Cooper and Dan Cox;

I am writing on behalf of a group of local residents in regard to the proposed gravel mine near Grip and Prairie Road. As you know there is considerable concern about this proposal in our neighborhood; community members have many unanswered questions, and do not know if their concerns are being addressed or taken seriously.

We respectfully request your attendance at a Community Meeting on Wednesday March 29th at 6:30 to 8:30PM at Samish Elementary School (located at the corner of Prairie Road and State Route 9).

The purpose of the meeting is to inform the community of the status of the proposal, answer our questions, and to give people a chance to talk directly with County officials and CNW representatives about their concerns. At our expense, we are hiring an independent facilitator (Max Collette) to ensure that we have a productive and respectful discussion.

After months of comment submission with no substantive information forthcoming, it's time to for the County and Concrete Nor'West to speak directly to the community about this proposal. We feel this meeting is separate and different from any forthcoming public hearing, and could in-fact help clear up misunderstandings and misinformation. It serves no one to keep the public in the dark, and we have a right to be truly informed in advance of a formal hearing. We ask that a representative from County Planning as well as Public Works attend this meeting since many of our concerns are related to traffic and roads.

So that we can plan appropriately, please let us know as soon as possible if representatives will be attending, and if so who. **If we do not hear from you by Friday March 24th, we will assume that you and/or your representatives will not be attending.**

Please let me know if I can answer any questions. Thank you for your time and consideration.

Sincerely,

Martha Bray

John Cooper

From: Brandon Black
Sent: Wednesday, March 15, 2017 4:21 PM
To: John Cooper
Cc: Linda Christensen
Subject: FW: PDS Comments

This would be for John.

Brandon Black
Senior Planner – Team Supervisor
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

PHONE: (360) 416-1326
EMAIL: brandonb@co.skagit.wa.us

"Helping You Plan and Build Better Communities"

From: Planning & Development Services
Sent: Wednesday, March 15, 2017 4:08 PM
To: Brandon Black
Subject: FW: PDS Comments

Is this yours?

Linda

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Wednesday, March 15, 2017 11:50 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Rick Brumfield
Address : 5318 Cedar Ridge Pl
City : Sedro-Woolley
State : WA
Zip : 98284
email : rbb123@frontier.com
Phone : 2536703606
PermitProposal : PL16-0097
Comments : 1. Traffic Flow & Safety:
a. Additional traffic flow from volume of truck trips call for new round abouts at:
i. Old 99 and Prairie (traffic is already getting heavier and heavier all the time … the additional truck trip would seem to mandate a round about at this location), and at
ii. Grip and Prairie (A very dangerous intersection already. Additional truck volumes would only make it much worse.)
b. Trucks exiting to the gravel pit from Grip presumably be coming from the west. New truck traffic calls for an

extended (300 ft.?) center lane for the left turning trucks to allow traffic to pass and not back up.
c. The truck trip volume estimates vary widely (the 12/08/2016 Skagit Valley Herald article mentioned 46 truck trips per day (23 in and 23 out) but also mentioned 30 per hour (one every two minutes or 720 per day!) … so, which is it?) … implications for limiting operating hours?
2. Road Maintenance:
a. Heavy trucks will damage Grip (shoulders on Grip already rapidly deteriorate with existing traffic. New truck trips would only exacerbate the problem) … require periodic maintenance and inspections … maintain to county specs.
b. White line the road edges on Grip (similar to how Prairie is lined now). Currently Grip only has a center line marked.
3. Property Values:
If there is a negative effect on surrounding property values from the gravel pit operation, there should be corresponding compensation.

4. Noise [The existing race track is about 3 miles due west (as the crow flies). The proposed gravel pit would be much closer to homes in the area and presumably create an unacceptable level of noise for much longer and sustained periods of time.]:
Excess noise gives rise to issues such as limited operations hours, maximum noise levels allowed, noise dampening required?
All these issues would seem to require a full EIS … if in fact an MDNS has been issued without following proper protocols there would appear to be a legal problem.

I have these comments in a Word file if that would help ... little better formatting.

Rick Brumfield
rbb123@frontier.com

From Host Address: 50.34.100.190

Date and time received: 3/15/2017 11:44:58 AM

John Cooper

From: Brandon Black
Sent: Wednesday, March 15, 2017 4:21 PM
To: John Cooper
Cc: Linda Christensen
Subject: FW: PDS Comments

This would be for John.

Brandon Black
Senior Planner – Team Supervisor
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

PHONE: (360) 416-1326
EMAIL: brandonb@co.skagit.wa.us

"Helping You Plan and Build Better Communities"

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Sent: Wednesday, March 15, 2017 4:08 PM
To: Brandon Black
Subject: FW: PDS Comments

Is this yours?

Linda

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Sent: Wednesday, March 15, 2017 11:50 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Rick Brumfield
Address : 5318 Cedar Ridge Pl
City : Sedro-Woolley
State : WA
Zip : 98284
email : rbb123@frontier.com
Phone : 2536703606
PermitProposal : PL16-0097
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i. Old 99 and Prairie (traffic is already getting heavier and heavier all the time … the additional truck trip would seem to mandate a round about at this location), and at
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If there is a negative effect on surrounding property values from the gravel pit operation, there should be corresponding compensation.

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I have these comments in a Word file if that would help ... little better formatting.

Rick Brumfield
rbb123@frontier.com

From Host Address: 50.34.100.190

Date and time received: 3/15/2017 11:44:58 AM

John Cooper

From: Paula Shafransky <pshafransky@gmail.com>
Sent: Wednesday, April 05, 2017 5:05 PM
To: John Cooper
Subject: EIS

Dear Mr. Cooper,

I am writing to request a full environmental impact statement/review be done on the proposed open pit gravel mine near Grip and Prairie Roads. Thank you for your consideration in this matter.

Sincerely,
Paula Shafransky

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Wednesday, March 08, 2017 4:02 PM
To: John Cooper
Subject: FW: PDS Comments

From Dept Email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Wednesday, March 08, 2017 3:40 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Linda Parks
Address : 5402 Parkridge Pl
City : Sedro Woolley
State : Washington
Zip : 98284
email : dldmm@yahoo.com
Phone : 9713370581
PermitProposal : Permit PL16-0097
Comments : To whom it may concerned.

I am very concerned with the Concrete NW gravel operation proposed off Grip Road, Permit PL16-0097.

Issues are 24 hour operation, noise, property values, road upkeep, road improvements that would be needed, road and accident safety, car damage from gravel, school bus safety. .
I would like to your attention this is an old highway that has many curves that are quite small and short to next turn.
Your traffic figures are old, you cannot compare July 2013 to today. There has been increase of traffic every year as I have driven this way every time I go to town, work, or anywhere.
I do not believe you have considered the severe traffic concerns that will occur and probably increase in severe traffic accidents with large Trucks holding tons of gravel.
Your map does justly show the short quick curves on Prairie Road as it comes off Highway 99 going to the cite from I5.
There are school Buses and left hand turn off Prairie Road to Parkridge lane just after the curves as trucks cross highway and enter Prairie Road
This is our only access to this large neighborhood and School Buses pick up and drop off here as well as other

homes which driveways are left and right turns for access.
Also, I question that the bridge going over the Friday Creek will stay in good condition and can support the continual traffic of Gravel trucks carrying their 34 ton each loads of gravel daily.
The sharp turns and bridge as well as the condition of this road will definitely need continual additional upkeep and improvements for safe travel.
Safety and accident concerns me greatly, Road signs and speed limits are also a concern, in a short distance it goes from 15 mph to 35 mph to 50 mph just before this left on Parkridge lane where all the residents as well as school buses continually pull in and out to access our homes.
The large number of gravel trucks will assuredly create many broken windshields and dented vehicles, this also will cost the county plenty of money should they not address this as well as possible accidents with the slowing and stopping of cars to make turns off this highway to access property. Several times I have had small car drivers don't see (especially in fog) or ignore my left blinker signals as they speed up to 50 MPH and almost miss hitting me or end up passing me on the road on the left as I am getting ready to turn left; what about a large truck with a huge load of gravel that is beginning to accelerate? Or if someone's blinker happens to go out for turn signal? I cannot imagine a large truck just starting to accelerate; trying to hit the brakes for those of us and school buses as they stop to make our left hand turns into Parkridge lane (and other driveways). I know occasionally gravel trucks drive road to take to individuals, but it is not common or often, so I think drivers would be more careful when not familiar with the road. However, as a daily driving of multiple large loaded trucks; Is the county going to maintain the road for safety and signs to ensure prevention of accidents, and have some kind of an indemnify plan families if injuries and or loss of life created due to this Gravel pit heavy load trucks traveling daily on the road?

The noise with explosives (explosives at some future date) and gravel will definitely impact our property values.
These will be daily noise when I try to sell our property people will not want to purchase in this area.
Many of us have high end homes and are planning to sell for retirement within the next 3-5 years; Is the counting willing to compensate the property owners for loss of value and buy our homes for the value they should have sold for if no-one will buy our property due to this gravel pit? This could have a huge financial impact to those of us including ourselves. Our property taxes are too high to afford to maintain and live in this area during retirement and I cannot afford this financial impact! There needs to be payment to property owners and guarantee for those who fall in this category if you allow this Gravel Pit to open!

I know there are many other concerns; the above are the main issues I have with this Concrete NW gravel operation. I just found out recently and your first meeting for public comment is already past. This is such a short period to notify of concerns and to top that off it is after you allowed years of planning (your planning for road volume is from 2013). That seems a little dishonest for the people living in the area! Is this going to end up like a typical bureaucratic procedural thing the county does and then the county just bypass neighbor concerns and does not put in place indemnification plans? I hope that is not what happens with this proposed Gravel pit!

Concerned Citizen,
Linda Parks

From Host Address: 75.233.105.64

Date and time received: 3/8/2017 3:35:14 PM

John Cooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Wednesday, April 12, 2017 2:35 PM
To: John Cooper
Cc: 'linda wa'
Subject: status of CNW Gravel mine proposal

Hello John,

I am checking in on the status of the CNW Grip Road gravel mine project. Have you heard anything from CNW since your March 14, 2017? Do you know when you might expect the additional information from CNW that was requested, and what the SEPA review timeline might look like from this point forward?

Also, we continue to believe, based on our reading of the County Road Standards** (shown below), that at least a Level I Traffic Impact Analysis should be required. If it is not being required, what is the rationale for this decision? Your March 14 letter cites "additional traffic models and road tests" that Public Works is going to do. But how do we know what work is actually being done, and how do we access that information in a format that makes sense? How can community members know if our questions are being addressed when there is so little public information provided on this key topic?

I appreciate your time and consideration.

Thank you,
Martha Bray

**County Road Standards 2000, incorporated into SCC 14.36 by reference:

4.00 TRAFFIC ANALYSIS
All applications for land division and changes of land use shall include sufficient data to determine the amount of additional traffic generated by the development. Such data shall also be used as a guideline for access road and/or driveway requirements.

4.01 Traffic Impact Analysis
The purpose of a Traffic Impact Analysis (TIA) is to:
A. Determine the safety impacts a particular development will have on the regional road network;
B. Establish whether the development will meet the County's level of service standards as adopted within the County's Comprehensive Plan;
C. Determine mitigating measures necessary to alleviate safety issues and to meet the adopted level of service standards;
D. Developments that are small and generate less than 25 AM or PM peak hour trips may be reviewed for concurrency without an in-depth TIA by identifying influence zones for roads that are approaching or have exceeded their capacity.

4.02 Level of Analysis and Warrants
A. A Level I TIA (trip generation and distribution study) shall be required if any one of the following warrants are met:
1. The project generates 25 or more PM peak hour trips; or
2. The project is not categorically exempt under the County's SEPA provisions in Skagit County Code Chapter 14.12
A Level I TIA may be required by the County to determine the need and

scope of a Level II TIA. A level I TIA shall be expanded to a Level II TIA if any of the Level II warrants are met.

B. A complete Level II TIA shall be required if the project generates more than 50 peak hour trips and any one of the following warrants is met:

1. The development is within the Urban Growth Area and there is not an interlocal agreement with the city to use city design standards;
2. The development is within the Urban Growth Area and a TIA is required by the city where there is an interlocal agreement for the use of city design standards between the city and the County;
3. The development will generate 100 or more AM or PM peak hour trips within the rural areas as defined by the Urban Growth Boundary;
4. The County has required that an Environmental Assessment or Impact Statement be prepared;
5. A rezone of the subject property is being proposed;
6. If there exists any current traffic problems in the local area as identified by the County or a previous traffic study has identified high accident locations, poor roadway alignment or capacity deficiencies.
7. The current or projected level of service of the roadway system in the vicinity of the development will exceed County adopted level of service standards.

John Cooper

From: website
Sent: Sunday, April 16, 2017 10:40 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Jonathan Fish
Address : 5043 Wildlife Acres Lane
City : Sedro-Woolley
State : WA
Zip : 98284
email : jfish326@gmail.com
Phone : 3607089526
PermitProposal : Special Use Permit Application PL16-0097
Comments : We own property adjacent to the proposed gravel pit and are very concerned about the impact this will have on our quality of life, property values, and safety on local roads. Additionally we are very concerned about the environmental impact of this area. To this end, we would like for the county to reconsider its decision not to ask for a full environmental impact statement. We believe that this decision is extremely short sided. Please order a formal EIS before this project proceeds any further.
Thank you,
Jonathan Fish

From Host Address: 162.72.158.1

Date and time received: 4/16/2017 10:39:09 PM

John Cooper

From: website
Sent: Sunday, April 16, 2017 8:55 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Charles Michael Schultz
Address : 2302 20th PL
City : Anacortes
State : WA
Zip : 98221
email : tbcschultz@comcast.net
Phone : (360) 293-3098
PermitProposal : PL16-0097; Concrete NW Gravel Mine on Grip Road
Comments : I request that the County require an EIS for the proposed gravel quarry. My primary concern is road safety, both for vehicle drivers/passengers and for bicyclists. Secondary concerns that an EIS should address are impacts to the ground water/storm water in the area of the mine.

Thank you.

From Host Address: 174.61.143.71

Date and time received: 4/16/2017 8:50:50 PM

John Cooper

From: PDS comments
Sent: Monday, April 17, 2017 1:44 PM
To: John Cooper
Subject: FW: Gravel mine

-----Original Message-----
From: David Goehring [mailto:davidgoehring@gmail.com]
Sent: Monday, April 17, 2017 1:00 PM
To: PDS comments
Subject: Gravel mine

I am one of the county residents who will be impacted by the proposed gravel mine in the Samish River valley. In fact I am the one resident who has already been impacted to the tune of a $1500 car repair bill when I was side-swiped while parked alongside Grip Road at one of the community meetings held to discuss this proposal. I was stuck with a cheap rental car almost all winter.

My neighbors tell me we should be respectful when submitting comments to the county, but it is getting increasingly difficult to do so frankly. I feel as if the county should be the entity showing more respect here. It is the county after all that was ready to approve this proposal, endangering the lives of every one of us who use either Grip Road, Prairie Road, or both, without even bothering to notify us. I have now been informed that the county is conducting its own traffic analysis rather than commissioning an independent study. This is not acceptable. Personally, I feel as if one drive up and down Grip and out onto Prairie should be enough to convince any reasonable person of the dangers of this proposal. If we are going to expend our tax dollars to determine that the obvious is true, however, then this should be done by independent experts, not by the county themselves. If the proposal were to be approved without having an independent traffic study performed, the county would bear significant liability when the inevitable collisions occur, especially after they have been publicly warned.

I am also very disappointed that an EIS has not yet been required as a condition of this permit. We are talking about a 600+ acre mining site adjacent to one of the most productive salmon streams in Washington State. I have been a supporter of all of the efforts that have been made to clean up the Samish River, even though I have to pay more for septic inspections than other residents in the watershed, and I am disturbed that my county government would even consider approving something like this proposal without an EIS. It really saddens me actually that my county is not more environmentally conscious.

I frankly don't care that this area is zoned for resource extraction, or how much money the gravel company has spent to acquire this land. If the gravel can't be extracted without harming the environment, and without physically endangering the local residents, then the mine proposal shouldn't be approved. The fact that the gravel company couldn't even be bothered to attend the most recent community meeting, after they were invited to do so, tells me all I need to know about how much they care about our concerns.

David Goehring
20002 Double Creek Lane
Sedro Woolley
360-661-0818

John Cooper

From: website
Sent: Monday, April 17, 2017 4:45 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Andrea Garcia
Address : 22199 Grip RD
City : Sedro Woolley
State : WA
Zip : 98284
email : garcia4@wavecable.com
Phone : 360/982/1715
PermitProposal : PL 16-0097
Comments : Dear John,

We have lived on Grip Road for 20 years. This is where my children have been and are currently being raised. This is a safe, quiet community.

My daugher (17 years old) jogs, as well as drives, on Grip and the surronding roads. My son (13 years old) rides his bike to friend's houses on Grip Road. Often times, during the summer, they will ride down to Samish River for an afternoon of swimming. I am an expert on this community and I don't want the safety or peacefulness, of my community, destroyed by Concrete Northwest.

Some of my concerns are as follows:
1. Road safety, and destruction to the road created by large trucks, especially on Grip Road. There are no fog line strips. It's a struggle to keep vehicles from using the unpaved outside edges of the road. Yet, many vehicles do use the unpaved gravel/dirt edges of the road creating a problem for our ditches, which in turn, during the rainy season, creates large pools/rivers of water on roadways. As for road safety isn't it obvious, there are many 90 degree twists and turns on Grip Road how can a double trailer, empty or full, navigate this without using the oncoming lanes? Impossible! Not to mention the exit onto Prairie Road from Grip Rd. Only a fool would think this was safe! A full traffic impact study must be done by an independent consultant.

2. The environment! Good grief, I have to have my septic system inspected every three years, to the tune of a couple of hundred dollars, and now it's okay for a gravel pit, full of equipment running oil and diesel fuel to be digging into my water table, polluting Samish Creek and various other creeks? This is unacceptable, it is recipie for disaster. Our community cares about the preservation of the Samish Creek. This is a salmon safe area and we would like to keep it that way. A full enviromental impact statement must be done, how could it NOT be done? My environment will be impacted as well as my natural environment.

3. What about my property values? How do you think a 50-700 acre mine will affect my property value? Increase or decrease? This mine will bring noise, vibration, traffic, destruction of roads, destruction of wildlife, and destruction of the peaceful gentlemen farmer's community that we live in.

We do not want a 50-700 acre gravel pit in our backyard! Would you?

Andrea Garcia

John Cooper

From: website
Sent: Monday, April 17, 2017 2:05 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Nancy Swalling
Address : 22649 Grip Rd
City : Sedro-Woolley
State : WA
Zip : 98294
email : swalling@wavecable.com
Phone : 360 856-6549
PermitProposal : Proposed Grip Rd Gravel Mine
Comments : I am requesting a complete EIS on this project as it will directly effect my life style and possibly my safety.

From Host Address: 204.195.10.178

Date and time received: 4/17/2017 2:03:52 PM

John Cooper

From: website
Sent: Monday, April 17, 2017 3:20 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Dale R. Abbott
Address : P.O. Box 804
City : Burlington
State : WA
Zip : 98233
email : d_abbott@hotmail.com
Phone : 360-856-0418
PermitProposal : PL16-0097
Comments : I have serious concerns about the potential impact that the proposed Concrete Norwest mine (Special Use Permit Application PL16-0097) will have on the environment of the Samish River drainage system. In particular, I am disturbed by the proximity of the mine to the river itself and whether the 200 ft. setback is sufficienct to protect the groundwater and surface run-off from entering the Samish (particularly during heavy rainstorms). Then there is the effect this mine will have on the indiginous wildlife of that area. I have seen a bobcat within half a mile of the proposed mine, and my neighbor has seen cougar within a mile of the mine. Of course deer, raccoons, opposums, bald eagles, great blue herons, red tailed and sharp shinned hawks, barn and barred owls are frequently seen in this area as well as western tanagers, piliated woodpeckers, Steller's jays and more. In the 25 years that I have lived on Prairie road, I have seen all of those critters on my property which is located within 1 mile of the proposed mine.
I wonder what all the truck oil, gasoline fumes, grease, exhaust, noise, and dust will do to this region. In addition to all the heavy truck traffic on those narrow roads which are not built to handle heavy commercial traffic, I understand that the mine operators will be hauling 20+ water trucks daily to the mine site since they are prohibited from drilling a well for water there. Presumably they will also have to haul human waste and garbage away from the work site, and that will entail additional truck traffic and the potential for toxic spills.
It is only a matter of time before the operators will decide to request a transfer of water rights from some other property they own in the area to this new mine, and we all know that there is a big difference between locations in a river drainage when considering the hydrology. Pulling water from their pit on the west side of I-5 would clearly not have the same impact as pulling water from upriver at the proposed mine site. Although they claim that they will not try to obtain groundwater rights, they have a history of requesting and receiving a transfer of water rights from one location to another, and I believe that we need to know now what kind of impact that would have on the river system in anticipation of their request in the future.
When will the county need to replace the old bridges in this area after heavy truck traffic has worn them down? How much will that cost? It is clear to me that the Samish River bridges at F&S and Grip roads will be particularly affected.
For these reasons I believe that the county should request that a full and complete Environmental Impact Statement before giving final approval for the proposed Concrete Norwest Samish gravel mine. Thank you for your consideration.

Sincerely,

Dale R. Abbott
22290 Prairie Road
Sedro-Woolley, WA 98284

John Cooper

From: website
Sent: Monday, April 17, 2017 11:05 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Paula Shafransky
Address : 22461 Prairie Road
City : Sedro Woolley
State : WA
Zip : 98284
email : pshafransky@gmail.com
Phone : 3608561637
PermitProposal : Permit Application PL16-0097
Comments : I am asking the county to require an environmental impact statement for the proposed Grip Road gravel mine.
Thank you for your consideration in this matter.

From Host Address: 24.113.225.148

Date and time received: 4/17/2017 11:00:48 AM

Name: John W. Day
Address: 6368 Erwin Ln.
City: Sedro-Woolley
State: WA
Zip: 98284
email: jday0730@gmail.com
Phone: 360-856-0644
Permit Proposal: Concrete Nor'west Gravel Operation Near Grip Road, Special Use Permit Application PL16-0097

Skagit County Senior Planner John Cooper's letter dated March 14, 2017 to Concrete Nor'West (CNW) is a step in the right direction with regard to the additional information it requires CNW provide for its Grip Road gravel mine application, but it still falls far short of the mark. Given the potential significant environmental impacts associated with the proposed mine, Skagit County should **require that the applicant prepare a full Environmental Impact Statement (EIS)**. At a minimum, these impacts include traffic and road safety, damage to streams and wetlands, impacts associated with upgrading the private access road to meet county standards, onsite hazardous materials storage, disturbance/damage to cultural resources, offsite noise and dust pollution, hours of operation, the potential future expansion of the mine to include more of CNW's contiguous ownership in the Mineral Resource Overlay, and the potential future addition of gravel processing to the project.

With regard to traffic and road safety, Cooper's letter includes the following statement:

> As you know, the second public comment period for Concrete Nor'West's gravel mining application has resulted in over one hundred comment letters. The comments indicated great concern about truck traffic and road safety. To address these concerns, Skagit County Public Works will run additional traffic models and road tests to ensure compliance.

I very much appreciate that Skagit County PDS is now paying attention to the concerns of local residents with regard to the traffic and road safety implications of CNW's proposed gravel mine. However, I believe that the above statement is seriously flawed. Given the significance of the traffic and road safety concerns in conjunction with the other potential impacts of the mine, Skagit County needs to require that Concrete Nor'West provide a Level II Traffic Impact Analysis per Skagit County Road Standards (2000).

Skagit County Road Standards (2000) 4.00, Traffic Analysis, states as follows:

> All applications for land division and changes of land use shall include sufficient data to determine the amount of additional traffic generated by the development. Such data shall also be used as a guideline for access road and/or driveway requirements.

Under 4.02, Level of Analysis and Warrants, the regulation states that if the project is not categorically exempt under the County's SEPA provisions in Skagit County Code Chapter 14.12, at least a Level I Traffic Impact Analysis (TIA) is required. It goes on to state that the Level I TIA shall be expanded to a Level II TIA if **any** of the Level II warrants are met. Included in the Level II warrants are the following:

4. The County has required that an Environmental Assessment or Impact Statement be prepared;

6. If there exists [sic] any current traffic problems in the local area as identified by the County or a previous traffic study has identified high accident locations, poor roadway alignment or capacity deficiencies.

7. The current or projected level of service of the roadway system in the vicinity of the development will exceed County adopted level of service standards.

I believe that warrant numbers 6 and 7 above are already met and, as stated previously, number 4 should also be met.

Another aspect of Cooper's statement that concerns me is that he says that "Skagit County Public Works will run additional traffic models and road tests to ensure compliance". Does this mean that Skagit County Public Works will conduct the required study for the project to meet its own Level II TIA requirements? If so, this should be clearly stated. On the other hand, why would Skagit County Public Works even conduct this work, presumably at county taxpayers' expense, when the burden of proof is clearly on the applicant? This makes no sense to me and raises the additional concern of a potential conflict of interest on the part of Public Works, which should be participating in the review of the applicant's submissions, not conducting work effectively on behalf of the applicant.

The time for half-measures with regard to this project application is over. Skagit County needs to step up NOW and really do its job.

John Cooper

From: website
Sent: Monday, April 17, 2017 8:00 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Frank L Phillips
Address : 22461 Prairie RdConcrete Nor
City : Sedro Woolley
State : WA
Zip : 98284
email : fphillips67@gmail.com
Phone : 3608561637
PermitProposal : PL16-0097
Comments : I am a concerned citizen living on Prairie within a mile of the proposed gravel mine by Miles sand and gtavel. I want a full EIS done to determine the full impact this mine will have on our community and our lives. I have enjoyed living in this area for over 25 years and now own our property. We are now retired and look forward to more good years living here, but I believe this mine will lower our hard earned property values, be cause of unwanted pollutions, and unsafe roads too drive on. In fact I will and think other neighbors will now go to Bellingham and Whatcom county to shop as to drive Prairie Rd into Burlington/Mt Vernon. This is tax revenue now leaving Skagit county. I also feel that Miles sand and gravel have future plans for this area and need to be transparent in these plans.

Thank you
Frank Phillips

From Host Address: 24.113.225.148

Date and time received: 4/17/2017 7:58:54 AM

John Cooper

From: website
Sent: Monday, April 17, 2017 7:55 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Jim Morrell`
Address : 22777 Nature View Dr
City : Sedro-Woolley
State : WASHINGTON
Zip : 98284
email : jmrrll@frontier.com
Phone : 3608549319
PermitProposal : Special Use Permit Application PL16-0097
Comments : I live in proximity of a gravel mine, off of Grip Road, proposed by Miles Sand and Gravel. I have grave concerns about the impact this mine would have on those of us in the surrounding area. Maintenance of water quality, wildlife, noise pollution, traffic on a poorly designed road are some of the concerns. As we live on a well, what is to insure the aquifer that supplies are well is going to be maintained and not breached? The quality of life that we have come to know could be tainted by such a mine and the above concerns. I am requesting that a full EIS (environmental impact statement) be done in order for this mine to receive a permit. There are too many concerns that have not been addressed by the county's permit application process.

Your consideration will be greatly valued.

Thank you,

Jim Morrell
22777 Nature View Dr.
Sedro-Woolley, WA. 98284
360/854-9319

From Host Address: 24.19.60.63

Date and time received: 4/17/2017 7:50:07 AM

John Cooper

From: PDS comments
Sent: Tuesday, April 18, 2017 6:52 AM
To: John Cooper
Subject: FW: Special Use Permit Application PL16-0097

From: Nadine Degolier [mailto:nadinedegolier@yahoo.com]
Sent: Monday, April 17, 2017 6:09 PM
To: PDS comments
Subject: Special Use Permit Application PL16-0097

Skagit County Planning and Development Services, April 17, 2017

I am writing to request that an Environmental Impact Statement be required for Concrete Nor'west for their planned sand and gravel pit near Prairie Road and Grip Road. Their permit application number (Special Use Permit Application PL16-0097).

I am Nadine M. DeGolier, 32620 – 80th Drive NW, Stanwood, WA 98292. I own property in Skagit County, Parcel # P 130919. My father, Elmer S. Wolf bought this property in 1948 and it has been in our family for 69 years. We border the Concrete Nor'west property and are downhill from them. I am very concerned about having a noisy gravel pit uphill from my property. I request that the Concrete Nor'west Environmental Impact Statement include a clear review of the following areas:

1. Road safety and damage to road infrastructure
2. Noise pollution and visual blight
3. Decline in property values and quality of life
4. Habitat degradation and impacts of wildlife
5. Groundwater, well-water and storm-water concerns

My father, Elmer S. Wolf farmed this property for 50 years and then he passed his 65 acres down to me and my brother and sister. We each own 20 acres and a 5 acre easement into the property. We each have plans to build on our property and pass the land on to our children. Our property is not "throw away" property that no one cares about. A large company should not be allowed to put a gravel pit right beside us and destroy the value of our property.

Thank you for your consideration,

Nadine DeGolier

32620 – 80th Drive NW

Stanwood, WA 98292

John Cooper

From: website
Sent: Tuesday, April 18, 2017 11:45 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Dian Jahn
Address : 4501 Fidalgo Bay Rd, 901
City : Anacortes
State : WA
Zip : 98221
email : dian.jahn@gmail.com
Phone : 425-830-5381
PermitProposal : PL16-0097
Comments : To revise my comments, I feel it is VERY important and necessary to require a full Environmental Impact Study for the proposed Gravel Pit located in the Grip and Prarie Roads in Skagit County...I made an typo error in my first response.

From Host Address: 73.239.34.238

Date and time received: 4/18/2017 11:44:48 AM

John Cooper

From: website
Sent: Tuesday, April 18, 2017 11:40 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Dian L Jahn
Address : 4501 Fidalgo Bay Rd, 901
City : Anacortes
State : Wa
Zip : 98221
email : dian.jahn@gmail.com
Phone : 425-830-5381
PermitProposal : PL16-0097
Comments : I do not feel there is sufficient concerns for safety of motorists, cyclist and pedestrians (especially school children/bus) to implore Skagit County to require a full Environmental Impact Statement (EIS), before they make any further decisions about proposed gravel mine near Grip and Prairie Roads.

From Host Address: 73.239.34.238

Date and time received: 4/18/2017 11:39:07 AM

John Cooper

From: website
Sent: Tuesday, April 18, 2017 12:30 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Donald James Allgire
Address : 1607 Birch Court
City : Mount Vernon
State : Wa
Zip : 98274
email : dkallgire@hotmail.com
Phone : 360-421-2630
PermitProposal : PL 16-0097
Comments : I request a EIS be required for this permit. We lived at 17939 Valley Ridge Lane near the Meridian Rock Quarry from 1993 until 2004. We were assured by a Quarry Representative at an open house that the quarry would close and be turned into a park by about 2005. The state would not allow my wife, Karolyn Allgire , to volunteer to clean the shoulders of the road because it was too dangerous. As of 2017 the Quarry is still in operation.
The proposed quarry,stands to create hazards for Bicyclists and motorists with no long turn plan. Please do not rubber stamp this as having no significant impact.

From Host Address: 107.77.205.92

Date and time received: 4/18/2017 12:27:35 PM

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Wednesday, April 19, 2017 8:29 AM
To: John Cooper
Subject: FW: PDS Comments

From Dept Email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Tuesday, April 18, 2017 6:20 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Timothy P. Merriman
Address : 4214 State Route 9
City : Sedro Woolley
State : Wa
Zip : 98284
email : timothy.p.merriman@gmail.com
Phone : (360) 399-1750
PermitProposal : Special Use Permit Application PL16-0097 - Proposed Grip Road Gravel Mine
Comments : Please require a full Environmental Impact Statement (EIS) for the project.

Lummi Nation, Nooksack Tribe, Swinomish Tribe and Upper Skagit tribe should all be contacted regarding their former occupation of the location and burial grounds.

They should also be contacted regarding how this project might affect their treaty fishing rights.The Samish River contributes to the Salmon in the Puget Sound.

From Host Address: 24.113.228.154

Date and time received: 4/18/2017 6:19:53 PM

John Cooper

From: website
Sent: Wednesday, January 25, 2017 1:25 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Indra Pernell
Address : 4505 Prairie Lane
City : Sedro Woolley
State : WA
Zip : 98284
email : ipernell72@gmail.com
Phone : (360) 399-1621
PermitProposal : PL16-0097 & PL16-0098
Comments : Thank you for extending the comment period!!!

When we bought our place on Prairie Lane, the lovely quiet curving road to it was one of the great selling points! I am so distressed about it becoming an industrial and high traffic rd, instead of quiet and pastoral. Up to 30 trucks per hour?!! NO.

Here are some other concerns:

1. Who guarantees the safety of our water table? We depend on our well water. They plan to fuel trucks there. Local families need that water safe. FUEL OFFSITE, where there is no risk to well water.

2. Water table depth SHOULD BE ASSESSED THROUGHOUT the property to be mined. If water table is punctured all locals lose well water. Assessment should be done by an agency who has people's welfare in mind. Not done by the gravel co.

3. The number of trucks allowed per hour should be limited to a more reasonable number! How about 5 TRUCKS PER HOUR. 30/hr is not reasonable.

4. Hours of operation should not be during kids bus rides. School bus stops on blind corners, and heavy trucks DO NOT MIX! Lets NOT wait for a tragedy.

5. Hours of operation should not be all night. We live here because it is quiet! Property values and quality of life are at stake. DAYTIME HOURS OF OPERATION. Sound travels in a quiet valley.

Let us not be another Flint Michigan. We matter. We require water. Our water should be safe and protected. The quality of our life matters. The land that we inhabit is our habitat. Protect our quiet, safe, healthy, enjoyable habitat.

.. and while we're at it:
6. An assessment of the impact on animal habitats should be done. WHY WAS THIS NOT DONE?

I trust that the comments submitted will be valued and considered. Thank you for your time today.

From Host Address: 24.113.133.82

John Cooper

From: website
Sent: Wednesday, January 25, 2017 3:00 PM
To: Planning & Development Services
Subject: PDS Comments

Name : J. Michael Newlight
Address : 897 Chuckanut Shore RD
City : Bellingham
State : WA
Zip : 98227
email : jmnewlight@comcast.net
Phone : 360-734-5890
PermitProposal : PL16-0097 & PL16-0098
Comments : I am lienholder on one of the five-acre parcels on Prairie Lane, where my daughter and her family have made a home. Thus maintaining quality of life and property value is important to us. I strongly object to the creation of a working gravel pit near this property. The entire Samish River watershed, particularly between Highway 9 and Old 99, no longer qualifies as a wilderness resource extraction area, but has become an increasingly populated residential extension of Sedro-Woolley. It is no longer reasonable to zone acreage for a gravel pit in the center of it – destruction of fish and wildlife habitat, threat to water quality, traffic, noise pollution and all the rest. The days in which such an intrusive and environmentally threatening use of this property would be appropriate are long past.

From Host Address: 98.247.180.61

Date and time received: 1/25/2017 2:59:12 PM

SKAGIT COUNTY
RECEIVED
FEB 0 1 2017
COMMISSIONERS

January 25, 2017

Skagit Board of County Commissioners

The (Miles Sand & Gravel, LISA Inc.) {Permit #.s PL 16-0093, PL 16-0097 & PL 16-0098} proposed gravel mining along the Samish River. The 3 parcel #s involved are as follows; p125644, p125645, & p50155. Skagit County, [SECTION 27, TOWNSHIP 36, Range 4 EAST]. The Samish is under fecal coliform pollution and low water flow watch & has enough problems supporting salmon spawning and shellfish in the watershed. To be subject to the potential of further jeopardy is a great concern. Commerce is important to the county but so is the environment, What steps have been or will be taken to guarantee there will be no runoff of mud or leaching of machine fuel and oil into the Samish River? The County Health Department has gone to great lengths to inform locals of the hydraulic effects on the River of septic systems and even the effect of our pets pottying on our land. What is good for the Goose is also good for the Caterpillar? Good analogy. Right?

Noise and air pollution also concerns me. There are large numbers of rural homes east of the site and because of the elevation and adjacent hill long hours of operation (24-7) will become noise disruptive. We can hear the SKAGIT Speedway and it is almost twice as far away One night a week in the summer is a far cry from digging, washing, sorting, loading and hauling potentially 24/7.

What does the Skagit Health Dept. say in response to this proposal and the Samish Low Flow concern for shell fisheries in Samish Bay.

Thank you

Kathy Arentzen

007961

Kathleen Arentzen
4808 State Route 9
Sedro Woolley WA 98284-7858

SEATTLE WA 980

30 JAN 2017 PM 4 L



Skagit County Board of Commissioners
1800 Continental Place Suite 100
Mt. Vernon WA 98273

98273-562500

John Cooper

From: website
Sent: Thursday, January 26, 2017 7:20 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Dan VerMulm
Address : 491 N Burlington Blvd.
City : Burlington
State : WASHINGTON
Zip : 98233
email : dvermulm@be.wednet.edu
Phone : 360-757-3386
PermitProposal : PL16-0097
Comments : Thank you for your consideration for all traffic safety.
Burlington Edison SD Buses travel Prairie Road from Parson Creek Rd to Hwy 99. The 2 mile stretch of Prairie Road from Grip to Hwy 99 that this effects is where BESD currently has one bus travel 4 different times of day, 6:45 AM, 8:05 AM, 3:15 PM and 4:15 PM. Situations that would increase our exposure would be if pre-school students or special needs students in the area that would require a special bus. Transportation Supervisor BESD

From Host Address: 152.157.10.103

Date and time received: 1/26/2017 7:15:12 AM

CHMELIK SITKIN & DAVIS P.S.
ATTORNEYS AT LAW

Jonathan K. Sitkin
ATTORNEY
el jsitkin@chmelik.com

RECE
JAN 30 2017
SKAGIT COUNTY
PDS

January 27, 2016

VIA REGULAR U.S. MAIL AND E-MAIL
johnc@co.skagit.wa.us

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

RE: SPECIAL USE PERMIT APPLICATION NO. PL 16-0097

Dear Mr. Cooper:

Our firm represents a group of concerned citizens who live near the proposed Concrete Nor'West gravel mine that is the subject of the above-referenced permit application. We understand that you are the point of contact for this permit.

We request that notice of any action, including without limitation actions taken under SEPA, notice permit hearing, and the issuance of any staff reports, including supplemental or revised staff reports, be forwarded to our office. We further request that our office be kept abreast of developments, including revised proposals by the applicant in this matter.

Thank you, and please don't hesitate to contact us with any questions.

Sincerely,

CHMELIK SITKIN & DAVIS P.S.

Jonathan K. Sitkin
Nolan F. Davidson

JKS/NFD/hn
cc: Client

1500 Railroad Avenue
Bellingham, WA 98225
p| 360.671.1796
f| 360.671.3781
www.chmelik.com

January 29, 2017

Dear Mr. Cooper,

This letter is concerning PL16-0097. I took a closer look at Grip Road itself and the F&S Grade Road intersection with Prairie Road.

Here are a few examples of typical geometrics and hazards on Grip Road:



This picture is taken looking West on Grip Road to the East of the Samish River and Swede Creek.

The narrowest point is at Swede Creek (nearest sign on the right).

Notice there is not a fog line.



This picture is taken looking East on Grip Road to the East of the Samish River and Swede Creek.

No fog lines in this direction either.

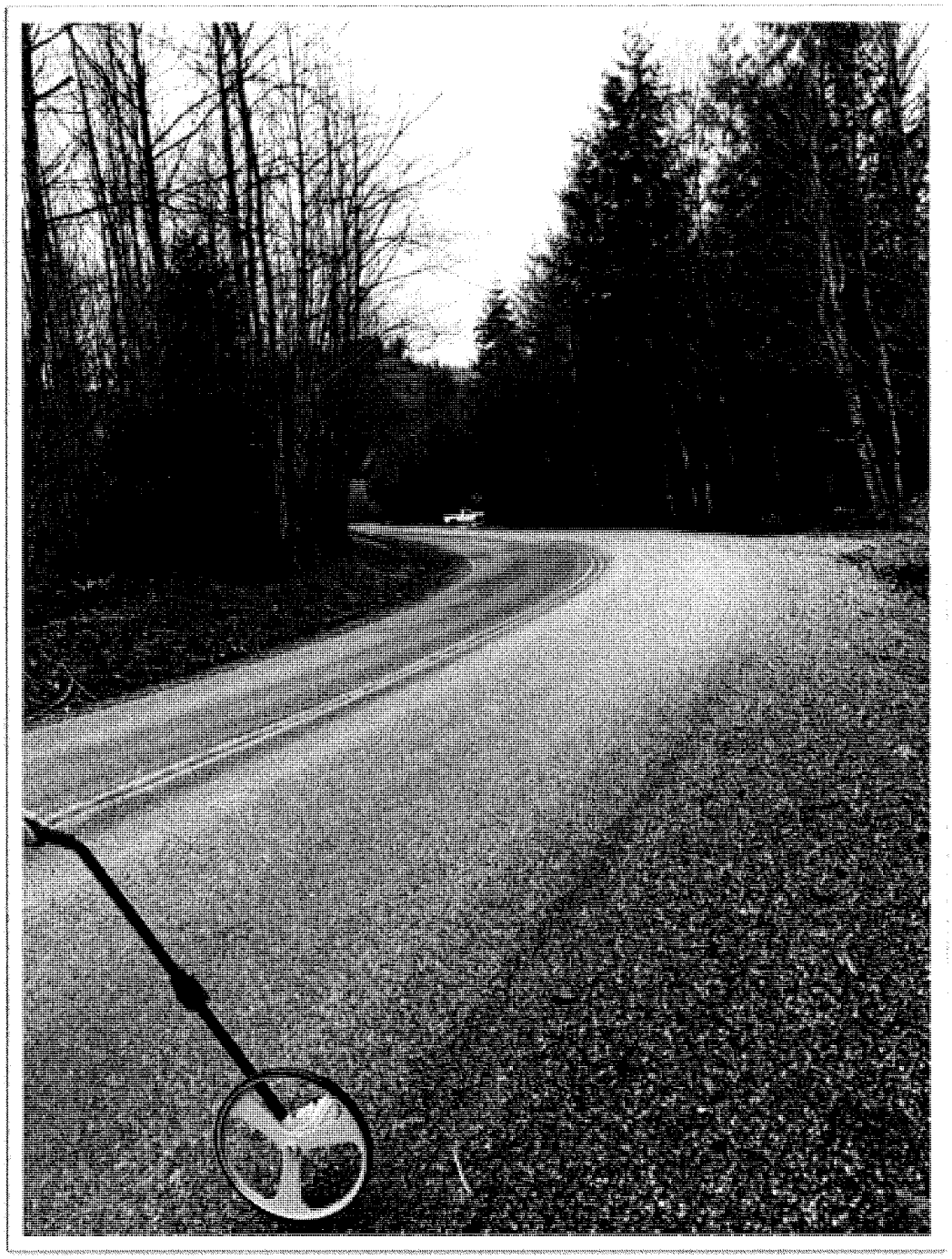
Very abrubt lane edge on the left side of the picture.



This a closer look at the abrupt lane edge.

Notice the pole in the middle of the ditch. I assume this is due to only having a 40' right of way.

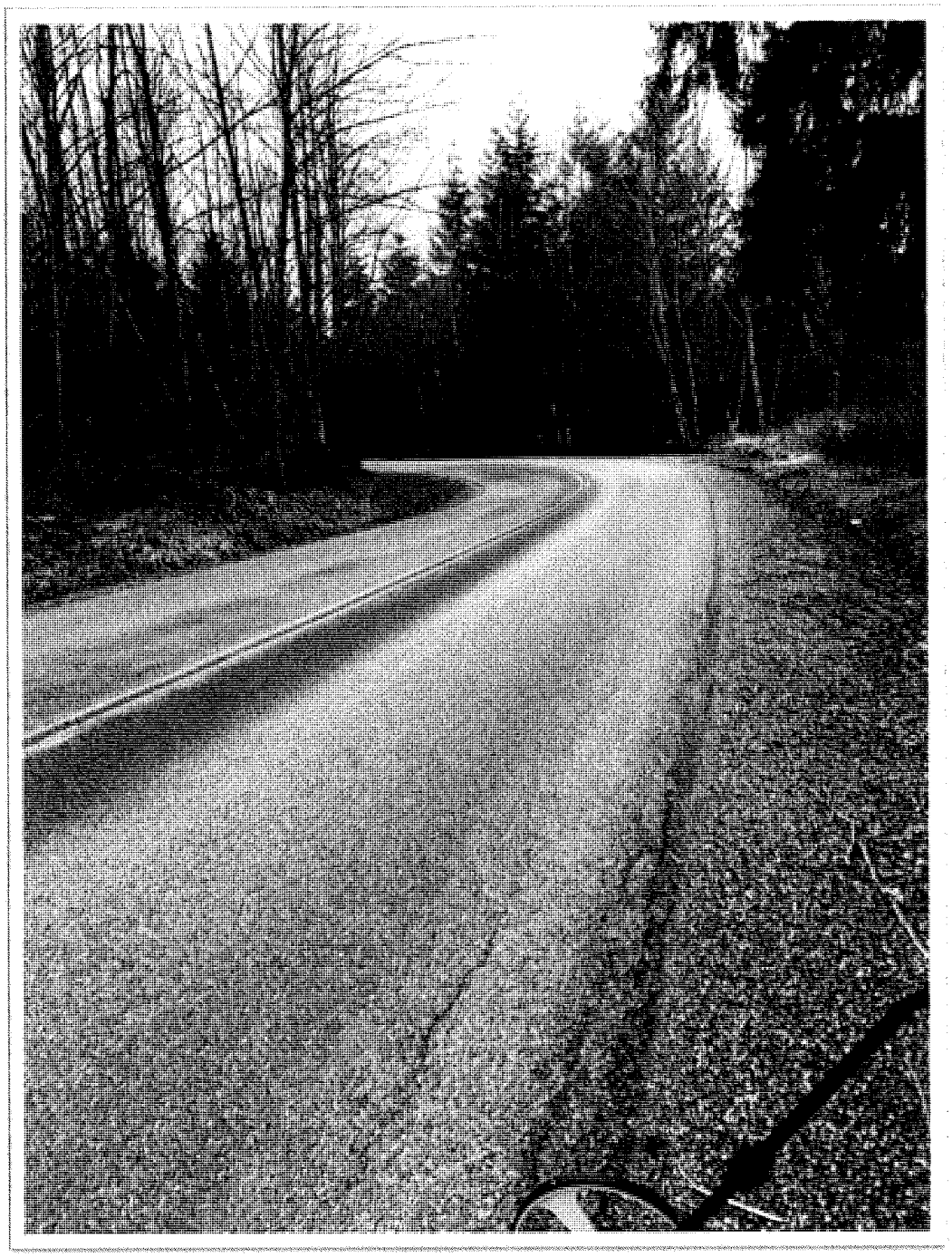
The following two pictures are of the Grip Road entrance to the proposed gravel pit:



This picture is looking West on Grip Road.

The white truck is parked in the entrance to the proposed gravel pit. This picture was taken 374' from the entrance.

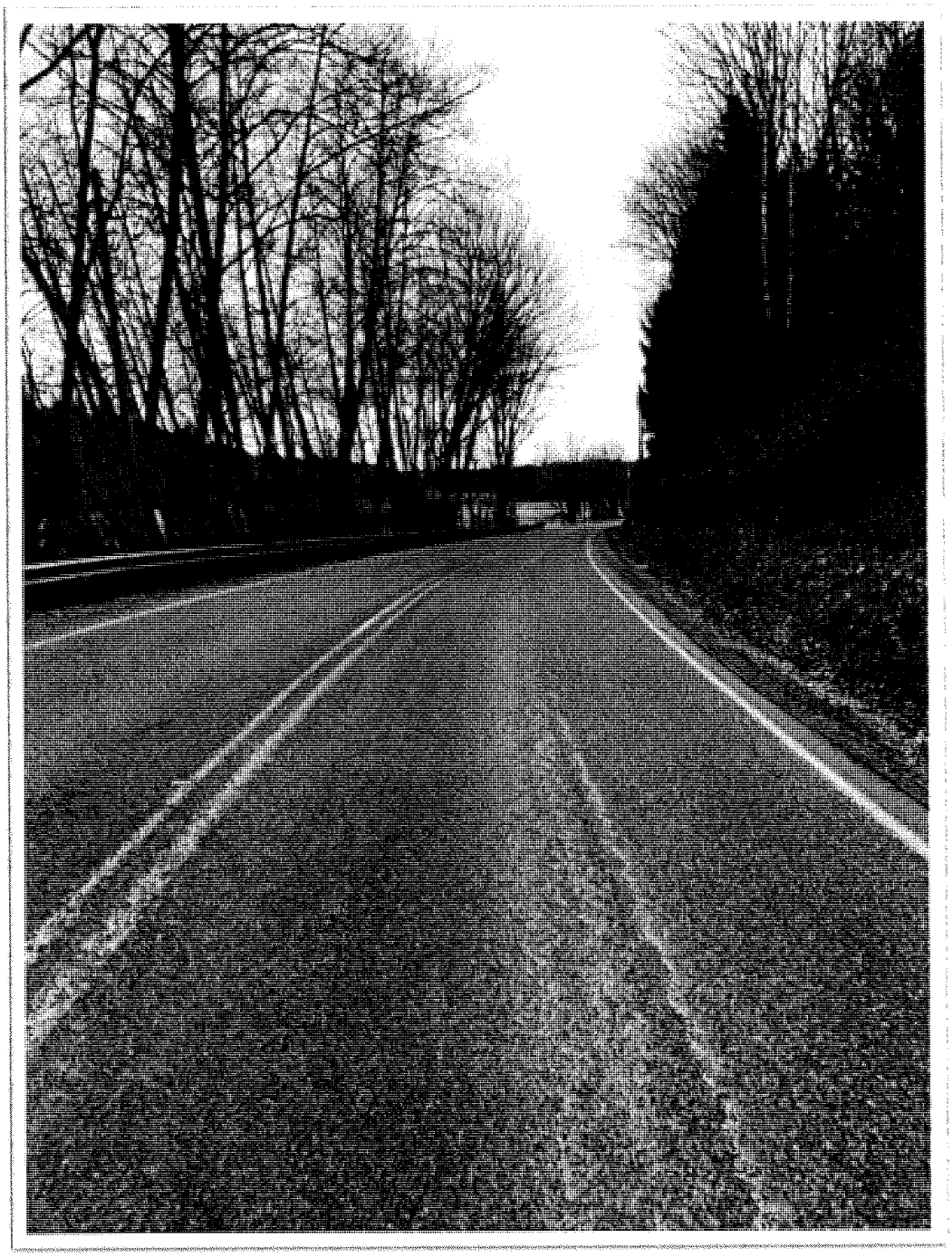
Notice the absence of fog lines in this section of road, as well.



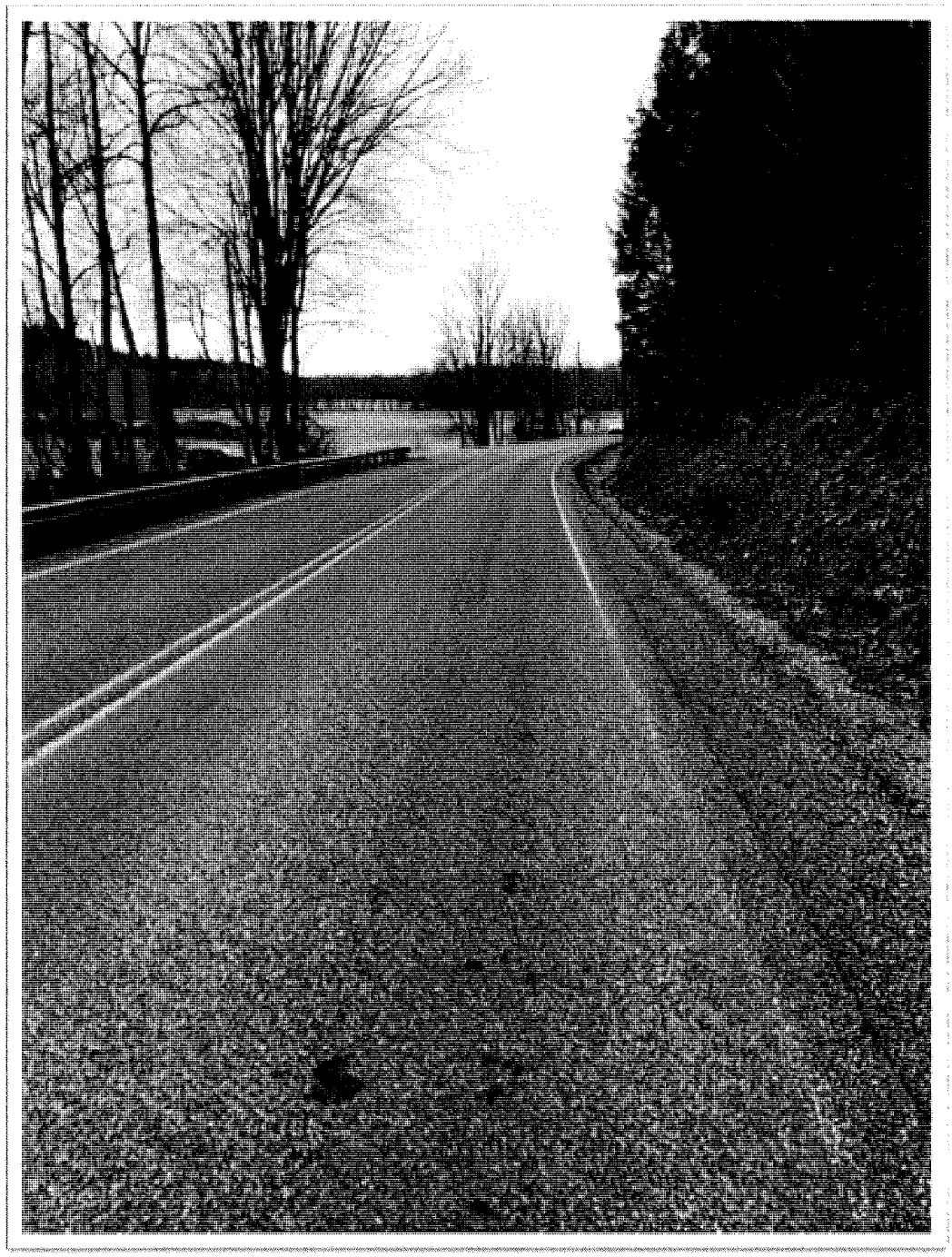
This picture is looking West on Grip Road, 445' from the entrance to the proposed gravel pit. The white truck is no longer visible.

Based on the requirements stated in the DN Traffic Consultants report, the entrance from the gravel pit onto Grip Road has a sub-standard value for sight distance in the westbound direction.

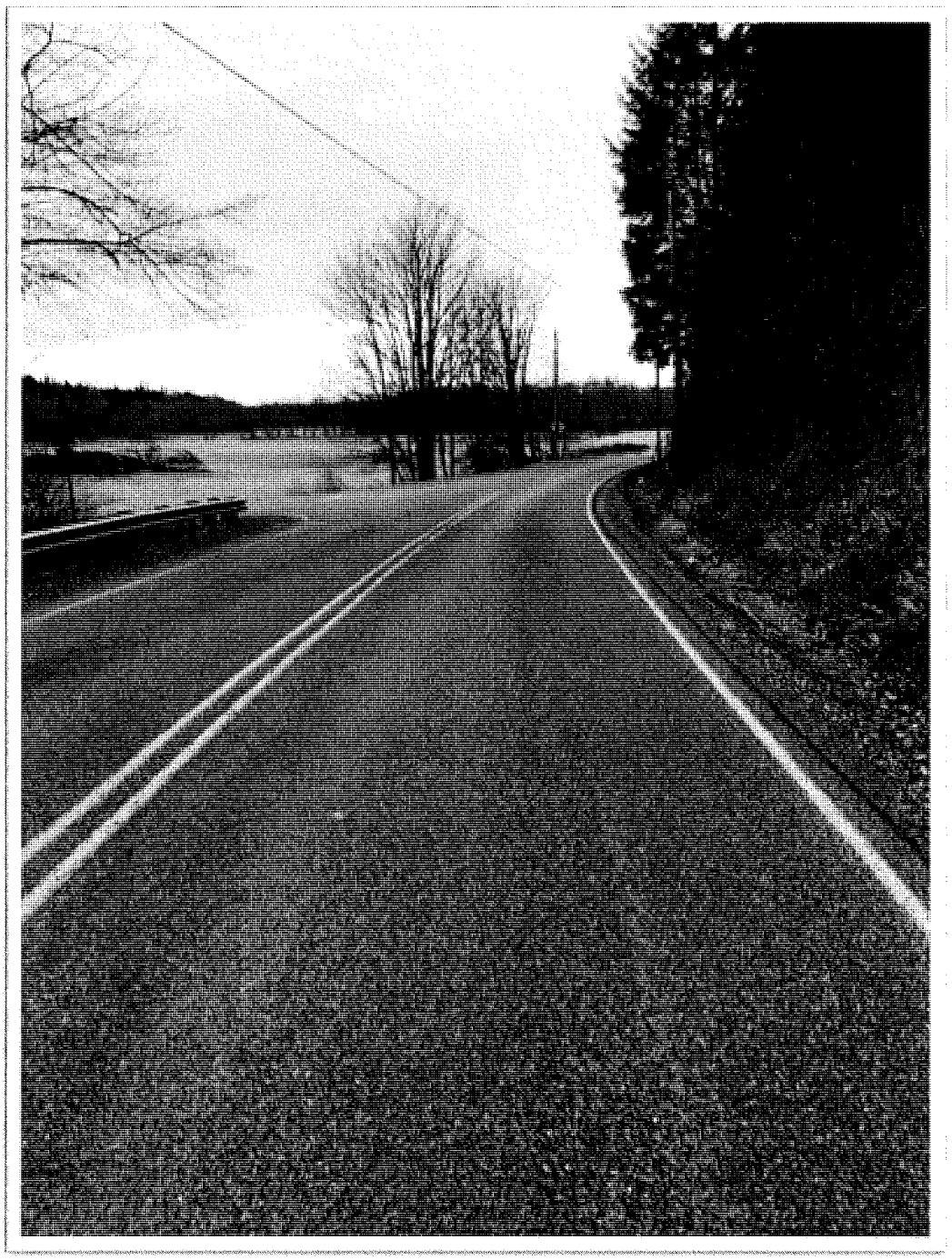
The five pictures below are of the intersection of F&S Grade Road and Prairie Road, focusing on westbound Prairie Road traffic.



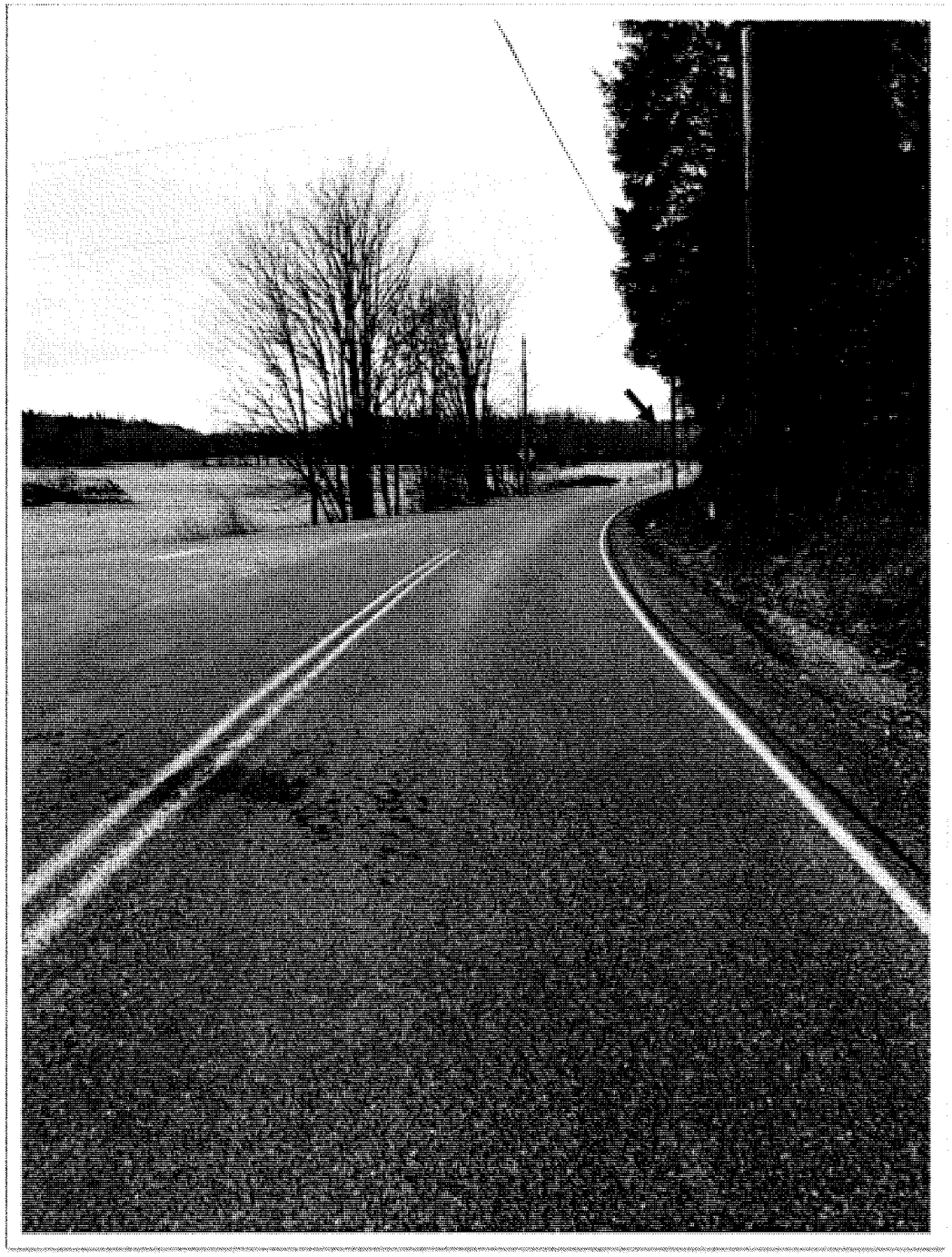
This is the view of the F&S Grade Road intersection from westbound Prairie Road at 445'.



This is the view of the F&S Grade Road intersection from westbound Prairie Road at 200'.

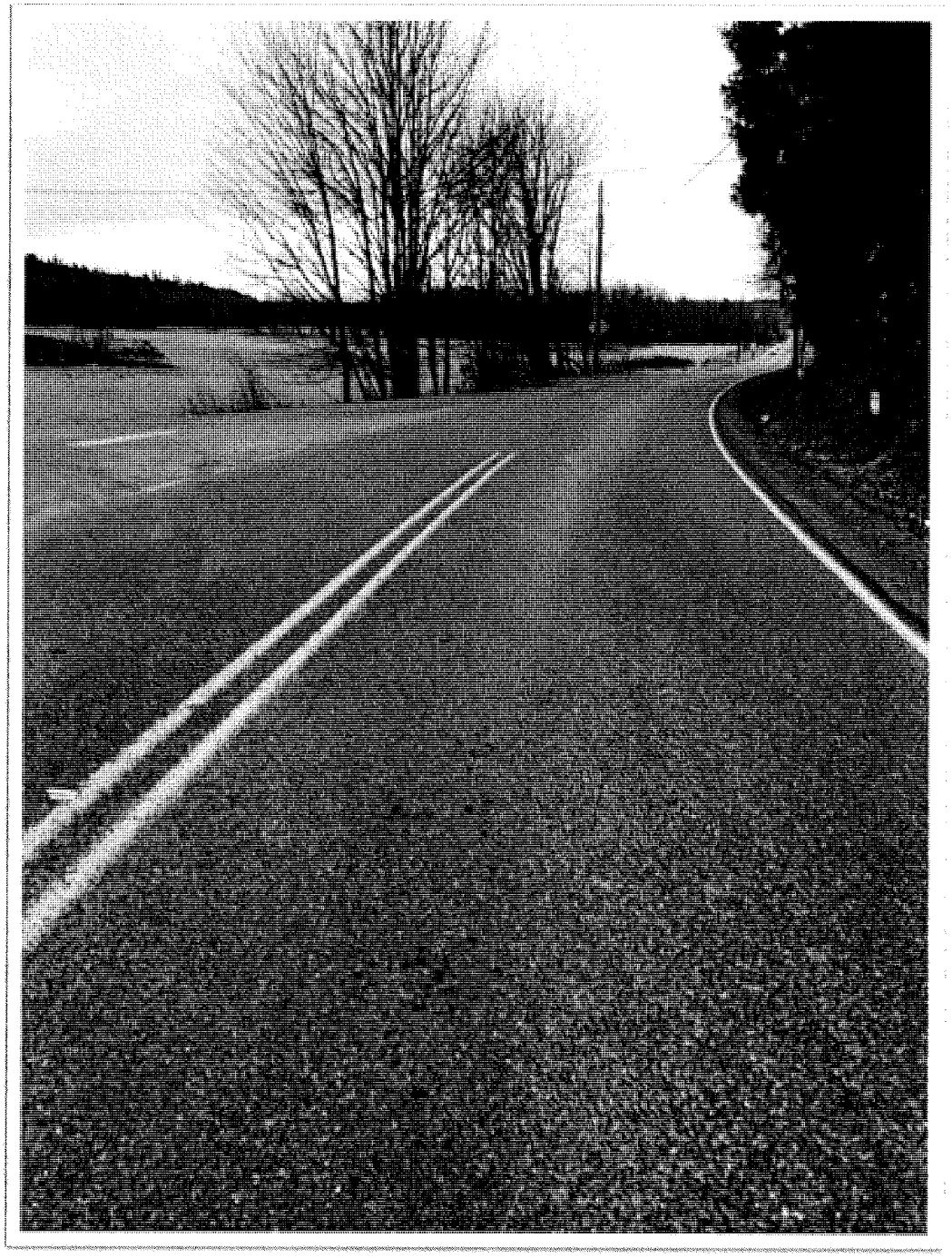


This is the view of the F&S Grade Road intersection from westbound Prairie Road at 100'.



This is the view of the F&S Grade Road intersection from westbound Prairie Road at 50'.

The pole in the distance with the arrow pointing at it is approximately 445' from the intersection



This is the view of the F&S Grade Road intersection from westbound Prairie Road at 25'.

Per information in the DN Traffic Consultants report, Westbound Prairie Road traffic making a left on F&S Grade Road has an extremely sub-standard value for sight distance.

Westbound Prairie Road traffic making a left turn on Grip Road has a very similar (possibly worse) sight distance issue. I did not include pictures of the intersection because I did not feel I could take them safely.

Brian Bowser
21110 Parson Creek Road
Sedro Woolley, WA 9828

January 30, 2017

Dear Mr. Cooper,

This letter is concerning PL16-0097 and is specifically addressing the hours of operation as stated throughout Concrete Nor'West's permit application and supporting documents.

Job Site Hours

Concrete Nor'West has requested unlimited operating hours at the proposed gravel mine located off Grip Road. This is possible per SSC 14.16.440 (10)(i)(i) where it states the operating hours "may be unlimited". Concrete Nor'West has also described the "typical operating hours" in multiple documents turned in to Skagit County but has not been consistent in its statements:

1. "Concrete Nor'West Grip Road Special Use Narrative" dated March 7, 2016 by Skagit County stated the typical operating hours would be Monday through Saturday 7am to 5pm. Section A of the same document states "normal hours would be 7:00 a.m. to 5:00 p.m., Monday through Friday.
2. Email from Dan Cox to John Cooper dated 8/11/16 states that normal operating hours will be Monday through Saturday 6am to 6pm.
3. Staff report states the hours of operation "will generally be limited to Monday through Saturday, from dawn till dusk. The applicant proposes that the hours of operation may be expanded based on market conditions and seasonal demands."

I would like additional details from Concrete Nor'West to help me understand what "typical operating hours" are. What are the real "typical operating hours"? Do the operating hours only apply only to mining on-site or do they extend to hauling the gravel off-site also? What does "typical" mean? How many "typical" days are there in a year? Is "typical" in June the same as "typical" in December?

Will there be any notification requirements to county, school districts, fire departments, the public, etc. when Concrete Nor'West extends their operating hours?

I would also expect this information to be important to the Hearing Examiner in order to understand if Concrete Nor'West's operation will create "significant adverse impacts to existing adjacent land uses" as called out in SSC 14.16.440 (10)(i)(i). This is the criteria that the Hearing Examiner may use to limit operating hours at the site.

I am quite confident residences near the mining operation and/or along the haul route to Grip Road will be adversely impacted by extended operating hours. Additionally, residences along the haul route will also be adversely impacted by extended operating hours.

Brian Bowser
21110 Parson Creek Road
Sedro Woolley, WA 9828

John Cooper

From: PDS comments
Sent: Monday, January 30, 2017 7:31 AM
To: John Cooper
Subject: FW: Special Use Permit Application PL16-0097 public comment

From: Nicole Petersen [mailto:ThePetersenRanch@hotmail.com]
Sent: Saturday, January 28, 2017 4:43 PM
To: PDS comments
Subject: Special Use Permit Application PL16-0097 public comment

This comment is in regards to **Special Use Permit Application PL16-0097** Concrete Nor'west Gravel Operation Near Grip Road

I am a concerned resident of the area. I currently live on F & S Grade Rd but grew up on Prairie Road. This large-scale mining operation proposed in that area is disheartening at best. The information provided in the many different forms is vague and open ended in many instances.

When the proposed site operation hours are discussed they mention being able to have unlimited hours. However, they do state typical hours to be 7am to 5pm Monday through Friday but open to change as market demands. Their traffic report however only recommends they operate from 9am to 3pm to avoid peak hours for traffic safety.

Also, stated in the traffic report is "it is expected that additional traffic analysis will be required as proposed gravel pit is defined" and this as far as I can tell from the information available has not been required of them. The traffic report they did have done has minimal information and only focuses on two intersections, the one from the site to Grip, and the one from Grip to Prairie. They left out any considerations of the road quality, shoulder and lane width, other hazardous sharp corners on the route. No consideration of the high traffic intersection of Prairie and Old Hwy 99 was given even though a left turn onto Old 99 would need to be taken to head to their proposed processing plant. And the report also failed to mention any of the alternate routes available to the private truck drivers coming to and from the mine.

In the paperwork, they state an average of 8 trucks an hour on that route, that is a truck every 7.5 minutes at those intersections. That is heavy traffic on roads that were not built for it. They have zero mitigation proposals for improving nor even maintaining the roads with their increased use. It should not be the taxpayer's money going towards these repairs and improvements, we receive absolutely zero benefit from the mining of that land and the resulting trucks.

The one mitigation they propose for traffic concerns is a flashing light at the intersection of Grip and Prairie to alert motorists to merging trucks. This is a laughable precaution and doesn't do anything to actually solve the substandard sight line problems in that area. The light was even said to be considered a temporary measure until the county pays for improvements or the gravel pit justifies the cost of the improvements needed. If Concrete Nor'West isn't going to be initially required to make the improvements I highly doubt that they will be willing to shell out the money to do so later, and the tax payers should not have to since it is not their mining operation that would be affecting the traffic safety and road quality.

In the traffic report the intersection of the mine's site to Grip road is also mentioned as being a substandard sight distance, but no mitigating precautions are even proposed for it.

Also, I have not seen any information regarding the closure of Old Hwy 99's overpass in the near future until 2018 and what that might mean for truck traffic on those inadequate side roads.

Looking at the environmental reports I have some concerns too. Starting with its designation of relative to moderate intensity land use. I do not understand how this scale of operation, removing 4.3 million cubic yards on 51 acres is considered to have "activity limited to relatively low volumes". This size of mine requiring the stripping of 50+ acres digging up to 90 feet should be designated as high intensity and given the restrictions due in that category of land use. Their own highest estimate put the possibility of 720 trucks a day in and out of the mine. That does not seem to be in any way "relatively low volume".

The environmental reports I read also fail to address any of the private gravel road and surrounding land that they cross. No impact information was given for the bridge crossing Swede creek that leads to Samish River. They talk about watering down the roadways during the dry season for dust reduction and I would reasonably suspect that some of those hundreds of gallons of water sprayed onto the gravel road and the dirt and pollutants it washes away with it, would make its way into the creek and therefore Samish River.

I believe the effect on property values and continued quality of rural life of the surrounding area needs to be taken into consideration, too. For the most part these are landowners who own multiple acres purposefully separating themselves from their neighbors. A mine of this proposed size would become the worst kind of neighbor. They would affect the quiet with loud beeping and engine noise of the machinery echoing from the mine, the crash and bang of the loading of trucks, the noise and vibrations of those trucks driving by the homes on the route every few minutes. Not to mention the displacement of the wildlife in the area therefore affecting the serene nature of living rurally.

Thank you for your time,
Nicole Petersen
528 F and S Grade Rd
Sedro Woolley, WA 98284

RECEIVED
APR 07 2016
SKAGIT COUNTY
PDS

Skagit River System Cooperative
11426 Moorage Way • P.O. Box 368 LaConner, WA 98257-0368
Phone: 360-466-7228 • Fax: 360-466-4047 • www.skagitcoop.org

April 5th, 2016

Mr. John Cooper
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Reference: Concrete Nor'West gravel pit

Dear John;

The Skagit River System Cooperative (SRSC) has reviewed the proposal by Concrete Nor'West for a gravel pit near the Samish River (PL16-0097 and PL16-0098). The steelhead and coho salmon that spawn and rear in the Samish River and its tributaries are important tribal resources, so we are submitting comments on behalf of the Swinomish Indian Tribal Community and Sauk-Suiattle Indian Tribe.

We agree with the habitat assessment by Graham & Bunting that the ordinary high water mark (OHWM) of the Samish River should be placed at the toe of the slope to the south of the river, along the limit of the riverine wetlands, and that the extent of the gravel pit development should remain outside of the 200-foot buffer from the OHWM. We understand from the project plans that the extent of gravel mining will not go deeper than 10-feet higher than the groundwater levels surrounding the Samish River. Limiting the depth of excavation should prevent the gravel pit from becoming a pond, and from river water being affected by groundwater interaction. For clarity and certainty, we would like the specific elevation of final excavation to be established as part of the permitting process, and that elevation should be based on Samish River water surface elevations at normal winter flow, not during summer low flow. We expect there to be no surface runoff from the gravel mine, as pits create a topographically closed depression. Finally, we expect there to be no on-site processing of gravel, as stated in the plans.

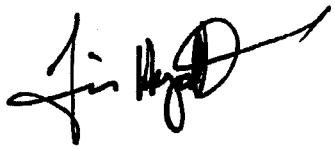
The mine reclamation plan for this site should specify access controls that are adequate to assure that no dumping will occur, either by Concrete Nor'West or any authorized or unauthorized parties. Obsolete gravel pits have a tendency to become dumping grounds for all kinds of waste and trash. If some of that trash were to leach toxic materials into the permeable gravel at the pit, the result could be devastating for Samish River fish. A robust plan to prevent dumping at the pit would be a prudent step at this stage of permitting the mine.

The road accessing the gravel pit crosses Swede Creek approximately 1.4 miles south of the pit and 0.35 miles north of Grip Road. The bridge at this crossing appears adequate to carry the increased truck traffic from the mine, but the approaches to the bridge do not. The north

approach in particular appears to need some work to bring it up to the standards for logging roads (WAC 222-24). Skagit County may have higher standards for roads servicing mining areas. The north approach should be wider, and with enhanced drainage on the north (uphill) side. It may also need new cross-drains. Because the north approach is immediately upslope from Swede Creek, and is quite steep where it climbs out of the Swede Creek ravine, it should be enhanced to assure that the road will not fail during gravel hauling or in wet weather. Re-aligning the road for a less-steep north approach may be warranted before the mine is permitted.

As always, SRSC appreciates the opportunity to comment on this proposal, and we look forward to continuing our collaboration with the County on these matters. If you have any questions about our comments, or if there is anything that we can provide, please don't hesitate to call me at (360) 466-7308 or email at thyatt@skagitcoop.org

Sincerely,

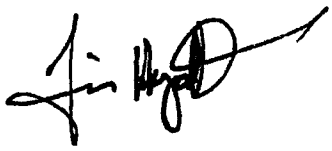


Tim Hyatt
Environmental Protection Ecologist
Skagit River System Cooperative

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As always, SRSC appreciates the opportunity to comment on this proposal, and we look forward to continuing our collaboration with the County on these matters. If you have any questions about our comments, or if there is anything that we can provide, please don't hesitate to call me at (360) 466-7308 or email at thyatt@skagitcoop.org

Sincerely,



Tim Hyatt
Environmental Protection Ecologist
Skagit River System Cooperative

JohnCooper

From: LoriAnderson on behalf of Planning & Development Services
Sent: Friday, April 08, 2016 8:31 AM
To: JohnCooper
Subject: FW: PDS Comments

From Dept Email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Thursday, April 07, 2016 2:45 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Doug Gresham
Address : 3190 160th Ave SE
City : Bellevue
State : WA
Zip : 98008
email : doug.gresham@ecy.wa.gov
Phone : (425) 649-7199
PermitProposal : PL16-0097 and PL16-0098
Comments : As a wetland specialist with the Washington Department of Ecology, I wish to enter my comments into the public record for this gravel mining operation by Concrete NW. Wetland impacts should be avoided by: not allowing any excavation within the buffer area associated with the Samish River and its associated riparian wetlands, don't excavate below the groundwater table to prevent dewatering the Samish River, and maintain a earthen berm between the gravel pit and the Samish River so storm water runoff can not discharge directly. Any wetlands identified on the property that would be impacted should be delineated and permits should be submitted to Ecology.

From Host Address: 198.239.77.118

Date and time received: 4/7/2016 2:41:22 PM

JohnCooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Thursday, April 07, 2016 10:39 AM
To: JohnCooper
Subject: CNW proposal

Hi John,
Thanks for the phone information today on CNW Permit # PL160098 (Forest Practice Conversion) and PL160097 (Special Use Permit for gravel mining). As discussed, I would appreciate some info on these permits via email if possible. If it's not too much work, please send me the SEPA checklists, short project descriptions, and any site maps that are already in PDF form; also, if possible, a description of any required mitigation or conditions that the Planning Dept has already placed on the activities. I would also appreciate knowing what the permitting schedule/time frame is for the mining special use permit.
Thanks again,
Martha Bray
856-0644

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JohnCooper

From: PDS comments
Sent: Friday, April 15, 2016 9:30 AM
To: JohnCooper
Subject: FW: PL16-0097 & PL16-0098

This was in the pdscomments inbox. Debbie

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Thursday, April 14, 2016 4:23 PM
To: PDS comments
Subject: RE: PL16-0097 & PL16-0098

Dear Mr. Cooper,

This email is to register our concern about Concrete Nor'west's (CNW) applications for forest practice conversion, PL16-0098 and mining special use permit, PL16-0097, located on CNW's property near Grip Road. Please keep us informed of deadlines for comments, hearings, actions and decisions taken related to these applications. As of this date, we have not had time to come to the County offices to review the application materials in detail, but intend to do so. We live in the Grip Road area, and are concerned about several aspects of this proposal including: impact to wetlands and the Samish River, fragmentation of habitat, noise, and the volume of truck traffic expected on Grip and Prairie Roads. We also serve as the volunteer steward of the Skagit Land Trust's nearby Tope Ryan Natural Area, which is on the Samish River downstream of this proposal; this property is important habitat for numerous native species, and the impact of the mining proposal on this property needs to be considered.

We are also concerned that the people living in the vicinity of this proposal may not be aware of it since there has been little publicity about it. Families living on Grip Road north of the site and west on Prairie Road, who will experience very heavy truck traffic for the foreseeable future, especially need to know. It is our understanding, based on a recent phone inquiry to you that there will be further opportunity for public involvement in relation to the special use permit, even though the legal notice published in the Skagit Valley Herald stated that written comments must be received by April 15, 2016. We certainly hope there will be more thorough notice and information provided to the public, and more time for review and comment, as fifteen days published notice is insufficient; and written notification to landowners only within 300 feet of the development proposal does not seem adequate given the large scale of the mining activity. This proposal will have significant impacts to a much larger neighborhood for many years to come.

Thank you for the opportunity to comment. We look forward to learning more.

Sincerely,

Martha Bray and John Day
6368 Erwin Lane
Sedro Woolley, WA 98284



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JohnCooper

From: linda wa <walshL2006@hotmail.com>
Sent: Friday, April 15, 2016 4:05 PM
To: JohnCooper
Subject: concrete nor west application

hello.. sorry this is a typed mess i am trying to do it from my phone.. i am a home owner with property which will be impacted by file#pl16-0097 & pl16-0098 and have several questions and concerns regarding the developement. some of the main concerns for us 1. noise levels 2. traffic 3. dust and pollution 4. impact of water run off after forest is harvested.. 5. accelerating errosion operating near samish river due to land clearing. 6. trucks entering prairie road off of grip road which is a 90 degree corner.. 7. will there be blasting to mine the rock. 8. how will it impact the wildlife currently present.. 9. it will have a very negative impact on our property value is there anything that can be done..
these are just a few of the questions and concerns we have as long time residents at 21710 prairie road.. please let us know the proper steps to follow to allow our voices to be heard during the process. thank you robert and linda walsh

JohnCooper

From: PDS comments
Sent: Monday, April 18, 2016 6:51 AM
To: JohnCooper
Subject: FW: CNW Gravel pit Grip Rd

Categories: Red Category

From the pdscomments inbox.

From: Steve Garey [mailto:swgarey@gmail.com]
Sent: Friday, April 15, 2016 5:00 PM
To: PDS comments
Subject: CNW Gravel pit Grip Rd

Mr. Cooper, in regard to the recent notice, this community deserves much greater opportunity to comment. My family lives in this neighborhood. There are many concerns that should be addressed before permits are granted for the proposed gravel mine. Heavy truck traffic on narrow roads. Many residents and others using Grip and Prairie roads to avoid congestion to the south. Environmental concerns with the Samish river. Many more. This community should have more time to have their concerns considered. Steve Garey.

JohnCooper

From: LoriAnderson on behalf of Planning & Development Services
Sent: Tuesday, April 19, 2016 11:09 AM
To: JohnCooper
Subject: FW: PDS Comments

From Dept Email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Friday, April 15, 2016 4:35 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Jim Swift
Address : P.O. Box 4227
City : Bellingham
State : Washington
Zip : 98227
email : juliette@raptorgroup.co
Phone : 3609208737
PermitProposal : PL16-0097 & PL16-0098
Comments : I am a large property owner in the area and am concerned about the impact of this project. I would very much like to be notified of any public hearings regarding this proposed project.

From Host Address: 66.114.34.130

Date and time received: 4/15/2016 4:30:41 PM

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Northwest Regional Office 3190 160th SE Bellevue, Washington 98008-5452 (425) 649-7000

June 1, 2016

John Cooper, Natural Resource Planner
Skagit County Planning and Development Services Department
1800 Continental Place
Mt. Vernon, WA 98273

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

Dear Mr. Cooper:

Thank you for sending information on the Grip Road Gravel Mine to the Washington State Department of Ecology (Ecology) for our review and comment. As the Ecology Wetland Specialist responsible for Skagit County, I wish to have the following comments entered into the record. The project submittal provided to us included a mitigated determination of nonsignificance, SEPA environmental checklist, and engineering drawings.

Concrete Nor'west has submitted an application for a forest practice conversion and mining special use permit to develop a gravel mining operation. This 68-acre property consists of three lots (Parcels P125644, P125645, and P50155) that are located northwest of Sedro Woolley in unincorporated Skagit County. The property is located north of Grip Road, south of Prairie Road, and is bisected by the Samish River. The Skagit County iMAP shows the Samish River flowing across the northeast corner of the property in the Warner Prairie area.

The proposed action involves harvesting approximately 50,000 board feet of timber, removing the stumps, and converting the property to a gravel mining operation. This gravel mining operation will remove approximately 4,280,000 cubic yards of gravel over a 25 year period. Gravel will be removed by truck and trailer (generating about 46 truck trips per day) to one of Concrete Nor'wests nearby facilities for processing.

The gravel mine will cover 51 acres and be excavated to within 10 feet of the groundwater table. A 200' buffer of undisturbed vegetation will be provided between the Samish River and the gravel mine. A 50' setback will also be provided along the remaining perimeter of the gravel mine where no grading will occur. All storm water runoff generated within the gravel mine excavation should flow into the closed depression and be prevented from reaching the Samish River.

According to the SEPA environmental checklist, a Fish and Wildlife Site Assessment was prepared by Graham-Bunting Associates. They stated that the toe of the slope adjacent to the Samish River was mapped using LIDAR data. The engineering drawings show the 200' setback from wetlands associated with the Samish River, which I assume occurs at the toe of slope. However, there weren't any maps showing associated wetlands or the ordinary high water mark (OHWM) of the Samish River.

Any wetlands that occur on the property would be waters of the state subject to the applicable requirements of state law (see RCW 90.48 and WAC 173.201A) and Section 401 of the Clean Water Act (33 USC §1341) and 40 CFR Section 121.2. If any wetland impacts do occur, the applicant shall obtain all necessary state and federal authorizations prior to beginning any ground-disturbing activities or vegetation removal. To obtain state and federal authorization, the following items are required:

- A delineation of all wetlands on the property by a qualified wetland biologist, and survey of the delineated wetland boundaries;
- Flagging of the OHWM along the Samish River banks by a qualified biologist, and survey of the boundaries;
- A jurisdictional determination from the U.S. Army Corps of Engineers stating whether the delineated wetlands on the property are under federal jurisdiction;
- Ratings of all wetlands on this property using the current *Washington State Wetland Rating System for Western Washington*;
- A critical area report describing wetland conditions on the property, wetland data sheets, wetland rating forms, and photographs;
- A Joint Aquatic Resources Permit Application form for impacts to jurisdictional wetlands and the Samish River; and
- A mitigation plan for unavoidable wetland and buffer impacts following the standards in *Wetland Mitigation in Washington State – Part 1: Agency Policies and Guidance* (Ecology Publication #06-06-011a).

If you have any questions or would like to discuss my comments, please give me a call at (425) 649-7199 or send an email to Doug.Gresham@ecy.wa.gov.

Sincerely,

Doug Gresham

Doug Gresham, PWS
Wetland Specialist
Shorelands and Environmental Assistance Program

DG:awp

From: McEwan, Ray D. [mailto:McEwanR@wsdot.wa.gov]
Sent: Wednesday, June 15, 2016 1:56 PM
To: JohnCooper
Subject: WSDOT Comments - PL16-0097 & PL16-0098

Dear Mr. John Cooper:

Thank you for giving WSDOT the opportunity to review and comment on SEPA Case Number:

- ***PL16-0097***
- ***PL16-0098***

For proponent – Concrete Nor' west. WSDOT requests a copy of the traffic study prepared by DN Traffic Consultants, to review and comment. If you have any questions, please feel free to contact me at ***(360) 757-5964***.

Regards,

Ray McEwan
Development Services-Access Engineer
Mt Baker Area Headquarters Office
1043 Goldenrod Rd, Ste 101
Burlington, WA 98233
mcewanr@wsdot.wa.gov
(360) 757-5964

JohnCooper

From: McEwan, Ray D. <McEwanR@wsdot.wa.gov>
Sent: Tuesday, June 21, 2016 8:52 AM
To: JohnCooper
Subject: RE: WSDOT Comments - PL16-0097 & PL16-0098

Dear Mr. John Cooper:

Thank you for giving WSDOT the opportunity to review and comment on SEPA Case Number:

- ***PL16-0097***
- ***PL16-0098***

For proponent – Concrete Nor' west. WSDOT has no comments regarding the subject development as presented in the submittal .

However, should any changes be made to the proposal that would alter Trip generation, distribution or use of the site, WSDOT reserves the right to comment on this proposal again. If you have any questions, please feel free to contact me at (360) 757-5964.

Regards,

Ray McEwan
Development Services-Access Engineer
Mt Baker Area Headquarters Office
1043 Goldenrod Rd, Ste 101
Burlington, WA 98233
mcewanr@wsdot.wa.gov
(360) 757-5964

From: JohnCooper [mailto:johnc@co.skagit.wa.us]
Sent: Thursday, June 16, 2016 10:00 AM
To: McEwan, Ray D. <McEwanR@wsdot.wa.gov>
Subject: RE: WSDOT Comments - PL16-0097 & PL16-0098

Ray, Aa per your request, attached is a copy of the traffic plan. Shane with public works is reviewing the plan now to determine if it is adequate.

John Cooper, LG. LHg
Senior Natural Resource Planner/Geologist
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
www.skagitcounty.net/planning
Ph 360-416-1334
johnc@co.skagit.wa.us

JohnCooper

From: PDS comments
Sent: Monday, June 13, 2016 6:48 AM
To: JohnCooper
Subject: FW: PL16-0097 & PL16-0098

Importance: High

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Friday, June 10, 2016 4:50 PM
To: PDS comments
Subject: RE: PL16-0097 & PL16-0098

Dear Mr. Cooper,

This email is in response to the Mitigated Determination of NonSignificance (MDNS) issued on Concrete Nor'west's (CNW) applications for forest practice conversion, PL16-0098, and mining special use permit, PL16-0097, located on CNW's property near Grip Road. We submitted comments on April 14, 2016 in response to the initial legal notice for this proposal. After reviewing the MDNS and the referenced "supporting documents" that we could track down (February 8, 2016 "Traffic Memo" and May 18, 2015 "OHWM Determination"), we feel that the concerns we expressed in our original comments are not addressed. The conditions placed on this proposal do not seem to mitigate the impacts of this project; instead, it appears that existing regulations are simply restated. This project is of a scale that needs much more thorough evaluation and review with real mitigation measures required to reduce the impacts. Either that, or the scale of the project needs to be reduced to a size that is more appropriate to the existing roads and neighborhood.

Our concerns include:

- **Impact of truck traffic on Grip and Prairie Roads:** The proposal states that the project will generate "about 46 *[gravel]* truck trips a day over a 25 year period". This is more than 5 gravel trucks per hour/ 8 hours a day/ 5 days a week for 25 years. This is a stunning amount of truck traffic on small country roads! These roads are not constructed for this kind of industrial level traffic. These roads have little or no shoulder, and this stretch of Grip Road, in particular, is already in poor condition. The traffic "study" only made a perfunctory evaluation of two intersections. It did not address safety in relation to: existing road width and the functionality of the road shoulders; entrance and exit of vehicles from existing farm roads and homes, or the safety of pedestrians and bicyclists (Grip and Prairie Roads are part of a very popular bicycling route). The increased need for road maintenance over time was not addressed. Who will pay for the inevitable damage from the gravel hauling? In addition, the recommendations in the "study" to address the limited sight distance at the intersection of Prairie and Grip Roads was vague and inconclusive, and no reference was made to these recommendations in the MDNS. This is a dangerous intersection already, with a sharp curve and limited visibility on Prairie Road just to the northeast. What will be done about this intersection? Mitigation of all of these issues, including ongoing maintenance and appropriate upgrades to the roads needs to be commensurate with the significant scale of this project. How much additional weight will be carried on these roads with this new gravel truck traffic? What percentage of all of the vehicle traffic is this? Please also consider the impact to the roads over the entire lifetime of the project.

- **Impact to fish and wildlife habitat.** The site of this proposed mine is between Butler Hill and Anderson Mountain; these forested hills remain largely undeveloped and provide important habitat for many native

species. This larger landscape is still capable of supporting cougar and bear (which have been seen in the area fairly recently). These animals require open land to move across the landscape where they do not conflict with humans. At the scale this project is proposed, it will severely reduce the potential for wildlife passage from the north to south between these two areas. A wider setback from the mining operation and the property boundaries would at least provide some undisturbed area for a wildlife corridor. (This could also help to create a better buffer for the noise impacts from the mining activity.) In addition, the project is adjacent to the Samish River which has been the focus of considerable planning effort to prevent further water quality degradation. The river also provides important wildlife cover and travel corridors. A wider buffer on the river and associated wetlands would seem a small price to pay to help maintain a healthy river system and landscape connectivity, especially given the level of noise generated from this project. Finally, what is the impact of the loss of forest cover and mining activity on the hydrology of Swede Creek and the Samish River? This does not appear to be addressed in the proposal. These waterways are already subject to very 'flashy' conditions during rain events that cause problems to public infrastructure, as well as exacerbating water quality concerns.

- **Quality of life.** We continue to be concerned that many people who will be heavily impacted by this proposal are unaware of it. It is not sufficient to simply notify landowners adjacent to the site. What about all the people living on Grip and Prairie Roads who will experience 45 more gravel trucks a day passing by their house, and will be subject to the noise from mining activities for the next 25 years? Don't they deserve to know about this and have some sort of voice in how the project is permitted?

Thank you for the opportunity to comment. Please keep us informed as to the next steps in this permitting process, and any additional conditions placed on the proposed activities.

Sincerely,

Martha Bray and John Day
6368 Erwin Lane
Sedro Woolley, WA 98284

Virus-free

JohnCooper

From: Martha Bray <mbray1107@gmail.com>
Sent: Thursday, April 07, 2016 10:47 AM
To: 'Martha Bray'; JohnCooper
Subject: RE: CNW proposal

PS: It is fine if I don't get this info til next week sometime.
Martha

From: Martha Bray [mailto:mbray1107@gmail.com]
Sent: Thursday, April 7, 2016 10:39 AM
To: 'johnc@co.skagit.wa.us'
Subject: CNW proposal

Hi John,
Thanks for the phone information today on CNW Permit # PL160098 (Forest Practice Conversion) and PL160097 (Special Use Permit for gravel mining). As discussed, I would appreciate some info on these permits via email if possible. If it's not too much work, please send me the SEPA checklists, short project descriptions, and any site maps that are already in PDF form; also, if possible, a description of any required mitigation or conditions that the Planning Dept has already placed on the activities. I would also appreciate knowing what the permitting schedule/time frame is for the mining special use permit.
Thanks again,
Martha Bray
856-0644

Virus-free. www.avast.com

Robert & Linda Walsh
21710 Prairie Road
Sedro Woolley WA 98284 (360) 708 7736 phone

Owners of Parcels #P50099, P50100 & P50105

Our property is adjacent to the Concrete Nor'West property. I am representing my husband, our 4 children and their significant others and our 5 grandchildren. Our children grew up on the Samish property and continue to enjoy the peace, beauty and wildlife of a park like setting with their families. We are concerned this type of industry will be very disruptive to this area.

Our first concern is safety. There are many bicycles, people walking dogs etc and no shoulders. We will have more young drivers on the road in a few short years and our little prairie road is curvy and has no shoulder and with large dump truck with trailers constantly using it causes us all some concern. The information does not say which road they will come out on but we are assuming it would be from Grip Road onto Prairie. If this is the case I encourage all of you in the decision making process to take a drive out to our area and imagine a constant stream of large trucks with two way traffic. Grip Road joins Prairie Road at a nearly 90degree corner which is less than favorable for large trucks to be pulling out onto. If it were just a few trucks it would be one thing but the truck numbers reported in the paper are approximately 6 trucks per hour which is a truck every 10 minutes, virtually all day long. Where does a bicyclist or person walking go if there are met with trucks going both ways. The roads are only chipped sealed and are not in the greatest of shape as it is and all this heavy traffic will break the road down very fast will there be any additional road improvements due to this?

Should we expect this mining will cause a sharp decline in our property value due to all the factors and especially as the years move forward and the Pit becomes more noticeable?

Below are some of our concerns and we would like to know how they will be addressed:

The proposed land is within several hundred feet of the Samish River.

We have enjoyed the Nesting Eagles for decades and are wondering what the impact will be on them. The constant noise and vibration of getting the gravel will be very disturbing to them and their young, how can this be dealt with?

The Salmon run in the Samish and there are already restrictions, what will Concrete Nor'west have to do to protect the habitat.

Eagles and fish are only a few of the animals which use that habitat, to name a few more there are deer, coyotes, rabbits, possums, squirrels, raccoons and various birds. We live out here because we enjoy the outdoors and wildlife and they will be displaced having a great impact on the area.

What will be done to control erosion from the mining and the logging that will need to be done in order to get to the gravel? Removing all the trees, which absorb many thousands of gallons of water each year will leave the land unprotected from all our rain and increase the potential of flooding.

How close to our property line will they be able to mine? As the years go and the mine becomes a large Open PIT how is our land that is adjacent to it protected from the ledge that will be created? What happens when it is all mined out.... What do the proposed reclamation plans look like? Who will protect our property from damage?

Will there be any type of Blasting to get the rock? If so what safety measures and other measures will

be in place to protect us and the wildlife?

We would like to know what the hours of operation will be.
We are asking that it be restricted, just like it is in Mount Vernon and Clear Lake.
If this is allowed to go forward we hope the hours will be restricted to weekdays limited hours.
Special care being given to early hours and end of the day hours when the School buses are running. As I said earlier, come on out and drive the road, even better have a dump truck and trailer (or 46) come out with you and see how much room is left on the road. Especially the drivers are there to make money and will be going the maximum speed limit, just as we see other large trucks do, often taking the corners over the mid -line.

Below is a Summary of our questions and concerns we would like addressed.

Safety- roads - Additional repairs and maintenance - Mud and gravel left on the roadway from trucks. Also rocks flying off trucks

Erosion - What Buffer Zone will we have between our properties to control erosion.. What will protect our property in years to come if there is damage due to the mining?

Buffer Zone between the mining and the river? What Happens if the Pit floor drops below the floor of the Samish River.. can it change the course of the River?
Will there be a Open pit hole left with water when the mining is complete years from now? What are reclamation plans?

Eagles, Salmon and other wildlife - How are they protected from all the constant Noise and Dust and Vibrations. Even as I type this letter I can hear the Eagles "talking" outside. They do not like loud noises.

Blasting- will there be any?

Will there be any requirements for them to provide land owners some privacy from the ugliness of the mining?

The Dust created will have an impact on animals and the hay and other nearby crops as well, what can be done?

Will the hours of operation be restricted to weekdays with limited hours?

Who has surveyed the property so the boundaries are clearly defined?

Should we expect a decline in our property value?

John Cooper

From: Donald Butterfield <acupuncturedoeswork@gmail.com>
Sent: Wednesday, December 07, 2016 8:12 AM
To: John Cooper
Subject: concrete northwest

I have looked on your site to try and write a letter of concern about the proposed Concrete NW request for a gravel pit. There is no copy of the proposal I can find. This does not make it easy to comment. This does not make it a public comment. I am against putting another gravel pit in this area with all the noise and dust it creates. It will also increase traffic in the area. I also don't know what impact it will have on streams entering the Samish basin. These would have been nice to see but again no access to the proposal. Don Butterfield

John Cooper

From: NICK & NICOLE <NICNICK31@msn.com>
Sent: Monday, December 19, 2016 7:37 AM
To: Commissioners; John Cooper; Planning & Development Services; betta@co.skagit.wa.us
Subject: Proposed Gravel Mine

To Whom It May Concern:

It has recently come to my attention that Concrete Nor'West has applied to open a gravel mine near the Samish River. As a resident on Prairie Rd I have many concerns about this proposal, including impacts to residents such as noise, visual, dust, safety and inadequate road systems. I was surprised to hear that this project has been under consideration for some time and disappointed that most local residents have not been notified and are unaware.

My understanding is that the county realized that inital notification was indeed insufficient and have now notified property owners within 300 feet of Concrete Nor'west's contiguous parcels and also re-opened the comment session for the proposal, from December 15-December 30th.
While I appreciate the expansion of notification and comment session, I still have several concerns.

My first concern is that the scope of notification is too small. I am not within 300 feet of these parcels, and will not receive notification from the county. Likewise, most residents along Grip and Prairie Rd will not be notified. There are many small and private roads that use Prairie Rd daily that will not receive notification. Unfortunately, it puts a burden of both time and money on the few informed residents to spread the word up and down miles of country road to encourage people to give their feedback to the county during an open comment period of 2 weeks.

I'm sure the county would like people who give feedback to be educated on the proposal and not just respond in an emotional manner or be swayed by others opinions. This requires time to research and educate oneself. With the holidays nearing, many county employees who provide that information may understandably take vacation time away from work to spend with families. In fact, it has come to my attention that John Cooper, who is the Senior Natural Resource Planner and listed contact for this project, will be out of his office December 22nd through January 2nd and unavailable to answer questions. In addition, it is easy to imagine my neighbors will be busy with the holidays and find it difficult to spend adequate time considering and responding to this proposal. Therefore, I ask that this comment period be extended to allow residents to be informed by both the county and their neighbors.

I also ask that expanded notification be provided by mail to any resident who is within sight or sound of the proposed mine. Additionally, I request that residents who live on or near the proposed travel route of the gravel trucks be contacted and notified as well. This should include all residents along Grip Rd and Prairie Rd, as well as the small roads that are found along their length. Currently, with the exception of one, signs posted are 8 1/2x 11 inches and not readable from the road. Because our roads our narrow and without shoulders it seems dangerous to ask residents to stop and read these signs from the road nor is it fair to ask them to park on private property and return on foot to read signs. I have attached a photo as example of the sign notification that is currently in place as seen from Grip Rd.

Residents of our county have the right to be fully informed and a project of this magnitude should require notification beyond what is required for residential construction. Thank your for your time and any effort you may take to ensure that all residents have a fair opportunity to become informed in a safe and timely manner.

Sincerely,

Nicole Nickelson
20636 Prairie Rd
Sedro Woolley
360-362-9174



John Cooper

From: normfranwasson@gmail.com
Sent: Wednesday, December 21, 2016 11:42 AM
To: John Cooper
Subject: Open Pit Gravel Mine permit #PL16-0097

Dear Mr. Cooper;

I would like to express some concerns that my neighbors and I have regarding the Concrete Nor'West proposed open pit gravel mine between Grip and Prairie roads. Permit #PL16-0097.

Why is there no Environmental Impact Statement or Study required?

The Samish River flows around the gravel mine site from the Northeast to the South Southeast. What happens if this promontory suffers a devastating slide similar to what happened in Oso disaster on the Stillaguamish river several years ago? What happens to the houses and farms directly across the river from this proposed gravel pit mine site?

How will the groundwater be affected as gravel mine is excavated 50 to 90 feet deep? How will this affect the household wells of the residents sharing the plateau with this gravel pit mine?

What is the consideration for public safety as these GVW 105,000 lbs truck/ trailer combos barrel down a narrow, steep and winding Grip road to Prairie road? There are no shoulders on either of these roads that are safe for pedestrians, children or bicycles. That the entrance to Prairie road from Grip road is a totally blind corner from both directions is a disaster waiting to happen needs to be addressed.

Why are we, the property tax payers, required to finance the resurfacing of our roads, after being destroyed by these overweight trucks, for this corporations profits?

Why is there no mention of the noise, dust and vibrations from the operation of this gravel mine? And why is there no limitation on the hours of operation of this proposed open pit gravel mine so we, the residents of this rural area, may preserve our quiet country lifestyle?

Who will recompense the property owners in this area from decline in property values incurred by this gravel mine?

The Samish river is a major salmon bearing stream. How can you not have an Environmental Impact Study initiated when this gravel mine could potentially send large amounts of silt into the sensitive spawning areas downstream?

This whole gravel mine proposal has the feeling of local government jumping through the hoops of big business at the expense and disregard of the local property owners.

Thank you for your time.

Norman Wasson

20836 Prairie R

Sedro Woolley, WA 98284

(360)724-5054

Sent from Mail for Windows 10

John Cooper

From: Debra L. Nicholson
Sent: Wednesday, December 21, 2016 11:39 AM
To: John Cooper
Subject: FW: Open Pit Gravel Mine permit #PL16-0097

From: normfranwasson@gmail.com [mailto:normfranwasson@gmail.com]
Sent: Wednesday, December 21, 2016 11:32 AM
To: PlanningCommissioners
Subject: Open Pit Gravel Mine permit #PL16-0097

Dear Planning Commission;

This is in regards to the proposed 68 acre open gravel pit mine by Concrete Nor'west between Grip and Prairie roads. Permit #PL16-0097.

Why is there no Environmental Impact Statement or Study required?

The Samish River flows around the gravel mine site from the Northeast to the South Southeast. What happens if this promontory suffers a devastating slide similar to what happened in Oso disaster on the Stillaguamish river several years ago? What happens to the houses and farms directly across the river from this proposed gravel pit mine site?

How will the groundwater be affected as gravel mine is excavated 50 to 90 feet deep? How will this affect the household wells of the residents sharing the plateau with this gravel pit mine?

What is the consideration for public safety as these GVW 105,000 lbs truck/ trailer combos barrel down a narrow, steep and winding Grip road to Prairie road? There are no shoulders on either of these roads that are safe for pedestrians, children or bicycles. That the entrance to Prairie road from Grip road is a totally blind corner from both directions is a disaster waiting to happen needs to be addressed.

Why are we, the property tax payers, required to finance the resurfacing of our roads, after being destroyed by these overweight trucks, for this corporations profits?

Why is there no mention of the noise, dust and vibrations from the operation of this gravel mine? And why is there no limitation on the hours of operation of this proposed open pit gravel mine so we, the residents of this rural area, may preserve our quiet country lifestyle?

Who will recompense the property owners in this area from decline in property values incurred by this gravel mine?

The Samish river is a major salmon bearing stream. How can you not have an Environmental Impact Study initiated when this gravel mine could potentially send large amounts of silt into the sensitive spawning areas downstream?

This whole gravel mine proposal has the feeling of local government jumping through the hoops of big business at the expense and disregard of the local property owners.

Thank you for your time.

Norman Wasson

20836 Prairie R

Sedro Woolley, WA 98284

(360)724-5054

Sent from Mail for Windows 10

John Cooper

From: Don and Karolyn Allgire <dkallgire@hotmail.com>
Sent: Wednesday, December 21, 2016 8:24 AM
To: John Cooper
Cc: sbc-rides@googlegroups.com
Subject: Proposed Gravel Pit

Mr. Cooper,
In 1994 I built a home for my wife and myself 17939 Valley Ridge Lane, off of Hickox Road, Mount Vernon. The truck traffic to and from the Rock Quarry was for the most part considerate of the speed limit. There was however no shoulder to walk. My wife volunteered to adopt the road and keep the litter picked up. The county however would not allow her to do so as there was no shoulder and it was too unsafe. In 2004 we sold that home and moved into Mount Vernon where we had sidewalks.

The proposed Gravel Quarry in Sedro Wooley would useful for construction and having built a home and being a Carpenter I understand. As a cyclist it is always problematic to find a "Safe" place to ride. Providing a "Bike Lane" wide enough for truck traffic to safely pass, including the truck mirrors, in my mind should be a requirement of this project. Amortizing the cost over 25 years (the stated life of the Quarry) puts the cost into a feasible, doable perspective.

It is notable that the developers of the existing Rock Quarry on Hickox Road told us at an open house in 1996 the quarry would cease operations by 2008, which did not happen. It would be reasonable to conclude that the proposed Quarry may operate longer than 25 years spreading the cost of "Bike Lanes"over an even longer period of time.

Respectfully,
Donald Allgire, 1607 Birch Court, Mount Vernon, Wa

John Cooper

From: Vicky Gonzalez on behalf of Commissioners
Sent: Wednesday, December 21, 2016 8:11 AM
To: Dale Pernula; Ryan Walters; John Cooper
Subject: FW: GRIP RD GRAVEL PIT

Vicky Gonzalez (ext. 1311)
Administrative Coordinator
Administrative Services
Skagit County Commissioners' Office
1800 Continental Place, Suite 100
Mount Vernon, WA 98273
☎ (360) 416-1311
vickyg@co.skagit.wa.us

From: Rickeleazer [mailto:rickeleazer@aol.com]
Sent: Tuesday, December 20, 2016 8:53 AM
To: Commissioners
Subject: Re: GRIP RD GRAVEL PIT

Thank you for the update.
It's greatly appreciated.
Have a Happy Hoilday.
Thanks.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Commissioners
Sent: Tuesday, December 20, 2016 8:48 AM
To: 'Rickeleazer@aol.com'
Subject: RE: GRIP RD GRAVEL PIT

Hello, and thank you for contacting the Skagit County Commissioners with your concerns about the proposed Grip Road mining operation.

If you would like more information, the Skagit County Planning Department has a site plan and additional details about the proposed mining operation available at its office. The Planning Department is also taking comment by mail or email through February 2017 (not Dec. 30 as stated in the original letter.)

If you have feedback about the proposal and you would like it noted on the official record, you can write to:
John Cooper, Planner/Geologist
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
You can also submit comments electronically http://www.skagitcounty.net/pdscomments

The public meeting regarding the permit has not yet been scheduled, but would likely occur in early February 2017. Once it is scheduled, the meeting will appear on our online events and meetings calendar: http://skagitcounty.net/Departments/Home/EventCalendar.htm

Thank you for your feedback, and please share this information with your neighbors as you see fit.

From: Rickeleazer@aol.com [mailto:Rickeleazer@aol.com]
Sent: Monday, December 19, 2016 5:55 PM
To: Commissioners
Subject: GRIP RD GRAVEL PIT

TO WHOM IT MAY CONCERN:
Can You Please Let Me know when the meeting is for the Gravel Pit. I want to inform others.
Also, here is a revised Letter that I'm handing out to our neighbor hood.
While walking I had seen someone else is handing out a ""Flyer" with concerns about the gravel pit.
Talked to a few people, whom have hired attorneys, I was suprised.
I guess, I'm not the only one against this.

John Cooper

From: Vicky Gonzalez on behalf of Commissioners
Sent: Wednesday, December 21, 2016 8:08 AM
To: Dale Pernula; John Cooper
Subject: FW: Proposed mine site on Grip RD

Vicky Gonzalez (ext. 1311)
Administrative Coordinator
Administrative Services
Skagit County Commissioners' Office
1800 Continental Place, Suite 100
Mount Vernon, WA 98273
(360) 416-1311
vickyg@co.skagit.wa.us

-----Original Message-----
From: garcia4@wavecable.com [mailto:garcia4@wavecable.com]
Sent: Tuesday, December 20, 2016 8:07 AM
To: Commissioners
Subject: Proposed mine site on Grip RD

Hello,

I have lived on Grip Road for the past 20 years. I have watched school buses and occasionally dump trucks travel our country road. There are no shoulders on our road, but residents walk their dogs, kids and ride bikes safely on my road. In fact, our road is a very popular part of many local organized bicycle rides, Cascade Bicycle Club, as well as local residents looking for some fresh country air and exercise.

The proposed mine and the 46 dump double trailer loads traveling up and down my road 6 days-a-week is unacceptable. I am concerned about the destruction of my community with unsafe double load trailers rumbling up and down my road, which was never designed for the loads that Concrete Northwest proposes . My concerns span the following: safety of pedestrians, bike riders and residents driving, integrity of the Samish River bridge, polluting the Samish River and other creeks that run in the area, the blind corner at Prairie Rd. intersecting Grip Rd., the width of roads to accommodate double trailers on the switch back hill on Grip Rd, and in general the destruction of the peaceful community my family and I have been a part of for 20 years.

There is no way Concrete Northwest can live in my community without destroying it. The residents of my community do NOT want nor welcome Concrete Northwest. This project needs to be stopped.

Steve and Andrea Garcia
22199 Grip RD.
Sedro Woolley
854/7857

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Tuesday, December 20, 2016 3:05 PM
To: John Cooper
Subject: FW: PDS Comments

From dept email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Tuesday, December 20, 2016 11:55 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Norman Wasson
Address : 20836, Prairie Road
City : Sedro Woolley
State : Washington
Zip : 98284
email : normfranwasson@gmail.com
Phone : 3607245054
PermitProposal : #PL16-0097
Comments : This is in regards to the proposed 68 acre open gravel pit mine by Concrete Nor'west between grip and Prairie roads. Permit #PL16-0097.

Why is there no Environmental Impact Statement or Study required?
The Samish River flows around the gravel mine site from the Northeast to the South Southeast. What happens if this promontory suffers a devastating slide similar to what happened in Oso disaster on the Stillaguamish river several years ago? What happens to the houses and farms directly across the river from this proposed gravel pit mine site?
How will the groundwater be affected as gravel mine is excavated 50 to 90 feet deep? How will this affect the household wells of the residents sharing the plateau with this gravel pit mine?
What is the consideration for public safety as these GVW 105,000 lbs truck/ trailer combos barrel down a narrow, steep and winding Grip road to Prairie road? There are no shoulders on either of these roads that are safe for pedestrians, children or bicycles. That the entrance to Prairie road from Grip road is a totally blind corner from both directions is a disaster waiting to happen needs to be addressed.
Why are we, the property tax payers, required to finance the resurfacing of our roads, after being destroyed by these overweight trucks, for this corporations profits?
Why is there no mention of the noise, dust and vibrations from the operation of this gravel mine? And why is there no limitation on the hours of operation of this proposed open pit gravel mine, so we, the residents of this rural area, may preserve our quiet country lifestyle?

Who will recompense the property owners in this area from decline in property values incurred by this gravel mine?
The Samish river is a major salmon bearing stream. How can you not have an Environmental Impact Study initiated when this gravel mine could potentially send large amounts of silt into the sensitive spawning areas downstream?
This whole gravel mine proposal has the feeling of local government jumping through the hoops of big business at the expense and disregard of the local property owners.

Thank you for your time.

Norman Wasson
20836 Prairie R
Sedro Woolley, WA 98284
(360)724-5054

From Host Address: 204.195.14.126

Date and time received: 12/20/2016 11:52:28 AM

John Cooper

From: garcia4@wavecable.com
Sent: Tuesday, December 20, 2016 8:12 AM
To: John Cooper
Subject: Proposed Gravel Pit on Grip RD.

Hello,

I have lived on Grip Road for the past 20 years. I have watched school buses and occasionally dump trucks travel our country road. There are no shoulders on our road, but residents walk their dogs, kids and ride bikes safely on my road. In fact, our road is a very popular part of many local organized bicycle rides, Cascade Bicycle Club, as well as local residents looking for some fresh country air and exercise.

The proposed mine and the 46 dump double trailer loads traveling up and down my road 6 days-a-week is unacceptable. I am concerned about the destruction of my community with unsafe double load trailers rumbling up and down my road, which was never designed for the loads that Concrete Northwest proposes . My concerns span the following: safety of pedestrians, bike riders and residents driving, integrity of the Samish River bridge, polluting the Samish River and other creeks that run in the area, the blind corner at Prairie Rd. intersecting Grip Rd., the width of roads to accommodate double trailers on the switch back hill on Grip Rd, and in general the destruction of the peaceful community my family and I have been a part of for 20 years.

There is no way Concrete Northwest can live in my community without destroying it. The residents of my community do NOT want nor welcome Concrete Northwest. This project needs to be stopped.

Steve and Andrea Garcia
22199 Grip RD.
Sedro Woolley
854/7857

John Cooper

From: Brandon Black
Sent: Friday, December 16, 2016 1:58 PM
To: John Cooper
Subject: FW: PDS Comments

These should have gone to you.

Brandon Black
Senior Planner – Team Supervisor
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

PHONE: (360) 416-1326
EMAIL: brandonb@co.skagit.wa.us

"Helping You Plan and Build Better Communities"

From: Lori Anderson **On Behalf Of** Planning & Development Services
Sent: Friday, December 16, 2016 12:13 PM
To: Annie T. Matsumoto-Grah; Brandon Black
Subject: FW: PDS Comments

From dept email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Friday, December 16, 2016 10:50 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Paula Shafransky
Address : 22461 Prairie Road
City : Sedro-Woolley
State : WA
Zip : 98284
email : pshafransky@gmail.com
Phone : 3608561637
PermitProposal : Concrete Nor'west Gravel Mine
Comments : I am writing to voice my concerns over the proposed gravel mine near Prairie and Grip roads. One of my concerns is the location and size of the project. I believe the scope and location of this operation would

compromise the quality of rural life in this area in terms of increased traffic and noise. I am also concerned about the number of trucks on the roads, especially at the intersection of Grip and Prairie roads. This is a blind intersection coming off of Prairie road and heading toward Highway 99. It's already a problem. Large trucks coming in and out of there many times per hour will only worsen the situation. As a resident of this area I like the feel of our rural roads and don't want to see them overrun or widened to accommodate larger vehicles. Thank you for your consideration in this matter.

From Host Address: 24.113.225.148

Date and time received: 12/16/2016 10:48:14 AM

15 December 2016

John Cooper, Planner/Geologist
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west application mining special use permit, PL 16-0097

Dear Mr. Cooper
Thank you for the opportunity to provide comments on the above referenced project.

We are in favor of the general project but have concerns regarding traffic safety due to the increase in large truck traffic on Grip Road, and both the Grip/Prairie Road and Prairie Road/Highway 99 intersections. We live on Grip Road and drive through both intersections on a daily basis. We are therefore aware of the traffic at all hours and times of the year at these intersections. Our concerns and recommendations are as follows:

We have reviewed the traffic study completed by DN Traffic Consultants dated February 8, 2016. In said study, the Prairie Road/Highway 99 has a level of service of C with the Prairie/Grip intersection having a level of service of A. Level of service is based on traffic count and resultant flow or usage. Neither of these studies includes site distance or speed.

The intersection of Prairie Road/Highway 99 is dangerous because there is no stop sign on Highway 99. We have witnessed several accidents at this location when vehicles cross Highway 99 from either Prairie Road heading west from Bow Hill Road heading east onto Prairie Road. This intersection requires a traffic calming devise constructed, such as a roundabout that will slow the higher speed traffic that travels north and south on Highway 99 through this intersection without a stop sign. Such a calming device will increase safety when traffic crosses or enters travelling at this intersection. This was not addressed in the traffic study.

When one enters Prairie Road from Grip Road turning in a westerly direction, the intersection of Grip Road and Prairie Road is essentially "blind". Although we "look both ways" when entering Prairie Road from Grip Road, because the sight distance in an easterly direction is limited, traffic travelling west on Prairie Road, due to speed, comes close to us, creating a hazardous situation. This situation is indicated by the DN Traffic Consultants in their Table 2 where the observed sight distance is 202 feet with a required 445 feet.

DN Traffic Consultants offer "Alternative Mitigation" to regrade portions of the intersection and widen Prairie Road. Stating these two options "*would ultimately fix the sight distance deficiency*". However the DN Traffic Consultants next comment, "*obviously the cost of either option would be beyond what would be commiserate (sic)*

with the mitigation required..." DN Traffic Consultants suggest a temporary solution to have a flagger control the intersection, or, to install a flashing beacon at the intersection. Both have a cost estimate and further state they are interim solutions until the "*County has sufficient funds to improve the sight distance*". DN Traffic Consultants does not provide a cost estimate for their preferred alternative to widen the intersection nor a time frame for the "temporary fix".

Now that there is a nexus for an upgrade, due to the increased traffic flow of large trucks, we encourage the county to require the following for safety.

Construct a roundabout at the intersection of Bow Hill/Prairie Road and Highway 99 to calm the flow along Highway 99 to enable those of us that use the intersection, greater safety when we cross said intersection.

Also, widen the intersection of Prairie Road and Grip Road.

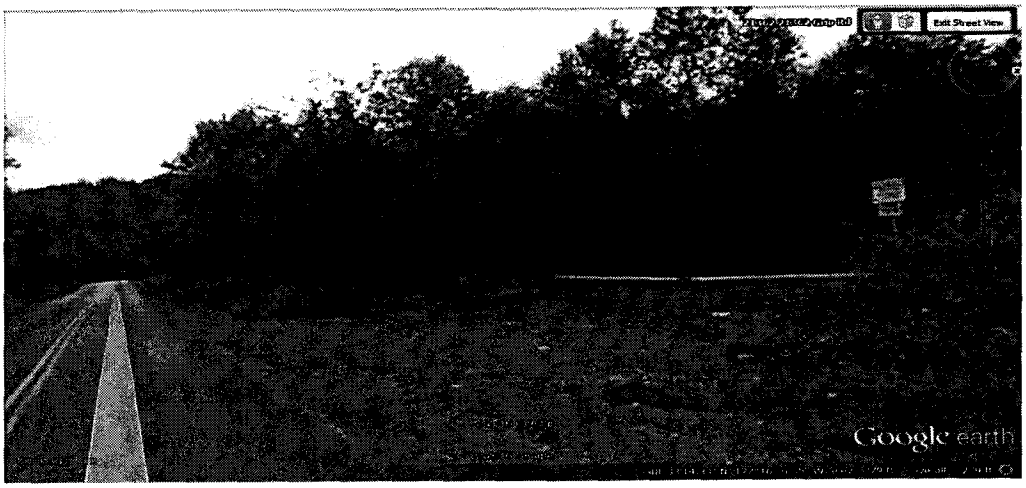
Safety problems at these two intersections have been ongoing. With the traffic consultant's strong recommendation of permanent solutions, these changes must be made regardless of cost. Increased traffic (46 large truck trips per day), speed, and visibility issues will create a setting for a terrible accident. Temporary fixes foster a false sense of safety.

We request this letter be considered and addressed by county staff and the Hearings Examiner when this permit application comes before the court. We also request to be notified for all hearings and/or decisions as they are scheduled and determined.

Respectfully

Jim Wiggins Abbe Rolnick

21993 Grip Road
Sedro-Woolley, WA 98284



Just found out that Concrete Nor' West wants to open a Gravel Pit on the Grip Rd, just off Prairie Rd. Which is located on the 1000 Block of Grip Road. Just above Swede Creek & the Samish River.

The Proposed Site is on the windy hill side heading off of Prairie Rd on Grip Rd. There is a yellow locked gate approx. ¾ mile to the NE side of Rd from Prairie, on Grip, to the site.

I live in this neighborhood. My concern for the Watershed, and our Natures Animals to this area. Then of Course, Pollution Run off from 46 dump trucks 6--Days a week, or more. Then to add in Sub-Contractors or Rental Dump Trucks. All the pollutants from them, will run into the ditches, which dumps into the Creeks and Rivers downstream. This will affectively in time, kill off any water migrating animals and wildlife that drink that water.

I work in heavy construction. Dump Trucks and Equipment break down. They spill Hydraulic Oil, Engine Oils, Diesel, and Anti-Freeze. They're called accidents, or Mechanical Breakdowns

Then combine this with Pedestrian and Traffic Safety, along with the Integrity of the Road. There hasn't been any "" Notice Signs"" posted on the road stating "" Proposed land Use" . There is one posting hidden off the roadway, on the proposed gravel access road to the site.

Another concern about is the structural integrity of the oil mat roadway breaking up. It's not designed for Heavy Truck Traffic. Then after repairing the oil mat roads, adding more pollutants into the waters, and storm runoff ditches, to the surrounding the areas.

The one of many concerns is for the Swede Creek Bridge. Is it designed for all that weight? Day after day. Is it Structurally Sound? Traffic Congestion at Prairie Rd & Grip intersection? ""Blind Corner"", Accidents are there all the time, poor planning. A flashing light that Concrete Nor'West is proposing to install for "caution", is ludicrous. On Grip or Prairie is horrible for us that drive that on a daily basis.

This road is not designed for heavy traffic. It's intention is for light traffic. There is no way you can have two trucks and trailers going up and down this windy road, side by side, at one time. Their trailers will swing into each other. This road is not wide enough for pedestrians, bicycles, traffic & dump trucks. It's a rural road, meant for normal residential traffic & school buses.

This project has been secretly done, with no input from the Community, or Neighborhoods. No Meeting. No effort to inform the public.

All I have heard is there is a meeting in January 2017, from King 5 News. Seattle. This is how I found out about this proposed Strip Mining and Proposed New Gravel Pit.

Please Call or Write. Skagit Co. Commissioners.-- Sedro Woolley Mayor/ Commissioners —Dept. of Ecology—Dept. of Fish and Wildlife—Governors—State Senators—Etc.

Very Concerned.

RECEIVED
DEC 19 2016
SKAGIT COUNTY
PDS

15 December 2016

John Cooper, Planner/Geologist
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west application mining special use permit, PL 16-0097

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We request this letter be considered and addressed by county staff and the Hearings Examiner when this permit application comes before the court. We also request to be notified for all hearings and/or decisions as they are scheduled and determined.

Respectfully

Jim Wiggins Abbe Rolnick

21993 Grip Road
Sedro-Woolley, WA 98284

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Monday, December 19, 2016 12:31 PM
To: John Cooper
Subject: FW: PDS Comments

From Dept Email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Monday, December 19, 2016 11:15 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Frank L Phillips
Address : 22461 Prairie RdConcrete Nor
City : Sedro Woolley
State : WA
Zip : 98284
email : fphillips67@gmail.com
Phone : 3608561637
PermitProposal : Concrete Nor'West open pit gravel mine
Comments : I am against the opening of another gravel mine in this area of Skagit Co. There are already several mines in the area and to my knowledge there has not been any reclamation to these mines. The proposed mine will add additional stress to the infrastructure of roads and environment in the area. This is where we have chosen to live, because of the environment and quality of life and additional mining will negatively impact this.Concrete Nor'West is a division of Miles sand and gravel, which is not a Skagit county company and I think this is their attempt at taking our resources. Let them take resources from where they live and leave our neighborhood to the people who live here. Please do not approve this project.
Thank you,
Frank Phillips

From Host Address: 24.113.225.148

Date and time received: 12/19/2016 11:12:21 AM

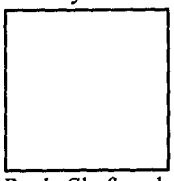
John Cooper

From: Vicky Gonzalez on behalf of Commissioners
Sent: Monday, December 19, 2016 12:21 PM
To: Dale Pernula; Ryan Walters; John Cooper
Subject: FW: Concrete Nor'west open pit gravel mine

Vicky Gonzalez (ext. 1311)
Administrative Coordinator
Administrative Services
Skagit County Commissioners' Office
1800 Continental Place, Suite 100
Mount Vernon, WA 98273
☎ (360) 416-1311
vickyg@co.skagit.wa.us

From: Paula Shafransky [mailto:pshafransky@gmail.com]
Sent: Monday, December 19, 2016 11:25 AM
To: Commissioners
Subject: Concrete Nor'west open pit gravel mine

I am writing to respectfully request an extension for public comments until the end of January on this gravel mine proposal. People in the area are just now being made aware of it. The person to call for questions, John Cooper, will be out of the office from December 22nd until January 2nd. We need more time for people to submit their thoughts and concerns. Thank you for your attention to this matter.



Paula Shafransky
22461 Prairie Road
Sedro Woolley, WA 98284
360-856-1637

John Cooper

From: website
Sent: Friday, December 16, 2016 7:00 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Kathryn Longfellow
Address : 5318 Cedar Ridge Pl
City : Sedro Woolley
State : WA
Zip : 98284
email : klongfellow@frontier.com
Phone : 3608549910
PermitProposal : PL16-0097
Comments : I would like to know the method of extraction and how much noise it will create. How far away will the noise be heard? We have nesting eagles. Will this activity affect the eagles habitat? The Samish River has known pollution issues and many dollars have been spent to reduce the pollution. Will the mining of gravel create additional pollution issues? If so, how will that be mitigated? The corner of Grip and Prairie road is already a hazard with poor sight distance for vehicle drivers along with corners and elevation. Traffic revisions are needed. I think a roundabout would reduce the potential accident issues.

From Host Address: 50.34.113.131

Date and time received: 12/16/2016 6:57:50 PM

John Cooper

From: website
Sent: Sunday, December 18, 2016 12:00 PM
To: Planning & Development Services
Subject: PDS Comments

Name : David Lee, PE
Address : 4611 Prairie Lane
City : Sedro-Woolley
State : WA
Zip : 98284
email : leedd@wavecable.com
Phone : 360-856-1156
PermitProposal : PL 1 6 - 0 0 97
Comments : There should be significant concern with the site distance issues at the intersection of Grip and Prairie Road. The exisitng sitedistance issues at the intersection without the added truck traillers nd trailers is dangerous. Simply adding a yellow flashing light does not solve the problem.

Realistically CNW should be required to make significant improvements at the Grip/Prairie Road intersection to remove the existing site distance issues. In particular, the site distance issues that exist while traveling westbound on Prairie Road and approaching this intersection at essentially a blind corner.

The trucks having to enter Prairie Road off Grip have to do so while on an adverse grade making acceleration onto Prairie Road very slow, especially considering that these trucks will be loaded. Westbound traffic on Prairie will not see a truck entering onto Prairie until they are nearly at the intersection.

From Host Address: 24.113.226.111

Date and time received: 12/18/2016 11:58:27 AM

John Cooper

From: website
Sent: Saturday, December 17, 2016 5:05 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Jason
Address : Haugland
City : Sedro-Woolley
State : Wa
Zip : 98284
email : Jhaugland3@gmail.com
Phone : 5129139936
PermitProposal : 3607245006
Comments : Hello- I'm referencing the development action file #pl16-0097 gravel mine on grip rd. They had offered all of the Prairie rd residents bordering this site money to build a bridge across the Samish river several times and were denied because of the effect it would directly have to our protected ,salmon habitat and Eagle nesting grounds. Not to mention the added unneeded traffic to a road in much need of improvements. At the proposed intersection of grip and Prairie is a dangerous blind corner and I have had a neighbor had a tragic accident there years ago when the road was able to accept the local traffickers . We as land owners have such restrictions to protect this environment how is mining 24/7!off f the corner of my property going to effect the local wildlife and local land owners? This is the worst thing that Skagit valley could possibly do to the Samish river valley. The strip logging on top of f and s grade road hill has already caused extreme run off into the Samish river this will undoubtedly add enough to possibly destroy the local salmon spawning streams with all the machinery noise and leaking fuel and oil I doubt the Eagles will remain either!! Please hear our concerns and put a stop to this. I drive my family down that section of Prairie rd everyday very cautiously as it is I can't imagine 24/7 gravel trucks turns from grip to Prairie will not result in a tragic accident once again. Hear us please!!! We weren't informed about hearings until it was too late. What else can I do to stop this please send me any information you can. All of my neighbors are up in arms about this and the environmental impact it will have. Not to mention the restrictions you have put on us as land owners how can some corporation just come in waves money and you just say ok???
Thanks Jason Haugland

From Host Address: 24.113.224.122

Date and time received: 12/17/2016 5:02:54 PM

John Cooper

From: NICK & NICOLE <NICNICK31@msn.com>
Sent: Monday, December 19, 2016 7:51 AM
To: John Cooper; commisioners@co.skagit.wa.us; Planning & Development Services
Subject: Proposed Gravel Mine

To Whom It May Concern:

It has recently come to my attention that Concrete Nor'West has applied to open a gravel mine near the Samish River. As a resident on Prairie Rd I have many concerns about this proposal, including impacts to residents such as noise, visual, dust, safety and inadequate road systems. I was surprised to hear that this project has been under consideration for some time and disappointed that most local residents have not been notified and are unaware.

My understanding is that the county realized that inital notification was indeed insufficient and have now notified property owners within 300 feet of Concrete Nor'west's contiguous parcels and also re-opened the comment session for the proposal, from December 15-December 30th.
While I appreciate the expansion of notification and comment session, I still have several concerns.

My first concern is that the scope of notification is too small. I am not within 300 feet of these parcels, and will not receive notification from the county. Likewise, most residents along Grip and Prairie Rd will not be notified. There are many small and private roads that use Prairie Rd daily that will not receive notification. Unfortunately, it puts a burden of both time and money on the few informed residents to spread the word up and down miles of country road to encourage people to give their feedback to the county during an open comment period of 2 weeks.

I'm sure the county would like people who give feedback to be educated on the proposal and not just respond in an emotional manner or be swayed by others opinions. This requires time to research and educate oneself. With the holidays nearing, many county employees who provide that information may understandably take vacation time away from work to spend with families. In fact, it has come to my attention that John Cooper, who is the Senior Natural Resource Planner and listed contact for this project, will be out of his office December 22nd through January 2nd and unavailable to answer questions. In addition, it is easy to imagine my neighbors will be busy with the holidays and find it difficult to spend adequate time considering and responding to this proposal. Therefore, I ask that this comment period be extended to allow residents to be informed by both the county and their neighbors.

I also ask that expanded notification be provided by mail to any resident who is within sight or sound of the proposed mine. Additionally, I request that residents who live on or near the proposed travel route of the gravel trucks be contacted and notified as well. This should include all residents along Grip Rd and Prairie Rd, as well as the small roads that are found along their length. Currently, with the exception of one, signs posted are 8 1/2x 11 inches and not readable from the road. Because our roads our narrow and without shoulders it seems dangerous to ask residents to stop and read these signs from the road nor is it fair to ask them to park on private property and return on foot to read signs. I have attached a photo as example of the sign notification that is currently in place as seen from Grip Rd.

Residents of our county have the right to be fully informed and a project of this magnitude should require notification beyond what is required for residential construction. Thank your for your time and any effort you may take to ensure that all residents have a fair opportunity to become informed in a safe and timely manner.

Sincerely,
Nicole Nickelson
20636 Prairie Rd
Sedro Woolley
360-362-9174



John Cooper

From: NICK & NICOLE <NICNICK31@msn.com>
Sent: Monday, December 19, 2016 7:56 AM
To: Commissioners; Planning & Development Services; John Cooper; Betta Spinelli
Subject: Proposed Gravel Mine

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Nicole Nickelson
20636 Prairie Rd
Sedro Woolley
360-362-9174



John Cooper

From: NICK & NICOLE <NICNICK31@msn.com>
Sent: Monday, December 19, 2016 7:37 AM
To: Commissioners; John Cooper; Planning & Development Services; betta@co.skagit.wa.us
Subject: Proposed Gravel Mine

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Sincerely,

Nicole Nickelson
20636 Prairie Rd
Sedro Woolley
360-362-9174



John Cooper

From: NICK & NICOLE <NICNICK31@msn.com>
Sent: Monday, December 19, 2016 9:18 AM
To: John Cooper
Subject: Notified property owners

Mr. John Cooper,

Can you please provide me with the list of property owners that have been notified so far as well as the date of notification? I only have names of the people previously notified and have been unable find in public record who else has received notification. Thank you in advance for your assistance.

Sincerely,
Nicole Nickelson

John Cooper

From: NICK & NICOLE <NICNICK31@msn.com>
Sent: Monday, December 19, 2016 11:17 AM
To: John Cooper
Subject: Re: Proposed Gravel Mine

Mr. John Cooper,

Thank you for the specifics regarding Skagit County Code. I have to respectfully disagree with the interpretation that the language contains limits notification to 300 feet. "Notice of development application shall be mailed to all physical addresses and owners of record located **within** 300 feet of all subject property lines" only states the requirement that these people do have be notified. It does not state "only within these borders" or "and not beyond" so it appears to be a minimum requirement and does not specify a limit to prevent notification of further residents.

It is unfortunate that it was not determined in the pre-application period that our community would have interest in this proposal. Mistakes do happen and I would be very surprised to find that there is no system in place to correct this and expand notification to 500 feet or beyond. It would seem prudent and responsible at this time to revisit what notification boundaries to apply and also investigate if Skagit County Code 14.06.150 (2)(d)(iii) could have alternative interpretations that better serve the community.

Sincerely,
Nicole Nickelson

From: John Cooper <johnc@co.skagit.wa.us>
Sent: Monday, December 19, 2016 9:40 AM
To: 'NICK & NICOLE'
Subject: RE: Proposed Gravel Mine

Nicole, yes you will be able to comment and your comments will be part of the public record up until the public hearing or at another time as determined by the Hearing Examiner.

Unfortunately the maximum distance I can send notifications is 300 feet, not the minimum. Skagit County Code 14.06.150 (2)(d)(iii) states that the "Notice of development application shall be mailed to all physical addresses and owners of record located **within** 300 feet of all subject property lines, or, if the applicant owns property adjacent to the subject property, notice shall be given to all physical addresses and all owners of real property within 300 feet of any portion of the boundaries of such adjacent properties owned by the applicant. Further provided, however, when the Administrative Official finds that a need exists, and so informs the applicant at the preapplication meeting, notice shall be given to all physical addresses and all owners of real property within 500 feet of any portion of the applicable boundaries. For marijuana facilities, notice must be provided within 1,000 feet."

As you can see by code, for this land use, notification is limited to a distance of 300 feet from contiguous properties. If I had foreseen the public interest and notified the applicant at the pre-application meeting, I could have increased notification to 500 feet. But that is the maximum distance I am allowed.

Sincerely,

John Cooper, LG. LHg
Senior Natural Resource Planner/Geologist
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
www.skagitcounty.net/planning
Ph 360-416-1334
johnc@co.skagit.wa.us

From: NICK & NICOLE [mailto:NICNICK31@msn.com]
Sent: Monday, December 19, 2016 8:43 AM
To: John Cooper
Subject: Re: Proposed Gravel Mine

John Cooper,

Thank you for your prompt reply. My understanding from you now is that while the comment period is stated as 15 days it actually will be open until the public hearing, which is as yet undetermined? Does this mean comments will be accepted, considered and part of the public record and through the online comment section located at http://www.skagitcounty.net/Departments/PlanningAndPermit/commentsform.htm until that time?

While I understand that county code does not require notification of residents beyond 300 feet, I feel that for the safety and consideration of residents this should be extended. I imagine these codes are established as a minimum and are not intended to serve as a restriction for further notification when it may be in the best interest of communities. Maybe in a case like this, the county could request that the applicant help with the burden to inform all residents that may be impacted by the project. The notification in the newspaper is a nice start and I appreciate it. However it requires residents to subscribe to or purchase a copy of the local newspaper. I believe the only way to know for sure residents are informed is increased signage and a letter to each household within potential impact of noise, visual, dust, and truck traffic. Thank you for your time and consideration.

Thank you,
Nicole Nickelson

Planning and Development Services Comment Submittals

www.skagitcounty.net

Get your written comments in before the deadline. For permits and appeals, public comment is started with a Notice of Development Application, which is published ...

From: John Cooper <johnc@co.skagit.wa.us>
Sent: Monday, December 19, 2016 8:04 AM
To: 'NICK & NICOLE'
Subject: RE: Proposed Gravel Mine

Mrs. Nickelson, Skagit County code SCC 14.06.150 limits mailing and postings to those property owners within 300 feet of the contiguous properties. However, the notice was also placed in the notices section of the Skagit Valley Herald. Although SCC 14.06.150 requires the notice to have a 15 day comment period, as usual, we accept all comment letters/emails up to and through the next public hearing or until such time the Hearing Examiner closes the comment period, which at the earliest, maybe the end of January. You are welcome to come in and review the file any time at your convenience. If I am gone for the holidays, we have several planners that can help you with the file review and answer your questions.

Sincerely,

John Cooper, LG. LHg
Senior Natural Resource Planner/Geologist
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273
www.skagitcounty.net/planning
Ph 360-416-1334
johnc@co.skagit.wa.us

From: NICK & NICOLE [mailto:NICNICK31@msn.com]
Sent: Monday, December 19, 2016 7:51 AM
To: John Cooper; commisioners@co.skagit.wa.us; Planning & Development Services
Subject: Proposed Gravel Mine

To Whom It May Concern:

It has recently come to my attention that Concrete Nor'West has applied to open a gravel mine near the Samish River. As a resident on Prairie Rd I have many concerns about this proposal, including impacts to residents such as noise, visual, dust, safety and inadequate road systems. I was surprised to hear that this project has been under consideration for some time and disappointed that most local residents have not been notified and are unaware.

My understanding is that the county realized that inital notification was indeed insufficient and have now notified property owners within 300 feet of Concrete Nor'west's contiguous parcels and also re-opened the comment session for the proposal, from December 15-December 30th.

While I appreciate the expansion of notification and comment session, I still have several concerns.

My first concern is that the scope of notification is too small. I am not within 300 feet of these parcels, and will not receive notification from the county. Likewise, most residents along Grip and Prairie Rd will not be

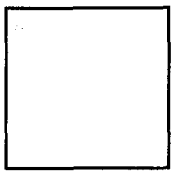
notified. There are many small and private roads that use Prairie Rd daily that will not receive notification. Unfortunately, it puts a burden of both time and money on the few informed residents to spread the word up and down miles of country road to encourage people to give their feedback to the county during an open comment period of 2 weeks.

I'm sure the county would like people who give feedback to be educated on the proposal and not just respond in an emotional manner or be swayed by others opinions. This requires time to research and educate oneself. With the holidays nearing, many county employees who provide that information may understandably take vacation time away from work to spend with families. In fact, it has come to my attention that John Cooper, who is the Senior Natural Resource Planner and listed contact for this project, will be out of his office December 22nd through January 2nd and unavailable to answer questions. In addition, it is easy to imagine my neighbors will be busy with the holidays and find it difficult to spend adequate time considering and responding to this proposal. Therefore, I ask that this comment period be extended to allow residents to be informed by both the county and their neighbors.

I also ask that expanded notification be provided by mail to any resident who is within sight or sound of the proposed mine. Additionally, I request that residents who live on or near the proposed travel route of the gravel trucks be contacted and notified as well. This should include all residents along Grip Rd and Prairie Rd, as well as the small roads that are found along their length. Currently, with the exception of one, signs posted are 8 1/2x 11 inches and not readable from the road. Because our roads our narrow and without shoulders it seems dangerous to ask residents to stop and read these signs from the road nor is it fair to ask them to park on private property and return on foot to read signs. I have attached a photo as example of the sign notification that is currently in place as seen from Grip Rd.

Residents of our county have the right to be fully informed and a project of this magnitude should require notification beyond what is required for residential construction. Thank your for your time and any effort you may take to ensure that all residents have a fair opportunity to become informed in a safe and timely manner.

Sincerely,
Nicole Nickelson
20636 Prairie Rd
Sedro Woolley
360-362-9174



John Cooper

From: Paula Shafransky <pshafransky@gmail.com>
Sent: Monday, December 19, 2016 10:48 AM
To: John Cooper
Subject: Fwd: Concrete Nor'west open pit gravel mine proposal

I tried to send this to betta@co.skagit.wa.us but it didn't go through. Can you please give me the correct address? Thanks - paula

---------- Forwarded message ----------
From: **Paula Shafransky** <pshafransky@gmail.com>
Date: Mon, Dec 19, 2016 at 10:41 AM
Subject: Concrete Nor'west open pit gravel mine proposal
To: betta@co.skagit.wa.us

I am writing to respectfully request an extension for public comments until the end of January on this gravel mine proposal. People in the area are just now being made aware of it. The person to call for questions, John Cooper, will be out of the office from December 22nd until January 2nd. We need more time for people to submit their thoughts and concerns. Thank you for your attention to this matter.

Paula Shafransky
22461 Prairie Road
Sedro Woolley, WA 98284
360-856-1637

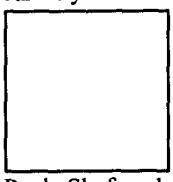
John Cooper

From: Vicky Gonzalez on behalf of Commissioners
Sent: Monday, December 19, 2016 12:21 PM
To: Dale Pernula; Ryan Walters; John Cooper
Subject: FW: Concrete Nor'west open pit gravel mine

Vicky Gonzalez (ext. 1311)
Administrative Coordinator
Administrative Services
Skagit County Commissioners' Office
1800 Continental Place, Suite 100
Mount Vernon, WA 98273
☎ (360) 416-1311
vickyg@co.skagit.wa.us

From: Paula Shafransky [mailto:pshafransky@gmail.com]
Sent: Monday, December 19, 2016 11:25 AM
To: Commissioners
Subject: Concrete Nor'west open pit gravel mine

I am writing to respectfully request an extension for public comments until the end of January on this gravel mine proposal. People in the area are just now being made aware of it. The person to call for questions, John Cooper, will be out of the office from December 22nd until January 2nd. We need more time for people to submit their thoughts and concerns. Thank you for your attention to this matter.



Paula Shafransky
22461 Prairie Road
Sedro Woolley,WA 98284
360-856-1637

John Cooper

From: website
Sent: Tuesday, December 20, 2016 10:05 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Jason Haugland
Address : 21422 Prairie rd
City : Sedro-Woolley
State : Wa
Zip : 98284
email : Jhaugland3@gmail.com
Phone : 3607245006
PermitProposal : PL16-0097
Comments : Regarding the proposed mine with concrete Nor'West and Skagit County. This is a very dangerous road route there is going to be a high amount of traffick added to two of the most dangerous parts of these roads with very little to no shoulder. These roads have not been widened or upgraded for over 20 years! Can you honestly tell me that a truck and trailer combo can make the hair pin 15mph S corners at the end of Grip and/or Prairie rd even once without encroaching oncoming traffick or over the outside of the fog line Let alone 40+ of that at least each day with how many different drivers? Not to mention the school bus routes schedule and safety of the children waiting for the bus, bicyclists, or pedestrians? There is literally no shoulder along this whole route and hair pin corners on both Prairie and Grip that can't possibly be navigated by a pedestrian bicyclists or distressed motorist and two truck trailer combos going opposite directions. A yellow blinking light is your proposed answer for this. We need more time to mitigate this please?? We have a director of this project that we can not contact and a date encroaching that seems very unreasonable. This mine borders my property and you have advertised this proposal as a Grip rd site. It should be restated as a Samish River Valley Mine as this will effect the whole Samish river valley. I would like more time to review your environmental studies and the credentials of who decided there is no negative impact on fish and wildlife as well as the water table that my well draws from.

From Host Address: 24.113.224.122

Date and time received: 12/20/2016 10:01:33 PM

John Cooper

From: website
Sent: Wednesday, December 21, 2016 11:50 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Vanoy Smith
Address : 10873 Peter Anderson Rd
City : Burlington
State : WA
Zip : 98233
email : docsmith1@frontier.com
Phone : 360 757 0886
PermitProposal : Grip and Prarie Rd Gravel Mine
Comments : I am a bicycle rider from Burlington who frequently rides on Prairie and Grip Rd. Someone will die biking on that road with the heavy truck traffic. It is bad enough now, with no shoulder and the occasional bike hater who drives by. Please, I assume the permit will pass, and I have no objection to the land use. But please, as a requirement for the operation, put in a decent protective shoulder for hikers and bikers.
I have seen bike accident victims in the ER and they are not pretty!
Vanoy Smith MD
PS I was ER physician at UGH several times when there were train accidents at Cook and #99. I screamed for lights and bars and wrote letters. Finally when enough injuries and deaths occurred something was done. Please act responsibly.

Vanoy Smith MD

From Host Address: 104.235.183.16

Date and time received: 12/21/2016 11:47:41 AM

John Cooper

From: website
Sent: Wednesday, December 21, 2016 10:35 AM
To: Planning & Development Services
Subject: PDS Comments

Name : James Douglas Koehn
Address : 21341 Prairie rd
City : Sedro Woolley
State : Wa
Zip : 98284
email : DND906@frontier.com
Phone : 3606611591
PermitProposal : 68 acre gravel pit mine on prairie rd. s.w.
Comments : I wish to reguest an extension on the Dec. 30 th comment period

From Host Address: 50.34.126.63

Date and time received: 12/21/2016 10:30:09 AM

John Cooper

From: website
Sent: Wednesday, December 21, 2016 2:40 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Andrew & Wendi Prince
Address : 22047 Grip Rd.
City : Sedro-Woolley
State : WA
Zip : 98284
email : sitnbull@wavecable.com
Phone : 360-856-9111
PermitProposal : Concrete Nor'West #PL16-0097
Comments : We would like to be involved in this process & be notified of any public meetings regarding this plan

From Host Address: 24.113.237.6

Date and time received: 12/21/2016 2:37:30 PM

John Cooper

From: website
Sent: Wednesday, December 21, 2016 12:25 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Jon Kvernmo
Address : 754 Humphrey Place
City : Burlington
State : WA
Zip : 98233
email : jon.kvernmo@gmail.com
Phone : 360-333-1212
PermitProposal : Concrete NW Mining Proposal
Comments : The matter of the Concrete NW Mining Proposal as it impacts Grip Road and Prairie Road came to my attention recently. I bicycle those roads regularly, and enjoy the scenery and relatively low vehicular traffic volume. I'm a proponent of private enterprise, as it's the engine that drives our economy. However, as in any such matter where interests that could compete intersect, there should be careful consideration given to both sides. Bicyclists are the more vulnerable when it comes to the use of our county roads. I have personally had occasion to fear the prospect of personal injury when drivers are heedless, or worse, antagonistic, towards their neighbors who happen to be on the road, on a bicycle.

Paved shoulders of sufficient width to allow bicyclists and truckers to share the road safely should be required as a condition of issuing the mining and hauling permit(s). That way CNW can make money, and the bicycling community can continue to enjoy the safe use of what has been a pleasant part of our countryside.

From Host Address: 50.34.155.212

Date and time received: 12/21/2016 12:24:53 PM

John Cooper

From: Planning & Development Services
Sent: Tuesday, December 27, 2016 9:45 AM
To: John Cooper
Cc: Betsy D. Stevenson
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Thursday, December 22, 2016 8:10 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Charles Michael Schultz
Address : 2302 20th PL
City : Anacortes
State : WA
Zip : 98221
email : tbcschultz@comcast.net
Phone : (360) 293-3098
PermitProposal : PL16-0097; Concrete NW Gravel Mine on Grip Road
Comments : RE: PL16-0097, the amount of forecasted gravel truck traffic seems excessive with respect to public safety and the narrowness of the roads of the proposed route. My specific safety concerns are for pedestrians, cyclists, and vehicles that currently use the involved roadways. I suggest that a condition of the permit would be that Concrete NW be required to pay for the construction of a pedestrian/bicycle lane along Grip Road. Concrete NW should also be held liable for road repair of damage caused by their truck traffic.

From Host Address: 73.254.111.36

Date and time received: 12/22/2016 8:09:18 PM

John Cooper

From: Vicky Gonzalez on behalf of Commissioners
Sent: Friday, December 23, 2016 7:57 AM
To: Dale Pernula; Ryan Walters; John Cooper
Subject: FW: Concrete Nor West Pit

Comment

Vicky Gonzalez (ext. 1311)
Administrative Coordinator
Administrative Services
Skagit County Commissioners' Office
1800 Continental Place, Suite 100
Mount Vernon, WA 98273
(360) 416-1311
vickyg@co.skagit.wa.us

-----Original Message-----
From: joshua serface [mailto:jcsandmedic@yahoo.com]
Sent: Thursday, December 22, 2016 4:14 PM
To: Commissioners
Subject: Concrete Nor West Pit

Skagit County Commissioners,

This Email is in regards to the "recently discovered" special use permit for Concrete Nor West Strip Mining operation on Grip Rd in Sedro Woolley. As a resident of Sedro Woolley, Skagit County, and recently completed construction of my house within 2 miles of the proposed area. I use Grip Rd to get to work, go to the store, and get my kids to school. With no road improvements, anywhere from 30-50 truck trips per day 6 - 7 days per week, not counting the private and contracted trucks that will use it, will greatly increase the driving hazard on Grip and Prairie Roads and wear and tare. Grip Road was not constructed to handle that much heavy load and large traffic, along with the Swede Creek Bridge, which I am sure was not constructed for this type of use. Grip and Prairie Roads are dangerous enough for walkers and bicyclists without that increase in wider heavier loads. The "Yellow Flashing light at the blind corner is a Joke and will not detour accidents. Lets not forget the bling corner to the East of the proposed entrance, and the wide turns the trucks are going to have to take to get in and out is dangerous. I moved to this quiet rural farming community to get away from all the traffic and noise.

Now lets touch on the pollution aspect. I just completed construction of my house and know very well the "hoops" I had to jump through with wetland and water runoff to get my building permits, along with all the farming stipulations I have to follow and makes it more difficult to maker an income. I am really hoping that big companies with big money can not buy their way around the rules and regulations set by the Skagit County Commissioners and State. You can't honestly tell me that there will no be any runoff into Swede Creek and Samish River. I know from my construction background that chemicals are used to wash the gravel and rocks. Lets think about the wildlife impact as well. As mentioned above, the increased traffic will also bring increased pollutants of hydraulic, motor, and transmission oils from both the trucks and heavy equipment being used at the site.

I can appreciate the fact that Concrete Nor West is trying to maintain a steady flow of construction material but there has to be a better way in a more deserted place that will no cause traffic congestion, collision, and pollution to our already fragile habitat. I mean, another Souther Resident Killer Whale just died yesterday. Do they have to become extinct before we say we have a problem with pollution.

John Cooper

From: Planning & Development Services
Sent: Thursday, December 22, 2016 2:14 PM
To: John Cooper
Cc: Betsy D. Stevenson; Ryan Walters
Subject: FW: PDS Comments

From the PDS mailbox

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Wednesday, December 21, 2016 6:00 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Ken Rasmussen
Address : 6290 Ershig Road
City : Bow
State : WA
Zip : 98232
email : kayakfit@fidalgo.net
Phone : 3607668720
PermitProposal : Concrete Nor'west Gravel Quarry on Grip Road
Comments : I'm a cyclist living quite near to the proposed quarry, and I regularly ride those roads. They are among my favorite regular cycling routes. I routinely encounter cyclists who drive all the way up here from Seattle in order to cycle in unspoiled, low traffic, rural countryside. Places as beautiful for recreational activity as Skagit County are scarce, and becoming scarcer. Protecting these places from inappropriate commercial development will pay huge economic dividends in the future, when the counties that don't preserve their natural beauty are no longer competing for tourism dollars.

From Host Address: 72.106.52.216

Date and time received: 12/21/2016 5:56:19 PM

John Cooper

From: Planning & Development Services
Sent: Tuesday, December 27, 2016 9:46 AM
To: John Cooper
Cc: Betsy D. Stevenson
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Thursday, December 22, 2016 3:55 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Donald Allgire
Address : 1607 Birch Court
City : Mount Vernon
State : Wa
Zip : 98274
email : dkallgire@hotmail.com
Phone : 360-421-2630
PermitProposal : Concrete Nor'west Gravel Quarry on Grip / Prarie Rd
Comments : My wife and I built a house at 17939 Valley Ridge Lane, off of Hickox Rd near the existing rock Quarry in 1994-95. The quarry management told us at and open house, they would cease operations on or about 2008 which of course did not occur. My wife volunteered to adopt Hickox Road to clean up litter but was denied by the county, because there is little or no shoulder and they deemed it too dangerous. We moved into the city in 2005 allowing us a safe place to walk. The proposed Gravel Quarry is in one of the few areas of the county that is "Safe" to ride a bicycle. Adding a significant volume of truck traffic to that area would make riding a bicycle hazardous at best. I believe adding a bicycle lane wide enough to protect cyclists from trucks, and their mirrors, should be a requirement of this permit. The proposal is for 25 years but as history bears out it could be longer. Spreading the cost out over 25 years or longer makes it a feasible and reasonable requirement.

From Host Address: 166.170.5.81

Date and time received: 12/22/2016 3:52:19 PM

John Cooper

From: Planning & Development Services
Sent: Thursday, December 22, 2016 2:14 PM
To: John Cooper
Cc: Betsy D. Stevenson; Ryan Walters
Subject: FW: PDS Comments

John, I think this is for you.

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Thursday, December 22, 2016 8:40 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Thomas & Pamela Burns
Address : 4792 Wildlife Acres Lane
City : Sedro Woolley
State : WA
Zip : 98284
email : burnsp888@gmail.com
Phone : 360-724-3207
PermitProposal : PL16-0097
Comments : We are concerned about the proposed "gravel pit" in our area Although we have concerns about the number, and frequency, of trucks on Prairie Road our main concern is noise. We moved to this area because of it's quiet serene location. We fear the approval of the "pit" will not only take away this serenity it will also scare off the wildlife we enjoy so much. We are also concerned the noise will cause all of the property values, in this area, to drop. We live in a private community (HOA) with 24 other residents. Most of the properties, on the upper portion of Wildlife Acres Lane and Wildwood Place are very close to the planned "pit". We are not happy and I am sure you will hear from others in our community. Please do not approve this disaster.
We do plan on attending any meetings that are planned. Please keep us informed.

Thank you

From Host Address: 24.113.254.240

Date and time received: 12/22/2016 8:37:03 AM

John Cooper

From: Vicky Gonzalez on behalf of Commissioners
Sent: Friday, December 23, 2016 7:54 AM
To: Dale Pernula; Ryan Walters; John Cooper
Cc: Bronlea Mishler
Subject: FW: Proposed open pit gravel mine

Open Inquiry #4345634

Vicky Gonzalez (ext. 1311)
Administrative Coordinator
Administrative Services
Skagit County Commissioners' Office
1800 Continental Place, Suite 100
Mount Vernon, WA 98273
☎ (360) 416-1311
vickyg@co.skagit.wa.us

From: normfranwasson@gmail.com [mailto:normfranwasson@gmail.com]
Sent: Thursday, December 22, 2016 2:48 PM
To: Commissioners
Subject: Proposed open pit gravel mine

Dear Commissioners;

This is in regards to concerns about the proposed 68 acre open gravel pit mine by Concrete Nor'west between

Grip and Prairie roads. Permit #PL16-0097.

Why is there no Environmental Impact Statement or Study required?

The Samish River flows around the gravel mine site from the Northeast to the South Southeast. What happens if this promontory suffers a devastating slide similar to what happened in Oso disaster on the Stillaguamish river several years ago? What happens to the houses and farms directly across the river from this proposed gravel pit mine site?

How will the groundwater be affected as gravel mine is excavated 50 to 90 feet deep? How will this affect the household wells of the residents sharing the plateau with this gravel pit mine?

What is the consideration for public safety as these GVW 105,000 lbs truck/ trailer combos barrel down a narrow, steep and winding Grip road to Prairie road? There are no shoulders on either of these roads that are safe for pedestrians, children or bicycles. That the entrance to Prairie road from Grip road is a totally blind corner from both directions is a disaster waiting to happen needs to be addressed.

Why are we, the property tax payers, required to finance the resurfacing of our roads, after being destroyed by these overweight trucks, for this corporations profits?

Why is there no mention of the noise, dust and vibrations from the operation of this gravel mine? And why is there no limitation on the hours of operation of this proposed open pit gravel mine so we, the residents of this rural area, may preserve our quiet country lifestyle?

Who will recompense the property owners in this area from decline in property values incurred by this gravel mine?

The Samish river is a major salmon bearing stream. How can you not have an Environmental Impact Study initiated when this gravel mine could potentially send large amounts of silt into the sensitive spawning areas downstream?

This whole gravel mine proposal has the feeling of local government jumping through the hoops of big business at the expense and disregard of the local property owners.

Thank you for your time.

Norman Wasson

20836 Prairie R

Sedro Woolley, WA 98284

(360)724-5054

Sent from Mail for Windows 10

John Cooper

From: Roy Donaldson <roydonaldson4201@gmail.com>
Sent: Friday, December 23, 2016 8:33 PM
To: John Cooper
Subject: Permit #PL16-0097

Dear John Cooper, lead planner,

I request information on Concrete Northwest's new gravel pit.
Including the Staff Report/Findings of Fact, projected revinue to the County and procedure for providing my input.

As a property owner at the corner of Prairie Road and Saje Lane I am concerned about the impacts a project of this magnitude can have.

Thank you in advance for your assistance.

Roy Donaldson
4201 Saje Lane
Sedro Woolley, WA 98284

John Cooper

From: Planning & Development Services
Sent: Tuesday, December 27, 2016 9:44 AM
To: John Cooper
Cc: Betsy D. Stevenson
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Friday, December 23, 2016 6:35 PM
To: Planning & Development Services
Subject: PDS Comments

Name : DANIELLE HAUGLAND
Address : 21422 PRAIRIE RD
City : SEDRO WOOLLEY
State : WA
Zip : 98284
email : daniellehaugland@yahoo.com
Phone : 5127390544
PermitProposal : #PL16-0097; PL16-0093; PL16-0098
Comments : Dear Approvals Board,

I am extremely distressed over the gravel pit that apparently is going in our back yard, just south of the Samish River. We are long time residents of Prairie Rd and the Samish River Valley and would have expected adequate notice of such a disruptive activity so close by. While we did receive a notice of proposed use, that notice was misleading in that it identified the affected property off of Grip Rd.

The permit itself is also disturbing in a number of respects. First, I find the conclusion that the pit will have minimal impact on the environment laughable. A pit mine will be within feet of the Samish River and just above the water table. There is no serious environmental impact assessment included in the application - and I believe such an assessment was not performed.

Second, the proposed hours of operation are unacceptable. Dusk til dawn could be 4:30 am to 9:30 pm. As I mentioned, this pit mine is directly adjacent to our land and will not only be an eye sore but loud - I do not want to hear large equipment humming along at 4:30 am.

Third, the proposed number and frequency of loads is unacceptable. The narrow, two lane roads in the area - the proposed travel route - cannot accommodate 700 trucks per day. Moreover, that number of large vehicles on this road, which has no shoulders, will put pedestrians, cyclists and children waiting for school buses in danger.

Fourth, the proposed depth of the pit, mere feet above the water table, may impact local potable water sources - water that area residents use and rely on. I will be at the hearing, whenever it is scheduled, and will raise these and other concerns I have.

Thank you.

Danielle Haugland

From Host Address: 159.220.76.6

Date and time received: 12/23/2016 6:31:53 PM

John Cooper

From: Nathan.Nipges@shell.com
Sent: Friday, December 23, 2016 2:20 PM
To: PDS comments
Cc: nipges@juno.com
Subject: Concrete Nor'west gravel operation near Grip Rd

Josh Nipges
20610 Prairie Rd
Sedro Woolley, Wa 98284

Concrete Nor'west Gravel Operation Near Grip Rd

To whom it may concern,

While I understand the need for grave mining to further grow of the county. I have concerns about the truck traffic on Grip and Prairie roads. First let us look at Grip Rd. The West bounds traffic coming from the proposed pit must go down a steep grade while traveling thru numerous curves. Then trucks will be turning off of Grip Rd onto Prairie Rd at a blind corner. There is only a stop sign on Grip Rd for control of the intersection and thru traffic on Prairie Rd. Currently the speed limit on Prairie Rd is 40 mph. Most times it is barely enough time to react to a passenger vehicle entering into traffic; with a fully loaded gravel truck at 105,000 gvw I fear there is not enough stopping time. Once those trucks do enter into traffic they will be on a two lane road with no shoulders and deep ditches on each side. This road is traveled heavily in the summer by both bicyclists and motorcycles. It is hard enough when meeting a loaded log truck occasionally, little lone 46 trucks per day. Then there are the sharp s curves by Friday creek. Most commercial trucks end up in the opposite lane when negotiating them. Also, what about the load rating for the road itself or the bridges over the Samish river and Friday creek? It is a chip sealed road after all. Then once the trucks manage to make it to the intersection of Prairie Rd and Hwy 99 there is only a stop sign for East/West traffic. This corner has seen many accidents due to the fact that cross traffic does not stop and a blind corner to the north on a road that is 50mph. All these things considered the road needs vast improvement before allowing then number of trucks proposed by Concrete Nor'west.

Thank you,

Josh Nipges
20610 Prairie Rd
Sedro Woolley, Wa 98284

I AM STRONGLY AGAINST THIS PERMIT!!.

Respectfully
Joshua Serface

John Cooper

From: Planning & Development Services
Sent: Tuesday, December 27, 2016 9:45 AM
To: John Cooper
Cc: Betsy D. Stevenson
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Friday, December 23, 2016 9:45 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Doug Gresham
Address : 3190 160th Ave SE
City : Bellevue
State : WA
Zip : 98008
email : doug.gresham@ecy.wa.gov
Phone : (425) 649-7199
PermitProposal : PL16-0097
Comments : December 23, 2016

John Cooper, Natural Resource Planner
Skagit County Planning and Development Services Department
1800 Continental Place
Mt. Vernon, WA 98273

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

Dear Mr. Cooper:

As the Washington State Department of Ecology (Ecology) Wetland Specialist responsible for Skagit County, I wish to have the following comments entered into the record for the Grip Road Gravel Mine. In addition to my previous comments for this project submitted on June 1, 2016, I want to address additional concerns during this second public notice period.

Concrete Nor'west submitted an application for a forest practice conversion and mining special use permit to develop a gravel mining operation. This 68-acre property consists of three lots (Parcels P125644, P125645, and P50155) that are located northwest of Sedro Woolley in unincorporated Skagit County. The property is located north of Grip Road, south of Prairie Road, and is bisected by the Samish River. The Skagit County iMAP shows the Samish River flowing across the northeast corner of the property in the Warner Prairie area.

The proposed action involves harvesting approximately 50,000 board feet of timber, removing the stumps, and converting the property to a gravel mining operation. This gravel mining operation will remove approximately 4,280,000 cubic yards of gravel over a 25 year period. Gravel will be removed by truck and trailer (generating about 46 truck trips per day) to one of Concrete Nor'wests nearby facilities for processing.

I have a concern with the wetland findings by Graham-Bunting Associates. They stated there will be a 200' setback from riverine wetlands associated with the Samish River. However, if these wetlands are rated as either Category I or II, then the standard buffer width may be 300' for a high land use intensity such as a gravel mine (Skagit County Code 14.24.230). We assume the proposed footprint of the gravel mine would encroach into this larger wetland buffer so this needs to be addressed.

I also have a concern with the access road that will need to be improved to accommodate 46 truckloads a day, which could impact wetlands and streams. This access road may need to be widened, the Swede Creek bridge may need to be upgraded, and storm water drainage features may need to be reconfigured. This access road would need to be upgraded to Skagit County higher standards for roads servicing mining operations but this was not addressed.

Any wetlands that occur on the property would be waters of the state subject to the applicable requirements of state law (see RCW 90.48 and WAC 173.201A) and Section 401 of the Clean Water Act (33 USC §1341) and 40 CFR Section 121.2. If any wetland impacts do occur, the applicant shall obtain all necessary state and federal authorizations prior to beginning any ground-disturbing activities or vegetation removal.

If you have any questions or would like to discuss my comments, please give me a call at (425) 649 7199 or send an email to Doug.Gresham@ecy.wa.gov.

Sincerely,

Doug Gresham, PWS
Wetland Specialist
Shorelands and Environmental Assistance Program

From Host Address: 198.239.77.118

Date and time received: 12/23/2016 9:44:17 AM

John Cooper

From: koldow@ymail.com
Sent: Saturday, December 24, 2016 4:27 PM
To: PDS comments
Subject: Concrete Nor'West proposed new pit (Permit PL16-0097)

To whom it may concern,

I am concerned about the proposed Concrete Nor'West new proposed gravel pit permit #PL16-0097.
My concerns of a neighbor to this proposed pit, includes public safety for vehicles from large volume of truck traffic on narrow winding roads.
Noise, dust and vibrations from on site operations.
Decline of nearby property values.
Impacts to wildlife, the Samish River, and water quality.
I would like to be notified of the date and time of the Public Hearing on the Mining Special Use Permit.
In the meantime, please send me information on this proposal.
Thank you for your time,
Kathleen Oldow
5511 Park Ridge Place
Sedro Woolley, WA 98284
360-333-1826
Sent from my iPad

John Cooper

From: Planning & Development Services
Sent: Tuesday, December 27, 2016 9:43 AM
To: John Cooper
Cc: Betsy D. Stevenson
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Sunday, December 25, 2016 8:10 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Dale R Abbott
Address : P.O. Box 804
City : Burlington
State : WA
Zip : 98233
email : d_abbott@hotmail.com
Phone : 360-856-0418
PermitProposal : PL16-0097
Comments : I am a property owner (Parcel # P50083) near the proposed Concrete Nor'west gravel pit off of Grip Road above the Samish River. I wish to state my opposition to the proposed development on the grounds that the noise, dust, bright electric lights, and heavy traffic will have a significantly negative impact on the quality of life for my neighbors and my family and will have a very detrimental effect on property values in that area. Many of us who live on Prairie Road moved there specifically because of the clean and peaceful surroundings. We have invested much time, effort, and money to create a healthy environment to live. The people who have planned this development are not the ones who will suffer the consequences. They don't live there, but they are happy to extract their wealth from our neighborhood at the expense of the rest of us.

From Host Address: 125.236.156.198

Date and time received: 12/25/2016 8:08:03 PM

John Cooper

From: Planning & Development Services
Sent: Wednesday, December 28, 2016 7:45 AM
To: John Cooper
Cc: Betsy D. Stevenson
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Tuesday, December 27, 2016 1:45 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Mike Hull
Address : 20575 Prairie Rd.
City : Sedro Woolley
State : WA
Zip : 98284
email : mshull@wavecable.com
Phone : 360-724-7305
PermitProposal : PL16-0097
Comments : I would like to take issue with the issuing of an MDNS concerning permit number PL16- 0097 I believe the opening of this gravel mine will have a significant impact on the livability for a large number of people residing in the surrounding area. The main areas of concern for me are noise pollution, traffic safety and deterioration of roadway infrastructure. The residents of this peaceful community have been under assault for some time concerning perceived human caused water quality issues in the Samish river and it's tributaries. It's hard for me to believe that a mining operation of this size doesn't have a potential to significantly impact water quality. That portion of GripRoad affected by this use is very steep, narrow and windy and not suitable for heavy truck and trailer traffic. I believe there is no way for a truck and trailer to stay on its side of the centerline on some of the sharper curves. I am concerned for the safety of automobile traffic using the road at the same time as the heavy truck and trailer traffic especially in snowy and icy conditions. The intersection of Grip and Prairie Roads is one of the more dangerous due to a blind corner just to the east. I cherish the right of Concrete Nor west to develop its property and to profit from it, but there is no such thing as a free lunch. There are going to be problems, it's just a matter of who is going to pay for corrections, the company who's going to profit from using the infrastructure or the tax payer and neighbors whose lives are being impacted.

From Host Address: 204.195.10.187

Date and time received: 12/27/2016 1:43:49 PM

John Cooper

From: Planning & Development Services
Sent: Wednesday, December 28, 2016 7:45 AM
To: John Cooper
Cc: Betsy D. Stevenson
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Tuesday, December 27, 2016 12:20 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Craig Judy
Address : 20765 Prairie Road
City : Sedro Woolley
State : Washington
Zip : 98284
email : cdjudy2007@gmail.com
Phone : 3607243984
PermitProposal : #PL16-0097
Comments : To whom it may concern,
This is in regards to the proposed 68-acre open gravel pit mine by Concrete Nor'west between Grip and Prairie Rd. Permit # PL16-0097
As a resident of Prairie Rd, you do realize our safety concerns? For instance, you are going to have GVW 105,000 LB trucks/trailers (up to 46 trucks traveling per day, that's up to 30 trucks per hour or 720 trucks over a 24-hour period) on a narrow road that has no shoulders and the trucks coming from Grip road are entering Prairie Rd at a 90-degree blind corner. We have enough accidents on our road already. These 105,000 pound trucks with their trailers are not going to be able to stay in their lane, so they will be putting our lives at risk every time we are on our road!! Concrete Nor'west isn't going to make any improvements to keep accidents from happening other than " A BLINKING YELLOW LIGHT" at the base of Grip road and Prairie road?? You all need to come out and drive our road and look up online how many accidents we have had on this road thru the years. I'd like to know, who plans on paying for maintenance to Prairie road once these heavy trucks and combos start destroying it??
The Samish river is a major salmon baring stream along Prairie Rd. How can you NOT have an environmental impact study, when this gravel mine could possible send silt into the spawning areas downstream?
Another concern I have is how will the ground water from this 90-foot-deep pit affect those of us who have our own wells?
What about noise, dust and vibrations from operating this mine all those hours? They have no limitations of hours, or days of the week of the operation or truck hauling!! As a resident of Prairie Rd, we like our quiet community.
Who is going to compensate the property owners in this area form the decline in property values brought on by this gravel pit??
Is there a reclamation after Concrete Nor'west is through using the site? Is there a mining plan that Concrete Nor'west has submitted?
Please consider these facts you are receiving from the residents that live along the Prairie rd. I've lived here all my life and this would be a horrible end to our beautiful community!! Thank you for your time.

Craig Judy
20765 Prairie Road
Sedro-Woolley WA, 98284

Permit # PL16-0097

From Host Address: 24.113.141.180

Date and time received: 12/27/2016 12:17:52 PM

John Cooper

From: Planning & Development Services
Sent: Tuesday, December 27, 2016 11:12 AM
To: John Cooper
Cc: Betsy D. Stevenson
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Tuesday, December 27, 2016 10:00 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Renee Kenady
Address : 5319 Cedar Ridge Place
City : Sedro Woolley
State : WA
Zip : 98284
email : rkenady44@gmail.com
Phone : (360) 661-1272 or (360)854-7780
PermitProposal : Concrete Nor'West Special Use Permit Application PL16-0097
Comments : Re:Special Use Permit Application PL16-0097
I live on the eastern border of this proposed site and commute to I-5 via Grip and Prairie Roads daily. I have many concerns regarding this development which are listed below.
• The lack of an environmental impact study by the appropriate agency rather than the completion of a "checklist".
• Traffic hazards along Grip Road, a narrow, winding county road caused by trucks operated by Concrete Nor'West, ranging from 46-720 trips per day. Accidents involving these trucks added to normal traffic (cars, pick-ups, school busses, etc) will result in the endangerment to and potential loss of life to those travelling in this area.
• The hazards at the intersection of Prairie Rd and Grip Rd which is already a very dangerous intersection. Adding trucks loaded with gravel to the mix of existing traffic has the very real potential of serious accidents and endangerment to and possible loss of life to those using this intersection. Blinking lights to be installed do not represent a viable solution in our opinion.
• The lack of structural adequacy to the bridge over Swede Creek caused by 46-720 gravel trucks crossing this bridge on a daily basis.
• Other concerns include but are not limited to noise, spills of oil and other hazardous material causing environmental impacts to rivers, creeks and wildlife in the area as well as the impact on housing and property values, damage to roads, etc.

From Host Address: 172.76.140.139

Date and time received: 12/27/2016 9:56:12 AM

John Cooper

From: Planning & Development Services
Sent: Wednesday, December 28, 2016 10:04 AM
To: John Cooper
Cc: Betsy D. Stevenson
Subject: FW: Feedback Submission

From: website
Sent: Wednesday, December 28, 2016 8:53 AM
To: Planning & Development Services
Subject: FW: Feedback Submission

From: feedback@co.skagit.wa.us [mailto:feedback@co.skagit.wa.us]
Sent: Tuesday, December 27, 2016 7:35 PM
To: website
Subject: Feedback Submission

Department : Planning and Development Services
Name : Laura Brakke
Email : llbrakke@hotmail.com
Other : Regarding Permit PL 16-0097
The environmental impacts of this project must include at the very least, an assessment of the impacts gravel mining will have on Samish River and Swede creek. A fish and wildlife survey must be done and any impacts must be eliminated as mitigation is often impossible when envisioning impacts that will cause harm to our salmon populations and other native wildlife.
Mining gravel off Grip Road is not a good idea, it is a residential area without the benefits of sidewalks along the road way. The number of large gravel hauling trucks was not available to me to comment on, but the amount of errant and loose gravel on the road will cause rock chips in windshields at the very least. Who will pay to repair these? The road ways will suffer from heavy trucks, will Concrete Nor'West pay for resurfacing the roads? What about safety for the residents consider the 3 to 4 90 degree bends and turns in the road to get to Hwy 9 or the blind corner as they exit Grip Rd to Prairie Rd to get to 99. What routes are they planning on using?
I am sorry I have just heard about this permit and was not able to access more information off this website. I own property along the Grip Rd and would expect degradation of my neighborhood if this is allowed to move forward.
Please send any updates to me in the future

From Host Address: 97.126.115.4

Date and time received: 12/27/2016 7:31:27 PM

John Cooper

From: Betsy D. Stevenson
Sent: Wednesday, December 28, 2016 8:00 AM
To: John Cooper
Subject: FW: PDS Comments

I see this was forwarded to John Coleman. I assume it was supposed to go to you instead.

From: Planning & Development Services
Sent: Wednesday, December 28, 2016 7:44 AM
To: John Coleman
Cc: Betsy D. Stevenson
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Tuesday, December 27, 2016 7:45 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Laura Brakke
Address : 22243 Grip Rd
City : Sedro Woolley
State : WA
Zip : 98284
email : llbrakke@hotmail.com
Phone : 360-739-7400
PermitProposal : PL16-0097
Comments : I would like to copy my comments that I sent to Planning and Development Dept for the Gravel Mining permit on Grip Rd.
Laura Brakke
Regarding Permit PL 16-0097
The environmental impacts of this project must include at the very least, an assessment of the impacts gravel mining will have on Samish River and Swede creek. A fish and wildlife survey must be done and any impacts must be eliminated as mitigation is often impossible when envisioning impacts that will cause harm to our salmon populations and other native wildlife.
Mining gravel off Grip Road is not a good idea, it is a residential area without the benefits of sidewalks along the road way. The number of large gravel hauling trucks was not available to me to comment on, but the amount of errant and loose gravel on the road will cause rock chips in windshields at the very least. Who will pay to repair these? The road ways will suffer from heavy trucks, will Concrete Nor'West pay for resurfacing the roads? What about safety for the residents consider the 3 to 4 90 degree bends and turns in the road to get to Hwy 9 or the blind corner as they exit Grip Rd to Prairie Rd to get to 99. What routes are they planning on using?
I am sorry I have just heard about this permit and was not able to access more information off this website. I own property along the Grip Rd and would expect degradation of my neighborhood if this is allowed to move forward.
Please send any updates to me in the future

From Host Address: 97.126.115.4

Date and time received: 12/27/2016 7:44:02 PM

John Cooper

From: Planning & Development Services
Sent: Thursday, December 29, 2016 8:44 AM
To: John Cooper
Cc: Betsy D. Stevenson
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Wednesday, December 28, 2016 8:20 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Beth C VanderVeen
Address : 21994 Prairie Road
City : Sedro Woolley
State : Washington
Zip : 98284
email : beth.softballmom@gmail.com
Phone : 3607700763
PermitProposal : PL16-0097; Concrete NW Special Use Permit
Comments : To Whom It May Concern:

I am writing to you regarding the proposed land use by Concrete NW to begin mining gravel on Grip Road in Sedro Woolley. As a long time resident of the area, home owner and farm family, I have numerous concerns about the proposed land use.

My first concern is safety - the corner of Grip Road and Prairie Road is already a dangerous corner for traffic. There are blind spots coming from both directions. The number of trucks coming in and out of the gravel pit over the course of the day will only increase the likelihood of car accidents at this corner. It is not designed for the increase of traffic, let only heavy equipment traffic. Furthermore, Prairie Road is already seen an increase in traffic over the past several years, with people speeding and not paying attention to slow moving vehicles or large equipment. As someone who farms along this road, it is an every day challenge we face. The increase in traffic due to the proposed gravel pit, puts myself and my family at risk as we live and farm in this area. Prairie and Grip Roads are not designed for this level of traffic.

Secondly, I am very concerned about the impact of the proposed land use on our natural environment. As farmers and land users, the Samish River is rigorously guarded and protected by the Skagit County Commissioners, Environmental Protection Agency and the local Native American tribes. It is regularly tested for water quality and regulated so that the oyster beds and fishing environments are not negatively impacted. I cannot fathom that these agencies would agree to a land use that would disrupt the natural environment, tree coverage, water quality, salmon spawning sites of the Samish River. Furthermore, we would not want a repeat of an OSO slide type activity as the natural environment is greatly impacted through the 75' deep gravel pit that is being proposed. Finally, one can only imagine run off from the pit that will greatly impact the Samish River and it's watershed. How is this protecting a Salmon spawning stream and the fishing industry and oyster industries that rely on the Samish River?

Third - I am confused and dismayed that Concrete NW is potentially being allowed to drill a 75' gravel pit in an

area in which homeowners aren't allowed to drill additional wells because of the protection of the Samish River basin. How is this equitable? How is it in the best interest of our environment, of which, we homeowners deal with on a regular basis? Shouldn't Concrete NW be held to the same standards as local land owners?

Next - I am also concerned about the impact the proposed gravel pit will have an the land values of those residents impacted by the gravel pit. People choose to live in the Warner Prairie Valley because it is "country" living, scenic, quiet, surrounded by nature and beautiful views. The proposed land use will have a huge negative impact on this and thus potentially decrease land values. I have already spoken with two different realtors who agree that land values will decrease with the addition of the gravel pit in our area. The cause of the impact will be noise, dust, increase in traffic, essentially, living in a construction site. How are we homeowners going to overcome these negative impacts on our property values? What is the proposal to protect our properties and property values?

Finally, I am concerned that the proposed land use does not address restrictions over the course of the next 25 years in the areas of volume of trucks per hour, per day; hours of operation; noise impact and plans for reducing noise; land quality; water quality, impact on the Samish River basin; etc.

As you can tell by this email, I am greatly opposed to this proposed land use. It is not in the best interest of our community, our local residents, our livelihood as farmers and land users and our natural environment. Furthermore, as a mother of young drivers, I am scared for them to drive to/from school, work and activities with the increase in traffic, particularly at the corner of Grip and Prairie.

Sincerely,

Beth C. VanderVeen

From Host Address: 24.113.10.192

Date and time received: 12/28/2016 8:17:04 PM

December 28, 2016

Mr. John Cooper
Skagit County Planner
1800 Continental Place
Mt. Vernon, WA 98273

Dear Mr. Cooper,

In the last week, we have learned that a proposed gravel mine will be asking for a permit to operate below our property on Nature View Drive. We have several legitimate concerns over this mine.

First, both my wife and I travel Grip Road to commute to work. In particular, there is a very difficult intersection at the corner of Grip and Prairie Road. Having to fight this intersection daily, we encounter other commuters driving on Prairie Road who give no attention to the advised speed limit. Frequently, several times a week, after pulling on to Prairie Road, a car or cars come around the blind corner and are on our back bumper without notice-again due to the disregard for the advised speed limit. There is no way to avoid this situation during daylight. A blinking yellow caution light will do little or nothing to solve this problem. One can only imagine a slow, lumbering loaded gravel truck and the potential for accidents. Very likely, someone will be seriously injured if not killed because of the imminent danger of this intersection and the gravel trucks that would be frequenting the intersection.

Public safety for not only vehicles, but bicyclists and pedestrians would be severely impaired. The county roads that would be utilized, I do not believe, are engineered for the heavy truck traffic that would use Grip Road further hampering public safety. The steep grade of the road would slow traffic going both up and down Grip Road. Upgrades to the road and roadbed would have to be made in order to accommodate safety of the traveling public as well as the commercial vehicles using the pit. The inference would be that taxpaying public would have to pay for such improvements.

Secondly, the Samish River is a short distance from the proposed gravel pit. Sediment and runoff from the gravel pit would endanger salmon runs in the river, and an oil spill from a broken hydraulic hose, diesel engine malfunction, or other machinery breakdown would be disastrous for the river. Wildlife frequent this area. Daily, on our property we have deer that move through our yard, the evidence being the deer track we see in various places on the property. One can only believe that this gravel pit, its noise, silt, and vibrations will ruin the habitat of not only deer but other wildlife in the area. We have had cougar tracks also on our property. Driving deer away from the area taken by the gravel pit would logically mean displaced deer would mean more cougar preying on deer in our vicinity. Danger to children and pets in the area would be increased because of this.

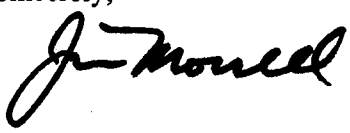
Those of us who live in this area, do so because of the quiet rural lifestyle. The noise of this proposed pit would negate the quiet, peaceful atmosphere of our area. There are no proposed limits on the hours of operation that we have seen. Because of the noise, dust, and potential safety concerns, property values will be affected with no compensation proposed.

These are what I believe to be legitimate concerns over this proposed pit. Safety, first and foremost, has to be addressed, and to this point in time, there is little regard for the driving public as a result of this mine. Serious environmental concerns are not satisfied.

Finally, we do not get the newspaper. This is the first we have been made aware of this by a neighbor. I would ask, when were we to be given notice of this? A small notice in a legal column, or a small sign posted at the proposed entrance to the pit is not sufficient for alerting our neighborhood the issues of this gravel pit. Legal requirements may have been met. I question the ethics of allowing this process to continue without notification of all who would be affected by this gravel pit.

Any and all attention you would give to the issues raised in this letter will be greatly appreciated. Also, notification of a public hearing would be greatly appreciated so that I can attend.

Sincerely,



Jim Morrell
22777 Nature View Drive
Sedro-Woolley, WA. 98284
360/854-9319

cc: Lisa Janicki, County Commissioner

John Cooper

From: Planning & Development Services
Sent: Thursday, December 29, 2016 8:44 AM
To: John Cooper
Cc: Betsy D. Stevenson
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Wednesday, December 28, 2016 8:25 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Riley VanderVeen
Address : 21994 Prairie Road
City : Sedro Woolley
State : Washington
Zip : 98284
email : riley.softball.12@gmail.com
Phone : 3608404292
PermitProposal : PL16-0097; Proposed Gravel Pit
Comments : To Whom It May Concern:

I am writing to you regarding the proposed land use by Concrete NW to begin mining gravel on Grip Road in Sedro Woolley. As a resident of the area and member of a family farm, I have numerous concerns about the proposed land use.

My first concern is safety - the corner of Grip Road and Prairie Road is already a dangerous corner for traffic. There are blind spots coming from both directions. The number of trucks coming in and out of the gravel pit over the course of the day will only increase the likelihood of car accidents at this corner. It is not designed for the increase of traffic, let only heavy equipment traffic. Furthermore, Prairie Road is already seen an increase in traffic over the past several years, with people speeding and not paying attention to slow moving vehicles or large equipment. As someone who farms along this road, it is an every day challenge we face. The increase in traffic due to the proposed gravel pit, puts myself and my family at risk as we live and farm in this area. Prairie and Grip Roads are not designed for this level of traffic.

Secondly, I am very concerned about the impact of the proposed land use on our natural environment. As farmers and land users, the Samish River is rigorously guarded and protected by the Skagit County Commissioners, Environmental Protection Agency and the local Native American tribes. It is regularly tested for water quality and regulated so that the oyster beds and fishing environments are not negatively impacted. I cannot fathom that these agencies would agree to a land use that would disrupt the natural environment, tree coverage, water quality, salmon spawning sites of the Samish River. Furthermore, we would not want a repeat of an OSO slide type activity as the natural environment is greatly impacted through the 75' deep gravel pit that is being proposed. Finally, one can only imagine run off from the pit that will greatly impact the Samish River and it's watershed. How is this protecting a Salmon spawning stream and the fishing industry and oyster industries that rely on the Samish River?

Third - I am confused and dismayed that Concrete NW is potentially being allowed to drill a 75' gravel pit in an

area in which homeowners aren't allowed to drill additional wells because of the protection of the Samish River basin. How is this equitable? How is it in the best interest of our environment, of which, we homeowners deal with on a regular basis? Shouldn't Concrete NW be held to the same standards as local land owners?

Next - I am also concerned about the impact the proposed gravel pit will have an the land values of those residents impacted by the gravel pit. People choose to live in the Warner Prairie Valley because it is "country" living, scenic, quiet, surrounded by nature and beautiful views. The proposed land use will have a huge negative impact on this and thus potentially decrease land values. My family has already spoken with two different realtors who agree that land values will decrease with the addition of the gravel pit in our area. The cause of the impact will be noise, dust, increase in traffic, essentially, living in a construction site. How are we homeowners going to overcome these negative impacts on our property values? What is the proposal to protect our properties and property values?

Finally, I am concerned that the proposed land use does not address restrictions over the course of the next 25 years in the areas of volume of trucks per hour, per day; hours of operation; noise impact and plans for reducing noise; land quality; water quality, impact on the Samish River basin; etc.

As you can tell by this email, I am greatly opposed to this proposed land use. It is not in the best interest of our community, our local residents, our livelihood as farmers and land users and our natural environment. Furthermore, as a commuter, I am scared to drive to/from school, work and activities with the increase in traffic, particularly at the corner of Grip and Prairie.

Sincerely,

Riley VanderVeen

From Host Address: 24.113.10.192

Date and time received: 12/28/2016 8:21:37 PM

John Cooper

From: Planning & Development Services
Sent: Thursday, December 29, 2016 8:44 AM
To: John Cooper
Cc: Betsy D. Stevenson
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Wednesday, December 28, 2016 8:20 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Larry VanderVeen
Address : 21994 Prairie Road
City : Sedro Woolley
State : Washington
Zip : 98284
email : Lbveen@wavecable.com
Phone : 3608562617
PermitProposal : PL16-0097
Comments : To Whom It May Concern:

I am writing to you regarding the proposed land use by Concrete NW to begin mining gravel on Grip Road in Sedro Woolley. As a long time resident of the area, home owner and farmer, I have numerous concerns about the proposed land use.

My first concern is safety - the corner of Grip Road and Prairie Road is already a dangerous corner for traffic. There are blind spots coming from both directions. The number of trucks coming in and out of the gravel pit over the course of the day will only increase the likelihood of car accidents at this corner. It is not designed for the increase of traffic, let only heavy equipment traffic. Furthermore, Prairie Road is already seen an increase in traffic over the past several years, with people speeding and not paying attention to slow moving vehicles or large equipment. As someone who farms along this road, it is an every day challenge we face. The increase in traffic due to the proposed gravel pit, puts myself and my family at risk as we live and farm in this area. Prairie and Grip Roads are not designed for this level of traffic.

Secondly, I am very concerned about the impact of the proposed land use on our natural environment. As farmers and land users, the Samish River is rigorously guarded and protected by the Skagit County Commissioners, Environmental Protection Agency and the local Native American tribes. It is regularly tested for water quality and regulated so that the oyster beds and fishing environments are not negatively impacted. I cannot fathom that these agencies would agree to a land use that would disrupt the natural environment, tree coverage, water quality, salmon spawning sites of the Samish River. Furthermore, we would not want a repeat of an OSO slide type activity as the natural environment is greatly impacted through the 75' deep gravel pit that is being proposed. Finally, one can only imagine run off from the pit that will greatly impact the Samish River and it's watershed. How is this protecting a Salmon spawning stream and the fishing industry and oyster industries that rely on the Samish River?

Third - I am confused and dismayed that Concrete NW is potentially being allowed to drill a 75' gravel pit in an

area in which homeowners aren't allowed to drill additional wells because of the protection of the Samish River basin. How is this equitable? How is it in the best interest of our environment, of which, we homeowners deal with on a regular basis? Shouldn't Concrete NW be held to the same standards as local land owners?

Next - I am also concerned about the impact the proposed gravel pit will have an the land values of those residents impacted by the gravel pit. People choose to live in the Warner Prairie Valley because it is "country" living, scenic, quiet, surrounded by nature and beautiful views. The proposed land use will have a huge negative impact on this and thus potentially decrease land values. I have already spoken with two different realtors who agree that land values will decrease with the addition of the gravel pit in our area. The cause of the impact will be noise, dust, increase in traffic, essentially, living in a construction site. How are we homeowners going to overcome these negative impacts on our property values? What is the proposal to protect our properties and property values?

Finally, I am concerned that the proposed land use does not address restrictions over the course of the next 25 years in the areas of volume of trucks per hour, per day; hours of operation; noise impact and plans for reducing noise; land quality; water quality, impact on the Samish River basin; etc.

As you can tell by this email, I am greatly opposed to this proposed land use. It is not in the best interest of our community, our local residents, our livelihood as farmers and land users and our natural environment. Furthermore, as a father of young drivers, I am scared for them to drive to/from school, work and activities with the increase in traffic, particularly at the corner of Grip and Prairie.

Sincerely,

Larry VanderVeen

From Host Address: 24.113.10.192

Date and time received: 12/28/2016 8:18:42 PM

John Cooper

From: Planning & Development Services
Sent: Wednesday, December 28, 2016 3:04 PM
To: John Cooper
Cc: Betsy D. Stevenson
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Wednesday, December 28, 2016 2:50 PM
To: Planning & Development Services
Subject: PDS Comments

Name : John W. and Marie J. Erbstoeszer
Address : 217 E. Division St.
City : MOUNT VERNON
State : WA
Zip : 982743917
email : erbst@cnw.com
Phone : 360-336-5896
PermitProposal : Concrete Nor'west Gravel Mining Proposal
Comments : To: Skagit County Planning Department

From: John and Marie Erbstoeszer
217 East Division Street
Mount Vernon, WA 98274

Comments regarding: the Concrete Nor'west Gravel Mining Proposal

We have recently become aware of Concrete Nor'west's Gravel Mining Proposal in the Grip and Prairie Road areas of Sedro Woolley. As members of the Skagit Bicycle Club, we are familiar with this scenic and very desirable bicycling area.

We are concerned that the Gravel Mining Proposal will not only significantly increase truck traffic on these roads but will pose serious safety hazards for bicyclists and pedestrians. Grip and Prairie roads are already narrow roads with very limited shoulders. Adding heavy truck traffic to these roads without road improvements and cautions would present situations for serious injuries.

We know that Skagit County is committed to maintaining and improving "Population Health." Access to safe bicycling and walking areas is an important mechanism for encouraging physical activity.

We recommend that the Skagit County Planning Department take these public safety issues into consideration prior to issuing a permit.

Thank you,

John W. Erbstoeszer, MD
Family Physician (retired)

Marie J. Erbstoeszer, MHA
Consultant, Health Services Administration (retired)

From Host Address: 66.114.143.58

Date and time received: 12/28/2016 2:47:02 PM

John Cooper

From: Planning & Development Services
Sent: Wednesday, December 28, 2016 1:01 PM
To: John Cooper
Cc: Betsy D. Stevenson
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Wednesday, December 28, 2016 10:50 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Philip McLoud
Address : 24175 Nookachamp Hills Dr
City : MOUNT VERNON
State : WA
Zip : 98274
email : phil.mcloud@gmail.com
Phone : 336-392-0641
PermitProposal : PL16-0097 & PL16-0098 Proposed Gravel Mining Concrete Nor'west off Grip Road
Comments : I am providing comments on this proposed gravel mining operation as president of the Skagit Bicycle Club. The Skagit Bicycle Club represents approximately 200 bicyclists in the Skagit County area. The proposed gravel mining operation will add a great deal of additional truck traffic to Grip and Prairie Roads with little or no accommodation for existing users of the road. These lightly trafficked roads are frequently used by members of the Skagit Bicycle Club for week day rides as well as being part of the route of The Skagit Spring Classic. The Spring Classic is an annual event sponsored by the Skagit Bicycle Club in May that each years attracts 500 - 600 bicyclists to the county.

While the Bicycle Club is not opposed to development within the county, development should consider prior uses of areas and infrastructure. As a minimum the Skagit Bicycle Club recommends that as a condition of the mining and special use permit that the applicant be required to construct paved shoulders of sufficient width to allow bicyclists and truckers to safely share Prairie and Grip Roads.

From Host Address: 204.195.11.14

Date and time received: 12/28/2016 10:45:41 AM

John Cooper

From: Planning & Development Services
Sent: Wednesday, December 28, 2016 1:01 PM
To: John Cooper
Cc: Betsy D. Stevenson
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Wednesday, December 28, 2016 10:05 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Chris Robertson
Address : 5459 Parkridge Pl
City : Sedro Wolley
State : WA
Zip : 98284
email : crobertson70@gmail.com
Phone : 360-333-7103
PermitProposal : Concrete Nor'west Gravel Pit
Comments : As a member of this community I am concerned about the seemingly expedited environmental review for such a large proposal.

my concerns:

the Samish river basin and its associated tributaries already face significant impacts from run off and sedimentation. there are already several industrial uses taking place within and along the banks of the river. the addition of this impact would further degrade habitat quality and represent a step in the wrong direction for this important ecosystem.

Secondly, the Parkridge residents already deal with a significant amount of noise from the neighboring (county authorized) speedway throughout the entire summer. the addition of the rock pit and haul route would have a significant impact on the local wildlife through noise pollution as well as negative impacts to quality of live for this once quiet community.

I ask that you carefully consider the existing impacts of the established gravel pits and there exponential growth given a new pit. I recognize this industry plays a major role in our natural resource based economy however, it must be weighed carefully with the environment and quality of life that are the foundations of this community.

From Host Address: 146.76.119.39

Date and time received: 12/28/2016 10:04:17 AM

John Cooper

From: Anthony and Randelle <triengel@frontier.com>
Sent: Wednesday, December 28, 2016 11:58 PM
To: John Cooper
Subject: Information Request: Concrete Nor'west Gravel Operation Near Grip Road Special Use Permit Application PL16-0097

Mr. Cooper,

This is a request for the following information regarding the Concrete Nor'west Gravel Operation Near Grip Road Special Use Permit Application PL16-0097.

Please email or provide a web link to the following information:

Traffic Report, DN Traffic Consultants, dated May 15, 2015

Thank you,

Anthony Engel

December 28, 2016

Mr. John Cooper
Skagit County Planner
1800 Continental Place
Mt. Vernon, WA 98273

Dear Mr. Cooper,

In the last week, we have learned that a proposed gravel mine will be asking for a permit to operate below our property on Nature View Drive. We have several legitimate concerns over this mine.

First, both my wife and I travel Grip Road to commute to work. In particular, there is a very difficult intersection at the corner of Grip and Prairie Road. Having to fight this intersection daily, we encounter other commuters driving on Prairie Road who give no attention to the advised speed limit. Frequently, several times a week, after pulling on to Prairie Road, a car or cars come around the blind corner and are on our back bumper without notice-again due to the disregard for the advised speed limit. There is no way to avoid this situation during daylight. A blinking yellow caution light will do little or nothing to solve this problem. One can only imagine a slow, lumbering loaded gravel truck and the potential for accidents. Very likely, someone will be seriously injured if not killed because of the imminent danger of this intersection and the gravel trucks that would be frequenting the intersection.

Public safety for not only vehicles, but bicyclists and pedestrians would be severely impaired. The county roads that would be utilized, I do not believe, are engineered for the heavy truck traffic that would use Grip Road further hampering public safety. The steep grade of the road would slow traffic going both up and down Grip Road. Upgrades to the road and roadbed would have to be made in order to accommodate safety of the traveling public as well as the commercial vehicles using the pit. The inference would be that taxpaying public would have to pay for such improvements.

Secondly, the Samish River is a short distance from the proposed gravel pit. Sediment and runoff from the gravel pit would endanger salmon runs in the river, and an oil spill from a broken hydraulic hose, diesel engine malfunction, or other machinery breakdown would be disastrous for the river. Wildlife frequent this area. Daily, on our property we have deer that move through our yard, the evidence being the deer track we see in various places on the property. One can only believe that this gravel pit, its noise, silt, and vibrations will ruin the habitat of not only deer but other wildlife in the area. We have had cougar tracks also on our property. Driving deer away from the area taken by the gravel pit would logically mean displaced deer would mean more cougar preying on deer in our vicinity. Danger to children and pets in the area would be increased because of this.

Those of us who live in this area, do so because of the quiet rural lifestyle. The noise of this proposed pit would negate the quiet, peaceful atmosphere of our area. There are no proposed limits on the hours of operation that we have seen. Because of the noise, dust, and potential safety concerns, property values will be affected with no compensation proposed.

These are what I believe to be legitimate concerns over this proposed pit. Safety, first and foremost, has to be addressed, and to this point in time, there is little regard for the driving public as a result of this mine. Serious environmental concerns are not satisfied.

Finally, we do not get the newspaper. This is the first we have been made aware of this by a neighbor. I would ask, when were we to be given notice of this? A small notice in a legal column, or a small sign posted at the proposed entrance to the pit is not sufficient for alerting our neighborhood the issues of this gravel pit. Legal requirements may have been met. I question the ethics of allowing this process to continue without notification of all who would be affected by this gravel pit.

Any and all attention you would give to the issues raised in this letter will be greatly appreciated. Also, notification of a public hearing would be greatly appreciated so that I can attend.

Sincerely,



Jim Morrell
22777 Nature View Drive
Sedro-Woolley, WA. 98284
360/854-9319

John Cooper

From: Planning & Development Services
Sent: Wednesday, December 28, 2016 1:00 PM
To: John Cooper
Cc: Betsy D. Stevenson
Subject: FW: PDS Comments

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Wednesday, December 28, 2016 11:35 AM
To: Planning & Development Services
Subject: PDS Comments

Name : John Ruthford
Address : 20483 Prairie Rd.
City : Sedro Woolley
State : Washington
Zip : 98284
email : tlbtrbo@aol.com
Phone : 360 724-3903
PermitProposal : Concrete Nor'West gravel pit proposal
Comments : Please extend the comment period for an additional time period due to the Holidays falling within the current comment period. Many local residents are fully unaware of the proposal at this point, and will feel this scheduling was intentional in order to minimize resident input. We have scheduled a community meeting for Jan. 4, and would appreciate having some additional opportunity to comment following that date.

Regards, John

From Host Address: 24.113.4.18

Date and time received: 12/28/2016 11:34:08 AM

John Cooper

From: website
Sent: Thursday, December 29, 2016 10:40 PM
To: Planning & Development Services
Subject: PDS Comments

Name : John W. Day
Address : 6368 Erwin Ln.
City : Sedro-Woolley
State : WA
Zip : 98284
email : jday0730@gmail.com
Phone : 360-956-0644
PermitProposal : Concrete Nor'west Gravel Operation Near Grip Road, Special Use Permit Application PL16-0097
Comments : My wife Martha Bray and I submitted written comments on the proposal at the initial hearing before the Hearing Examiner on December 7, 2016. Martha subsequently submitted an edited version of those comments in two parts via the PDS electronic comment form on December 29, 2016. I fully concur with all of Martha's comments.

One potential adverse environmental impact discussed by Martha in her comments and by Tim Hyatt of SRSC in his comment letter on the proposal dated April 5, 2016 is silt entering Swede Creek and later the Samish River downstream from the project haul road where it crosses Swede Creek. Tim Hyatt notes in particular the steep slope of the road leading north from the bridge over Swede Creek and the likelihood that the heavy truck traffic entailed by the project on this part of the road could result in increased erosion into the creek. This potential impact has so far not been addressed by either the applicant or by PDS staff.

As the Volunteer Land Steward for Skagit Land Trust's Tope Ryan Conservation Area, which is located at the confluence of Swede Creek and the Samish River, I have a special concern for what happens upstream. The Tope Ryan property is critical habitat for a wide range of species. Salmon spawn in Swede Creek on the property and in the adjacent Samish Rive. Bald eagles feed on the salmon carcasses. Juvenile salmon use the complex network of stream channels and beaver ponds as a refuge year-round. In the springtime, the wetlands on the property teem with breeding amphibians. A wide variety of songbirds, water birds and raptors use the diverse habitats of the conservation area at different times of the year. Human visitors frequently come to the site to enjoy all of this richness.

Excessive silt carried down Swede Creek from the project haul road could negatively impact critical wildlife habitat and recreational values on the Tope Ryan property over the entire lifetime of the project. I ask that Skagit County take this risk into careful consideration and condition the project to ensure that such damage does not occur.

From Host Address: 50.34.129.47

Date and time received: 12/29/2016 10:37:13 PM

John Cooper

From: website
Sent: Thursday, December 29, 2016 7:20 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Roy Donaldson
Address : 4201 Saje Lane
City : Sedro Woolley
State : WA
Zip : 98284
email : roydonaldson4201@gmail.com
Phone : 360-856-5882
PermitProposal : #PL16-0097
Comments : Comment to Permit #PL16-0097
By: Roy Donaldson
4201 Saje Lane
Sedro Woolley, WA 98284
Phone: 360-856-5882
Email: roydonaldson4201@gmail.com
I do not oppose Contrete Nor'West opening a gravel pit on their property.
My concern is for the public safety to transport their product through the intersections at Grip & Prairie Road, and Prairie Road & Old 99.
Both intersections require the trucks to stop, then, negotiate a turn while climbing a grade. This slope slows their acceleration to merge with traffic and creates a hazard for on coming vehicles.

The Grip Road to Prairie Road intersection has a serious sight corner problem now with autos, so anything larger will be worse. Many times I have had near misses with cars as I drove around the corner. Fortunately, I slow well before the intersection because I know that Grip Road has no warning of oncoming traffic.
East bound on Prairie road has more time to see an obstruction, but a long truck-trailer entering the road will be a serious hazard for vehicles approaching at 40 mph.
Prairie Road is a knoll at the Grip Road intersection. I feel that this should be reduced and a level landing added on Grip Road. In addition, Prairie Road has a major line of sight problem in this area. If the North bank were leveled, it would give traffic in all directions safer visibility.

At Old 99 the trucks have much better visibility, but they are climbing a slope and entering traffic that is traveling at 50 mph. This will create backups on Prairie Road and a generally more hazardous condition for everyone.
Some form of increased traffic control should be considered for this intersection to handle the higher volume of heavy trucks.

From Host Address: 24.113.225.94

Date and time received: 12/29/2016 7:19:20 PM

John Cooper

From: website
Sent: Thursday, December 29, 2016 5:10 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Michael B. Cole
Address : 5236 Park Ridge Place
City : Sedro-Woolley
State : WA
Zip : 98284
email : mbcole70@aol.com
Phone : 360-724-3720
PermitProposal : PL16-0097
Comments : My concern is average of 46 gravel truck combos per day for 25 years with possibility of up to 30 trucks per hour over a 24 hr. period entering Prairie Rd. from Grip Rd. at a 90 degree corner. This amount of trucks will effect and possibly destroy narrow Prairie Rd. This road has no big shoulders, ditches on both sides. We have 2 school districts buses running on that road and they both turn around on Park Ridge Lane. This is going to be difficult with the truck traffic. In the summer we have many bicycles on the road. Even today when a 18 wheeler passed me it was close. I am concerned about even getting out of Park Ridge Lane to get on Prairie with all this truck traffic. I am disappointed that the environment is of no consequence in this decision-animals, fish, Skagit River, Swede Creek, Wear Creek (that crosses Prairie). My other concern is that I did not receive this notice until Dec. 24 and I am probably not the only one who was out of town for the Holidays.

From Host Address: 50.35.59.53

Date and time received: 12/29/2016 5:09:40 PM

John Cooper

From: website
Sent: Thursday, December 29, 2016 3:30 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Rick Brumfield
Address : 5318 Cedar Ridge Pl
City : Sedro-Woolley
State : WA
Zip : 98284
email : rbb123@frontier.com
Phone : 2536703606
PermitProposal : PL16-0097
Comments : My wife, Kathryn Longfellow and I live on and own parcel P50710 ... very near the subject property.

We would like to "be sent all notices related to the project"(reference instructions from Betsy D. Stevenson [mailto:betsyds@co.skagit.wa. us] to John Guettler ... December 23, 2016 3:28 PM e-mail).

John and Sally Guettler are our next door neighbors. They shared Betsy's e-mail with us.

From Host Address: 64.134.221.91

Date and time received: 12/29/2016 3:28:53 PM

John Cooper

From: website
Sent: Thursday, December 29, 2016 12:05 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Jane Fish
Address : 5043 Wildlife Acres Lane
City : Sedro-Woolley
State : WA
Zip : 98284
email : jfish1994@gmail.com
Phone : 360-708-2981
PermitProposal : PL16-0097
Comments : Our family just moved to our current location at the end of April this year. (2016) Needless to say, I was quite distressed when I heard about the proposal of Concrete Nor'west to have a gravel mining operation very close to our new home. These are my concerns:

1. Safety--the roads out here are very narrow. As everyone knows, there is a blind corner at Grip Road and Prairie Rd. The amount of trucks that would be going through that intersection and other small country roads daily is mind-boggling. I would not want any of my family members or anyone else in this area to be at risk to be involved in an accident with one of these MANY large trucks going through. THINK ABOUT THAT!

2. This proposal would DESTROY the peaceful environment that all of us desired when we chose to live here.

3. I know there are environmental issues, but I am not as well-versed on those.

Please reconsider this proposal and take your mining and big trucks somewhere else! This neighborhood does not welcome the risk and disturbance of this type of operation.

From Host Address: 172.242.250.32

Date and time received: 12/29/2016 12:01:15 PM

John Cooper

From: website
Sent: Thursday, December 29, 2016 4:45 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Nancy K. Taylor
Address : 21441 Prairie Rd.
City : Sedro Woolley
State : WA
Zip : 98284
email : nancyktaylor45@hotmail.com
Phone : 360-399-1969
PermitProposal : Gravel Pit by Concrete Nor'West
Comments : Concerns for public safety are obviously being neglected once again, not only for those who may be jogging, bicycling, children and vehicles just to mention a few of the more obvious concerns, not to mention the car clubs that use Prairie Rd, and the cycling clubs who continue to use Prairie Rd.(and no shoulders to speak of at all for bikes). We live on a blind curve going East & West. We personally have nearly been hit by oncoming traffic heading both directions at abnormally high speeds. The most recent incident: a car traveling West with a car in front of them and a slow farmer heading East, car proceeds to PASS an individual over to the right which was our next door neighbors driveway @ The 3 Handed Ranch went thru her driveway over her lawn, over our shop driveway then through our lawn, My husband was pulling up next to our fence and here comes this car headed right for his driver door as he is sitting IN our driveway. My husband slams the car in reverse where the car doing this maneuver just missed him. The cars on Prairie Rd. nearly always travel at high speeds, some in front of our house over 100 miles/hour. I guess for some it is more of a game going thru these curves at high speeds. Another recent incident another car traveling West flying thru actually so fast after my husband pulled out of our driveway they proceeded to flash their headlights at him. This has been an ongoing problem since we have lived here, and I know for a fact that residents on Prairie Rd. have been complaining about the speeding cars for several decades, a good example would be Jerry and Donna Marlow who also live on Prairie Rd. We have had cars hitting poles, mailboxes, fences (the fence across the street at the tree farm was recently hit). Just the speeding issues alone are a great concern as our Skagit County continues to be negligent with these current obvious issues. Our local Sherriff's Dept continues to sit on Parson Creek Rd nearly daily and we continually have Prairie Rd neglected with these high speed vehicles , motor cycles, logging trucks, milk trucks, school busses, motorcycles etc. Not only do we have to consider public safety issues, we as well now consider the ongoing increased noise, dust, and vibrations from mining and off site trucking, more damage to public roads and the impact on our water supply, water quality for personal wells, the Samish River and wildlife and property values. Are you going to be addressing ALL of these concerns with Concrete Nor'West and Skagit County Planning and Development? Because they sure are not thus far being considered now.

From Host Address: 104.129.192.110

Date and time received: 12/29/2016 4:43:58 PM

John Cooper

From: website
Sent: Thursday, December 29, 2016 2:45 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Mike & Stephanie Gahan
Address : 22035 Grip Rd
City : Sedro Woolley
State : Wa
Zip : 98284
email : Colebran1@gmail.com
Phone : 360-854-0067
PermitProposal : PL16-0097 68 acre open pit gravel mine
Comments : As a resident of Grip Rd these are a few of my concerns regarding the gravel mine proposed by Concrete Nor'west.
Public safety for vehicles, pedestrians, bicyclists (who travels these roads a ton in the spring and summer) and children from the large amounts of trucks that would travel these NARROW and winding roads is just an accident waiting to happen. Noise, dust, vibrations from on and off site mining. Damage to public roads, who will pay for that? Impact to wildlife, the Samish River and water quality.
DECLINE IN PROPERTY VALUES! NO to gravel mine!!!!

From Host Address: 66.87.138.214

Date and time received: 12/29/2016 2:42:00 PM

John Cooper

From: website
Sent: Thursday, December 29, 2016 10:25 AM
To: Planning & Development Services
Subject: FW: Feedback Submission

From: feedback@co.skagit.wa.us [mailto:feedback@co.skagit.wa.us]
Sent: Thursday, December 29, 2016 10:25 AM
To: website
Subject: Feedback Submission

Department : Planning and Development Services
Name : R.P. Silva
Email : petenteri1@gmail.net
Other : No gravel pit should be permitted at the Prairie Rd. site. The area is too sensitive with Samish River and Swede Creek nearby. Truck travel thru the area would be far too much and would certainly cause damage to the roads. Repairs would then be put on the taxpayers backs.
No gravel pit should be permitted.

From Host Address: 72.168.145.223

Date and time received: 12/29/2016 10:24:14 AM

John Cooper

From: website
Sent: Thursday, December 29, 2016 9:30 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Joni Lee Morrell
Address : 22777 Nature View Drive
City : Sedro-Woolley
State : WA
Zip : 98284
email : joni.morrell@gmail.com
Phone : 360-854-9319
PermitProposal : Special Use Permit Application PL16-0097
Comments : I would like to go on record in opposition to the Concrete Nor'West application to mine gravel from parcels P50155, P125644, and P125645. My primary concern is the negative impact/effects of additional truck traffic (average of 46 truck trips per day) on roads and bridges that are already heavily traveled and not conducive to commercial uses. In addition, the intersection of Prairie Road and Grip Road has a blind curve that is dangerous as is and will only get worse with the addition of frequent gravel trucks.

Our property is six miles away from the Skagit Speedway, and we clearly hear the races and fireworks on summer evenings. I can only imagine how much noise a gravel mining operation less than half that distance away will impact property owners who live in this rural setting for the peaceful, quiet, serene lifestyle. No one would have anticipated that a large intrusive commercial operation might be located right down the road.

Please notify me once a hearing date has been established for this application so I can plan to attend. Thank you.

From Host Address: 50.35.39.124

Date and time received: 12/29/2016 9:27:50 AM

December 29, 2016
21804 Grip Road
Sedro Woolley, WA 98284

Planning and Development Services
1800 Continental Place
Mount Vernon WA 98273

RECEIVED
DEC 29 2016
SKAGIT COUNTY
PDS

Re: Concrete Nor'West Gravel Mine Project
Permit Application PL16-0097

Attention: Hearing Examiner and Planning Staff:

I am submitting this letter to express my concerns and opposition to Concrete Nor'West's proposed gravel mine near Prairie Road and Grip Road. This project as currently packaged has many negative and detrimental impacts to the local community, to traffic, and to the environment.

This proposed project has major consequences to everyone who lives or commutes on Grip and Prairie Roads and as such, the definition of the project boundaries is not providing due process for the impacted community to comment and input.

My concerns and suggested considerations include:

1. Truck traffic:
   - The proposed 30 trucks per hour will cause traffic jams, extremely unpleasant noise, and significant odors from the diesel trucks' exhaust gases. Much lower limits on the truck numbers should be considered.
   - Prairie Road is not sized for the proposed amount of truck traffic. Every home owner on Grip and Prairie Roads will be severely impacted by much slower commutes to work, to school, for shopping, and for recreational purposes. Emergency vehicle response will also be severely impeded. As a minimum, Prairie Road should be strengthened to handle the heavy truck load and upgraded to four lanes from Grip Road to Highway 99.
   - There are frequent groups of bicyclists on these roads that will be significantly endangered by the number of large trucks. A bike lane addition to Prairie Road and to Grip Road should be considered.
   - The blind intersection at Grip and Prairie is hazardous for even light, maneuverable traffic. Large trucks and trailers would definitely cause much higher risks for injuries and fatalities. The large volume of truck traffic (as much as 30 round trips per hour) causes this to be a continuous problem. The proposed blinking light when a truck is at the intersection is a ludicrous option. As a minimum, an additional turning lane in each directions onto and off Prairie Road needs due consideration.

- There is limited visibility at the proposed entry to/from the gravel mine at Grip Road. Turn and merge lanes need consideration as well as traffic controls.
- Grip Road has many blind curves and is not designed to handle the proposed heavy truck traffic. The steep uphill grade from Prairie Road to the mine entrance will result in trucks going extremely slow to make the grade. Consequently, we will experience frequent traffic congestion throughout Grip Road. Consideration should be given to strengthening the road bed, increasing the number of lanes from the mine entrance at Grip Road to Prairie Road, and permitting a much lower limit for the number of trucks.

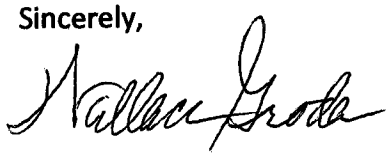
2. Water run off:
   - How can a minimum impact assessment be made for this project? Local property owners have been taxed significantly with special assessments for The Clean Samish Initiative. The amount of each property owner's special assessment is calculated basis the amount of surface area that is covered by buildings, by concrete, and by gravel. This allegedly reduces soil absorption of water and thereby increases runoff which negatively impacts the quality of the water entering the Samish River. With two miles of newly installed gravel road and 20 plus acres of soil removed from the mining site, the same methodology would predict a significant impact. What is expected from Concrete Nor'West to prevent this consequence?
   - Spill containment – There are little provisions for oil and fuel spills and leaks. This amount of heavy equipment, trucks, hydraulic, and fuel storage will have predictable leaks. Best practices for addressing these problems are not proposed. There are literally thousands of gas stations in this country which have been forced to implement remediation projects because of leaking double bottomed tanks. Many of these leaks/spills have contaminated drinking water aquafers.

3. Community Impact:
   - Rezoning this acreage from timber land to mining and permitting this project will destroy the quality of the rural residential area that attracted so many of us. Destruction of 20 to 30 acres of timberland to implant another gravel mining scar will significantly detract from the scenic beauty of the Samish watershed.
   - Property values will be negatively impacted.
   - The heavy truck traffic (a truck/trailer passing every 60 seconds) on Grip and Prairie Roads will add time to ever resident's commute time.
   - The added heavy truck traffic will quickly damage the roadways unless improvements are required for the permit. The Skagit County taxpayers should not be expected to pay for this project's needed infrastructure improvements or for the inevitable damages caused by this mining traffic if preliminary improvements to the roadways are not made.

This proposed mining operation will have many subtle and many not so subtle impacts on the community. Because of the complexities, many of us would like to see a more structured

approach to identifying and addressing these issues prior to permitting. Many industrial projects of this nature engage community action committees to work with the project company and permitting agency. As a minimum, please consider this option of involving a few community representatives rather than hastily issuing a permit at this point.

Sincerely,



Wallace Groda
(Farm owner at 21804 Grip Road)

cc:
Skagit County Commissioners:

- Ron Wesen
- Ken Dahlstedt
- Lisa Janicki

John Cooper

From: website
Sent: Thursday, December 29, 2016 8:35 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Martha Bray
Address : 6368 Erwin Ln
City : Sedro Woolley
State : WA
Zip : 98284
email : mbray1107@gmail.com
Phone : 360.856.0644
PermitProposal : Concrete Nor'West Gravel Mine Proposal (Permit #PL16-0097).
Comments : I am writing again regarding Concrete Nor'West's proposed gravel mine located near the Samish River. Most, but not all of these comments were delivered at the Dec.7, 2016 hearing.
I understand that the site of this proposed gravel mine is zoned appropriately for this use, and the landowner has the legal right to use the site for the purposes for which it was acquired. However, I don't think this proposal has received adequate regulatory review, and I don't think that the impact to the local community and environment has been adequately considered. In addition I question whether the public infrastructure is in place at this time to support the level truck traffic anticipated. So, my concern is with the scale, the timing and the location of the proposal.

Our home is about a mile and a quarter southeast of the project site on a dead-end road accessed via Grip Road. We have lived at this location for more than 11 years. We very much enjoy the relative peace and quiet of this rural neighborhood. We spend a lot of time outside and are actively working to restore and enhance wildlife habitat on our property.

We consider ourselves incredibly lucky that the gravel trucks leaving the proposed mine site will generally head northwest on Grip Road, not south on Grip toward our home. That said, I am sure that we (along with many other residents of this area) will hear the mine equipment daily, and especially the gravel trucks descending the big Grip Road hill. In addition, we drive down Grip Road and west on Prairie Road 3-5 times a week. We also enjoy riding our bikes on Grip and Prairie Roads – we do this often -- sometimes 3-4 times per week all year round (and, we are not alone -- there are many recreational bicyclists that routinely ride these narrow winding country roads.) Road safety for vehicles, bicyclists and pedestrians with the proposed increase in truck traffic is a very real concern, but this is not my only concern.

My husband and I commented on this project in April 2016, when we just happened to see the first legal notice in the newspaper, and again in June when the MDNS was issued. Our concerns haven't really changed much, and unfortunately, we don't feel that they were adequately addressed through the mitigation that has been recommended in the staff report. County staff have been responsive and forthright in answering my questions, but their answers always seem to come back to regulating the project to the extent the law requires, but little more. I thought that the intent of SEPA and of permitting a "Conditional Use" was about site specific review to craft real conditions or restrictions on a proposed use. Restrictions that are appropriate for this particular site, in this particular location -- to balance the landowners' rights with environmental protection, neighborhood quality of life and public safety -- not just to apply or re-state existing regulations, which seems to be what is mostly happening here.

So, after reviewing the latest staff report as well as most of studies that it references, I offer these further comments:

- Wildlife habitat is more than fish and wetlands. I understand that no threatened or endangered species seem to be using the site, and no wetlands will be disturbed. However, what about the cumulative impact to other native species – those that are not 'listed' – but whose habitat is shrinking incrementally, and are gradually disappearing from western Skagit County? These slightly more 'common' species always seem to get short shrift through site specific review. This project will create an open pit mine 50 acres in size with a very long private haul road slicing through a contiguous forested landscape. This larger landscape is still relatively undeveloped -- extending from Butler Hill south of the site, northward to the Samish River, and then on to State forest lands on Anderson Mountain. This is a large, still functional, ecosystem is capable of supporting many native species including cougar and bear, which have been seen in the area fairly recently, but are increasingly rare in our lowlands. These animals require vegetative cover to move across the landscape in areas where they do not conflict with humans. At the scale this project is proposed, it could severely reduce the potential for wildlife passage from the north to south. A permanently protected and wider setback from the mining operation and the property boundaries, including around the associated haul roads, would at least provide some undisturbed area for a wildlife corridor; the currently proposed 100 foot vegetated buffer on the sides of the mine itself, seems minimal at best for a disturbance this large, 200 feet does not seem unreasonable.

- Samish River. The project is adjacent to the Samish River which has been the focus of considerable planning effort to prevent further water quality degradation. The river also provides important wildlife cover and travel corridors. A wider buffer on the river and associated wetlands would seem a small price to pay to help maintain a healthy watershed and landscape connectivity (especially given the level of noise generated from this project). The proposed 200 foot average buffer along the river appears to encompass mostly just the hillslope down to the river; it does not seem unreasonable to require a 300 foot buffer that takes in more area at the top of the slope. I have not been on the site, but I understand from reading comments from Skagit River System Cooperative that the haul road is steep where it crosses Swede Creek. They recommended road improvements to prevent sedimentation into Swede Creek. No conditions or mitigation has been recommended for the haul road, why not? Swede Creek already has a lot of problems farther downstream. In addition, regarding protection of groundwater -- I understand the mining will result in an excavation of 50 to 90 feet of material -- to a level just 10 feet from the groundwater. Presumably the groundwater on the site flows directly into the river. Is there some way to monitor the actual level of the groundwater and ensure that the mine is not going too deep? And, what about seasonal fluctuations of groundwater? In the part of the staff report that discusses hazardous materials (at the bottom of page 4 and top of page 5), it states: "The ongoing fuel sources combined with the increased susceptibility of the acquifer due to mining would result in low risk to water quality". I really don't understand this statement, and it seems contradictory. It then goes on to say that the Department "recommends" a spill response plan and BMP's to prevent water pollution. It seems to me that the Department ought to "require" such plans and BMP's. I was told that this is the jurisdiction of the Department of Ecology, but this is not made clear in the documents, and it seems important that there will be some sort of oversight to insure proper management of hazardous materials and protection of the groundwater.

----------NOTE -- comments are continued:
This is part one of my comments. Due to on-line word limits, the second part will be in a second submission. Thank you.

From Host Address: 50.34.129.47

Date and time received: 12/29/2016 8:34:33 PM

John Cooper

From: website
Sent: Thursday, December 29, 2016 8:55 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Martha Bray
Address : 6368 Erwin Ln
City : Sedro Woolley
State : WA
Zip : 98284
email : mbray1107@gmail.com
Phone : 360.856.0644
PermitProposal : Concrete Nor'West Gravel Mine Proposal (Permit #PL16-0097).
Comments : Below is s second submission, due to on-line word limits:

- Roads and Traffic in general. I feel that far too little consideration was given in in the proposed mitigation, to the off-site impacts from truck traffic. I am concerned about public safety, and wear and tear on the public roads,and about noise, vibration and dust, especially for my neighbors who live downstream of the truck traffic. More specifically:

- Volume of truck traffic. I found the staff report confusing when it described the number of gravel truck trips associated with the project. Page 3 of the staff report states this: "average 46 daily trips ..... not to exceed 30 trucks per hour (potential of 720 trips per day)." After asking a lot of questions, I understand this to mean that the applicant wants maximum flexibility to haul as much gravel as possible in a short period of time, even if that means at night or even hauling 24 hours a day. Regardless, an average of 46 truck-trailer combos, per day, for 25 years is a huge amount of gravel going down Grip and Prairie Roads. And a maximum of 30 trucks per hour sounds completely crazy. Yet, page 16 of the staff report states "The applicant indicates that the truck traffic would not significantly increase traffic volumes and would not require mitigation. No significant impact to the provision of public services in surrounding areas has been identified...." I respectfully disagree -- an average of a truck every ten minutes, for 8 hours a day, 5 days a week, for 25 years is very significant. Especially for the people that live on lower Grip and Prairie Roads. This volume of truck traffic has huge impacts on the quality of life in that neighborhood, and for the many people who routinely commute on those roads.

- Wear and Tear on County Roads. Concrete Nor'West will be moving literally millions of tons of gravel on these little secondary roads. How can this not cause additional wear and tear? And yet, I was told that Public Works says the roads are fine, and no mitigation is necessary. In addition, I was told that the County Road Fund gets extra money from the trucking through the fuel tax to compensate for road wear. But, how does that money find its way back to little Grip and Prairie Roads? Especially for expensive improvements that really ought to be made to safely accommodate this volume of truck traffic (such as wider paved shoulders)? If there is no precedent for asking the project proponent to pay for road improvements or road maintenance, maybe it's time to create one.

- Public Safety. The only mitigation that has been proposed regarding road safety is to install a blinking light at the intersection of Grip and Prairie Roads. This is a dangerous intersection with limited line of sight. If this isn't enough, then who pays for something better? And again, what about other public safety concerns? What about how narrow and steep Grip Road is? Truck traffic will be going both directions – with empty trucks returning

for another load. What about all the residential driveways that enter these roads? What about peak commute times? How long does it take a truck-trailer combo to pull out of an intersection and reach traveling speed? How much will this slow down the other vehicles?

- Bicyclists and pedestrians. Without road improvements, this volume of truck traffic would add too much risk for recreational cyclists to comfortably ride on lower Grip and Prairie Roads during hours of operation. These roads are narrow and have no hard shoulder – there is the white line on the edge of the road (or sometimes not even that) -- then soft gravel if not just a ditch. Page 19 of the staff report, regarding public recreation, states that "No substantial impacts to such [recreational] activities have been identified". Again, I respectfully disagree. And lastly, what about kids waiting for the school bus, and pedestrians -- folks just out walking their dog? I believe County roads are meant to be for everyone, not just commercial hauling.

- In summary regarding roads. I don't feel these issues have been evaluated adequately nor the concerns of the community truly considered. Most of the gravel mines in the County that I know of are not on such narrow winding roads with as many homes – Old 99 has a nice wide shoulder, most of Kelleher Road does as well. It is the location and scale of this project that is the issue. I don't know anything about road engineering and planning, or how these issues have been addressed on other projects or jurisdictions, but there must be some better ways to protect public safety, our rural quality of life, and to better assign costs. A few ideas are to: limit the number of gravel trucks per day; limit hours of mine operation; reduce the size of the mine; restrict operations to Monday through Friday so we at least know there will be some safe times to venture out on foot or on a bike; create a mechanism whereby residents and commuters can be notified when large volumes of trucks will be on the roads; create a mechanism whereby the project proponent is required to make or pay for appropriate road maintenance and improvements. This could be phased in over time, and be based on monitoring of road conditions and identification of the most narrow and treacherous road locations.

Additional concerns:

- Why is the Special Use Permitopen ended? Without an end date or renewal requirement, there is no mechanism for evaluating how well the mitigation is working, or even if the conditions and regulations are being met, or where the ground water level actually is. The actual mine site is far from a public road, with no way for the community to really to observe or comment if there is a concern. There should be some sort of renewal date for the permit to insure that the environmental protections are working, and to evaluate how the County roads are really holding up to the impacts.

- Rural character, landscape and lifestyle. Page 16 of the staff report states "Noise from mining operation and truck traffic may slightly alter the quiet lifestyle of this rural area....After completion of the mining operations, it is anticipated that the character, landscape and lifestyle will return to its previous functions." This strikes me as a pretty cynical statement -- "slightly alter the quiet lifestyle" -- Really? And, "after completion" – let's remember, that's 25 years! What is the point of such a statement, except to somehow whitewash the real effects of the project? It begs the question: How can a fifty-acre open pit mine, fifty to ninety feet deep, next to a fragile already degraded river – a project that directs hundreds of trucks a week on to a crumbling narrow steep winding country road, past dozens of rural homes – not have significant environmental impact? And how does the mitigation that is proposed ameliorate it? Much more needs to be done to address community concerns.

From Host Address: 50.34.129.47

Date and time received: 12/29/2016 8:54:16 PM

December 29, 2016

Re: Comments on Concrete Nor'West Gravel Mine Proposal (Permit #PL16-0097).

Dear Mr. Cooper,

I am writing again regarding Concrete Nor'West's proposed gravel mine located near the Samish River. Most, but not all of these comments were delivered at the Dec.7, 2016 hearing.

I understand that the site of this proposed gravel mine is zoned appropriately for this use, and the landowner has the legal right to use the site for the purposes for which it was acquired. However, I don't think this proposal has received adequate regulatory review, and I don't think that the impact to the local community and environment has been adequately considered. In addition I question whether the public infrastructure is in place at this time to support the level truck traffic anticipated. So, my concern is with the scale, the timing and the location of the proposal.

Our home is about a mile and a quarter southeast of the project site on a dead-end road accessed via Grip Road. We have lived at this location for more than 11 years. We very much enjoy the relative peace and quiet of this rural neighborhood. We spend a lot of time outside and are actively working to restore and enhance wildlife habitat on our property.

We consider ourselves incredibly lucky that the gravel trucks leaving the proposed mine site will generally head northwest on Grip Road, not south on Grip toward our home. That said, I am sure that we (along with many other residents of this area) will hear the mine equipment daily, and especially the gravel trucks descending the big Grip Road hill. In addition, we drive down Grip Road and west on Prairie Road 3-5 times a week. We also enjoy riding our bikes on Grip and Prairie Roads – we do this often -- sometimes 3-4 times per week all year round (and, we are not alone -- there are many recreational bicyclists that routinely ride these narrow winding country roads.) Road safety for vehicles, bicyclists and pedestrians with the proposed increase in truck traffic is a very real concern, but this is not my only concern.

My husband and I commented on this project in April 2016, when we just happened to see the first legal notice in the newspaper, and again in June when the MDNS was issued. Our concerns haven't really changed much, and unfortunately, we don't feel that they were adequately addressed through the mitigation that has been recommended in the staff report. County staff have been responsive and forthright in answering my questions, but their answers always seem to come back to regulating the project to the extent the law requires, but little more. I thought that the intent of SEPA and of permitting a "Conditional Use" was about site specific review to craft real conditions or restrictions on a proposed use. Restrictions that are appropriate for this particular site, in this particular location -- to balance the landowners' rights with environmental protection, neighborhood quality of life and public safety -- not just to apply or re-state existing regulations, which seems to be what is mostly happening here.

So, after reviewing the latest staff report as well as most of studies that it references, I offer these further comments:

- Wildlife habitat is more than fish and wetlands. I understand that no threatened or endangered species seem to be using the site, and no wetlands will be disturbed. However, what about the cumulative impact to other native species – those that are not 'listed' – but whose habitat is shrinking incrementally, and are gradually disappearing from western Skagit County? These slightly more 'common' species always seem to get short shrift through site specific review. This project will create an open pit mine 50 acres in size with a very long private haul road slicing through a contiguous forested landscape. This larger landscape is still relatively undeveloped -- extending from Butler Hill south of the site, northward to the Samish River, and then on to State forest lands on Anderson Mountain. This is a large, still functional, ecosystem is capable of supporting many native species including cougar

and bear, which have been seen in the area fairly recently, but are increasingly rare in our lowlands. These animals require vegetative cover to move across the landscape in areas where they do not conflict with humans. At the scale this project is proposed, it could severely reduce the potential for wildlife passage from the north to south. A permanently protected and wider setback from the mining operation and the property boundaries, including around the associated haul roads, would at least provide some undisturbed area for a wildlife corridor; the currently proposed 100 foot vegetated buffer on the sides of the mine itself, seems minimal at best for a disturbance this large, 200 feet does not seem unreasonable.

- Samish River. The project is adjacent to the Samish River which has been the focus of considerable planning effort to prevent further water quality degradation. The river also provides important wildlife cover and travel corridors. A wider buffer on the river and associated wetlands would seem a small price to pay to help maintain a healthy watershed and landscape connectivity (especially given the level of noise generated from this project). The proposed 200 foot average buffer along the river appears to encompass mostly just the hillslope down to the river; it does not seem unreasonable to require a 300 foot buffer that takes in more area at the top of the slope. I have not been on the site, but I understand from reading comments from Skagit River System Cooperative that the haul road is steep where it crosses Swede Creek. They recommended road improvements to prevent sedimentation into Swede Creek. No conditions or mitigation has been recommended for the haul road, why not? Swede Creek already has a lot of problems farther downstream. In addition, regarding protection of groundwater -- I understand the mining will result in an excavation of 50 to 90 feet of material -- to a level just 10 feet from the groundwater. Presumably the groundwater on the site flows directly into the river. Is there some way to monitor the actual level of the groundwater and ensure that the mine is not going too deep? And, what about seasonal fluctuations of groundwater? In the part of the staff report that discusses hazardous materials (at the bottom of page 4 and top of page 5), it states: *"The ongoing fuel sources combined with the increased susceptibility of the acquifer due to mining would result in low risk to water quality".* I really don't understand this statement, and it seems contradictory. It then goes on to say that the Department *"recommends"* a spill response plan and BMP's to prevent water pollution. It seems to me that the Department ought to "require" such plans and BMP's. I was told that this is the jurisdiction of the Department of Ecology, but this is not made clear in the documents, and it seems important that there will be some sort of oversight to insure proper management of hazardous materials and protection of the groundwater.

- Roads and Traffic in general. There is so much to say on this topic. In general, I feel that far too little consideration was given in the staff report, and in the proposed mitigation, to the off-site impacts from truck traffic. I am concerned about public safety. I am concerned about wear and tear on the public roads. And, I am concerned about noise, vibration and dust, especially for my neighbors who live downstream of the truck traffic, who I feel were not properly notified of this proposal. More specifically:

- Volume of truck traffic. I found the staff report confusing when it described the number of gravel truck trips associated with the project. Page 3 of the staff report states this: *"average 46 daily trips ..... not to exceed 30 trucks per hour (potential of 720 trips per day)."* After asking a lot of questions, I understand this to mean that the applicant wants maximum flexibility to haul as much gravel as possible in a short period of time, even if that means at night or even hauling 24 hours a day. Regardless, an average of 46 truck-trailer combos, per day, for 25 years is a huge amount of gravel going down Grip and Prairie Roads. And a maximum of 30 trucks per hour sounds completely crazy. Yet, page 16 of the staff report states *"The applicant indicates that the truck traffic would not significantly increase traffic volumes and would not require mitigation. No significant impact to the provision of public services in surrounding areas has been identified...."* I respectfully disagree -- an average of a truck every ten minutes, for 8 hours a day, 5 days a week, for 25 years is very significant. Especially for the people that live on lower Grip and Prairie Roads. This volume of truck traffic has huge impacts on the quality of life in that neighborhood, and for the many people who routinely commute on those roads.

- Wear and Tear on County Roads. Concrete Nor'West will be moving literally millions of tons of gravel on these little secondary roads. How can this not cause additional wear and tear? And yet, I was told that Public Works says the roads are fine, and no mitigation is necessary. (Incidentally, I don't think many of us who live in the neighborhood would agree that the condition of Grip Road is fine, especially at the bottom of the hill where every year the ditch floods and undermines the road.) In addition, I was told that the County Road Fund gets extra money from the trucking through the fuel tax to compensate for road wear. But, how does that money find its way back to little Grip and Prairie Roads? Especially for expensive improvements that really ought to be made to safely accommodate this volume of truck traffic (such as wider paved shoulders)? If there is no precedent for asking thr project proponent to pay for road improvements or road maintenance, maybe it's time to create one.

- Public Safety. The only mitigation that has been proposed regarding road safety is to install a blinking light at the intersection of Grip and Prairie Roads. This is a dangerous intersection with limited line of sight. Time will tell if this blinking light is enough -- if it isn't enough, then who pays for something better? And again, what about other public safety concerns? What about how narrow and steep Grip Road is? Truck traffic will be going both directions – with empty trucks returning for another load. What about all the residential driveways that enter these roads? What about peak commute times? How long does it take a truck-trailer combo to pull out of an intersection and reach traveling speed? How much will this slow down the other vehicles?

- Bicyclists and pedestrians. Without road improvements, this volume of truck traffic would add too much risk for recreational cyclists to comfortably ride on lower Grip and Prairie Roads during hours of operation. These roads are narrow and have no hard shoulder – there is the white line on the edge of the road (or sometimes not even that) -- then soft gravel if not just a ditch. If you have ever been passed by a gravel truck while riding a bike on one of these roads, especially a truck trailer-combo, you know how terrifying it is.... Page 19 of the staff report, regarding public recreation, states that *"No substantial impacts to such [recreational] activities have been identified"*. Again, I respectfully disagree. And lastly, what about kids waiting for the school bus, and pedestrians -- folks just out walking their dog? I believe County roads are meant to be for everyone, not just commercial hauling.

- In summary regarding roads. I don't feel these issues have been evaluated adequately nor the concerns of the community truly considered. Most of the gravel mines in the County that I know of are not on such narrow winding roads with as many homes – Old 99 has a nice wide shoulder, most of Kelleher Road does as well. It is the location and scale of this project that is the issue. I don't know anything about road engineering and planning, or how these issues have been addressed on other projects or jurisdictions, but there must be some better ways to protect public safety, our rural quality of life, and to better assign costs. A few ideas:

    - Limit the number of gravel trucks per day
    - Limit hours of mine operation
    - Reduce the size of the mine
    - Restrict operations to Monday through Friday so we at least know there will be some safe times to venture out on foot or on a bike
    - Create a mechanism whereby residents and commuters can be notified when large volumes of trucks will be on the roads
    - Create a mechanism whereby the project proponent is required to make or pay for appropriate road maintenance and improvements, especially better road shoulders.
    - This could be phased in over time, and be based on monitoring of road conditions and identification of the most narrow and treacherous road locations.
    - Get the local community involved in real solutions.

Additional concerns:

- Why is the permit open ended? I was surprised to learn that this Special Use Permit has no end date or renewal requirement. Without that, it seems that there would be no mechanism for evaluating how well the mitigation is working, or even if the conditions and regulations are being met, or where the ground water level actually is. The actual mine site is far from a public road, with no way for the community to really to observe or comment if there is a concern. Shouldn't there be some sort of renewal date for the permit, say in 10 years, to insure that the environmental protections are working, -- and to give the County a way to evaluate how the roads are really holding up to the impacts?

And lastly:

- Rural character, landscape and lifestyle. Also on page 16 of the staff report is this statement: *"Noise from mining operation and truck traffic may slightly alter the quiet lifestyle of this rural area....After completion of the mining operations, it is anticipated that the character, landscape and lifestyle will return to its previous functions."* With all due respect, this strikes me as a pretty cynical statement -- *"slightly alter the quiet lifestyle"* -- Really? And, *"after completion"* – let's remember, that's 25 years! What is the point of such a statement, except to somehow whitewash the real effects of the project? It begs the question: How can a fifty-acre open pit mine, fifty to ninety feet deep, next to a fragile already degraded river – a project that directs hundreds of trucks a week on to a crumbling narrow steep winding country road, past dozens of rural homes – not have significant environmental impact? And how does the mitigation that is proposed ameliorate it? Much more needs to be done to address community concerns.

Thank you for your time and consideration,

Martha Bray
6368 Erwin Lane
Sedro Woolley, WA 98284

SKAGIT COUNTY
RECEIVED
DEC 29 2016
Hand Delivered
COMMISSIONERS

December 29, 2016
21804 Grip Road
Sedro Woolley, WA 98284

Planning and Development Services
1800 Continental Place
Mount Vernon WA 98273

Re: Concrete Nor'West Gravel Mine Project
Permit Application PL16-0097

Attention: Hearing Examiner and Planning Staff:

I am submitting this letter to express my concerns and opposition to Concrete Nor'West's proposed gravel mine near Prairie Road and Grip Road. This project as currently packaged has many negative and detrimental impacts to the local community, to traffic, and to the environment.

This proposed project has major consequences to everyone who lives or commutes on Grip and Prairie Roads and as such, the definition of the project boundaries is not providing due process for the impacted community to comment and input.

My concerns and suggested considerations include:

1. Truck traffic:
   - The proposed 30 trucks per hour will cause traffic jams, extremely unpleasant noise, and significant odors from the diesel trucks' exhaust gases. Much lower limits on the truck numbers should be considered.
   - Prairie Road is not sized for the proposed amount of truck traffic. Every home owner on Grip and Prairie Roads will be severely impacted by much slower commutes to work, to school, for shopping, and for recreational purposes. Emergency vehicle response will also be severely impeded. As a minimum, Prairie Road should be strengthened to handle the heavy truck load and upgraded to four lanes from Grip Road to Highway 99.
   - There are frequent groups of bicyclists on these roads that will be significantly endangered by the number of large trucks. A bike lane addition to Prairie Road and to Grip Road should be considered.
   - The blind intersection at Grip and Prairie is hazardous for even light, maneuverable traffic. Large trucks and trailers would definitely cause much higher risks for injuries and fatalities. The large volume of truck traffic (as much as 30 round trips per hour) causes this to be a continuous problem. The proposed blinking light when a truck is at the intersection is a ludicrous option. As a minimum, an additional turning lane in each directions onto and off Prairie Road needs due consideration.

- There is limited visibility at the proposed entry to/from the gravel mine at Grip Road. Turn and merge lanes need consideration as well as traffic controls.
- Grip Road has many blind curves and is not designed to handle the proposed heavy truck traffic. The steep uphill grade from Prairie Road to the mine entrance will result in trucks going extremely slow to make the grade. Consequently, we will experience frequent traffic congestion throughout Grip Road. Consideration should be given to strengthening the road bed, increasing the number of lanes from the mine entrance at Grip Road to Prairie Road, and permitting a much lower limit for the number of trucks.

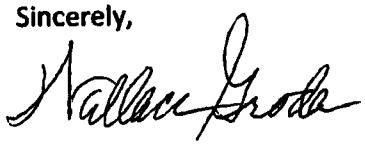
2. Water run off:
   - How can a minimum impact assessment be made for this project? Local property owners have been taxed significantly with special assessments for The Clean Samish Initiative. The amount of each property owner's special assessment is calculated basis the amount of surface area that is covered by buildings, by concrete, and by gravel. This allegedly reduces soil absorption of water and thereby increases runoff which negatively impacts the quality of the water entering the Samish River. With two miles of newly installed gravel road and 20 plus acres of soil removed from the mining site, the same methodology would predict a significant impact. What is expected from Concrete Nor'West to prevent this consequence?
   - Spill containment – There are little provisions for oil and fuel spills and leaks. This amount of heavy equipment, trucks, hydraulic, and fuel storage will have predictable leaks. Best practices for addressing these problems are not proposed. There are literally thousands of gas stations in this country which have been forced to implement remediation projects because of leaking double bottomed tanks. Many of these leaks/spills have contaminated drinking water aquafers.

3. Community Impact:
   - Rezoning this acreage from timber land to mining and permitting this project will destroy the quality of the rural residential area that attracted so many of us. Destruction of 20 to 30 acres of timberland to implant another gravel mining scar will significantly detract from the scenic beauty of the Samish watershed.
   - Property values will be negatively impacted.
   - The heavy truck traffic (a truck/trailer passing every 60 seconds) on Grip and Prairie Roads will add time to ever resident's commute time.
   - The added heavy truck traffic will quickly damage the roadways unless improvements are required for the permit. The Skagit County taxpayers should not be expected to pay for this project's needed infrastructure improvements or for the inevitable damages caused by this mining traffic if preliminary improvements to the roadways are not made.

This proposed mining operation will have many subtle and many not so subtle impacts on the community. Because of the complexities, many of us would like to see a more structured

approach to identifying and addressing these issues prior to permitting. Many industrial projects of this nature engage community action committees to work with the project company and permitting agency. As a minimum, please consider this option of involving a few community representatives rather than hastily issuing a permit at this point.

Sincerely,



Wallace Groda
(Farm owner at 21804 Grip Road)

cc:
Skagit County Commissioners:

- Ron Wesen
- Ken Dahlstedt
- Lisa Janicki

John Cooper

From: Dan Cox <Dan.Cox@miles.rocks>
Sent: Thursday, December 29, 2016 11:56 AM
To: John Cooper
Cc: 'Lynn, Bill'
Subject: PL16-0097

John,

Attached please find Title Notification – Natural Resource Lands for P50099 owned by Linda Walsh. This document demonstrates her prior knowledge of natural resource based activities and potential impacts that are allowed in Natural Resource Lands. Please accept this submittal during the comment period and include this document in the record for the Hearing Examiner.

http://skagitcounty.net/AuditorRecording/Documents/RecordedDocuments/2015/04/28/201504280103.pdf

Thank you,

MILES SAND & GRAVEL

DAN COX
LAND USE / ENVIRONMENTAL / SAFETY
Direct: 360.757.3121
Mobile: 360.770.0494
P.O. Box 280 • Mount Vernon, WA 98273-0280
WWW.MILES.ROCKS

UNOFFICIAL DOCUMENT

Return Name & Address:

201504280103
Skagit County Auditor $72.00
4/28/2015 Page 1 of 1 1:18PM

TITLE NOTIFICATION

Development Activities On or Adjacent to Designated Natural Resource Lands
Pursuant to SCC 14.16.870

Grantor/Property Owner: WALSH ROBERT N & Linda L.
Grantee: Skagit County Planning & Development Services **Assessor Tax #:**360427-1-008-0003
Property I.D. #: P50099
P50100
P50105
Permit Number: BP15-0102
Legal Description: PTN E 40 RDS OF SW1/4 NE1/4 DAF BEG AT INT OF S LI OF R/W OF PRAIRIE RD & E LI OF SW1/4 NE1/4 TH WLY ALG SD S LI TO E LI OF CRK THRU SW1/4 NE1/4 SD PT BEING TPOB TH SLY ALG E LI OF CRK TAP 400FT S OF N LI OF SW1/4 NE1/4 TH ELY PLT S LI OF PRAIRIE RD 100FT
Parcel Address: 21710 PRAIRIE ROAD SW
Comp Plan/Zoning Designation: Agricultural-NRL

Notice: "This parcel lies within an area or within 500 feet of an area designated as a natural resource land (agricultural, forest or mineral resource lands of long-term commercial significance) in Skagit County. A variety of Natural Resource Land commercial activities occur or may occur in the area that may not be compatible with non-resource uses and may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals; or from spraying, pruning, harvesting, or mineral extraction with associated activities, which occasionally generates traffic, dust, smoke, noise, and odor. Skagit County has established natural resource management operations as a priority use on designated Natural Resource Lands, and area residents should be prepared to accept such incompatibilities, inconveniences or discomfort from normal, necessary Natural Resource Land operations when performed in compliance with Best Management Practices and local, State, and Federal law." In the case of mineral lands, application might be made for mining-related activities including extraction, washing, crushing, stockpiling, blasting, transporting and recycling of minerals. If you are adjacent to designated Natural Resource Lands, you will have setback requirements from designated NRL lands consistent with SCC 14.16.810.

Within: Rural Resource X Agriculture __ Industrial Forest __ Secondary Forest __ Mineral Resource Overlay
Adjacent: Rural Resource __ Agriculture __ Industrial Forest __ Secondary Forest __ Mineral Resource Overlay

BONNIE K. IRISH NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES 5-19-19

Property Owner's Signature Linda L Walsh
State of Washington, County of Skagit. On this 28 day of April, year of 2015, before me Bonnie K Irish Notary Public, personally appeared Linda L Walsh personally known to me to be the person whose name is subscribed to this instrument, and acknowledged that he/she executed it.

Witness my hand and official seal.
Notary's Signature Bonnie K Irish Notary Public in and for the State of Washington residing at Skagit County My Commission Expires: 5/19/19

RE: Comment on #PL16-0097 Special Use permit

linda wa

Fri 12/30/2016 1:51 PM

To:pdscomments@co.skagit.wa.us <pdscomments@co.skagit.wa.us>;

Cc:bettas@co.skagit.wa.us <bettas@co.skagit.wa.us>;

RECEIVED
DEC 30 2016
SKAGIT COUNTY
PDS

December 30, 2016

Linda & Robert Walsh
21710 Prairie Road
Sedro Woolley WA 98284
Owners of Parcels #50099, #P50100 & P50105- Adjacent to the Mine

RE: #PL16-0097 Special Use Permit Application
Attention: Hearing Examiner
Skagit County Planning & Developing Services
Commissioners

We have many concerns and questions regarding the permitting of a 68 Acre Gravel Mine in our own backyard, as the actual mining operations will border our property in our quiet rural community. The only positive impact we can see is for Concrete Nor"West(Miles Sand & Gravel, Lisa Inc) and associated business partners. This open pit gravel mine does not benefit the greater good of the public. There are numerous existing gravel mines. The list of 'negative benefits' that will be incurred, should the permit be approved, are very legitimate and serious and will have permanent lifestyle changing effects on all us who live within miles of the proposed location, not just within 300 feet.. It is unfortunate that the public was not properly notified from the beginning back in March 2016, because there has been a huge amount of concern and input just since the Hearing on Dec7th, when the word began to circulate about the gravel pit. I can only imagine how the response would have been if more residents would have been informed months ago. It shows that when informed, the residents in our community are indeed concerned and have strong opinions and lots of questions about this proposed mine, To my knowledge the county notified only 8 residents back in March . I have the current list and the County has now notified only 43 parcel owners (within 300 feet of the applicants contiguous several hundred acre properties) for the comment period ending December 30th. The notice given seems to understate the potential truck and trailer trips, stating '46 truck trips per day'. and the wording implies a much smaller scale of operation.
I have to ask any of you if you were to read a notice that stated ...average of 46 truck and trailer trips per day would you be as likely to get involved and respond as say, versus a notice which stated the truck and trailer traffic to be ... up to 30 per hour , 720 per day? The notice says nothing about proposed hours of operation which is open ended, Dawn till Dusk -Monday -Saturday, More if needed. To us, left with this wording, this business could operate 24 hours a day 7 days a week, I am positive this information would receive much more inquiries than the

current notice which simply states...46 truck and trailer trips per day. There are many 'open ended' allowances in all areas of operation in the Findings of Fact report. When we say this we mean the numerous statements throughout the report which end in... 'not at this time, if any, shall be negotiated.. not proposed at this time. It seems it should be more concise and finite. I would like information on what agencies regulates specific mining activities.

A 68 acre Open Pit Gravel Mine is anything but NONSIGNIFICANT and I think a letter notifying 43 parcels, (less than 43 residences), since many of us own more than 1 parcel, is hardy adequate when the proposed business will present a huge Safety concern for anyone in our area using the public road systems. Certainly the traffic and noise, dust impacts will be well beyond the 300 feet. This is not a typical business where there will be just increased car traffic, we are talking about Truck and Trailer combos that can have up to 105,000 pounds GVW loads, traveling down steep, sharp, narrow Grip road and entering Prairie Road at a blind corner, day and night. It makes no mention of mitigating the safety issue of F & S Grade left turns just hundreds of feet beyond where they enter Prairie Road from Grip and then within a couple of miles they must again make a left turn onto very busy Old hwy 99. In the Findings of Fact report, it states a temporary disruption of our quiet rural lifestyle but how is 25 years of this type of activity for 25 years considered temporary?

I see that some of the reporting agencies did their reviews well over a year ago. How long are these reports considered valid, since circumstances can change. What information was supplied to the agencies to make their decisions, such as truck volume, duration of hours of operation that expose residents and the local wildlife, and environment, the Samish watershed etc., ? Seems if a greater number of trucks and trailers and extended hours of operation were evaluated it would be looked at more closely since it would create More Noise, Dust, Vibrations, Exhaust fumes, Road Damage, Traffic Safety Concerns, Erosion on Haul road, more use of water onsite and Grip road to keep dust levels down, water that will drain into the ditches along the road and travel into Swede Creek and possibly the Samish River, more chance spillage of fuel & other hazardous products used in equipment each day. Basically more loads mean more impact on all factors of operating a gravel pit mine.

I think you will find the other gravel pits in Skagit County have hours of operations and other restrictions placed on them.

Many of us have owned our properties for decades and moved into the area to enjoy the quiet rural way of life. Since we are not large in numbers it seems as though our right to peace and quiet and our current lifestyle is not as important as higher density areas. I know for us we did not realize a mining operation would be allowed within a few hundred feet of our backyard, especially this close to the Samish River. Until receiving the November notice of the Hearing Dec 7th, we thought since we had not received any reports or notices since March 2016 it was not going to happen. It is obvious that we were quite surprised since on Dec 7th we immediately gathered with a group of residents and set out to notify the public. I would have notified people so much earlier had I realized the project was getting approvals from the various departments. This whole process is new to us and we did not realize how things would proceed.

Regardless of any mitigations the Noise, Vibration and Dust will travel beyond their parcels at disruptive volumes and will have a very negative impact on our current quality of quiet rural life. We spend numerous hours outside in our backyard with family and friends. Our peaceful, park like property along the Samish River is not just a piece land it is a huge part of our daily lives and give us a quiet place to share with our family and friends. It is an important part of our daily way of life. Our children, our grandchildren and friends come here to share the quietness, the beauty and the solitude of being out in the country. Watching Eagles, Deer and other wildlife make this a very special, peaceful place. The operations of a Open Pit Gravel Mine will have a very negative impact on our family's quality of life and our neighbors as well. We also want to bring up the fact that the spring and summer construction season when the demand for gravel is higher , it is also the busiest time of year for people traveling the roadways and enjoy the outdoors. So not only will our roads see a huge increase in regular traffic, bicyclists, pedestrians & motorcyclists but at this same time of year the truck and trailer volumes will most likely be at their highest volumes, a combination that could be deadly on our narrow, windy roads.

Traffic Safety should be addressed for all routes entering and leaving the Mine access road on Grip Road. Trucks and trailers from other companies may not be using the Grip to Prairie, Prairie to Old highway 99 route. Other routes should be evaluated and I did not see anything about this in the Findings of Fact report.
Skagit County taxpayers should not have to pay for road improvements or additional maintenance due to the heavy truck and trailer use for a single company to run its operations.

The Haul road from the Open pit up to Grip Road: The haul road must be close to 2 miles of an old gravel road with several culverts and it appears to cross at least a dozen other parcels of land before exiting onto Grip. When was it or when will it be improved to withstand the volume of fully loaded trucks and trailers which are proposed? Due to the volume of potential trucks and trailers using the road it seems like the other parcels the road travels over would need to be evaluated for environmental impacts as well?
I would think the standard residential 200' buffer zone from water would have to be much greater given the scope of this project. The impact of the length of daily exposure due to all the mining operations and the 50 acre size seems like it would be evaluated on a commercial basis. We are no experts but the effects of the 50 acres which will be stripped of all vegetation, all timber and all top soil in order to mine the gravel will NOT be Self-contained among the 3 mined parcels and it will certainly will have a SIGNIFICANT IMPACT on all of us. How are all the parcels the road travels over evaluated? What will occur and what impact could it have on the Samish watershed, Swede creek and our adjacent property? Who protects our property and the waters if un-evaluated or unforeseen problems arise?

Reclamation: If allowed to mine who will hold the applicant accountable in the years to come to properly reclamate the land? They should be required to carry a Bond to insure there will always be funds available to do proper reclamation. There have been gravel pits left abandoned with No reclamation, ugly and quite dangerous, as drownings can occur in them. What measures are in place to prevent this all these things from happening? What happens if the current applicant is no longer a valid entity or goes out of business, there should be very detailed reclamation requirements and the funds available, regardless of the current applicant state of business.
During the Mine's regular operations there will be extremely loud noises from excavating, pounding the earth, loading gravel into idling trucks, exhaust, backup alarms and engines roaring constantly, unsafe traffic volumes so how with such little evaluation and public input did the project get a (MDNS) MITIGATED DETERMINATION of NONSIGNIFICANCE statement. Impact on our quiet rural life and environment will be Very SIGNIFICANT. The MDNS statement in the permit folder has parcel #P123644 not #P125644 so how can the statement that is so Important be issued with a different parcel number than the parcel which was on the permit application?

The actual mining operation will be only a few hundred feet from our backyard. Our backyard where my grandchildren play, where we enjoy numerous family gatherings, and is within hundreds of feet of the backyards of my neighbors and the Samish River. If allowed this project will have a Very SIGNIFICANT impact on us and the surrounding areas. How is an Open Pit Gravel Mine in full operation NONSIGNIFICANT to our quality of life? How NONSIGNIFICANT of an impact will it be on people, the abundant wildlife and the Samish Watershed over the next 25 years?

We appreciate your attention to the issues and questions brought up in this letter. If other notices, reports, documents and Findings of Facts have been generated since the December 7th Hearing,we, as land owners within the 300' foot zone, would like to receive copies of all the documents, via email walshl2006@hotmail.com , with cc bettas@co.skagit.wa.us or we can pick them up at the Planning Department if you call us at (360) 708 7736.

We had asked for an extension on the comment period due to the lack of notification and the holiday season, when so many people are out of town, but it was not given. There are still hundreds and hundreds of residents who do not know anything about this Special use permit. These people will be directly impacted by traffic and other factors in regards to the mining operation and they are completely Unaware of this project's location or proposed volume of business, due to the limited notification process. They have no idea there will be a 68 Acre Gravel Mine in their community.

If any facts/ reports have changed we request to be granted enough time to review the information, inform people in the community and be given another comment period before a hearing date is set.

Sincerely,

Linda & Robert Walsh
21710 Prairie Road
Sedro Woolley WA 98284
(360) 708 7736
walshl2006@hotmail.com
or walshrob1@hotmail.com
cc bettas@co.skagit.wa.us
(I will deliver a copy of this letter to the planning department as well since I am having some computer issues)

John Cooper

From: website
Sent: Friday, December 30, 2016 3:25 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Nicole Nickelson
Address : 20636 Prairie Rd
City : Sedro Woolley
State : Wa
Zip : 98284
email : nicnick31@msn.com
Phone : 360-362-9174
PermitProposal : PL16-0097
Comments : As residents on Prairie Rd we have many concerns about the proposed gravel mine site.
The county Finding of Facts and proposal allows for up to 720 gravel trucks a day to travel the roads, with no limits on operational hours and no required improvements beyond a flashing light. The "study" about the increased traffic was insufficient and did not address the full length of the roads. It is impossible to believe this traffic will not impact the safety of pedestrians, bicyclists, drivers and residents on these roads. The roads they would travel have minimal to no shoulder and provide nowhere for someone to escape these large trucks. Of course, all types of traffic travel these roads now, but the proposed increase in large trucks would increase the risk of danger exponentially. In addition gravel trucks cause vibrations, dust and sound that travels into yards and homes. The impact from these trucks would result in a reduction to the quality of life of residents and their property values. Strict limitations on quantity of trips and operating hours need to be put into place. A plan for road improvements, for both now and in the future, needs to be established. This should include money set aside by Miles Sand and Gravel to pay for dust control, damage to private property and damage to public roads due to the heavy truck traffic.
The application from Concrete Nor'West received March 2016 states "The mine site will not have a defined road system per se, as the mine floor and elevation will be constantly changing as the mining progresses." In truth, the contiguous parcels that lead from Grip Rd to the mine itself have a primitive road that is quite long and will not be included in the mine floor nor has it had critical areas review.
The applicant indicated in other paperwork that no road improvements are needed on the the private existing road that would serve as haul road for the gravel trucks. This appears to be an error and should be addressed. The road would clearly would have changes in type of use and an increase in use intensity and is insufficient to serve for 25 years of heavy truck traffic as is. Therefore, the parcels that contain the road should all be included in critical areas review requirements and have wetland delineated. This is especially important considering the road crosses Swede Creek which is a salmon bearing stream and tributary to the Samish River and Samish Watershed.
The land use changes proposal should have been evaluated from the start as high impact, not medium impact, since it is for an industrial mine, not a single family residence. The assumption that there will be no noise impact to residents is simply that, an assumption or opinion. Proof has not been provided. If the mine is approved, increased buffers must be required between the mine site and residents. If the land use was determined to be high impact, buffers would be extended to 300 feet at minimum rather that the 200 feet currently recommended.
Safety of all county residents is a big concern. However, the traffic analysis that was done did not take into account the fact that the applicant indicated they would travel a variety of routes depending on third party destinations. Only the route from Grip Rd to Prairie Rd to Highway 99 was evaluated. Further evaluation needs to be completed.

The planner stated he did not foresee that many residents would have an interest in the project and only required notification to parcels within 300 feet of proposed mine. If he had determined ahead of time that this would be of high interest he could have notified parcels within 500 feet of the proposed mine. Unfortunately the planner has refused to modify this level of notification and it was left to concerned residents to spread the word. Initially, this spring, only 8 parcels were notified by the county and then in December of this year a total of 43 parcels were notified. As we talked to neighbors and community members, it became clear that most people had not heard of the project but do have concerns about this mine and potential impacts on their quality of life. They should have had the opportunity to learn about it from the county in a timely manner that allowed for them to educate themselves and respond appropriately. Skagit County Code 14.06.150 (2)(d)(iii) states "Notice of development application shall be mailed to all physical addresses and owners of record located within 300 feet of all subject property lines". It does not state "only within these borders" or "and not beyond" so it appears to be a minimum requirement and does not specify a limit to prevent notification of further residents. It is unfortunate that project notification wasn't increased once it became apparent that more residents had interest in the project.

In all it doesn't appear this proposed mining special use permit has been given the appropriate level of scrutiny considering the broad and open ended scope of the project. Studies provided have been vague and insufficient and many assumptions have been made. The applicant should be required to prove beyond a doubt that all resident concerns are being addressed. This proposal should be re-evaluated as high impact and all parcels should have critical areas reviewed. If approved, strict guidelines have to be put in place to best maintain the quality of life currently experienced by residents. Thank you for hearing these concerns. Please add our names to the list of people notified when there are updates on this proposal.

Sincerely,

Nick and Nicole Nickelson
20636 Prairie Rd
Sedro Woolley, Wa

From Host Address: 24.113.137.171

Date and time received: 12/30/2016 3:22:11 PM

John Cooper

From: website
Sent: Friday, December 30, 2016 3:10 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Nancy K. Taylor
Address : 21441 Prairie Rd.
City : Sedro Woolley
State : Wa
Zip : 98284
email : nancyktaylor45@hotmail.com
Phone : 360-399-1969
PermitProposal : #PL16-0097 Concrete Nor'West (addendum)
Comments : (Addendum)- Ongoing concerns for public safety are obviously at the top of an already neglected issue. Skagit County has scoffed at residents on Prairie Rd for the last 2 decades. Some of these concerns going back to Jerry & Donna Marlow raising these very same concerns and issues. The public safety issues continue to include the joggers and their clubs, the bicyclists and their clubs, the cars and their clubs, the farmers and their equipment, the drunks from the casino and the speedway, the seasonal flooding over the roadways and high sun causing blindness for travelers going West as well as East, residents and their children and the many elderly living on these roads. These issues and concerns have been ongoing ever since we have lived here. These issues have been so concerning we added a round about driveway and still encounter dangerous encounters on a daily basis in front of our home. The County has neglected for years to get a handle on the speeding vehicles in our area. Many reaching speeds of 70-100 miles/hour right in front of our home. Several examples of recent incidents: As I was coming home from work turning East on Prairie Rd. a car was behind me, I slowed down approx. 3 houses from my home on and off the brake peddle, and using my blinker as I was pulling in to our shop driveway a girl hit me from behind. No injury's just slight damage. Another incident, My husband was sitting in our driveway and car heading west during harvest time a slow farming vehicle heading East this car proceeds to pass a slow car in front of her going to slow she passes thru our next door neighbors driveway and her lawn (@ the 3 handed Ranch), then over our driveway at the shop then over our lawn. Heading right for our car sitting in the driveway my husband slams the car in reverse to have this woman avoid hitting him. Just last week someone hit the fence where the Christmas tree farm is across the street, 2 summers ago a young man hit Dave's mailbox across the street and just missed the apple trees. All of this is just in front of our home. We have vehicles hitting poles, fences, mailboxes, just to mention a few. Just the speeding issues alone are a great concern with the motorcycles traveling 100/hr, full logging trucks, milk trucks, school busses (yes even school busses) etc. etc. Not only do we have to consider public safety issues here but now in the balance we have to now tolerate loaded concrete trucks, the ongoing added noise, dust, vibrations from mining and off site trucking, increased damage to our already beat up roads shoulders and old small bridges, an impact on our water supply, natural springs and aquaphor, the Samish River and wildlife and our property values. Since public safety has been severely neglected already will you be addressing ALL of these concerns and issues with Concrete Nor'west and Skagit Planning and Development? Not only do we have these concerns just here on Prairie Rd, We have scale jumpers constantly getting off on the Alger exit and skipping the scales. Im sure that the concrete trucks as well will be cutting corners speeding down the roads to make up time just like everyone else. Lets NOT fool ourselves. Skagit County has very much neglected our roadways, byways and highways. How can we really express ALL of our concerns this gravel pit will only add to the already much neglected concerns to the community.

From Host Address: 104.129.192.110

John Cooper

From: website
Sent: Friday, December 30, 2016 3:00 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Neil C McLeod
Address : 21454 Grip Road
City : Sedro Woolley
State : Wa
Zip : 98284
email : quickblackie@gmail.com
Phone : 360-303-4831
PermitProposal : Pl16-0097
Comments : I'm sending my comments to voice my concerns over the gravel pit going in on Grip Road. Areas of concern are Stop light needed on Highway 99 to help with the flow of traffic. Straiten Prairie Road at intersection of Grip and Prairie and widen Grip Road around the steep curvy hill. There also needs to be a limit on amount of trucks permitted each day and also hours and days of operation.

From Host Address: 208.74.159.222

Date and time received: 12/30/2016 2:57:44 PM

John Cooper

From: website
Sent: Friday, December 30, 2016 2:25 PM
To: Planning & Development Services
Subject: PDS Comments

Name : John Guettler
Address : 5324 Cedar Ridge Pl
City : Sedro-Woolley
State : WA
Zip : 98284
email : jfguettler@gmail.com
Phone : 360-856-1045
PermitProposal : PL16-0097
Comments : Comments Regarding the Proposed Concrete Nor'West Gravel Mine Operation Near Grip Road Special Use Permit Application PL16-0097

Skagit County Planning and Development Services
Attn: John Cooper, Planner/Geologist
1800 Continental Place
Mount Vernon, WA 98273
360-336-9410

We the undersigned, as residents of the area adjacent to the proposed gravel mining operation and residents near Grip and Prairie Road, want to express our grave and serious concerns regarding the approval of Application PL16-0097 allowing Concrete Nor'West to operate a gravel mining operation in the proposed area and the transport of gravel and other substances along Grip Road and Prairie Road. We believe that this operation, if approved, will result in significant endangerment to the public safety. Our concerns are based on a review and/or discussion regarding all of the documents available to us as sent by the Skagit County Planning and Development Services office including:

- Notice of Development Application (published December 15, 2016)
- Planning & Development Services Staff Report (September 12, 2016)
- Letter from WA State Department of Ecology (June 1, 2016)
- SEPA Mitigated Determination of Non-Significance (May 26, 2016)
- Special Use Permit Application PL16-0097 (March 7, 2016)
- Graham-Bunting Associated Fish and Wildlife Site Assessment (August 20, 2015)

In summary our concerns include but are not limited to:
The lack of an environmental impact study by the appropriate agency rather than the completion of a "checklist".
Traffic hazards caused by Nor'West trucks travelling along Grip Road, a narrow, winding county road. It is projected that the trucks will make 46-720 trips per day. Accidents involving these trucks added to normal traffic (cars, pick-ups, school busses, etc) will result in the endangerment to and potential loss of life to those travelling in this area. Gravel trucks are between 9'6" to 11'4'' in width (and may be wider) and weigh several tons. Grip Road measures 20 feet in some areas with no shoulders. Cars, school busses, and/or trucks approaching a gravel truck will have little to no room to pass. This is especially dangerous around curves on Grip Road. Two gravel trucks approaching will have no room to pass. We urge you to come and see for yourself.
The intersection of Prairie Rd and Grip Rd is already a very dangerous intersection. Adding trucks loaded with

gravel to the mix of existing traffic has the very real potential of serious accidents, endangerment to and possible loss of life to those using this intersection. Blinking lights to be installed do not represent a viable solution in our opinion. We urge you to come and see for yourself.
We question the structural adequacy to the bridge over the Samish River which would experience an increase of 46-720 gravel trucks crossing this bridge on a daily basis. This bridge measures 25 feet in width allowing for a 1 foot guard rail clearance. This does not allow for any vehicle approaching a gravel truck to travel safely across the bridge.
Based on the above we request the following: the width of Grip road and the bridge matched against code; a structural cross section of this section of Grip Road and the bridge over the Samish River matched against code; and traffic counts & speed along this route.
Language regarding noise level is ambiguous. Will they use blasting? Yes or no? Also noise from truck back up warning devices, noise from mining machinery and motorized vehicles, and other noise from mining operations all contribute to the potential noise problem in surrounding residential areas. Language in the SEPA Mitigated Determination of Non-Significance regarding noise is inconsistent, vague and ambiguous. It was stated that no blasting will be used, and then it states that blasting is a possibility and that the only restriction is that neighbors be notified. It seems as if most noise producing activities are exempt and there are no real controls.
Proposed hours of operation from dawn to dusk six days a week is totally unacceptable and will greatly diminish the quality of life in surrounding areas. Also the Project description states no processing is proposed at this site. Policy 40 2-2 allows washing, crushing, asphalt, etc. What is the truth?
Additional environmental concerns at the mining site include:
? How will the berm creation interact with the river and its flood plain?
? How will they vegetate the berm? If not it could become a significant weed source through the life of the project. What is the plan for noxious weed control?
? If revegetation is actually attempted how do they expect anything to grow on the ground seriously damaged by mining operations?
? What studies have been done regarding cultural resources? Have state tribal historic offices been contacted?
Other concerns include but are not limited to spills of oil and other hazardous material, environmental problems to rivers and creeks in the area, the impact on housing and property values, damage to roads, etc. Consideration of neighbors as a "goal" offers no assurance of protection of neighbors' quality of life. Consideration of neighbors should be mandatory.
We believe this type of operation in this area and the transport of gravel on roads intended for residential use are totally unacceptable and we request that this permit be denied as written or until the applicant can present alternatives that will not result in public, structural and environmental endangerment as outlined above. And until residents can be assured that the quality of life will not be comprised.

Submitted by: John and Sally Guettler 12-30-2016 5324 Cedar Ridge Pl, Sedro-Woolley, WA 98284

From Host Address: 50.34.106.42

Date and time received: 12/30/2016 2:20:29 PM

John Cooper

From: website
Sent: Friday, December 30, 2016 2:15 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Brian Andrew Bowser
Address : 21110 Parson Creek Road
City : Sedro Woolley
State : WA
Zip : 98284
email : cmsinc@myfrontiermail.com
Phone : 3607244046
PermitProposal : PL16-0097
Comments :
I am not excited to have a gravel pit in my back yard but I understand that we all need gravel. Concrete Nor'west needs to be a good neighbor and Skagit County needs to ensure our roads are safe.
I am concerned about equipment noise and dust. Per the permit application, there are no restrictions on hours of operation. Concrete Nor'west will operate the hours that suit them. This is not the correct answer. We need defined and permitted hours of operation.
In the future, if Concrete Nor'west decides to change their operations plan as it is outlined in their permit application, is county approval required? If county approval is required, will there be public notification and comment? The answer to both questions should be yes.
Road safety is my biggest concern. Below is a table of traffic incidents reported (Data from Skagit County IMap) from 2014 through 2016 from the pit entrance on Grip road to Concrete Nor'west on Old 99.

As you can see, we have there are numerous incidents on the proposed routes without the additional dump truck traffic.

Below is a table of road safety concerns on the proposed route:
Issue Additional Details
Intersection of Grip Road and Prairie Road Trucks making left hand turn (West) on Prairie Road. West bound traffic cannot see truck until they are in the corner. Trucks will be slower than normal through this intersection because they starting on a hill. The "Loop" system doesn't sound adequate. Need to excavate some of the hill at the corner so trucks at this intersection can see approaching west bound traffic.
Intersection of Prairie Road and Old Highway 99 This intersection is already an issue. Accidents happen on a regular basis. There will be a significant traffic increase when construction starts on the Old 99 overpass near Cook Road. This intersection needs a light with left hand turn lanes.
Width of Prairie Road Needs to be wider and smoother to accommodate trucks.
How does the truck traffic allow for pedestrian and bicycle traffic? The road and shoulder are already challenged by pedestrian and bicycle traffic. Adding regular truck traffic will make it impossible.
90 Degree curves on Prairie Road At least one curve is a bit tight for regular truck / trailer traffic.
Ditch that overflows regular on Prairie Road @ Park Ridge Lane How does the water saturation affect the road stability with truck traffic?
Bridge over Samish River (Grip Road) Can it handle the truck traffic?
Bridge over Friday Creek (Prairie Road) Can it handle the truck traffic?
Bridge over Samish River on Old Highway 99 Bridge is not in good shape. Can it handle additional truck traffic?

Grip Road - Hill Not adequate for regular truck traffic. Has been sluffing for years (over 40 that I know of)
Width of Grip Road Needs to be wider and smoother to accommodate trucks.
Allowed to travel East on Grip Road? Regular traffic? Need to know approved routes other than West on Grip Road.
Allowed to travel East on Prairie Road? Regular traffic? Need to know approved routes other than West on Prairie Road.
Will loads be covered Don't need additional gravel on the road to break more windows
Road weight limits Freeze thaw cycles will close the roads at times - considered?

*This form did not paste all the data or the formatting. I will send a properly formatted copy to John Cooper.

From Host Address: 50.34.149.56

Date and time received: 12/30/2016 2:14:16 PM

John Cooper

From: website
Sent: Friday, December 30, 2016 3:10 PM
To: Planning & Development Services
Subject: PDS Comments

Name : David L Day Attorney at Law
Address : P O Box 526
City : Burlington
State : WA
Zip : 98233
email : office@fairhavenlegal.com
Phone : 360-755-0611
PermitProposal : Gravel Pit PL# 16-097
Comments : Letter addressed to:
John Cooper
Skagit County Planning and Development Services
!800 Continental Place
Mount Vernon, WA 98273

This form does not allow sufficient space for adequate comment nor for attachments/exhibits!

From Host Address: 50.125.150.190

Date and time received: 12/30/2016 3:05:04 PM

John Cooper

From: website
Sent: Friday, December 30, 2016 2:40 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Stephen M. Kenady
Address : 5319 Cedar Ridge Place
City : Sedro Woolley
State : WA
Zip : 98284
email : smkenady@gmail.com
Phone : 360 661 1161
PermitProposal : Special Use Permit Application PL16-0097
Comments : I live on the eastern border of this proposed site and I have many concerns regarding this development which are listed below.
• The intersection of Grip Road and Prairie Road is very dangerous already. According to the county 2016 traffic volumes report 572 vehicles enter the intersection from Grip Road daily and 1466 vehicles enter from the east on Prairie Road. It is a blind corner entry from Prairie. Heavy trucks with trailers will be slow to clear the intersection and collisions from the east are likely.
• The section of Grip road between The proposed project and Prairie Road is narrow, steep, and winding with no guard rails and no shoulder in places. Gravel truck traffic will reduce Grip to a one lane road in many places with no turn outs.

Both of the above will restrict fire and emergency vehicles access to my home. This is unacceptable.

• In addition to obvious concerns for fish and wildlife protection. As a professional archaeologist I can say that there is a moderate to high probability that cultural and archaeological resources exist in the project area. They should be identified and protected under state and federal law.
• Other concerns include but are not limited to noise, spills of oil and other hazardous material causing environmental impacts to rivers, creeks and wildlife in the area as well as the impact on housing and property values, damage to roads, etc.

It is outrageous to me that the MDNS checklist has ignored these issues.

From Host Address: 172.76.140.139

Date and time received: 12/30/2016 2:39:04 PM

John Cooper

From: website
Sent: Friday, December 30, 2016 2:15 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Renee Kenady
Address : 5319 CEDAR RIDGE PL
City : SEDRO WOOLLEY
State : WA
Zip : 98284
email : rkenady44@gmail.com
Phone : 3608547780
PermitProposal : PL16-0097
Comments : I would like to add additional comments regarding the proposed gravel pit by Lisa, Inc., Miles Sand & Gravel, Concrete Nor'West.

First of all, the many properties on the eastern border of this pit are 5 acre lots and primarily residential even though they are zoned Rural Reserve and Agricultural - Natural Resource Lands. We bought this property because it offered us peace, quiet and beauty. We did not choose to build around a gravel pit.

Secondly, Parcel P50087, owned by Lisa, Inc. was appraised at $88,800 but was adjusted by $85,800 for it's use making the assessed value at 3,300. All of the other parcels I looked at, P125634,P125635,P125636, P125637,P125638, P125639, P125640, P125641 P125642 and P125643 are all assessed at 3,300.00 which means they are paying little or no taxes. Another parcel, #P50702 says it is owned by a Juanita James but the appraised value is like that of Lisa, Inc. and I believe the other day I saw it listed as being owned by Lisa, Inc. I would like to have that clarified.

Third, I have commuted Grip to Prairie to I-5 for the last 5 years to work. In that time I have watched the amount of traffic commuting this route and on Prairie increase dramatically. Turning onto Prairie off of Griip is very dangerous and there are many near miss accidents as it is. I feel that the addition of 700+ gravel trucks a day would be a grave safety issue.

I am highly concerned about the safety and quality of life changes that will be brought about by this development.

From Host Address: 172.76.140.139

Date and time received: 12/30/2016 2:14:17 PM

John Cooper

From: website
Sent: Friday, December 30, 2016 1:30 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Jeannine McLeod
Address : 21454 Grip Road
City : Sedro Woolley
State : Wa
Zip : 98284
email : figetwiget@gmail.com
Phone : 360-319-5879
PermitProposal : PL16-0097
Comments : I am very very concerned over the gravel pit as we are right across the road. You have no hour limit or weekend limits. The amount of trucks on the road is going to endanger drivers , pets, bicycle riders. The road is curvy and narrow. I'm am shock that you would allow it on such a road especially with no limits or enlarging and making it safe. If you allow this you know that you are responsible for any accidents and safety of the people that live around the area. You will cause such a back up of people leaving and coming home from work and errands that it will be miserable to live there, which you will be responsible for also. Thank you for reading this and please consider what you are doing and if it needs to go through limit times and days and hours fix the roads and consider people safety and time.

From Host Address: 208.74.159.222

Date and time received: 12/30/2016 1:27:49 PM

John Cooper

From: website
Sent: Friday, December 30, 2016 8:25 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Andrew J. Rice
Address : 22356 Prairie Rd
City : Sedro-Woolley
State : WA
Zip : 98284
email : academicsandadventures@hotmail.com
Phone : 360-708-3286
PermitProposal : #PL16-0097
Comments : We have serious concerns regarding the significant mining development proposed between Grip and Prairie Rd.

1) Safety - the volume of traffic and size of proposed vehicles is incompatible with the Prairie/Grip rd. intersection. A blind corner from both directions. A blinking light is inadequate.

2) Truck Traffic and safety of other users - no shoulder present (unlike highway 99 with adequate shoulder). There is already significant logging truck activity on these roads.

3) Noise of operation - we moved here for peace and quiet. We've already noticed heavy equipment being used from our front porch on the site. It would be similar to the hum of I-5 living in close proximity.

4) Wildlife corridor disruption - this area is a significant habitat for coyote, bobcat, deer, beaver, and other wildlife. Several significant wetlands exist on the property.

5) Samish River Proximity - There has been a huge county effort through CSI - Clean Samish Initiative, that seems to be negated by this proposal for development.

6) Water Quality/Water Table disruptions - it is well known that underground aquifers are often disrupted by mining activity. Local friends had a steep decline in water quality when the mine for sale on Old 99 was activated - has improved since mine fell into disuse.

Thank-you for your consideration.

Sincerely,

Andrew J. Rice

From Host Address: 24.113.225.181

Date and time received: 12/30/2016 8:21:29 AM

John Cooper

From: website
Sent: Friday, December 30, 2016 11:50 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Monty McIntyre
Address : 22243 Grip Rd
City : Bellingham
State : WA
Zip : 98284
email : mont137@msn.com
Phone : 360 927 8771
PermitProposal : PL16-0097
Comments : The impacts of removing so much stone are huge. Not only to the immediate environment and current times, but also to everywhere this is trucked off to and well into the future.
How much of this gravel will be crushed causing dust and noise in other places? What are those places?
Local citizens/drivers concerned about safety will seek alternate routes to avoid the dangerous traffic generated , road debris, headlight glare from above car level trucks, and the stink of diesel hauling a heavy load. Traffic will surely increase everywhere these haulers go - please list all destinations they will impact.
What amount of this gravel will become impervious surface as concrete? Paving over Skagit County is a contentious issue. Gravel that salmon used thousand of years ago to survive to this day, may well become an enemy to salmon, as a new concrete driveway in LaConner, or elsewhere, that ultimately allows leaking synthetic transmission fluid to flow onto the slough, perhaps during a fall chum run up the mighty Skagit. Is this progress - and for whom?
Please address these long term issues that are not far fetched but are continuity in a chain. Rock exists much longer than flesh and so it's placement must be considered with much weight.
Each load of gravel extracted will have a different destiny. How far will some it be hauled and how much fuel will be burned to take it there over a 25 year period? What amount of unpreventable petroleum spillage will occur over a 25 year period? In what places?There is apparently no limit to the amount of trucks driving on Grip Road on this permit application - how can the impacts be truly measured without that? Why is there no limit? This whole process is somewhat irrelevant without a definite number of daily extractions determined.
What are the long term benefits to local residents who will be confronted all day long, for 25 years, by oversize trucks with blinding lights on corners and grades, with rock chips flying? Can a guy go to the pit and get a pickup load of gravel for his weekend project?
My last weeks drive along the Grip road included a very sudden stop for three deer abruptly racing across the road before me. I was able to stop but everything in my car flew forward. What if I had been followed by a tandem dump truck going downhill on the Grip Road? The twisting corners on the hill are dangerous - especially in winter , with a steep incline and poor visibility. Do the uncountable trucks plan on ascending/ descending their tandems singularly, by communicating over a company radio so they do not cross over into opposing lanes, on the run up and down that hill ? What is the percentage of accidents caused by CDL holders causing accidents using cellphones? What do we know about using a transmitter radio as a distraction to driving? Is it lesser than using a cellphone - and how much so?
My concerns are coming spontaneously and at the last minute - I have received short notice of this proposal and am ill prepared to spend my day on a computer looking at keys as a non- typist trying to contribute to a civil society.
What number big trucks and loaders will be stationed in the Swede creek and Samish river watersheds? This must be limited to a reasonable number of trucks that protect the safety of the current residents over the desires

of the applicants?
The operation of extraction equipment in watersheds does cause pollution to adjacent waterbodies by chemical and petroleum runoff. This is inarguable - it is only a matter of how much and when.
Antifreeze , engine oil , power steering fluid , hydraulic fluid, grease, engine exhaust on cold start ups coming down with the rain, wash-down water etc. Much of this is will be 'unavoidable' due to accident, weather and incompetence. If this permit is given we will see over time that vigilance concerning runoff and prevention will wither to conform to a profitable business model for the proponents. Remember Samish river is home to several specie of salmon - one that benefits the citizens of all of WA state. And the waters themselves are a community resource by law meant to benefit all.
A declining quality of life for taxpayers in the affected areas could very well become 'just the cost of doing business'. As sometimes happens, neighbors and concerned citizens try to accept wrong decisions. Some will move or die aggravated - this is also a reality that must be acknowledged and may have tremendous social and economic impacts for those families involved.
On the average what is the frequency of a traffic death for X number of gravel truck miles - is it one in 5 million miles, one in 25 million miles? How many miles will these uncountable trucks travel in 25 years? And what are the projections for accidents, injuries and death? The threat to public safety must be examined and quantified. Please do so in your capacity.
Extreme rain events due to the landfall of pacific storms, against the shoulder of the cascade mountains beginning in this valley compound the frequency of road borne pollutants entering our watercourses. Swede Creek flooding along the grip road immediately across Samish river bridge is frequent these last few rainy seasons. This ultimately carries surface contaminants from Grip Road into the Samish River. How much brake dust, in pounds per week, will accumulate after these countless trucks brake their heavy load down the hill onto the stretch leading to our small bridge over the Sammish? How does brake dust in rivers affect the salmon of WA state? Will the two houses at the immediate bottom of the hill , which are very close to the Grip Road , ultimately be in airborne sea of brake dust after a few years of severe braking due to this new activity?
I hope you will consider the future health and safety of the citizens of Skagit County and include these questions in your examination of this exploitive proposal.

From Host Address: 97.113.212.26

Date and time received: 12/30/2016 11:47:55 AM

John Cooper

From: website
Sent: Friday, December 30, 2016 8:05 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Laurel Peak
Address : 22841 Nature View Dr
City : Sedro Woolley
State : WA
Zip : 98284
email : laurelpeak@gmail.com
Phone : 2034702710
PermitProposal : #PL16-0097
Comments : I am very concerned about the proposed Concrete Nor'West Gravel Mine on Grip Rd for the following reasons:

1. Environmental Impact: I live above the Samish River, and I am fortunate to witness the diverse and fragile wildlife that live in the Samish Watershed. While this gravel pit will be at least 200 feet from the Samish, I am really concerned about the broader impact of the mine on the river.

Here are some unanswered environmental questions:
- What if there is an accident?
- What about displaced wildlife?
- What about noise impacts on wildlife?
- What about the trees that provide important habitat and shade for the river?
- What will be the restoration of the site after they are finished mining?

I would really like to see a FULL environmental impact study done of the area before any major construction/digging occurs. The environment impact of this mine is way broader than just this 68 acre property.

2. Road Impact: Grip Rd is a tiny road with a major hill. All of the proposed traffic will impact this road. I bike on this road, and already it is dangerous.

3. Noise Impact: This is a super quiet area, and the construction and mining of this property will add noise to our peaceful community.

From Host Address: 50.35.39.17

Date and time received: 12/30/2016 8:01:46 AM

John Cooper

From: website
Sent: Friday, December 30, 2016 8:25 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Andrew J. Rice
Address : 22356 Prairie Rd
City : Sedro-Woolley
State : WA
Zip : 98284
email : academicsandadventures@hotmail.com
Phone : 360-708-3286
PermitProposal : #PL16-0097
Comments : We have serious concerns regarding the significant mining development proposed between Grip and Prairie Rd.

1) Safety - the volume of traffic and size of proposed vehicles is incompatible with the Prairie/Grip rd. intersection. A blind corner from both directions. A blinking light is inadequate.

2) Truck Traffic and safety of other users - no shoulder present (unlike highway 99 with adequate shoulder). There is already significant logging truck activity on these roads.

3) Noise of operation - we moved here for peace and quiet. We've already noticed heavy equipment being used from our front porch on the site. It would be similar to the hum of I-5 living in close proximity.

4) Wildlife corridor disruption - this area is a significant habitat for coyote, bobcat, deer, beaver, and other wildlife. Several significant wetlands exist on the property.

5) Samish River Proximity - There has been a huge county effort through CSI - Clean Samish Initiative, that seems to be negated by this proposal for development.

6) Water Quality/Water Table disruptions - it is well known that underground aquifers are often disrupted by mining activity. Local friends had a steep decline in water quality when the mine for sale on Old 99 was activated - has improved since mine fell into disuse.

Thank-you for your consideration.

Sincerely,

Andrew J. Rice

From Host Address: 24.113.225.181

Date and time received: 12/30/2016 8:21:29 AM

John Cooper

From: website
Sent: Friday, December 30, 2016 7:20 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Frederic E Alllen
Address : 22018 Grip Road
City : Sedro-Woolley
State : WA
Zip : 98284
email : rik@rikallen.com
Phone : 360-202-1063
PermitProposal : PL16-0097
Comments : I am concerned about the impact this proposed landuse project will impact our road, both Grip and Prairie. The amount of trucks being proposed seems unsustainable with the current road size, intersection configurations and longevity of the road base. This project, as proposed seems an obvious threat to safety. I am also concerned about the noise level this project and it's impact on the areas very quiet setting. Any impact on that would greatly reduce the area's quality of life. Area residence must be assured that this project will, in no way, impact the local environment, and it's ecosystem, including the Samish river and Swede Creek. Assurances should be made that the scale of operation are limited to adhere to the concerns stated above. Thank you

From Host Address: 24.113.254.11

Date and time received: 12/30/2016 7:14:58 AM

John Cooper

From: Anthony and Randelle <triengel@frontier.com>
Sent: Friday, December 30, 2016 6:09 PM
To: John Cooper
Subject: Re: Information Request: Concrete Nor'west Gravel Operation Near Grip Road Special Use Permit Application PL16-0097

Mr. Cooper,

I have uploaded the following comments to the web page. I have also attached them to this email. Thank you for considering them.

The following are comments regarding the Concrete Nor'west Gravel Operation Near Grip Road, Special Use Permit Application PL16-0097.

The comment period for this permit was open between December 15 and December 30, 2016. The comment period was scheduled during a busy holiday period when people are commonly off work or away from home. This was true for county employees responsible for communication regarding this project as well. The county should consider extending the comment period in order to obtain reasonable public comment.

Impacts to fish and shell fish habitat in the Samish River System were not adequately analyzed. The Samish River is critical to maintaining T&E species, commercial, sport and tribal fisheries. The mine is sited on the Samish River and has the potential to contribute to cumulative effects on the productivity of the Samish River watershed during the planned 25 year operation. The project should be analyzed for its potential effects over that time. The cumulative effect of mining operations should be considered along with population growth, climate impacts and other activities along the river. The long term impact of a 25 year mining operation sited on the Samish River to T&E species, commercial, sport and tribal fisheries habitat should be evaluated though an EIS.

No analysis was used to determine the impacts of critical habitat fragmentation over 25 year mining operation. The long term impact to fish and wildlife habitat and wildlife connectivity resulting from a mine sited on the Samish River should be evaluated in an EIS.

There was no analysis of impacts to wetlands or fish and wildlife at the proposed mine site or the road system from the proposed mine site to Grip Road. The Fish and Wildlife Assessment, dated August 20, 2015, completed by Graham-Bunting Associates was limited to effects to the Samish River immediately adjacent to proposed mine site. The existing road system was permitted and designed for short term, intermittent use as a logging road. Improvements to the road system and the crossing at Swede Creek will need to be permitted and completed to support the proposed truck traffic. Analysis of impacts to wetlands and fish and wildlife habitat of the entire project should be completed as part of an EIS.

Public interests, such as recreational bicycle use on Prairie and Grip roads, were not adequately analyzed. Recreational cycling on Prairie and Grip Roads has increase dramatically and will continue to do so as population increases in the region. The roads impacted by this project are currently identified as bike routes by the Skagit County Physical Activity Coalition and are among the only remaining low traffic routes that lead to Sedro Woolley and the upper valley from the I-5 corridor. Data on recreational use of Highway 99, Prairie and Grip roads was not analyzed and mitigations were not considered. The impact to current and future public interests should be analyzed through the EIS process.

Traffic safety effects were not adequately analyzed. The Skagit County Comprehensive Plan (2016-2036), states: Potential effects of truck traffic from mining operations shall be reviewed as part of the permitting process. The Preliminary Traffic Information memo completed by DN Traffic Consultants, dated May 15, 2015, was based on an estimate of 6 truck loads per day. The permit from Concrete Nor'West (Lisa Inc.) identifies 46 truck loads per day with the potential of up to 30 trucks per hour and the right to work extended hours. The MDNS mitigations (warning lights and notifying the public) are based on the inaccurate data from DN Traffic Consultants. The proposed haul route on Grip Road and the intersection of Grip and Prairie Road are substandard. Traffic control at the Prairie and Hwy 99 intersection is also substandard for industrial traffic and was not analyzed. The traffic safety mitigations are inadequate for the level industrial use proposed by Concrete Nor'West (Lisa Inc.) and the MDNS. The Lead Agency should complete an EIS to analyze the data and the impacts to public safety to determine appropriate mitigations for the proposed industrial use.

Impacts to roads and bridges were not adequately analyzed. The Skagit County Comprehensive Plan (2016-2036) states: Existing roads and bridges shall be improved as needed as each new extraction operation is developed. Cost sharing for the improvement of roads and bridges shall be negotiated between the permitting authorities and the applicant. Data from DN Traffic Consultants, dated May 15, did not accurately analyze impacts to roads and bridges of the proposed use by Concrete Nor'West (Lisa Inc.). Prairie and Grip Roads were not designed to meet current standards for the proposed industrial use. The Lead Agency should complete an EIS to analyze the actual engineering data and actual impacts to roads and bridges to determine appropriate mitigations consistent with Skagit County Comprehensive Plan.

Thank you,

Anthony Engel

22965 Nature View Dr

Sedro Woolley, WA 98284

On Dec 28, 2016, at 11:58 PM, John Cooper <johnc@co.skagit.wa.us> wrote:

John Cooper

From: Donald Butterfield <acupuncturedoeswork@gmail.com>
Sent: Friday, December 30, 2016 6:45 PM
To: John Cooper
Subject: gravel pit grip rd

Adding some comments about the proposed gravel pit.One had to remember about the noise this is a rural area and sound carries a long way and is more disturbing because people who move to rural areas do with the knowledge they are in places of quiet. It is something we protect really strongly and will cause the value of out properties to decline. They may say they will be in the required noise level but this in not appropriate for this rural area and will cause landowners next to the site to have stress related problems.The next problem with this site is the quantity of trucks traveling these roads. This puts an undue stress on all who use these roads. Even with the upgrades to Prairie Rd these will not be enough to fully mitigate the quantity of trucks traveling on these roads.There will be fatalities where Grip Rd meets Prairie Rd it is a blind curve . Many motorcyclists use this road.
Right now at Cook Rd and Hwy 99 has the largest accidents in the county. This is caused by having the railroad tracks so close to the light. Even though this is a approved road but has caused many accidents. How can we be assured just by including the turn lane that this will not increase accidents. Brian Stiles wife was killed on FS grade several years ago they think by a truck. There are no decent shoulders anybody walking on these roads are at risk for injury.

Donald Butterfield
4380 Blank Rd
Sedro Woolley WA
360 856 4497

30 December 2016

John Cooper, Planner/Geologist
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west application mining special use permit, PL 16-0097

Dear Mr. Cooper
We would like to supplement our letter written on the 15th of December, regarding the above referenced project.

We request the county require a biological assessment of the entire project area. The entire project area includes all of the 63 acre proposed pit site and the access road; extending from Grip Road to the pit site. We make this request because wetlands, drainages or regulated habitat, are likely in the greater review area (pit and road) and the likelihood work on said access road, will be required by the project. Although the Graham Bunting Associates (GBA) Fish and Wildlife Habitat Site Assessment report states the greater 63 acre site review was completed in July 2015 the report does not include descriptions or data of this area, nor the access road and focuses only on the Samish River and adjacent wetlands.

Also, an Oregon Spotted Frog population is known to be present in the upper Samish River and the riparian habitat on the project site should be assessed in the aforementioned report.

Respectfully

Jim Wiggins Abbe Rolnick

21993 Grip Road
Sedro-Woolley, WA 98284

Matt Mahaffie
22031 Grip Road
Sedro Woolley, WA 98284

December 30, 2016

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

RECEIVED
DEC 30 2016
SKAGIT COUNTY
PDS

RE: PL16-0097

Dear Mr. Cooper,

I am writing in comment to the special use permit application PL16-0097, a proposed operation of a gravel mine by Concrete Nor'West. I am supportive of the need of the company to have a reliable source of their base material going into the future, a need that also in many cases has a public benefit, but have serious concerns about the proposal as presented which will place undo burden upon the local community's quality of life, safety, and environment without any meaningful mitigating measures volunteered by Concrete Nor'West nor Skagit County.

I am very familiar with this property, having spent over 20 years traversing all portions of the property when it was open for public access (previous owners) as well as reviewing it professionally as a wetland/critical areas specialist under other development proposals. I am also a nearby resident of the community who also spent many years as a CDL licensed driver of the types of trucks proposed to be utilized with this endeavor. Specific concerns are as follows:

Critical Areas Review

I personally have the utmost respect for Graham-Bunting Associates and Skagit County Planning staff, but will respectfully disagree with a few key findings presented with their report and/or the scope of work that should have been specified by Skagit County.

- The singular wetland rating put forth appears accurate. However, the land use intensity (moderate) put forth in no way conforms to the land use intensity description put forth in Appendix 8C of WA DOE Publication No. 05-06-008 as required if using the alternative buffers in SCC 14.24.230(1)(b). This is not just my personal opinion; it is my opinion as a Natural Resource Planner and staff biologist for a local government, trained by the Department of Ecology in the use of their rating system. It was also the consistent opinion every wetland scientist and agency reviewer that I inquired with, including the Department of Ecology (Doug Gresham, DOE, personal conversation 12/23/16), the authors of the said

referenced publication. The land use intensity for a full time gravel mining operation is unquestionably **high**. A high habitat score (as put forth by the supplied wetland rating) requires a 300ft wetland buffer per SCC 14.24.230, not 200ft as proposed (300 also being the standard buffer).

- The review/assessment also neglected SCC 14.24.230(2), where in general, buffers are to extend 25 feet past the top of sloping areas that are 25% or greater. The site plan as indicated shows areas where this provision is applicable. Regardless of the aforementioned land use intensity issue, the buffer likely should still extend past the line indicated in areas unless there is a rational reason put forth not to, which does not appear to have been done specific to this.

- A wetland assessment is required for this project as proposed (regardless of the land use intensity) per SCC 14.24.220. A wetland assessment has not been submitted for this project even though the Fish & Wildlife Assessment made it clear that a wetland was present. The wetland assessment should include a wetland delineation which was also requested to be completed by WA DOE during the initial SEPA comment period. It is unclear why this portion of Skagit County Code was ignored, as were all of the SEPA comments submitted by the singular state agency most relevant to the issue.

- Critical area review, and to a lesser extent SEPA, was limited to the proposed mine site only. However, Skagit County staff has consistently maintained that changing the use of forest roads to new uses was tantamount to a new impact, needing at a minimum assessment, and potentially mitigation. The haul road is most certainly a change of use by a drastic degree. Going from an access only used infrequently for forestry purposes to a road that could have hundreds of truck trips per day essentially in perpetuity will most certainly be an impact to the environment in numerous areas. This will be a distinct habitat break in what is presently one of the largest undeveloped tracts of left in lowland Skagit County, home to deer, bear, cougar, and elk as well as many avian and small mammal species. Heavily trafficked corridors are well known to affect the habits of such species. The haul road also drains to a salmon stream that has serious turbidity problems, and it seems inconceivable that the increased road traffic and maintenance/improvements without stormwater control will not affect this riparian area.

  The road crosses one of the most productive tributaries in the Samish River basin as well as being within the buffer of likely Category I wetlands. The road is already being improved, and it would be ridiculous to think that significant improvements (grading, surfacing, and vegetation clearing) will not be forthcoming after the special use permit is granted. It is unclear from the available documentation why Concrete Nor'West is not being held to the same standards as numerous clients of mine (professionally) building simple single family homes have been; addressing the clear intensification of impacts when transferring the use of a logging road to another use.

- No meaningful protective measures have been assessed to the buffer of the critical area adjacent to the mine operations. While recording of a Protected Critical Area (PCA) site plan is standard and generally adequate for a single family home, a commercial operation with employees on heavy equipment, no oversight, and no vested interest in the observation of the buffer is a recipe for disregard of said buffer. Glaringly as well, there is no reference on the ground for the buffer. If there is no survey or mapping, how will anyone know where the buffer is? The buffer should be required to be demarcated in the field, an absolute standard practice, and in reality should be fenced as well.

Noise

The applicants have stated that their project will have no noise concerns to the neighborhood. This is blatantly false. A raised voice can be heard on neighboring properties to the north (known from personal past observation) from the area proposed to be mined. How would heavy equipment not be heard? An excavator bucket hitting the side of a dump truck is as loud as a small caliber rifle shot, and such hits and bucket shaking will take place many times a day. All of the neighboring properties will be subject to such noise. On the upslope side (where I live), any use of the onsite road system by even a diesel pickup truck can be clearly heard outside on a clear day, heavy equipment use can be heard inside. There is absolutely no way mining operations will be fully self contained in regards to noise. Operations during standard business hours would be one thing, but evening and weekend operations would result in a seriously degraded quality of life in this regard. While it can be noted that the area is in a mineral resource overlay (zoning), the overlay was added after many of us moved into the area.

Also lacking in analysis is the road noise. While the traffic and safety issue has been noted by many and supposedly reviewed, the documentation does not address road noise. We live on a small country road, and the majority of the homes are close to the road. When the infrequent gravel truck and trailer passes by, the entire house shakes, both from the noise of the truck/engine, and the constantly used exhaust brake. The noise has been so loud that objects have fallen off of walls, children wake from naps, and any sense of peace and quite country living is shattered. We knew the conditions when we bought property in the area, and were accepting, but a constant and potentially hundredfold increase in daily gravel truck traffic would be unacceptable, especially in light of the fact that Skagit County Planning staff required that my home be built abutting the road rather than the several hundred feet back that I desired to address such issues. These trucks will pass many homes, and again, regular business hour operations would be one thing, but the open ended nights and weekends requested by the applicant would likely cause significant duress for many residents.

Traffic Safety

As an experienced driver of the types of trucks in question (still hold Class A CDL), yes, a dump truck and pup trailer can technically traverse Grip Road from the property to

Prairie Road. Reality, however, is far different. Virtually no truck driver is going to consistently traverse this road section safely. Center lines will be crossed and shoulders will be driven upon, it is a given. This creates an issue for taxpayers who will have to repair the road, for the environment that will be degraded by the continual influx of sediment from damage to the shoulder/ditch, and the public safety. There will be no place to safely walk or ride a bike on this stretch of road with trucks and trailers cutting corners. Families walk in the area, ride bikes, and commute on this road (as well as Prairie Road). Also present are hundreds of bicyclists throughout the warmer months with numerous planned rides/races using this area as one of the "safer" routes.

In over 30 years of living in the area, I have noted numerous very serious accidents at the intersection of Grip and Prairie Roads, one of the worst blind corners in the County. Lowering of the speed limit has helped some, but having trucks and trailers essentially blocking the intersection throughout the day will lead to disaster, regardless of a blinking warning light (that the drivers will assuredly become numb too).

While Grip Road can technically be argued to be traversable from the property in question to Prairie Road, it absolutely cannot the other way (east). The two 90 degree corners immediately west cannot physically be traversed by a truck and trailer within the bounds of their assigned lanes. Presently, when a truck meets another vehicle, one must stop as the truck must cross into another lane to traverse the corner. It is unclear why traffic analysis did not address this when application materials clearly left open the possibility and likelihood of routing this way (and why the County has only noticed the project with truck traffic going west).

Future Plans

It is the stated purpose of the applicants and the County that Concrete Nor'West that this project is to haul gravel to haul to their other facilities for processing. However, onsite sales are also mentioned in some documentation, as is residential development. Concrete Nor'West also states their need as the existing pits in their portfolio are being depleted. That begs the question of why would they continue to haul to other pits for processing? It would seem to be much more practical to bring their processing to this site. The issuing of this special use permit with the presently recommended conditions would simply lead to further intensification of the site and all that would entail (onsite processing, retail sales, batch plant construction?). Honesty and consistency on the part of the applicant with proper conditioning of the permit is a must, with an MDNS issued that applies concrete terms, not generalities; to be applied to any issued permits as well. Concrete Nor'West has not been a good neighbor here, or on other properties, and there is no reason to think that would change.

The County has consistently put forth ~46 truck trips per day onto the site. The applicants have clearly indicated not wishing to be bound by this number. Using it without any actual limitation or conditions is quite

Conclusions

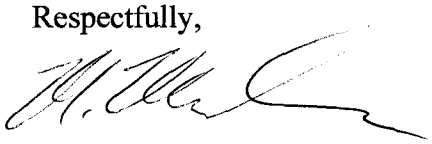
Whether I am sure that it was not intentional, the permitting review of this project by outsiders seems quite preferential to the applicants and has created a high level of distrust with Skagit County in the local community, and I find that quite unfortunate. It is understood that as a company that supplies materials derived from mining operations that a reliable supply going forward would be a business necessity. However, unlike the other gravel pits in the Concrete Nor'West portfolio, they are not acquiring an existing pit in a neighborhood, but creating a new one in an existing, long established neighborhood. There will be notable environmental, quality of life, and safety impacts with no notable or worthwhile mitigating conditions placed upon the applicants.

A cursory exercise in the finances of the project shows that there will be in excess of $100,000,000 of material sold, this is of course before costs and using an average sale price (~$25/cy as typical for 5/8 minus), but reflects the sheer volume of money involved and the resources Concrete Nor'West should be willing and able to mitigate the impacts that they will create. While at this time I do not support the project as proposed, the following recommendations/conditions would make it much more palatable and supportable.

- Operations should be limited to normal business hours only.
- No expansion of onsite infrastructure should be allowed during the lifetime of the special use permit.
- A definite limit on daily trips to and from the site is imperative.
- Grip Road should be improved as necessary to the intersection of Prairie Road by widening to modern standards. The blind corner on Prairie Road should be eliminated (these would have a public benefit nexus, a public/private partnership could be considered).
- Access to the site should only be allowed from the west unless the road issues are addressed to the east as well.
- Onsite sales or haulout by any others (companies/individuals) other than the applicant should be prohibited by the conditions of any issued permit.
- As required by Skagit County Code and previously requested by WA DOE, a wetland assessment should be prepared at the applicants' expense. Wetland buffer/land use intensity should be as noted by WA DOE guidance or Skagit County Code.
- Environmental impacts should be addressed for the haul road per CAO standards. Impacts identified should be mitigated for.

Thank you for your time and consideration on this matter.

Respectfully,



Matt Mahaffie

December 30,2016 Hand Delivered On This Day

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

RECEIVED
DEC 30 2016
SKAGIT COUNTY
PDS

Attention: John Cooper, Planner/Geologist

Reference: Concrete Nor'West
File # PL16-0097

Subject: Grip Road Gravel Pit

Dear Mr. Cooper,

Haven't had a lot of time to prepare to comment on the sizeable scale of this project, it is apparent the neighboring entities will bare the brunt of issues once in place.

The signage regarding this project was placed in an area that either direction the traffic could not view only if one was looking to the north while trying to navigate the immediate turn in Grip Road. There appears to be only one posting regarding this project and I believe the stipulations were for more than that.

The fugitive dust control plan, only provides for the roads leading to Grip Road, It doesn't appear to encompass the properties to the North. As stated in the AGC handbook regarding Fugitive Dust Control, "Fugitive Dust Control planning is a partnership between the owner, general contractor, subcontractors and ANY other party whose activities during the project may lead to the generation of Fugitive Dust. This partnership extends to legal responsibilities as well in that all parties can be held liable for non-compliance and subsequent regulatory actions, including monetary penalties." The reasons for Fugitive Dust control

1. Fugitive Dust can become a nuisance to neighbors by depositing on their property
2. Inhaling fugitive Dust particles can cause respiratory diseases
3. Fugitive Dust can be a direct safety hazard.

Identifying how much fugitive dust will travel north is as critical as worrying about the roads.

That brings me to the amount of traffic being generated to further impact Prairie Road. The County has done numerous counts of the traffic flow on Prairie Rd over the years and I am sure the study will conclude, is increasing with the passing of years. This impact of truck/trailer combos is going to increase the danger factor. Grip Road has numerous sharp curves and it has been my experience, all too often the big rigs are moving way too fast.

RECEIVED
DEC 30 2016
SKAGIT COUNTY
PDS

John Cooper, Planner/Geologist
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

This project seems to escape needing an Environmental Impact Statement and I would like a more thorough explanation as to why other than what currently has been stated. I have personally experienced the eroding of my property due to the State Clear cutting behind me and thus changing all the ground water run-off. I am amazed that any human being can clearly state there will be no impact to the Samish once the construction and clear cutting of the trees on this piece.

All in all, there needs to be community input regarding this project for a clear understanding of how this will affect all of the community that live here.

Shaari King
PO Box 95
Bow, WA 98232

21827 Prairie Rd
Sedro Woolley, WA 98284

John Cooper

From: PDS comments
Sent: Friday, December 30, 2016 10:46 AM
To: John Cooper; Ryan Walters
Subject: FW: Concrete Norwest File # PL16-0097 comments

From: Wayne [mailto:watne_ws@hotmail.com]
Sent: Friday, December 30, 2016 10:16 AM
To: PDS comments
Subject: Concrete Norwest File # PL16-0097 comments

Hello John Cooper,

I am writing in regard to the Special Use Permit PL16-0097. Consider please the following:

- Truck traffic entering Prairie Road from Grip Road and the volume of trucks using Prairie Road
- Truck traffic entering Hwy 99 from Prairie Road. There have been multiple accidents at this intersection in the 5 years I have lived in this area... the volume of truck traffic will require installation of a round-about or some other method of safely allowing traffic to cross this intersection
- In the next couple of years while the Burlington Northern Overpass is pbeing completed on Hwy 99 near Cook Road, there will be a major change in traffic patterns using Hwy 99, Prarie Road and Bow Hill Road. Traffic will likely increase significantly at this intersection and adding additional truck traffic will increase likelihood of accidents
- The documents available online suggest the truck traffic will largely cross Hwy 99 and continue from Prairie Road onto Bow Hill Road. Bow Hill Road appears to already have some stability issues and added truck traffic may increase instability
- As noted above, truck traffic will largely cross Hwy 99 and continue from Prairie Road onto Bow Hill Road BUT there is no guarantee that will be the route of choice. If heading south on Hwy 99 the trucks will cross the bridge over the Samish River. That bridge is narrow and has high traffic volume already. Safety is a major concern as is the condition of the infrastructure itself
- The river just upstream of the Hwy 99 bridge cuts up to and along Hwy 99 and the Samish River upstream of the bridge is subject to channel adjustments . The right bank (looking downstream) has currently been cutting toward the road just downstream of the WDFW Salmon weir and large trees are beginning to fail... future work along this section of road is going to be required and increased traffic volumes will impact the ability to complete the work without major disruptions is a concern
- Gravel trucks are already causing major impacts to local residents, frequently throwing rocks at oncoming traffic and damaging windshields and vehicles. There is essentially no recourse (we tried) when a person gets their windshield or vehicle damaged. Increasing truck traffic hauling gravels will increase impacts to area residence with no benefit to local area residents.

Thank you for hearing these concerns. Please add my name to the list of people notified when there are updates on this proposal.

Have a blessed day!

Wayne

LUKE 19:10 "For the Son of man is come to seek and to save that which was lost".

Wayne Watne
7137 Steelhead Lane
Burlington, WA 98233
360-707-1981
www.harvestvisionministries.org

John Cooper

From: Ryan Walters
Sent: Friday, December 30, 2016 5:42 PM
To: John Cooper
Subject: RE: Comment on #PL16-0097 Special Use permit

Importance: High

John, This one includes a records request so please be sure to respond to it immediately upon your return. RW

From: PDS comments
Sent: Friday, December 30, 2016 1:05 PM
To: John Cooper <johnc@co.skagit.wa.us>; Ryan Walters <rrwalters@co.skagit.wa.us>
Subject: FW: Comment on #PL16-0097 Special Use permit

From: linda wa [mailto:walshL2006@hotmail.com]
Sent: Friday, December 30, 2016 12:51 PM
To: PDS comments
Cc: Betta Spinelli
Subject: RE: Comment on #PL16-0097 Special Use permit

December 30, 2016

Linda & Robert Walsh
21710 Prairie Road
Sedro Woolley WA 98284
Owners of Parcels #50099, #P50100 & P50105- Adjacent to the Mine

RE: #PL16-0097 Special Use Permit Application
Attention: Hearing Examiner
Skagit County Planning & Developing Services
Commissioners

We have many concerns and questions regarding the permitting of a 68 Acre Gravel Mine in our own backyard, as the actual mining operations will border our property in our quiet rural community. The only positive impact we can see is for Concrete Nor"West(Miles Sand & Gravel, Lisa Inc) and associated business partners. This open pit gravel mine does not benefit the greater good of the public. There are numerous existing gravel mines. The list of 'negative benefits' that will be incurred, should the permit be approved, are very legitimate and serious and will have permanent lifestyle changing effects on all us who live within miles of the proposed location, not just within 300 feet.. It is unfortunate that the public was not properly notified from the beginning back in March 2016, because there has been a huge amount of concern and input just since the Hearing on Dec7th, when the word began to circulate about the gravel pit. I can only imagine how the response would have been if more residents would have been informed months ago. It shows that when informed, the residents in our community are indeed concerned and have strong opinions and lots of questions about this proposed mine, To my knowledge the county notified only 8 residents back in March . I have the current list and the County has now notified only 43 parcel owners (within 300 feet of the applicants contiguous several hundred acre properties) for the comment period ending December 30th. The notice given seems to understate the potential truck and trailer trips, stating '46 truck trips per day'. and the wording implies a much smaller scale of operation.

I have to ask any of you if you were to read a notice that stated ...average of 46 truck and trailer trips per day would you be as likely to get involved and respond as say, versus a notice which stated the truck and trailer traffic to be ... up to 30 per hour , 720 per day? The notice says nothing about proposed hours of operation which is open ended, Dawn till Dusk - Monday -Saturday, More if needed. To us, left with this wording, this business could operate 24 hours a day 7 days a week, I am positive this information would receive much more inquiries than the current notice which simply states...46 truck and trailer trips per day. There are many 'open ended' allowances in all areas of operation in the Findings of Fact report. When we say this we mean the numerous statements throughout the report which end in... 'not at this time, if any, shall be negotiated.. not proposed at this time. It seems it should be more concise and finite. I would like information on what agencies regulates specific mining activities.
A 68 acre Open Pit Gravel Mine is anything but NONSIGNIFICANT and I think a letter notifying 43 parcels, (less than 43 residences), since many of us own more than 1 parcel, is hardy adequate when the proposed business will present a huge Safety concern for anyone in our area using the public road systems. Certainly the traffic and noise, dust impacts will be well beyond the 300 feet. This is not a typical business where there will be just increased car traffic, we are talking about Truck and Trailer combos that can have up to 105,000 pounds GVW loads, traveling down steep, sharp, narrow Grip road and entering Prairie Road at a blind corner, day and night. It makes no mention of mitigating the safety issue of F & S Grade left turns just hundreds of feet beyond where they enter Prairie Road from Grip and then within a couple of miles they must again make a left turn onto very busy Old hwy 99. In the Findings of Fact report, it states a temporary disruption of our quiet rural lifestyle but how is 25 years of this type of activity for 25 years considered temporary?
I see that some of the reporting agencies did their reviews well over a year ago. How long are these reports considered valid, since circumstances can change. What information was supplied to the agencies to make their decisions, such as truck volume, duration of hours of operation that expose residents and the local wildlife, and environment, the Samish watershed etc., ? Seems if a greater number of trucks and trailers and extended hours of operation were evaluated it would be looked at more closely since it would create More Noise, Dust, Vibrations, Exhaust fumes, Road Damage, Traffic Safety Concerns, Erosion on Haul road, more use of water onsite and Grip road to keep dust levels down, water that will drain into the ditches along the road and travel into Swede Creek and possibly the Samish River, more chance spillage of fuel & other hazardous products used in equipment each day. Basically more loads mean more impact on all factors of operating a gravel pit mine.
I think you will find the other gravel pits in Skagit County have hours of operations and other restrictions placed on them. Many of us have owned our properties for decades and moved into the area to enjoy the quiet rural way of life. Since we are not large in numbers it seems as though our right to peace and quiet and our current lifestyle is not as important as higher density areas. I know for us we did not realize a mining operation would be allowed within a few hundred feet of our backyard, especially this close to the Samish River. Until receiving the November notice of the Hearing Dec 7th, we thought since we had not received any reports or notices since March 2016 it was not going to happen. It is obvious that we were quite surprised since on Dec 7th we immediately gathered with a group of residents and set out to notify the public. I would have notified people so much earlier had I realized the project was getting approvals from the various departments. This whole process is new to us and we did not realize how things would proceed.

Regardless of any mitigations the Noise, Vibration and Dust will travel beyond their parcels at disruptive volumes and will have a very negative impact on our current quality of quiet rural life. We spend numerous hours outside in our backyard with family and friends. Our peaceful, park like property along the Samish River is not just a piece land it is a huge part of our daily lives and give us a quiet place to share with our family and friends. It is an important part of our daily way of life. Our children, our grandchildren and friends come here to share the quietness, the beauty and the solitude of being out in the country. Watching Eagles, Deer and other wildlife make this a very special, peaceful place. The operations of a Open Pit Gravel Mine will have a very negative impact on our family's quality of life and our neighbors as well. We also want to bring up the fact that the spring and summer construction season when the demand for gravel is higher , it is also the busiest time of year for people traveling the roadways and enjoy the outdoors. So not only will our roads see a huge increase in regular traffic, bicyclists, pedestrians & motorcyclists but at this same time of year the truck and trailer volumes will most likely be at their highest volumes, a combination that could be deadly on our narrow, windy roads.

Traffic Safety should be addressed for all routes entering and leaving the Mine access road on Grip Road. Trucks and trailers from other companies may not be using the Grip to Prairie, Prairie to Old highway 99 route. Other routes should be evaluated and I did not see anything about this in the Findings of Fact report.
Skagit County taxpayers should not have to pay for road improvements or additional maintenance due to the heavy truck and trailer use for a single company to run its operations.

The Haul road from the Open pit up to Grip Road: The haul road must be close to 2 miles of an old gravel road with several culverts and it appears to cross at least a dozen other parcels of land before exiting onto Grip. When was it or when will it be improved to withstand the volume of fully loaded trucks and trailers which are proposed? Due to the volume of potential trucks and trailers using the road it seems like the other parcels the road travels over would need to be evaluated for environmental impacts as well?

I would think the standard residential 200' buffer zone from water would have to be much greater given the scope of this project. The impact of the length of daily exposure due to all the mining operations and the 50 acre size seems like it would be evaluated on a commercial basis. We are no experts but the effects of the 50 acres which will be stripped of all vegetation, all timber and all top soil in order to mine the gravel will NOT be Self-contained among the 3 mined parcels and it will certainly will have a SIGNIFICANT IMPACT on all of us. How are all the parcels the road travels over evaluated? What will occur and what impact could it have on the Samish watershed, Swede creek and our adjacent property? Who protects our property and the waters if un-evaluated or unforeseen problems arise?

Reclamation: If allowed to mine who will hold the applicant accountable in the years to come to properly reclamate the land? They should be required to carry a Bond to insure there will always be funds available to do proper reclamation. There have been gravel pits left abandoned with No reclamation, ugly and quite dangerous, as drownings can occur in them. What measures are in place to prevent this all these things from happening? What happens if the current applicant is no longer a valid entity or goes out of business, there should be very detailed reclamation requirements and the funds available, regardless of the current applicant state of business.
During the Mine's regular operations there will be extremely loud noises from excavating, pounding the earth, loading gravel into idling trucks, exhaust, backup alarms and engines roaring constantly, unsafe traffic volumes so how with such little evaluation and public input did the project get a (MDNS) MITIGATED DETERMINATION of NONSIGNIFICANCE statement. Impact on our quiet rural life and environment will be Very SIGNIFICANT. The MDNS statement in the permit folder has parcel #P123644 not #P125644 so how can the statement that is so Important be issued with a different parcel number than the parcel which was on the permit application?

The actual mining operation will be only a few hundred feet from our backyard. Our backyard where my grandchildren play, where we enjoy numerous family gatherings, and is within hundreds of feet of the backyards of my neighbors and the Samish River. If allowed this project will have a Very SIGNIFICANT impact on us and the surrounding areas. How is an Open Pit Gravel Mine in full operation NONSIGNIFICANT to our quality of life? How NONSIGNIFICANT of an impact will it be on people, the abundant wildlife and the Samish Watershed over the next 25 years?

We appreciate your attention to the issues and questions brought up in this letter. If other notices, reports, documents and Findings of Facts have been generated since the December 7th Hearing,we, as land owners within the 300' foot zone, would like to receive copies of all the documents, via email walshl2006@hotmail.com , with cc bettas@co.skagit.wa.us or we can pick them up at the Planning Department if you call us at (360) 708 7736.

We had asked for an extension on the comment period due to the lack of notification and the holiday season, when so many people are out of town, but it was not given. There are still hundreds and hundreds of residents who do not know anything about this Special use permit. These people will be directly impacted by traffic and other factors in regards to the mining operation and they are completely Unaware of this project's location or proposed volume of business, due to the limited notification process. They have no idea there will be a 68 Acre Gravel Mine in their community.

If any facts/ reports have changed we request to be granted enough time to review the information, inform people in the community and be given another comment period before a hearing date is set.

Sincerely,

Linda & Robert Walsh
21710 Prairie Road
Sedro Woolley WA 98284
(360) 708 7736
walshl2006@hotmail.com
or walshrob1@hotmail.com
cc bettas@co.skagit.wa.us
(I will deliver a copy of this letter to the planning department as well since I am having some computer issues)

Fairhaven Legal Associates, P.S.
DAVID L. DAY
Attorney at Law

Friday, December 30, 2016

John Cooper, Planner/Geologist
Skagit County Planning and Development Services
Mount Vernon, WA 98273

Re: Notice of Development Application – File # PL16-0097

Dear Sir:

This office represents George and Kandice Voile owners of the property at 21387 Gripp Road, Sedro-Woolley.

Mr. and Mrs. Voile have resided on the property for approximatly four years, during which time they have come to appreciate the peace and tranquility of the neighborhood.

Concrete Norwest now seeks to disrupt that peace and tranquility by operation of a gravel mine with trucks exiting the mine adjacent to the Voile property. To the extent such use impinges on the ownership interest of Mr. and Mrs. Voile, they object. Specifically, the documents submitted in support of the application by Concrete Norwest, and the staff findings pay, at best, lip service to the impacts on the neighboring residential properties. Even further, Concrete Norwest purposes to operate on an unlimited basis, i.e., around the clock. Upon reviewing e-mails from your office, it is apparent the County supports the round the clock operation to the extent that County interest would be enhanced by this gravel operations providing materials to ongoing State and County projects in the dark of the night. It is hard to imagine anyone should be obliged to tolerate such an obnoxious and intrusive program of operation.

Contrary to the assertions of the representatives of Concrete Norwest, unfettered use of the proposed mine is not unlimited in terms of hours of operation. It is entirely a matter of subject to discretion of the hearing examiner (see County Codes) as will be more fully developed in the Hearing(s).

To the extent that Skagit County supports this proposal in furtherance of its own needs for mining operation's to support County projects, Mr. and Mrs. Voile strenuously object. It can hardly be said that the County is a neutral, disinterested party respecting this matter. It follows therefore that the suggestion of approval is tainted by the foregoing.

Mr. and Mrs. Voile, and others, expect to be heard respecting this matter when a hearing is set before the Hearing Examiner and will present their grievances to the Hearing Examiner at that time.

Very Truly Yours,

David L. Day
Attorney at Law

816 E. FAIRHAVEN AVENUE • P.O. BOX 526 • BURLINGTON, WASHINGTON • 98233
PHONE: (360)755-0611 • FAX: (360) 755-9723
OFFICE@FAIRHAVENLEGAL.COM

John Cooper

From: PDS comments
Sent: Friday, December 30, 2016 7:36 AM
To: John Cooper; Ryan Walters
Subject: FW: permit #PL16-0097

From: Matt Johnson [mailto:chops_215@hotmail.com]
Sent: Thursday, December 29, 2016 2:27 PM
To: PDS comments
Subject: permit #PL16-0097

Hi,
My name it Matt Johnson and I live at 22562 grip rd sedro woolley wa, and I have concerns about this open pit gravel mine that is going through the permit process to be able to open up. I am concerned about the heavy truck traffic on grip rd as well as prairie rd. Grip rd has lots of windy curves heading up a steep grade that these trucks will need to use multiple times a day to access the pit. Leaving grip rd to gain access to prairie rd has a blind corner where vehicles could come up quickly on a heavily loaded dump truck trying to pick up speed. I also wonder who is going to pay for road improvements for this ? the road will get worn out with that much heavy truck traffic. I am hoping all these concerns are being addressed prior to giving permits? I could see this lowering property values in the area and cause lots of inconvenience for the local community for some financial gain of a private company which i disagree with.

thanks in advance
matt

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Tuesday, January 03, 2017 4:07 PM
To: John Cooper
Subject: FW: PDS Comments

From Dept Email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Friday, December 30, 2016 6:15 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Anthony Engel
Address : 22965 Nature View Dr.
City : Sedro Woolley
State : WA
Zip : 98284
email : triengel@frontier.com
Phone : 360 856 5694
PermitProposal : Concrete Nor'west Gravel Operation Near Grip Road, Special Use Permit Application PL16-0097
Comments : The following are comments regarding the Concrete Nor'west Gravel Operation Near Grip Road, Special Use Permit Application PL16-0097.

The comment period for this permit was open between December 15 and December 30, 2016. The comment period was scheduled during a busy holiday period when people are commonly off work or away from home. This was true for county employees responsible for communication regarding this project as well. The county should consider extending the comment period in order to obtain reasonable public comment.

Impacts to fish and shell fish habitat in the Samish River System were not adequately analyzed. The Samish River is critical to maintaining T&E species, commercial, sport and tribal fisheries. The mine is sited on the Samish River and has the potential to contribute to cumulative effects on the productivity of the Samish River watershed during the planned 25 year operation. The project should be analyzed for its potential effects over that time. The cumulative effect of mining operations should be considered along with population growth, climate impacts and other activities along the river. The long term impact of a 25 year mining operation sited on the Samish River to T&E species, commercial, sport and tribal fisheries habitat should be evaluated though an EIS.

No analysis was used to determine the impacts of critical habitat fragmentation over 25 year mining operation.

The long term impact to fish and wildlife habitat and wildlife connectivity resulting from a mine sited on the Samish River should be evaluated in an EIS.

There was no analysis of impacts to wetlands or fish and wildlife at the proposed mine site or the road system from the proposed mine site to Grip Road. The Fish and Wildlife Assessment, dated August 20, 2015, completed by Graham-Bunting Associates was limited to effects to the Samish River immediately adjacent to proposed mine site. The existing road system was permitted and designed for short term, intermittent use as a logging road. Improvements to the road system and the crossing at Swede Creek will need to be permitted and completed to support the proposed truck traffic. Analysis of impacts to wetlands and fish and wildlife habitat of the entire project should be completed as part of an EIS.

Public interests, such as recreational bicycle use on Prairie and Grip roads, were not adequately analyzed. Recreational cycling on Prairie and Grip Roads has increase dramatically and will continue to do so as population increases in the region. The roads impacted by this project are currently identified as bike routes by the Skagit County Physical Activity Coalition and are among the only remaining low traffic routes that lead to Sedro Woolley and the upper valley from the I-5 corridor. Data on recreational use of Highway 99, Prairie and Grip roads was not analyzed and mitigations were not considered. The impact to current and future public interests should be analyzed through the EIS process.

Traffic safety effects were not adequately analyzed. The Skagit County Comprehensive Plan (2016-2036), states: Potential effects of truck traffic from mining operations shall be reviewed as part of the permitting process. The Preliminary Traffic Information memo completed by DN Traffic Consultants, dated May 15, 2015, was based on an estimate of 6 truck loads per day. The permit from Concrete Nor'West (Lisa Inc.) identifies 46 truck loads per day with the potential of up to 30 trucks per hour and the right to work extended hours. The MDNS mitigations (warning lights and notifying the public) are based on the inaccurate data from DN Traffic Consultants. The proposed haul route on Grip Road and the intersection of Grip and Prairie Road are substandard. Traffic control at the Prairie and Hwy 99 intersection is also substandard for industrial traffic and was not analyzed. The traffic safety mitigations are inadequate for the level industrial use proposed by Concrete Nor'West (Lisa Inc.) and the MDNS. The Lead Agency should complete an EIS to analyze the data and the impacts to public safety to determine appropriate mitigations for the proposed industrial use.

Impacts to roads and bridges were not adequately analyzed. The Skagit County Comprehensive Plan (2016-2036) states: Existing roads and bridges shall be improved as needed as each new extraction operation is developed. Cost sharing for the improvement of roads and bridges shall be negotiated between the permitting authorities and the applicant. Data from DN Traffic Consultants, dated May 15, did not accurately analyze impacts to roads and bridges of the proposed use by Concrete Nor'West (Lisa Inc.). Prairie and Grip Roads were not designed to meet current standards for the proposed industrial use. The Lead Agency should complete an EIS to analyze the actual engineering data and actual impacts to roads and bridges to determine appropriate mitigations consistent with Skagit County Comprehensive Plan.

Thank you,
Anthony Engel
22965 Nature View Dr
Sedro Woolley, WA 98284

From Host Address: 50.35.38.113

Date and time received: 12/30/2016 6:14:31 PM

John Cooper

From: Scott Schuyler <ScottS@UPPERSKAGIT.com>
Sent: Tuesday, January 03, 2017 3:37 PM
To: John Cooper
Cc: Harry Chesnin2
Subject: Special Use Permit Application PL16-0097

John
I would like to convey concerns of the Tribe regarding the proposed gravel mine near Grip Rd. The application proposal is in the historical use and occupation of the Upper Skagit Tribe specifically the Nuwaha Band of the Upper Skagit. The area of the proposal has not been adequately previously surveyed for archeological resources and the Tribe would request that the landowner have the area extensively surveyed by a qualified archeologist before receiving a permit.

Thank You

Scott Schuyler, Cultural Policy USIT
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John Cooper

From: PDS comments
Sent: Thursday, January 05, 2017 6:45 AM
To: John Cooper
Subject: FW: Concrete Norwest File # PL16-0097 comments

From: Beckie Sitton [mailto:beckiesitton@gmail.com]
Sent: Friday, December 30, 2016 5:21 PM
To: PDS comments
Subject: Concrete Norwest File # PL16-0097 comments

As a resident near the proposed gravel mine on Grip Rd I have several concerns. My primary concern is the very high limit on gravel trucks per day (720) and no limit set for operating hours and days. I travel these roads daily as a pedestrian and as both a private and professional driver. Grip and Prairie Rd have very little to no shoulder and make for hazardous conditions under heavy traffic. The intersections that these trucks would have to traverse are busy and often difficult to cross. As a pedestrian I often have to step into the ditch to avoid Concrete Nor'West gravel trucks as they travel down Kheller Rd. An increase in this traffic along all the other roads near my house is very worrisome.

Gravel trucks are already causing major impacts to local residents, frequently throwing rocks at oncoming traffic and damaging windshields and vehicles. There seems to be no recourse when a person gets their windshield or vehicle damaged. Increasing truck traffic hauling gravels will in turn increase impacts of noise, dust, vibration, vehicle damage and risk of injury to area residences without providing a benefit. This proposal should only be approved if strict limits on hours and number of trucks are put in place and residents are given a way to be compensated for damages.

My other concern is environmental. I live in the Samish Watershed, near the Samish River and the health of this ecosystem is very important to us all. This project needs a more complete environmental review to ensure no further damage is done.

Thank you for your time and please include me in future notifications and updates about this project.

Sincerely,

Rebecca Sitton
18712 Fishermans Loop
Burlington, WA 98233

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

January 9, 2017

Mr. John Cooper
Planner/Geologist
Skagit County
1800 Continental Place
Mount Vernon, WA 98273

In future correspondence please refer to:
Project Tracking Code: 2017-01-00065
Property: PL16-0097 Concrete Nor'West Gravel Mine
Re: Archaeology - Survey Requested

Dear Mr. Cooper:

Thank you for contacting the Washington State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP). We were not notified of the project in order to provide timely comments. One of our Tribal partners notified us and we share his concerns that cultural resources may be damaged by this project. The project area is adjacent to the Samish River and approximately 1,200 feet form a precontact trail. It is also in proximity to the Warner Prairie and the confluence of the Samish River and Dry Creek. These factors indicate a high probability for the area to contain archaeological resources associated with precontact use of the area. The Statewide Archaeological Predictive Model depicts the project area as having the highest probability for containing precontact archaeological resources. Please be aware that archaeological sites are protected from knowing disturbance on both public and private lands in Washington States. Both RCW 27.44 and RCW 27.53.060 require that a person obtain a permit from our Department before excavating, removing, or altering Native American human remains or archaeological resources in Washington. Failure to obtain a permit is punishable by civil fines and other penalties under RCW 27.53.095, and by criminal prosecution under RCW 27.53.090.

Chapter 27.53.095 RCW allows the Department of Archaeology and Historic Preservation to issue civil penalties for the violation of this statute in an amount up to five thousand dollars, in addition to site restoration costs and investigative costs. Also, these remedies do not prevent concerned tribes from undertaking civil action in state or federal court, or law enforcement agencies from undertaking criminal investigation or prosecution. Chapter 27.44.050 RCW allows the affected Indian Tribe to undertake civil action apart from any criminal prosecution if burials are disturbed.

We request a professional archaeological survey of the project area be conducted prior to ground disturbing activities. The completed survey should be submitted to DAHP and the interested Tribe for review prior to permitting the project. We also recommend consultation with the concerned Tribes' cultural committees and staff regarding cultural resource issues.

If any federal funds or permits are associated with this proposal, Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36 CFR 800, must be followed. This is a separate process from both the NEPA and SEPA environmental review processes and requires formal

government-to-government consultation with the affected Tribes and the SHPO. Also, we appreciate receiving any correspondence or comments from concerned tribes or other parties concerning cultural resource issues that you receive.

We look forward to receiving the survey report. Should you have any questions, please feel free to contact me.

Sincerely,

Gretchen Kaehler
Assistant State Archaeologist, Local Governments
(360) 586-3088
gretchen.kaehler@dahp.wa.gov

cc. Eli Newby, Surface Mine Specialist, DNR
Scott Schuyler, Cultural Resources,
Josephine Peterson, Cultural Resources, Swinomish Tribe
James Harrison, Archaeologist, Swinomish Tribe
Kerry Lyste, Cultural Resources, Stillaguamish Tribe
Jennifer VanEyck, Cultural Resources, Stillaguamish Tribe
Jackie Ferry, THPO, Samish Tribe

John Cooper

From: PDS comments
Sent: Tuesday, January 17, 2017 6:39 AM
To: John Cooper
Cc: Ryan Walters
Subject: FW: Gravel Pit on Grip Rd.
Attachments: Concrete Nor West.docx

From: Rickeleazer@aol.com [mailto:Rickeleazer@aol.com]
Sent: Saturday, January 14, 2017 9:30 AM
To: PDS comments
Subject: Gravel Pit on Grip Rd.

Trying to find out when the meeting is at city hall.
Also. We as a community are very concerned about this gravel pit. Public Safety. Structural Design of the roads and Bridges. Storm Water Pollution Run Off. Traffic. Water Table being Drawn Done due to Mining. Hazardness Imported Materials. On-Site Pollution. (oils-anti-freeze-Hyd. oils-noise)
I have been in the construction Business for all my life. Over 30 years. Heavy Civil. State--County--City. I have seen a lot that, that others have not. I have other concerns as well.
Out dated Traffic Report Analysis. Behest Report Made Directly for CNW / Miles for this Gravel Pit.
The Grip Road is no way Heavy Traffic Rated. Its not wide enough. The R/W and Easements would all have to be changed. Power Poles would have to be moved back. New storm water ditches, shoulders for pedestrians access.
A blinking light on Prairie Rd. Come On. That's a Blind corner coming off Grip onto Prairie Rd. Accidents all the time. I know. I was with the Fire Dept. for years. Prairie / Hickson. Dist. 8.
You would have to cut the Hill Side Down for one, or put a Traffic Light There.
I think you would also be putting a big Liability on the County. If you approved a blinking light. If somebody got seriously hurt or died.
I think the County needs to get a updated Traffic Analyses Report. A New Structural Design Report on the Roads and Bridges. CEPA Review. Storm Water Review. Water Shed Review.
Please take this ""Seriously"" The Community does.
RE



Just found out that Concrete Nor' West wants to open a Gravel Pit on the Grip Rd, just off Prairie Rd. Which is located on the 1000 Block of Grip Road. Just above Swede Creek & the Samish River.

The Proposed Site is on the windy hill side heading off of Prairie Rd on Grip Rd. There is a yellow locked gate approx. ¾ mile to the NE side of Rd from Prairie, on Grip, to the site.

I live in this neighborhood. My concern for the Watershed, and our Natures Animals to this area. Then of Course, Pollution Run off from 46 dump trucks 6--Days a week, or more. Then to add in Sub-Contractors or Rental Dump Trucks. All the pollutants from them, will run into the ditches, which dumps into the Creeks and Rivers downstream. This will affectively in time, kill off any water migrating animals and wildlife that drink that water.

I work in heavy construction. Dump Trucks and Equipment break down. They spill Hydraulic Oil, Engine Oils, Diesel, and Anti-Freeze. They're called accidents, or Mechanical Breakdowns

Then combine this with Pedestrian and Traffic Safety, along with the Integrity of the Road. There hasn't been any "" Notice Signs"" posted on the road stating "" Proposed land Use" . There is one posting hidden off the roadway, on the proposed gravel access road to the site.

Another concern about is the structural integrity of the oil mat roadway breaking up. It's not designed for Heavy Truck Traffic. Then after repairing the oil mat roads, adding more pollutants into the waters, and storm runoff ditches, to the surrounding the areas.

The one of many concerns is for the Swede Creek Bridge. Is it designed for all that weight? Day after day. Is it Structurally Sound? Traffic Congestion at Prairie Rd & Grip intersection? ""Blind Corner"", Accidents are there all the time, poor planning. A flashing light that Concrete Nor'West is proposing to install for "caution", is ludicrous. On Grip or Prairie is horrible for us that drive that on a daily basis.

This road is not designed for heavy traffic. It's intention is for light traffic. There is no way you can have two trucks and trailers going up and down this windy road, side by side, at one time. Their trailers will swing into each other. This road is not wide enough for pedestrians, bicycles, traffic & dump trucks. It's a rural road, meant for normal residential traffic & school buses.

This project has been secretly done, with no input from the Community, or Neighborhoods. No Meeting. No effort to inform the public.

All I have heard is there is a meeting in January 2017, from King 5 News. Seattle. This is how I found out about this proposed Strip Mining and Proposed New Gravel Pit.

Please Call or Write. Skagit Co. Commissioners.-- Sedro Woolley Mayor/ Commissioners —Dept. of Ecology—Dept. of Fish and Wildlife—Governors—State Senators—Etc.

Very Concerned.

I am not excited to have a gravel pit in my back yard but I understand that we all need gravel. Concrete Nor'west needs to be a good neighbor and Skagit County needs to ensure our roads are safe.

I am concerned about equipment noise and dust. Per the permit application, there are no restrictions on hours of operation. Concrete Nor'west will operate the hours that suit them. This is not the correct answer. We need defined and permitted hours of operation.

In the future, if Concrete Nor'west decides to change their operations plan as it is outlined in their permit application, is county approval required? If county approval is required, will there be public notification and comment? The answer to both questions should be yes.

Road safety is my biggest concern. Below is a table of traffic incidents reported (Data from Skagit County IMap) from 2014 through 2016 from the pit entrance on Grip road to Concrete Nor'west on Old 99.

Average Incidents 2014, 2015, 2016

Proposed Route Only

Sum of Average	Column Labels		
Row Labels	Intersection	Not an Intersection	Grand Total
Proposed			
Old 99		**27.00**	**27.00**
Accident		5.33	5.33
Animal		3.33	3.33
DUI		1.00	1.00
Hazard		2.33	2.33
Traffic Enforcement		15.00	15.00
Prairie	**52.17**	**6.50**	**58.67**
Accident	8.00	2.50	10.50
Animal	4.50	1.00	5.50
DUI	2.00		2.00
Hazard	13.67	1.00	14.67
Traffic Enforcement	24.00	2.00	26.00
Grip		**7.33**	**7.33**
Accident		2.00	2.00
Animal		2.33	2.33
DUI		1.00	1.00
Hazard		1.00	1.00
Traffic Enforcement		1.00	1.00
Grand Total	**52.17**	**40.83**	**93.00**

Only intersections separated are intersections with Prairie Road

As you can see, we have there are numerous incidents on the proposed routes without the additional dump truck traffic.

Below is a table of road safety concerns on the proposed route:

Issue	Additional Details
Intersection of Grip Road and Prairie Road	Trucks making left hand turn (West) on Prairie Road. West bound traffic cannot see truck until they are in the corner. Trucks will be slower than normal through this intersection because they starting on a hill. The "Loop" system doesn't sound adequate. Need to excavate some of the hill at the corner so trucks at this intersection can see approaching west bound traffic.
Intersection of Prairie Road and Old Highway 99	This intersection is already an issue. Accidents happen on a regular basis. There will be a significant traffic increase when construction starts on the Old 99 overpass near Cook Road. This intersection needs a light with left hand turn lanes.
Width of Prairie Road	Needs to be wider and smoother to accommodate trucks.
How does the truck traffic allow for pedestrian and bicycle traffic?	The road and shoulder are already challenged by pedestrian and bicycle traffic. Adding regular truck traffic will make it impossible.
90 Degree curves on Prairie Road	At least one curve is a bit tight for regular truck / trailer traffic.
Ditch that overflows regular on Prairie Road @ Park Ridge Lane	How does the water saturation affect the road stability with truck traffic?
Bridge over Samish River (Grip Road)	Can it handle the truck traffic?
Bridge over Friday Creek (Prairie Road)	Can it handle the truck traffic?
Bridge over Samish River on Old Highway 99	Bridge is not in good shape. Can it handle additional truck traffic?
Grip Road - Hill	Not adequate for regular truck traffic. Has been sluffing for years (over 40 that I know of)
Width of Grip Road	Needs to be wider and smoother to accommodate trucks.
Allowed to travel East on Grip Road?	Regular traffic? Need to know approved routes other than West on Grip Road.
Allowed to travel East on Prairie Road?	Regular traffic? Need to know approved routes other than West on Prairie Road.
Will loads be covered	Don't need additional gravel on the road to break more windows
Road weight limits	Freeze thaw cycles will close the roads at times - considered?

John Cooper

From: Brian Bowser <cmsinc@myfrontiermail.com>
Sent: Tuesday, January 17, 2017 8:35 PM
To: John Cooper
Cc: Susan Bowser
Subject: PL16-0097 - Road Concerns

Dear Mr. Cooper,
I have had some time to look through the documents concerning PL16-0097. Below are some of the concerns I have with the transportation plan as listed in the documentation:

DN Traffic Consultants

Grip Road Intersection

1. Decisions about the Grip Road intersection are being made with information from 2013. I did not see that 2.5% of increased traffic per year was considered when calculating the data (As described in the "2013 Skagit County Road Segment & Intersection Concurrency" report).
2. Intersection has "sub-standard observed distance for both stopping and entering sight distance in southbound direction whereas the Grip Road/Site Access has a sub-standard value for entering sight distance in the eastbound direction." DN Traffic Consultants believe the permanent fix for this intersection costs too much although no cost estimate was completed.
3. The recommended solution--advanced warning signs with flashing beacons--was listed as a "potential interim" solution. Neither the Staff Report or the Hearing Examiner Report recognized this as an interim solution. Neither report listed a timeline for the Skagit County to develop a permanent solution.

Additional Studies

1. DN Traffic Consultants expected additional traffic analysis would be required as the proposed gravel pit operation was defined. This analysis has not been required by Skagit County nor offered by Concrete Nor'west.

Other Crucial Issues Not Addressed

1. The report did not address whether the truck counts were Concrete Nor'West trucks only or if they would allow additional independent operators to purchase from the pit on Grip road, thus generating additional traffic.
2. Traffic East bound on Prairie Road is allowed to pass before they reach Park Ridge Lane. This was fixed previously, but after the recent chip sealing was completed, the striping allowed for passing prior to Park Ridge Lane.
3. The F & S Grade Road intersection was not evaluated. It is also a limited site intersection and has had a significant number of accidents at the intersection.
4. Grip Road has a 40 foot right of way. Concrete Nor'West trucks will not be able to pass each other in opposite directions on several portions of Grip Road because they cannot navigate the corners and stay in their lane simultaneously.
5. Per "Skagit County Road Standards Version 5.2 May 26, 2000 section 3.13," a right of way of less than 60' can lead to additional requirements. No studies have been completed to assess the areas "road network circulation".
6. It is doubtful that a dump truck and trailer traveling East on Prairie Road can stay in its lane through the final 90-degree corner.

7. The permit describes the Grip to Prairie to Old Highway 99 North as the "haul route". Does that mean only the loaded trucks must follow this route? Empty trucks can take an alternative route? If so, what is the alternative route?
8. Prairie Road and Grip Road have insufficient "Clear Zone". The Clear Zone is "the total roadside border area, starting at the edge of traveled way, available for safe use by errant vehicles. This area may consist of a shoulder, a recoverable slope, a nonrecoverable slope, and/or a clear run-out area. The desired width is dependent upon the traffic volumes, speeds, and the roadside geometry." Per "Skagit County Road Standards Version 5.2 May 26, 2000."
9. A pedestrian was hit by a logging truck while walking several years ago. He went to a nursing home to recover but never did make it back home. This accident is an example of what happens when you have insufficient clear zone.
10. Dump trucks will be operating during early morning hours when kids are waiting for the bus in the dark with insufficient clear zone.
11. Sedro Woolley School District has a bus turn-around area just west of the mine access at Grip Road that would be negatively impacted by heavy truck traffic coming down the hill.
12. There will be increased incidents due to West Bound Prairie Road traffic passing dump trucks just past the F&S Grade Road intersection.
13. There will be increased incidents due to East Bound Prairie Road traffic passing dump trucks near the Park Ridge Lane intersection.
14. Many clubs (bicycle, motorcycle, car) and organized athletic events use Prairie Road as part of their routes for events. Dump truck traffic, with current road design, is incompatible with this type of use. The permitting process has ignored this type of use.
15. Many people living in the area use our local roads to walk, run, or bike. Dump truck traffic, with current road design, is incompatible with this type of use. The permitting process has ignored this type of use.
16. The language in the "Skagit County Planning and Development Services Findings of Fact" is specific: "Truck trips shall not exceed an average of 46 truck trips per day or exceed 30 truck trips per hour." This combined with no restrictions on hours of operations means that Concrete Nor'West would be within their permit to operate 24 hours per day, 30 trucks per hour, for 23.3 days and shut down for the remainder of the year. I don't expect this, but my point is that none of the traffic studies determine any upper limits on trucking, hours of operation, impact to the roads and intersections. All the decisions were based on a preliminary traffic study on two intersections and an email from Dan Cox to John Copper. The email stated traffic engineer, Gary Norris, indicated that both intersections evaluated could function within level of service requirements up to 100 trucks per hour during non-peak hours. As a result, Mr.Cox limited the trucks to 30 trucks per hour during non-peak time. This number is not a limit in the permit, nor is it based on anything more than one person's opinion.
17. Actual truck trips per hour and per year appears to be on the honor system. No system of verification is discussed.
18. I did not see that trucks will be weighted prior to leaving the gravel pit. How will Concrete Nor'West verify the trucks are not overloaded prior to leaving the Grip Road gravel pit?
19. Dump Trucks have the highest fatality rate of any type of commercial truck: Per 100 million miles traveled (MMT), 5.96 fatalities.
20. How will the Bow Hill Road Reconstruction Project impact the intersection at Old 99 and Prairie Road? Project execution appears to overlap with the Burlington Northern Overpass Project.
21. How will the Burlington Northern Overpass Project impact the intersection at Old 99 and Prairie Road? Project execution appears to overlap with the Bow Hill Road Reconstruction Project.
22. How will the Samish River Bridge Repair (Old Highway 99 N.) impact the trucking route for Concrete Nor'West from the Grip Road pit to the Old 99 pit or will gravel be hauled to a different location?
23. "Skagit County Planning and Development Services Findings of Fact" states Concrete Nor'West can take product direct to market or to existing Concrete Nor'West site for processing. Trucks may go any direction

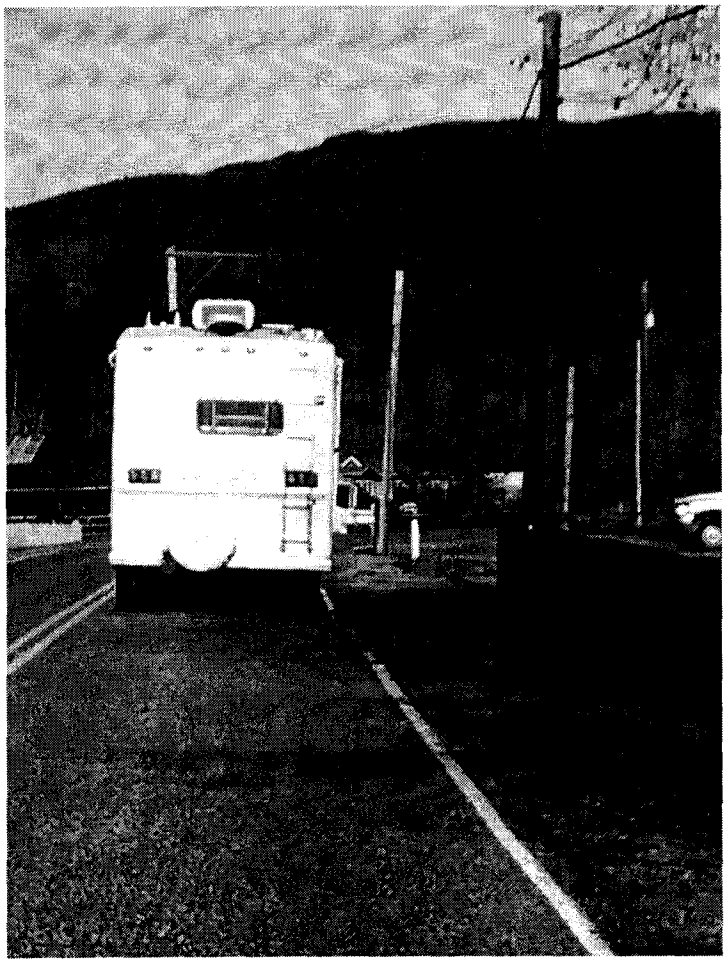
from the gravel pit yet only two intersections were reviewed. The proposal submitted indicates Concrete Nor'West will take the bulk of the product from Grip Road to the gravel pit at 8198 Old Highway 99 North Road, not an existing Concrete Nor'West site. Taking it to another location is a change to the permit. Concrete Nor'West needs to complete a traffic analysis on all potential routes from the mine on Grip Road.

With all the above issues, I believe a traffic impact analysis should be completed before the permit to mine is approved. In determining what level of traffic analysis is needed, the peak allowable truck traffic allowed per the permit should be used, not an average number of trucks for a given year. The report should address route clear space, geometrics, and hazards. I also recommend accident data be included in the study based on the following information from the public data available on the Skagit County website:

> On Prairie Road alone, from 2010 to 2016, 93 vehicles were abandoned, 182 traffic hazards were reported, 240 vehicle accidents were reported, and 354 traffic citations were issued.

There appears to be a safety issue on Prairie Road before we add dump trucks to the mix. The report should also address route geometrics and hazards.

To help you visualize some of our concerns, here is a picture on Prairie Road, north of Grip Road. The pavement width in the picture (20') is typical of Prairie Road and Grip Road.



Brian Bowser
21110 Parson Creek Road
Sedro Woolley, WA 9828

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Thursday, January 19, 2017 8:55 AM
To: John Cooper
Subject: FW: PDS Comments

From Dept Email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Saturday, January 14, 2017 9:20 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Rick & Joni Eleazer
Address : 22134 Grip Rd.
City : Sedro Woolley
State : WA.
Zip : 98284
email : rickeleazer@aol.com
Phone : 360-854-7962
PermitProposal : Hoogdale Gravel Pit. Grip Rd.
Comments : Trying to find out when the meeting is at city hall.
Also. We as a community are very concerned about this gravel pit. Public Safety. Structural Design of the roads and Bridges. Storm Water Pollution Run Off. Traffic. Water Table being Drawn Done due to Mining. Haphazardness Imported Materials. On-Site Pollution. (oils-anti-freeze-Hyd. oils-noise)
I have been in the construction Business for all my life. Over 30 years. Heavy Civil. State--County--City. I have seen it a lot that, others have not seen. I have other concerns as well.
Out dated Traffic Report Analysis. Behest Report Made Directly for CNW / Miles.
The Grip Road is no way Heavy Traffic Rated. Its not wide enough. The R/W and Easements would all have to be changed. Power Poles would have to be moved.
A blinking light on Prairie Rd. Come On. That's a Blind corner coming off Grip onto Prairie Rd. Accidents all the time. I know. I was with the Fire Dept. for years. Prairie / Hickson. Dist. 8.
You would have to cut the Hill Side Down for one,
Or put a Traffic Light There.
I think you would also be putting a big Liability on the County if you approved a blinking light. If somebody got seriously hurt or died.
Please take this seriously. The Community does.
RE

From Host Address: 24.113.5.176

Date and time received: 1/14/2017 9:17:05 AM

John Cooper

From: website
Sent: Monday, January 23, 2017 7:55 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Frank L Phillips
Address : 22461 Prairie RdConcrete Nor
City : Sedro Woolley
State : WA
Zip : 98284
email : fphillips67@gmail.com
Phone : 3608561637
PermitProposal : PL16-0097
Comments : I'm deeply concerned about the proposed Grip road gravel mine project by Miles sand and gravel. My first concern is the safety of travel along Prairie road at the intersection with Grip road. This is a blind corner with vehicles traveling at speeds up to 50 mph. This is already a dangerous corner and having slow moving truck and trailer rigs entering the intersection compounds the danger. I feel that a flashing light is not a proper means of traffic control. I feel that the total area should be reconstructed to provide a safe environment for people using Prairie road and Grip road. Grip road is also not up to a safe standard and would need to be reconstructed in both directions, as independent haulers may use Grip road to the east. These upgrades should be provided by Miles.
My other concerns are about environment issues. These concerns are about nesting Bald eagles in the area, Samish river water quality, and any wet landson the property.
I also think the proposal needs to be more specific as there is alot of wording, such as, at this time, that leaves questions as to the extent of the proposal.

Thank you
Frank Phillips

From Host Address: 24.113.225.148

Date and time received: 1/23/2017 7:53:42 AM

John Cooper

From: website
Sent: Monday, January 23, 2017 7:05 AM
To: Planning & Development Services
Subject: PDS Comments

Name : David Miller
Address : 5493 Hoogdal Branch Rd
City : Sedro Woolley
State : WA
Zip : 98284
email : davidmiller8080@hotmail.com
Phone : 3603332616
PermitProposal : Grip Rd Gravel mined
Comments : To whom this concerns,
I'm writing to voice my concerns about the proposed gravel site listed above. I will pinpoint my concerns and elaborated on them if needed.

-Road not wide enough to handle the proposed truck traffic and current traffic and recreation use. I currently run three that area and have almost been hit several times As there is not enough room on road for me and traffic. I can only imagine the nightmare that will be presented if the proposed
Amount of truck travel these Rd with current vehicle and recreational traffic.
-Intersection of prairie Rd and grip Rd. This intersection is a bad accident waiting to happen. As I travel thru this intersection (merging for grip onto prairie west bound) I have many of times pulled out and had to slam the acceleration to void being depmtrunck from a vehicle and I didn't see coming around the prairie corner westbound. I have now resorted, in the hours of darkness, as I stop at the intersection waiting to merge on to prairie to turn my lights off in hopes of seeing advancing headlights coming around the corner. I have had several close calls with this intersection and KNOW that if the proposed truck traffic begins traveling through this intersection and serious if not fatal accident will eventually occur.
- I highly urge the elected officials that have been voted in to represent the public body to put the public body first and seek out their best interests!

Thanks,
David Miller

From Host Address: 70.199.128.150

Date and time received: 1/23/2017 7:03:22 AM

John Cooper

From: PDS comments
Sent: Monday, January 23, 2017 6:39 AM
To: John Cooper
Subject: FW: Gravel Pit

From PDS Comments Inbox:

-----Original Message-----
From: David Goehring [mailto:davidgoehring@gmail.com]
Sent: Sunday, January 22, 2017 1:22 PM
To: PDS comments
Subject: Gravel Pit

The current proposal for approximately 50 trucks and trailers hauling gravel to exit the mine via the steep, narrow, winding section of Grip Road, and then through the blind intersection of Grip and Prairie Roads will put every one of us who use those roads at risk of bodily injury or worse.

I do not use Grip Road often, so will leave the wisdom of using it for heavy truck traffic to those who do, but I use Prairie Road almost daily, and have for the last 25 years. First of all, the section of Prairie from the Grip Road intersection to Highway 99 is in no shape to accommodate that much more heavy traffic. It has extremely narrow shoulders, and most of the shoulders it does have are unstable, as the road crews have widened them somewhat over the years by just brushing gravel over the edges. In some stretches there are literally no shoulders whatsoever. There are steep drop offs down into a creek a person could drown in, with no guard rails for protection.

The intersection of Grip and Prairie is already extremely dangerous, and should have been addressed long before now. I have always been amazed that there aren't more serious injuries there. If I happen to be riding with someone else I always ask them to slow down before rounding that curve. If a vehicle is just entering Prairie from Grip there is nowhere to go. The idea of having yellow warning lights on each side of the curve is a bad joke. Most drivers will heed them, but you know many won't, especially over time.

I still haven't quite gotten over reading the comment from the planning department that if the yellow lights turn out to be inadequate, that further measures such as flaggers and spotters would be considered. How many injuries or fatalities would have to happen before something was done? And seriously, permanent flaggers for the life of the project? It sure sounds to me like your planning department is playing fast and loose with lives of the drivers using this route, and I am not exaggerating the dangers one iota. You have only tenths of a second to react when coming around that corner from the east.

I find it curious that the department found it "obvious" that the mine owners would not be able to pay for extensive road improvements. Isn't this the same company that built an elevated roadway all the way from Highway 99 over to and underneath I-5 to access the Belleville pit? Why is the county assuming that the company can't pay? I would hope that the county would put the safety of it's citizens first, not the bottom line of some gravel miner from Puyallup.

David Goehring
20002 Double Creek Lane
Sedro Woolley

360-661-0818

John Cooper

From: website
Sent: Wednesday, December 21, 2016 2:40 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Andrew & Wendi Prince
Address : 22047 Grip Rd.
City : Sedro-Woolley
State : WA
Zip : 98284
email : sitnbull@wavecable.com
Phone : 360-856-9111
PermitProposal : Concrete Nor'West #PL16-0097
Comments : We would like to be involved in this process & be notified of any public meetings regarding this plan

From Host Address: 24.113.237.6

Date and time received: 12/21/2016 2:37:30 PM

John Cooper

From: website
Sent: Wednesday, December 21, 2016 11:50 AM
To: Planning & Development Services
Subject: PDS Comments

Name : Vanoy Smith
Address : 10873 Peter Anderson Rd
City : Burlington
State : WA
Zip : 98233
email : docsmith1@frontier.com
Phone : 360 757 0886
PermitProposal : Grip and Prarie Rd Gravel Mine
Comments : I am a bicycle rider from Burlington who frequently rides on Prairie and Grip Rd. Someone will die biking on that road with the heavy truck traffic. It is bad enough now, with no shoulder and the occasional bike hater who drives by. Please, I assume the permit will pass, and I have no objection to the land use. But please, as a requirement for the operation, put in a decent protective shoulder for hikers and bikers.
I have seen bike accident victims in the ER and they are not pretty!
Vanoy Smith MD
PS I was ER physician at UGH several times when there were train accidents at Cook and #99. I screamed for lights and bars and wrote letters. Finally when enough injuries and deaths occurred something was done. Please act responsibly.

Vanoy Smith MD

From Host Address: 104.235.183.16

Date and time received: 12/21/2016 11:47:41 AM

John Cooper

From: website
Sent: Tuesday, December 20, 2016 10:05 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Jason Haugland
Address : 21422 Prairie rd
City : Sedro-Woolley
State : Wa
Zip : 98284
email : Jhaugland3@gmail.com
Phone : 3607245006
PermitProposal : PL16-0097
Comments : Regarding the proposed mine with concrete Nor'West and Skagit County. This is a very dangerous road route there is going to be a high amount of traffick added to two of the most dangerous parts of these roads with very little to no shoulder. These roads have not been widened or upgraded for over 20 years! Can you honestly tell me that a truck and trailer combo can make the hair pin 15mph S corners at the end of Grip and/or Prairie rd even once without encroaching oncoming traffick or over the outside of the fog line Let alone 40+ of that at least each day with how many different drivers? Not to mention the school bus routes schedule and safety of the children waiting for the bus, bicyclists, or pedestrians? There is literally no shoulder along this whole route and hair pin corners on both Prairie and Grip that can't possibly be navigated by a pedestrian bicyclists or distressed motorist and two truck trailer combos going opposite directions. A yellow blinking light is your proposed answer for this. We need more time to mitigate this please?? We have a director of this project that we can not contact and a date encroaching that seems very unreasonable. This mine borders my property and you have advertised this proposal as a Grip rd site. It should be restated as a Samish River Valley Mine as this will effect the whole Samish river valley. I would like more time to review your environmental studies and the credentials of who decided there is no negative impact on fish and wildlife as well as the water table that my well draws from.

From Host Address: 24.113.224.122

Date and time received: 12/20/2016 10:01:33 PM

John Cooper

From: website
Sent: Wednesday, December 21, 2016 12:25 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Jon Kvernmo
Address : 754 Humphrey Place
City : Burlington
State : WA
Zip : 98233
email : jon.kvernmo@gmail.com
Phone : 360-333-1212
PermitProposal : Concrete NW Mining Proposal
Comments : The matter of the Concrete NW Mining Proposal as it impacts Grip Road and Prairie Road came to my attention recently. I bicycle those roads regularly, and enjoy the scenery and relatively low vehicular traffic volume. I'm a proponent of private enterprise, as it's the engine that drives our economy. However, as in any such matter where interests that could compete intersect, there should be careful consideration given to both sides. Bicyclists are the more vulnerable when it comes to the use of our county roads. I have personally had occasion to fear the prospect of personal injury when drivers are heedless, or worse, antagonistic, towards their neighbors who happen to be on the road, on a bicycle.

Paved shoulders of sufficient width to allow bicyclists and truckers to share the road safely should be required as a condition of issuing the mining and hauling permit(s). That way CNW can make money, and the bicycling community can continue to enjoy the safe use of what has been a pleasant part of our countryside.

From Host Address: 50.34.155.212

Date and time received: 12/21/2016 12:24:53 PM

John Cooper

From: website
Sent: Wednesday, December 21, 2016 10:35 AM
To: Planning & Development Services
Subject: PDS Comments

Name : James Douglas Koehn
Address : 21341 Prairie rd
City : Sedro Woolley
State : Wa
Zip : 98284
email : DND906@frontier.com
Phone : 3606611591
PermitProposal : 68 acre gravel pit mine on prairie rd. s.w.
Comments : I wish to reguest an extension on the Dec. 30 th comment period

From Host Address: 50.34.126.63

Date and time received: 12/21/2016 10:30:09 AM

John Cooper

From: Nancy Swalling <swalling@wavecable.com>
Sent: Monday, January 23, 2017 1:16 PM
To: John Cooper
Subject: #PL16-0097 Concrete Nor West Grip Road Gravel Pit

I am concerned ab out the impact of the Gravel Pit operation on Grip Road. Actually I have many concerns which are being addressed by so many of my neighbors.

I am currently researching the water table level. I see a danger in the possible negative and irreversible effect to our local wells.

1. How will they determine how far they can dig at any particular location before hitting the water table?
2. Should the wells be damaged, how will they be held accountable?

And there are a couple other issues which come to mind:

In upgrading the access road, how will they protect the creek? Who will be monitoring this operation?

The warning lights at the intersection of Grip and Prairie Roads are tol be temporary. What will change to make these lights unnecessary?

I would like to see these issues addressed.

Thank you.

Nancy Swalling
(360) 856-6549

John Cooper

From: PDS comments
Sent: Tuesday, January 24, 2017 6:38 AM
To: John Cooper
Subject: FW: REVIEW OF NEEDED PERMITS. PL16-0097. GRIP RD GRAVEL PIT

From the PDS Comments inbox:

From: Rickeleazer@aol.com [mailto:Rickeleazer@aol.com]
Sent: Monday, January 23, 2017 6:16 PM
To: PDS comments
Cc: walshl2006@hotmail.com
Subject: REVIEW OF NEEDED PERMITS. PL16-0097. GRIP RD GRAVEL PIT

To Whom It may Concern:
Have you seen these permits for the above proposed land use.
Approved as of 2016 land use Laws & Rules
We the community of Hoogdal, are very concerned about the proposed land use.

Land Use Applications: Forms

- Boundary Line Adjustment. Set Backs
- Critical Areas
- Grading and Storm water Management.
- Right-of-Way Use.
- TDR Conservation Easement
- SFDU Submittal
- State Environmental Policy Act (SEPA) Checklist
- Zoning Code Variance (Supplement)
- Landscape Plan Submittal Checklist
- Tree Canopy Ordinance
- Land Use Permit Submittal Checklist
- Supplemental - Off-Road Vehicle Use
- Supplemental - Excavation and Processing of Minerals
- Sight Clearance and Intersections
- Traffic Design
- Public Safety

John Cooper

From: website
Sent: Sunday, February 05, 2017 3:55 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Dennis Whitcomb
Address : 19117 Prairie Road
City : Burlington
State : WA
Zip : 98233
email : dennis.whitcomb@gmail.com
Phone : 360-399-1434
PermitProposal : PL16-0097 and PL16-0098
Comments : My family and I live and farm at the corner of Prairie Road and Highway 99, near the proposed mine. I have serious concerns about the proposal.

1. In the proposal documents, no guarantee is offered about how many trucks per day will transport materials through our community. If the gravel pit comes into being, what is to stop its owners from running hundreds of trucks per day through the area? What is to stop them from running trucks 24 hours per day, waking up the neighboorhood at all hours? With hundreds of trucks, or even far fewer than that, the entire character of our neighborhood will be changed. Instead of being a residential farming community, it will become an industrial throughfare. We should use especially careful scrutiny when proposals can fundamentally change our community in this way. The community and its character matters.

2. In addition to transforming our community's character, the proposal also threatens public safety. We frequently see near-crashes, and real crashes, where we live at the corner of Prairie and Highway 99. (Please feel free to look up the number of times just we ourselves have had to call 911 to report crashes at this intersection). If there is a large increase in the number of heavy trucks moving through this intersection, I have no doubt that there will be an increase in crashes and, yes, eventually a number of deaths.

3. The proposal also brings with it potential threats to local businesses. As well as living in the area, my family operates a commercial farm here. From this farm operation we sell a large number of free range eggs and vegetables. Clean water is essential. Without it, we will not be in business. What this fact illustrates is that the risks of the project do not merely redound to the local community in their private lives. They also redound to local business, including (at least) our local business. What guarantees do we have that our water, and thus our farming operation, will not be harmed by the proposed gravel pit?

4. In addition to the potential adverse economic impact of water pollution on our farming operation, there is also a potential adverse impact to our very ability to live in our home. Like the rest of the local community, we depend on wells for our water. What guarantees do we have that this water, and thus our way of life, will remain safe?

From Host Address: 24.113.254.134

Date and time received: 2/5/2017 3:53:18 PM

John Cooper

From: PDS comments
Sent: Monday, February 06, 2017 1:35 PM
To: John Cooper
Subject: FW: Miles Sand & Gravel Grip Road Pit

From: Joe Prince [mailto:slumpmonkey@gmail.com]
Sent: Monday, February 06, 2017 1:11 PM
To: PDS comments
Subject: Miles Sand & Gravel Grip Road Pit

Greetings,

I believe the proposed Grip Road pit is not in the best interest of those who live on Grip Road and the general vicinity.

While the number of truckloads per day seems relatively minor, there is no edge striping or markers on the outsides of lanes on Grip Road. Skagit County Public Works stated at the time we requested they be installed on the corners going eastbound from Prairie Rd that the lanes were to narrow to be so striped. If this is so, then I am concerned that putting 45-46 trucks per work day up and down that road will result in significant collisions and potential injury to motorists.

Further, there is the bridge across the Samish River near the intersection of Grip Rd and Prairie Rd. Adding significant, sustained traffic of fully loaded trucks is not going to be conducive to the life of that structure. Considering the state of other structures and roadways in the county, it is not clear that this structure will be suitably upgraded before it is ruined and declared deficient.

Finally, there is the intersection of Prairie and Grip Roads. The speed limit on Prairie Rd approaching Grip is now 40 MPH. However, practically speaking, there are vehicles moving very quickly around the corner from westbound Prairie. This has been the cause of countless near misses between vehicles turning left from Grip onto Prairie and those proceeding westbound on Prairie. This will be even greater of a problem when the turning traffic consists of 105,500 lbs of Mack truck and pit run.

At a minimum before this pit is granted permit, the county should mandate developer fees to widen Grip Rd to be suitable for the increased volume of truck traffic, as well as a significant contribution to reconstruction of the Samish River bridge. Finally, a three-way stop should be established at the corner of Prairie Rd and Grip Rd.

Most Respectfully,

Joe Prince
22047 Grip Rd

--
Joe Prince
(360) 421-1745 (cell)

John Cooper

From: website
Sent: Tuesday, February 07, 2017 4:35 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Lynn Lambert
Address : 5474 Parkridge Place
City : Sedro Woolley
State : WA
Zip : 98284
email : Lambert.lynn78@gmail.com
Phone : 360-724-0566
PermitProposal : PL16-0097, Pl16-0098
Comments : I moved here 12 years ago with the understanding that properties were designated for- what I term -gentleman's farms, and a ride through our neighborhoods justifies that designation. We are not a city, we are not an industrial area, we are a unique collection of beautiful rural neighborhoods.

Although the pit/mine itself will not (allegedly) create noise to affect the surrounding neighborhoods, please consider that the noise and congestion of a constant trail of trucks operating whenever they wish- certainly will.

Is there a guarantee that loose gravel will not effect homes and farms that border the area or cars sharing these roadways? Also, has consideration of roads for recreation during warmer months, (bikes, equines, children, and runners) affected any decision making?

Currently, operators can simply abandon pits without reclaiming the ecological devastation they create. A hole surrounded by cliffs, lacking nutrients, does not reclaim, it negates wildlife and natural vegetation. Therefor, I would like to be assured that land reclamation is well planned and enforced via a bond.

We are only allowed one house per 5 acres, but we cherish the acreage and the quality of life that exists in this area. We pay heavily for the privilege in the form of property maintenance and taxes and don't wish our earnings to extend to maintenance fees for industrial purposes, nor do we wish our property values to crumble with the rock....due to noise, safety issues, and the destruction of our neighborhoods.

From Host Address: 172.76.133.156

Date and time received: 2/7/2017 4:34:57 PM

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Thursday, February 09, 2017 2:18 PM
To: John Cooper
Subject: FW: PDS Comments

From Dept Email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Thursday, February 09, 2017 1:15 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Donna Schoonover
Address : PO Box 207
City : Bow
State : WA
Zip : 98232
email : donnawh@earthlink.net
Phone : 360 724-3064
PermitProposal : PL16-0097
Comments : I have concerns about the traffic hazards posed by this mining operation. The intersection of Grip and Prairie Roads is already dangerous with limited visibility and speeding. I do not feel a traffic loop activated flashing beacon system will be adequate to prevent crashes there. I am also worried about the travel on Prairie Road through Jarman Prairie where we live. There is a lot of speeding on this straight stretch of road. With so many slower gravel trucks, I am feeling that people are going to be passing them unsafely and tragedy could occur. I am thinking it will be unsafe for us to pull out of our driveway onto Prairie Road for the same reason. Finally, I already have to travel behind gravel trucks on Old Highway 99 and have had several windshields cracked by loose rocks from their trucks. Not only is this an expense, it is also a safety hazard. I hope you will consider these issues and rectify them before permitting this operation.

From Host Address: 24.113.136.26

Date and time received: 2/9/2017 1:12:38 PM

GORDON THOMAS HONEYWELL

William T. Lynn
Direct: (253) 620-6416
E-mail: blynn@gth-law.com

February 7, 2017

John Cooper, LG. LHg
Senior Natural Resource Planner/Geologist
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Concrete Nor'west - Application for Mining Special Use Permit PL 16-0097

Dear Mr. Cooper:

We are writing on behalf of Concrete Nor'west regarding the above-referenced application. We are requesting that the matter be set for hearing before the Hearing Examiner at the earliest possible date that is convenient for the County, the applicant and its representatives.

As you know, this proposal was the subject of a complete environmental review that included traffic analysis, fish and wildlife site assessment and wetland review among other things. It has also been the subject of extensive public and agency comment. The SEPA process was completed and the matter set for hearing.

Unfortunately, the County failed to give all of the required notice, and so the Hearing Examiner allowed the members of the public present on the initial hearing date to testify and then continued the hearing to a date to be set following additional notice. The matter is now pending before the Hearing Examiner; the only planning staff functions at this point are to give proper notice and set the hearing. Despite the fact that this matter is pending before the Hearing Examiner the staff has continued to receive public comments. That, in and of itself, is not troublesome. The appropriate thing to do is to pass those comments along to the Hearing Examiner as if they had been submitted at the public hearing. Despite the staff's limited role at this point (and the pendency of this matter before the Examiner) the County staff has suggested that it may continue to impose requirements for archeological surveys and traffic analysis. Given that SEPA analysis and determination of non-significance have been completed and that the matter is before the Examiner, this is not a proper procedure. The procedural status at the present time is no different than it would be if these same comments had been made during the hearing. In accordance with normal

procedures and the Examiner's jurisdiction, the staff can make recommendations on these matters, but the significance of any public comments and the necessity of a response by the applicant are within the jurisdiction of the Examiner.

The applicant fully understands that this project has some controversy associated with it and we will come to the hearing prepared to address all public comments, and potentially to suggest some additional conditions of approval. It is not appropriate for the staff to set up additional procedural hurdles for the applicant between now and time of the public hearing.

We are providing a copy of this letter to the Hearing Examiner. If necessary, we would be happy to set up a pre-hearing conference call with the Examiner, the staff, and the applicant to address the procedure. Otherwise, we look forward to having the hearing set at the earliest available and convenient date.

Very truly yours,

William T. Lynn

WTL:lb
cc: Hearing Examiner
Concrete Nor'west

[4847-2499-3602]

John Cooper

From: Lori Anderson on behalf of Planning & Development Services
Sent: Monday, February 13, 2017 10:38 AM
To: John Cooper
Subject: FW: PDS Comments

From Dept Email

Lori Anderson, Permit Technician
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
360-416-1320
loria@co.skagit.wa.us

www.skagitcounty.net/planning

From: website@co.skagit.wa.us [mailto:website@co.skagit.wa.us]
Sent: Sunday, February 12, 2017 2:05 PM
To: Planning & Development Services
Subject: PDS Comments

Name : Renee Kenady
Address : 5319 Cedar Ridge Place
City : Sedro Woolley
State : WA
Zip : 98284
email : rkenady44@gmail.com
Phone : (360) 661-1272
PermitProposal : Concrete Nor'West Special Use Permit Application PL16-0097
Comments : Re: Concrete Nor'West Special Use Permit Application PL16-0097

My husband and I bought, developed and built our dream home on 5 acres which is the third parcel from the eastern border of the proposed gravel mine. Again, I would like to emphasize that we did not choose to build our dream home by a gravel site that would create safety issues, possible damage to our water supply, property value drop and noise pollution! I tried to attach several photos of the view from our property but this format wouldn't allow it. To be sitting on our bluff, looking at our beautiful view and experience the constant beeping of trucks as they move around and other noise related to this is unacceptable. Please understand that this is about more than income for Lisa, Inc,, Miles Sand and Gravel and Concrete Nor'west. It is about the quality and investments of many lives.
I will bring photos to the hearing if I cannot get them to you in this manner.

From Host Address: 50.34.100.190

Date and time received: 2/12/2017 2:03:32 PM

— CHMELIK SITKIN & DAVIS P.S.
ATTORNEYS AT LAW

Jonathan K. Sitkin
ATTORNEY
e) jsitkin@chmelik.com

February 22, 2017

VIA REGULAR U.S. MAIL AND E-MAIL

Skagit County Hearing Examiner
c/o Betta Spinelli, Coordinator
1800 Continental Place
Mount Vernon, WA 98273
bettas@co.skagit.wa.us

John Cooper
Skagit County Planning and Development
1800 Continental Place
Mount Vernon, WA 98273
johnc@co.skagit.wa.us

RE: NOTICE OF UNAVAILABILITY
SPECIAL USE PERMIT APPLICATION NO. PL 16-0097
APPLICANT: CONCRETE NOR'WEST

Dear Ms. Spinelli and Mr. Cooper:

Our firm represents a group of concerned citizen neighbors with regard to the above-referenced permit application. Please take notice that I will not be unavailable on the following dates:

March 1, 8, 10, 15, 22-25, 31

April 1-7, 12, 21, 26

May 3, 7-10, 17-19, 24-25

I respectfully request that no hearings or any and all activity requiring a response be filed within these timeframes.

Sincerely,

CHMELIK SITKIN & DAVIS P.S.

Jonathan K. Sitkin

JKS/rsv
cc: Clients

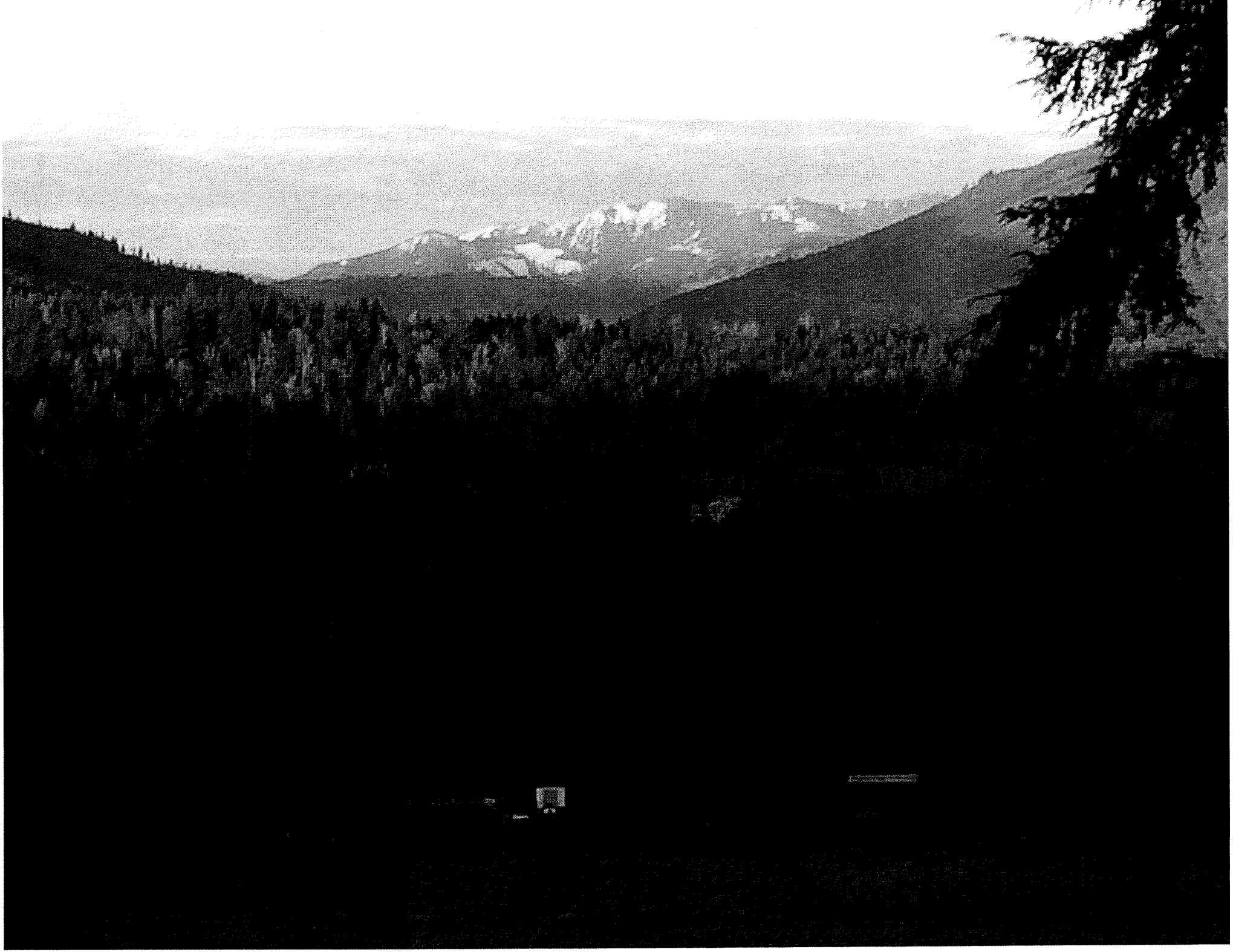
1500 Railroad Avenue
Bellingham, WA 98225
p) 360.671.1796
f) 360.671.3781
www.chmelik.com

John Cooper

From: PDS comments
Sent: Friday, February 24, 2017 7:42 AM
To: John Cooper
Subject: FW: Concrete Nor'West Special Use Permit Application PL16-0097
Attachments: Rainbow.JPG; valley view.jpg; Winter scene.jpg

From: Renee Kenady [mailto:rkenady44@gmail.com]
Sent: Friday, February 24, 2017 7:28 AM
To: PDS comments
Subject: Concrete Nor'West Special Use Permit Application PL16-0097

Attached are photos I referred to in my comment posted on the comment section of the county site. The comment is below as well.
My husband and I bought, developed and built our dream home on 5 acres which is the third parcel from the eastern border of the proposed gravel mine. Again, I would like to emphasize that we did not choose to build our dream home by a gravel site that would create safety issues, possible damage to our water supply, property value drop and noise pollution! I tried to attach several photos of the view from our property but this format wouldn't allow it. To be sitting on our bluff, looking at our beautiful view and experience the constant beeping of trucks as they move around and other noise related to this is unacceptable. Please understand that this is about more than income for Lisa, Inc,, Miles Sand and Gravel and Concrete Nor'west. It is about the quality and investments of many lives.
I will bring photos to the hearing if I cannot get them to you in this manner.



008179

CHMELIK SITKIN & DAVIS P.S.
ATTORNEYS AT LAW

RECEIVED
MAR 06 2017
SKAGIT COUNTY
PDS

Jonathan K. Sitkin
ATTORNEY
el jsitkin@chmelik.com

March 2, 2017

VIA REGULAR U.S. MAIL AND E-MAIL
johnc@co.skagit.wa.us

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

RE: SPECIAL USE PERMIT APPLICATION NO. PL 16-0097
PROPOSED PROJECT: CONCRETE NOR'WEST GRAVEL MINE
APPLICANT: CONCRETE NOR'WEST

Dear Mr. Cooper:

As I have mentioned in my previous correspondence to you, we represent a group of citizens who live near the above-referenced proposed project. Our clients have a number of concerns with both the project and the direct, indirect, and cumulative significant impacts of the project, the lack of consistency of the project with the comprehensive plan policy and goals, and the errors in the County processing of the application, which have effectively denied our clients' ability to meaningfully participate in the SEPA process which resulted in a lack of disclosure of the project impacts and potential mitigation contrary to SEPA and the County's SEPA rules. This letter is intended to be the first in a series of installments outlining our concerns and objections. One of the reasons for the installment responses is due to the County's installment responses to our public records request. We have just recently received the 2nd and 3rd installment responses, but we have not been advised if these are the final installments or if additional responses are anticipated.

I have attempted to reach you by telephone a few times over the past week or so to discuss the project and our clients' concerns. I understand that you were out of the office on vacation during part of this time. Previously, I sent a letter to your office asking for notice of any matters that arise with regard to the project. Earlier this week, I sent to your office and the Hearing Examiner's office a Notice of Unavailability to assure that any pre-hearing conferences, scheduling of matters such as pre-hearing discovery, briefing, and the hearing are coordinated with my schedule. At the conclusion of this letter, you will find an invitation for County staff and the applicant to attend a community meeting regarding the project. We will arrange a suitable location and a facilitator for the meeting to ensure there's a constructive dialogue so that you and the applicant can hear the community's concerns and address potential solutions.

1500 Railroad Avenue
Bellingham, WA 98225
@ 360.671.1796
f 360.671.3781
www.chmelik.com

We also request that you outline what anticipated actions by the County are forthcoming, such as the timing for deciding whether to withdraw the MDNS, when a new threshold determination would be made, when a hearing schedule will be proposed, and other key decision points. We request that you keep our firm advised in advance of all such actions.

We ask that you forward to my attention all communication from the applicant or any agency or tribe, as well as all documents received by the County provided by the applicant or their representatives in response to those other agencies or tribes.

DEFECTIVE SEPA PROCESS

For the initial reasons outlined herein, the County is requested to immediately withdraw the SEPA Threshold Determination of a Mitigated Non-Significance due to the lack of compliance with notice requirements, the effective violation of the fundamental disclosure and notice requirements of SEPA, and the resulting violation of our clients' procedural due process rights. When properly noticed, such a comment hearing assures that the County has provided the public with a reasonable and meaningful opportunity to provide comments regarding the project and the SEPA Checklist when conducting its threshold determination under SEPA. When proper notice is not provided, then the public is denied this opportunity.

DEFECTIVE NOTICE UNDER COUNTY CODE AND SEPA RULES

As you know, the original Notice of Application was issued in error in March 2016, due to the failure to provide mail of the notice to the proper parties.[1] The Skagit County Code requires that the Notice of Application be sent to the property owners surrounding the boundaries of the adjacent properties owned by the applicant—but it was not. The failure to mail the Notice of Application to the correct parties was a material nondisclosure and a failure to comply with disclosure requirements. This resulted in the cancellation of the public hearing scheduled for last fall and the re-issuance of the Notice of Application in December of 2016. However, SEPA, the County Code, and procedural due process requirements require that the Notice of Application be properly issued in advance of the SEPA determination and SEPA comment period. Proper issuance of the Notice of Application is fundamental to the required SEPA notice process. SEPA is fundamentally a public notice and public disclosure statute.[2]

The defective Notice of Application in March of 2016 infected the SEPA threshold determination process and the SEPA MDNS itself. The defective Notice of Application resulted in a denial of an opportunity to timely comment on the SEPA Checklist, depriving our clients of their rights and

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[1] SCC 14.06.150(2) requires that a Notice of Application be mailed to all physical addresses and all owners of real property within 300 feet of any portion of the boundaries of such adjacent properties owned by the applicant. *See* SCC 14.06.150(2)(d)(iii). The County's Notice of Application issued in March of 2016 did not comply with this requirement.

[2] "[T]he procedural provisions of SEPA constitute an environmental full disclosure law." *Norway Hill Pres. & Prot. Ass'n v. King Cty Council*, 87 Wn.2d 267, 272, 552 P.2d 674, 677 (1976). "The act's procedures promote the policy of fully informed decision making by government bodies when undertaking 'major actions significantly affecting the quality of the environment.'" *Id.* (quoting RCW 43.21C.010; RCW 43.21C.030).

prejudicing our clients. Because the notice was defective, our clients were denied their ability to participate in the SEPA process. This is significant, substantial, and sufficient prejudice and harm to our clients that if the County were not to withdraw the MDNS immediately, we would anticipate that the Hearing Examiner or Court would require that a permit and a MDNS be invalidated with a requirement that the County re-commence the SEPA process.

As the Court of Appeals noted, "[o]ne purpose of specific statutory requirements for public notice of an impending land use decision is to ensure that the decision makers receive enough information from those who may be affected by the action to make an intelligent decision" and "defective notice undermines the information-gathering process." *Prosser Hill Coal. v. Cty. of Spokane*, 176 Wn. App. 280, 291, 309 P.3d 1202, 1208 (2013).

The lead agency is required to consider the timely comments from the general public regarding a threshold determination. WAC 197-11-340(2)(c) and (f).[3] Recognizing the importance of the Notice of Application and the ability of the public to meaningfully comment on the SEPA Checklist and threshold determination, Skagit County has integrated the SEPA review process with the Notice of Application.[4]

The SEPA Rules (WAC 197-11) contemplate a situation where DNS was issued are a result of a misrepresentation or a lack of material disclosure, as is the case here, due to the failure to properly issue the Notice of Application. In such instances, the lead agency has no choice but to withdraw the DNS. And, in this case, the County or its consultant must prepare the SEPA Checklist at the expense of the applicant. WAC 197-11-340(3)(a) provides, in part, (emphasis added):

> The lead agency shall withdraw a DNS if:
>
> ...
>
> (iii) The DNS was procured by misrepresentation or lack of material disclosure; if such DNS resulted from the actions of an applicant, **any subsequent environmental checklist on the proposal shall be prepared directly by the lead agency or its consultant at the expense of the applicant**.

State agencies have also complained to the County regarding the lack of proper notice of the application and of the SEPA threshold determination. For example, the Department of Archaeology and Historic Preservation ("DAHP") informed the County that "[w]e were not notified of the project in order to provide timely comments. One of our tribal partners notified us and we share his concerns that cultural resources may be damaged by this project."

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[3] SCC 16.12.070 adopts WAC 197-11-340.

[4] *See* SCC 14.06.070(2)(c). The Skagit County Code allows a SEPA threshold determination notice to be issued with the Notice of Application, provided that a determination of non-significance may not be issued until after the expiration of the comment period. The County's SEPA ordinance requires that if a SEPA document is issued with the Notice of Application, the public notice requirements for the Notice of Application suffice to meet the SEPA notice requirements. SCC 16.12.160 (2)(c). *See, also,* SCC 16.12.160(3).

Due to the lack of proper disclosure of the adjacent property owners and state agencies, and potentially others, as required by Skagit County Code, Skagit County is obligated to withdraw the MDNS.

MATERIAL DISCREPANCIES IN THE APPLICATION

In addition to the above procedural defects in the SEPA process, there are material discrepancies regarding the project description and its impact between the special use permit application, the SEPA Checklist prepared by the applicant, and other material submitted regarding the application. These discrepancies are so significant that one cannot discern what is proposed, other than it is a gravel mine at a particular location. The following is a summary of these discrepancies:

- Traffic Figures: A May 2015 traffic study presumed 25,000 tons of gravel would be removed from the mine each year, and used this figure to calculate that there would be an average of 6 truck trips per day. The same traffic study was apparently reissued in February 2016 with new figures—200,000 tons of gravel to be removed annually, and 46 truck trips per day—but no new conclusions. Both traffic studies were identified by the author as "preliminary" and stated that "additional traffic analysis will be required," which was never undertaken. The applicant's Special Use Permit Application, which was filed with the County on March 7, 2016, refers only to the earlier May 2015 study. However, the applicant's SEPA Checklist refers to the later February 2016 study. The Staff Report issued by Skagit County Planning & Development doesn't specify which study it relies upon but uses the later February 2016 figures (and contemplates a theoretical maximum of 720 truck trips per day).

- Hours of Operation: The Special Use Permit Application proposes that the mine's hours of operation will be "unlimited." The applicant then suggests that "normal" hours of operation would be 7:00 a.m. to 5:00 p.m., Monday through Friday. Elsewhere in the application, the applicant suggests these "normal" hours would actually be Monday through Saturday. An email from the applicant to the County explains that the mine would operate "in general" from 6:00 a.m. to 6:00 p.m., Monday through Saturday, but the applicant reserved the right to work through the night "without restriction." The Staff Report lists the hours of operation as "Monday through Saturday, dawn to dusk," with expanded hours depending on "market conditions" and "seasonal demands."

- Hazardous Substances: The Special Use Permit Application states that hazardous substances will be stored on site, including a 2,000-gallon diesel fuel tank. The Staff Report contradicts the application, stating that "no hazardous materials or fuels are proposed to be stored on site." The Staff Report, then, contradicts *itself*, stating that "relatively minor" amounts of fuel will be stored on site.

- Depth of the Mine: The SEPA Checklist and Staff Report both state a proposed depth of 154 to 163 feet above mean sea level ("msl"), which is purportedly "ten feet above the water table." However, the hydrogeological site assessment performed by Associated

Earth Sciences states that the water table ranges from 145 to 155 feet above msl. If the applicant mines to a depth of 154 feet msl, as proposed, the mine could be below the water table, not ten feet above it.

- Amount of Gravel to be Removed: The SEPA Checklist, Special Use Permit Application, and Staff Report all say 4.28 million cubic yards of gravel are proposed to be excavated over the life of the mine. But, the traffic studies relied upon figures of 25,000 tons (earlier May 2015 study) and 200,000 tons (later February 2016 study) to be removed annually. There is no explanation of how those figures were calculated in reference to the cubic yards of excavation, or why the figure was apparently off by a factor of ten in the earlier study.

- On Site Processing: The fish and wildlife site assessment conducted by Graham-Bunting Associates states that "[n]o processing or industrial activity will occur on site." However, the hydrogeological report states that certain processing—including stockpiling and dry screening—will be performed on site. The MDNS and the Staff Report both state that no on site processing is proposed "at this time," suggesting that on site processing is contemplated in the future.

- Noise: In the Special Use Permit Application, the applicant cites unspecified personal experience for the assertion that there will be no effect from noise, vibration, or dust. The Staff Report gives three contradictory assessments of noise. First, it states that "[t]he applicant has indicated that the proposal would not result in noise or vibration impact beyond the site boundaries." The Staff Report then states that "[t]he applicant has indicated the noise at receiving properties is expected to be relatively low" and identifies certain noise mitigation measures. Elsewhere, the Staff Report states that "[p]otential impacts from noise, dust and traffic to surrounding, existing or potential dwelling units from the proposed operation are possible and exceed those currently experienced in the area."

The inconsistent project descriptions and analysis identified above is effectively material nondisclosure and misrepresentation requiring withdrawal of the MDNS. *See WAC 197-11-340(3)(a)(iii), discussed above.* The applicant has not disclosed an accurate, consistent project description capable of environmental review. The inconsistencies are significant and functionally a material misrepresentation of the project because the actual project and its potential impacts cannot be readily discerned. This misrepresentation undermines and defeats the public's ability to review and comment upon the SEPA environmental review process. Because the MDNS was procured due to such misrepresentation resulting from inconsistent project information, Skagit County is obligated to withdraw the MDNS and require the applicant to provide a specific and detailed project description in one definitive document.

WAC 197-11-340, cited in part above, also requires that the lead agency shall withdraw an MDNS where there are substantial changes to the proposal, or significant new information indicating probable significant adverse impact. *See WAC 197-11-340 (3)(a)(ii).* The application itself is sufficiently unclear and inconsistent with other submissions by the applicant that there are either substantial changes to the proposal since the SEPA Checklist was submitted or the

more recent submissions that expand the scope and potential impact of the project requiring withdrawal of the MDNS by Skagit County.

AGENCY COMMENTS

We also note from our initial cursory review of the County's installments provided in response to our records request, that an archeological review has been required since the SEPA MDNS was issued, and the Department of Ecology has questioned the moderate use intensity evaluation of the wetland by the applicant's consultant. These two comments alone warrant and require withdrawal of the MDNS by the County under WAC 197-11-340(3)(a). Indeed, the Skagit County Code encourages withdrawal when a mitigation measure is not included in an MDNS, such as the requirement to conduct an archeological study. *See SCC 16.12.110(8).* In addition, as to the wetland report, initially it does not appear that a wetland delineation and assessment occurred. Rather, the applicant sought the bare minimum reconnaissance review which, not surprisingly, limits the scope and detail review that the consultant could perform, and results in material questions as to whether the assessment was accurate as noted by the Department of Ecology. The County should require a full wetland delineation and assessment as part of the full disclosure associated with a SEPA review.

WAC 197-11-350(2)

It is noted that the MDNS indicates that it was issued pursuant to WAC 197-11-350(2). This provision of the SEPA Rules allows an applicant to seek early notice of whether a Determination of Significance is likely, and that the applicant may change the project and submit a revised SEPA Checklist to bring the project below the level of significance. There is no indication in the MDNS that a revised SEPA Checklist was submitted. Perhaps when we have a complete record from Skagit County we will receive a copy of the revised SEPA Checklist. If not, then this is a procedural error in the environmental review process and/or the issuance of the MDNS itself necessitating withdrawal of the MDNS and requiring a revised SEPA Checklist to be submitted, or re-issuing the MDNS under a correct provision of the SEPA Rules.

The forgoing are our initial comments on the SEPA procedural errors and defects. We anticipate further substantive comments on the application and the SEPA process once we have received the complete record and any additional reports submitted by the applicant.

INVITATION

To date, neither the applicant nor the County has directly and meaningfully engaged the adjacent property owners regarding the proposed project. We are arranging for a community/neighborhood meeting where the County Planning Staff, Public Works staff, and the applicant will be invited to discuss the neighborhood's concern with the project. We are working to retain an independent facilitator for such a meeting. The time and place for such a meeting is forthcoming. I am happy to speak with Tim Holloran, Dale Pernula, or others, as necessary to ensure the County's involvement.

I look forward to an opportunity to discuss these concerns with you.

Sincerely,

CHMELIK SITKIN & DAVIS P.S.

Jonathan K. Sitkin
Nolan F. Davidson

JKS/NFD/rsv
cc: Clients

29 April 2021

Michael Cerbone
Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: Concrete Nor'west/Miles Sand & Gravel; PL16-0097 & PL16-0098, Notice of Withdrawn and Re-Issued Mitigated Determination of Non-Significance (MDNS)

Dear Mr. Cerbone,

I would like to comment on the SEPA determination issued by Skagit County Planning and Development Services in response to the mine development application submitted by Mile Sand & Gravel's.

While the conditions suggested in this MDNS are more substantial than in the previous one issued nearly five years ago, I am disappointed that these conditions reflect a limited understanding of the scale and scope of the project and offer only piecemeal and symbolic mitigation, rather than specific and prudent measures to protect our community's well-being.

First, we see no limitation on the volume of truck traffic. And this is a very important point. While the applicant suggests an average of 46 truck trips per day, it's clear that the average is a meaningless number when it comes to determining traffic safety impacts. Speed limits, for example, are set based on the maximum safe speed of travel, and principle for a maximum limit on mine traffic volume should be similar. The applicant's own analysis suggests that up to 30 truck & trailer combos or up to 70 single dump truck trips per hour might occur. It is reasonable to expect the SEPA determination to evaluate the traffic safety impacts of the project based on this maximum, and mitigation conditions should set hard limits on this number, frequency, and duration.

Second, the application and mitigation plan lack clear definitions and maps of all haul routes. There is a proposed route but there is no specified limitation of mine traffic strictly to the defined routes. Neither the County Government nor the public can evaluate the traffic safety impacts of the project and the adequacy of the MDNS without this information. We need a safety analysis of all haul route intersections and road segments to determine whether or not trucks traveling to and from the mine will stay within their lane of traffic, and the mitigation measures to be required for every location where they will not.

I am glad to see that the new MDNS recognizes and requires mitigation for the fact that truck & trailer combos are unable to navigate the two sharp curves on Prairie Road east of Old Highway 99 without encroaching on the opposing lane of traffic. However, this is not the only spot along the proposed haul route, or the other likely alternative routes, which are similarly difficult to traverse for truck & trailer combos. The S-curves on Grip Road are particularly challenging and

on a steep incline. Why haven't these other problematic spots been evaluated, and mitigation measures been required? What happens when a school bus meets a gravel truck on these shoulderless curves?

Third, our rural roads have seen a large number of traffic accidents in recent years. My wife and I commute to Bellingham on a daily basis and often pass accident scenes on Highway 99 and sometimes on Prairie Road. And everyone in our community has stories about near misses. Has any analysis been performed to see what's causing all these accidents? In the analysis provided by the applicant I haven't seen any indication how this additional traffic will impact existing traffic. Do speed limits or passing conditions need to be adjusted to improve safety? I have personally observed how slow-moving trucks can cause irritation and provoke unsafe passing behaviors in some drivers.

Fourth, what's the long-term impact going to be on our public infrastructure? Adding heavy mine traffic to our existing, substandard roads will cause increased damage and higher maintenance costs. These impacts must be evaluated and the applicant should be required to pay their proportional share of the costs. An important example is the slumping shoulder and roadway on the south side of the Grip Road hill S-curves, which have required frequent repairs over the last few years just with existing traffic levels. It's no secret that as the gross vehicle weight increases, the damage to road infrastructure increases exponentially.

Finally, I would like to express my disappointment in the "flashing light" solution to the Grip and Prairie intersection problem. This seems like such a band-aid solution. Instead of eliminating the source of the danger, you're just asking drivers to be on the lookout for danger. Yes, that may help raise driver awareness, but it's really only a half-hearted attempt to rectify the problem, when the applicant's own analysis shows there's a safe, albeit more expensive, solution.

I hope that you and your staff will take another deep and thoughtful look at the application, the concerns raised by community members and your own analysis. There's a lot of room for improvement here.

Respectfully,
Jed Holmes
7691 Delvan Hill Road
Sedro-Woolley, WA 98284

April 29, 2021

Hal Hart, Director
Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Notice of Withdrawn and Re-issued MDNS for proposed Grip Road Gravel Mine, Special Use Permit Application #PL16-0097

Dear Mr. Hart and Mr. Cerbone:

I am writing to request that Skagit County Planning and Development Services (PDS) accept comments on the revised, April 15, 2021 Grip Road Gravel Mine MDNS that are submitted via email by the deadline of 4:30 pm on Friday, April 30. Although the MDNS itself states that comments will not be accepted via email, other information included in the MDNS itself and on PDS' website regarding how to submit comments is inconsistent or conflicting, and could lead members of the public desiring to submit comments on the MDNS to believe that emailed comments are acceptable or even required.

The MDNS states " *Email correspondence will not be accepted however comments may be submitted via the PDS website under "recent legal notices" tab. (www.skagitcounty.net/pdscomments").*

1. The use of the phrase "*recent legal notices" tab* is confusing and misleading. There is no "recent legal notices" tab on the PDS website. In fact, when accessed via web browser, nothing resembling a "tab" even appears on the PDS main page at https://www.skagitcounty.net/Departments/PlanningAndPermit/main.htm. Yes, there is a link to recent legal notices under "Popular Topics" on the right-hand side of the page, but this in itself is confusing, especially for those not used to looking for things on the internet.

2. As I noted in an email to Mr. Cerbone on April 20, as of that date, the Grip Road Gravel Mine MDNS notice did not appear on the recent legal notices page. I believe this was corrected later that same day, but there is the possibility that due to this omission, some people may have been discouraged from submitting their comments at all if they tried to do so in the first five days of the comment period.

3. The link provided in the MDNS, *www.skagitcounty.net/pdscomments*, is to a different location than the "recent legal notices page" referenced in the preceding sentence. This is confusing.

4. When you go to the PDS comments page, it can be difficult to determine which section applies with regard to comments on the MDNS. The page distinguishes between "Legislation" and "Permit Applications and Appeals", but I question whether most people not already familiar with the County's public participation process understand that

distinction. What does the term "Legislation" even mean in the context of PDS' mission? Presumably it refers to changes being proposed by PDS to county code or administrative rules, but no definition is provided. When you continue down the page, the next thing you come to is "How to Make a Public Remark or Comment on Legislation", where it states "…all electronic comments **must be sent via email** [emphasis mine] to pdscomments@co.skagit.wa.us." I believe that many people wishing to submit comments on the MDNS would find this at the very least confusing, and unless they are able to make the distinction between the two categories and continue scrolling down to the permit applications and appeals section, may be led to think that that they **must** submit their comments via email.

5. When you access PDS main page using a mobile device and scroll down the page to "Comment Letters", the link provided is to the email address pdscomments@co.skagit.wa.us. This clearly directs anyone wishing to submit comments to do so via email, which conflicts directly with the instructions included in the MDNS. Again, this is at the least confusing and could have led people to submit their comments via email instead of via the electronic comments form on the web page or other "acceptable" means.

In light of the above, I hereby request that PDS accept **all** comments submitted on the revised Grip Road Gravel Mine MDNS via email or otherwise. Furthermore, I request that a notice to this effect be placed immediately on the PDS main page, recent legal notices web page, comments page, and Grip Road Gravel Mine page.

The lapses detailed above demonstrate the weakness of PDS' public participation process, not just in regard to this particular SEPA notice, but overall. It is high time you conduct a thorough review, with public notice and participation, and revise your policies and procedures accordingly.

Sincerely,



John Day
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(360) 856-0644
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LORING ADVISING

By Electronic Portal and Email

April 30, 2021

Hal Hart
Director of Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

Re: File No. PL16-0097 & PL16-0098; Concrete Nor'West Grip Road Gravel Mine
Skagit County Planning and Development Services Mitigated Determination of Nonsignificance

Dear Mr. Hart,

I'm writing on behalf of Central Samish Valley Neighbors ("CSVN") to request that Skagit County Planning and Development Services ("PDS") reconsider and withdraw the Mitigated Determination of NonSignificance ("MDNS") that it issued for the clearing and development of a 68-acre sand and gravel mine ("Mine") along the Samish River. The MDNS conflicts with Washington's State Environmental Policy Act ("SEPA") because it issued without an evaluation of multiple potential environmental impacts from the Project. For example, although prominent issues like the Mine's hours of operation and its encroachment into the 300-foot wetland buffer have been raised consistently since Concrete Nor'West ("CNW") applied for a special use permit for the Mine in 2016, the MDNS does not limit the hours of operation or reject CNW's proposed 200-foot buffer. Its silence on those issues can be presumed to allow CNW to operate the Mine without time limitations, as CNW has asserted that it may, and to mine up to just 200 feet from wetlands that host Endangered Species Act-listed species like the Oregon spotted frog. Yet the neither PDS nor the applicant has evaluated the impacts of those project operations. Absent this information, as well as significant information gaps like the refusal to evaluate private haul road impacts on Swede Creek, a fish-bearing tributary of the Samish River, PDS has not satisfied the SEPA requirement that it fully consider the environmental impacts of the Mine. The MDNS must be withdrawn.

Moreover, PDS must issue a Determination of Significance ("DS") because the information disclosed in the application materials for permits PL16-097 and PL16-0098 indicates that the Mine would cause significant impacts. For example, CNW's traffic impacts analysis confirms that dump trucks and trailers pose a threat to other users on the narrow, high-speed-limit roads that they will traverse.

CNW has had five years to address the potential impacts of its Mine, and while they have slowly piecemealed a few additional documents, they have not demonstrated that the Mine will address the impacts. As the representative of the local community entrusted with ensuring that applicants for large industrial development analyze and address environmental impacts, PDS must respond accordingly and issue a DS and start the Environmental Impact Statement ("EIS") process to address the Mine's impacts.

This letter explains below that: (1) the Project outlined by the application materials; (2) will have a variety of impacts, some unevaluated and others already identified as significant; on (3) its sensitive ecological surroundings and the local transportation network. The MDNS does not adequately condition the Mine to address those impacts.

In drafting this letter, we reviewed application materials that included the following: (1) the March 7, 2016 fact sheet, special use narrative, and project description; (2) subsequent special use narratives and revised project description; (2) SEPA Checklist; (3) fish and wildlife documents by Graham-Bunting Associates; (4) the Hydrogeologic Site Assessment from Associated Earth Sciences; and (5) traffic documents by DN Traffic Consultants. We also reviewed comment letters by state agency officials, consulted with fish and wildlife officials and a traffic engineer, and reviewed publicly-available information about the site and environs like aerial photographs and the regional bicycle map. We have attached the CSVN November 24, 2020 comments on the Project's SEPA process, none of which have been addressed since the submission of that letter, and incorporate it by reference.[1]

A. Project Details.

Concrete Nor'West has applied for a Mining Special Use Permit to excavate approximately 4,280,000 cubic yards of sand and gravel in a 68-acre mine in the Central Samish Valley.[2] CNW projects that the mining would occur over 25 years, though the proposal would not be limited to a specified period of time and the rate of excavation would depend on demand for sand and gravel. The mining would require the clear cutting of timber, followed by excavation that would dig down 90 feet toward the water table. The withdrawn MDNS stated in 2016 that logging would remove approximately 50,000 board feet of timber from the land but there are no updates on the progress of the logging.[3] While the proposed mining would occur on three parcels totaling 77 acres, these parcels form just a portion of an overall block of

[1] Attachment A.
[2] CNW, Revised Project Description (Section A), 8 of 17 (received Feb. 23, 2018).
[3] Skagit County, Notice of Withdrawn and Re-Issued MDNS, 1 (April 15, 2021) ("MDNS").

parcels totaling more than 726 acres.[4] Although the SEPA Checklist suggests that there are no plans for future additions, expansion, or further activity related to or connected with the proposal, a large portion of the other 650+ acres of land have also been designated as Mineral Resource Overlay, with some of it approved for active harvest by the Washington Department of Natural Resources.[5] A noise and vibration study submitted by CNW did not evaluate the noise and vibration impacts that would occur after logging of the larger property.

1. Hours and staffing.

According to CNW, mine hours would be unlimited consistent with its underlying zoning, though normal working hours would typically extend for 10 hours, from 7am to 5pm, six days a week.[6] According to the MDNS, hauling would occur during the workweek, Monday through Friday, and site operations would occur Monday through Saturday.[7] CNW estimates that one to two full-time employees would work on-site and an unspecified number of truck drivers would haul gravel off-site throughout the day.[8] On-site operations would involve heavy equipment like a front-end loader, excavator, dozer, and dump trucks.[9]

2. Hazardous materials.

The Application offers conflicting information about whether hazardous materials will be stored at the site. It responds "Yes" to a question about whether chemicals, waste oils, solvents, and fuels would be stored at the site, and describes the possibility of installing a 2,000-gallon diesel fuel tank.[10] But it also states that "[w]aste oils, solvents, etc. will not be stored on site."[11]

3. Gravel and sand hauling routes and volume.

Application materials offer varying estimates of the amount of truck traffic that the mine would generate. A September 10, 2020 Traffic Impact Analysis ("TIA") by DN Traffic Consultants estimates that under "extended hours conditions," the Mine would generate 29.4

[4] CNW Special Use Narrative, at 2.
[5] SEPA Checklist, 2 of 18 (March 2, 2016); Attachment B shows a DNR timber harvest map for the area, with approved Class II timber harvests marked in blue overlay.
[6] CNW, Revised Project Description (Section A), 8 of 17 (received Feb. 23, 2018).
[7] Skagit County, Notice of Withdrawn and Re-Issued MDNS, 1 (April 15, 2021).
[8] CNW, Revised Project Description (Section A), 8 of 17 (received Feb. 23, 2018).
[9] CNW, Revised Project Description (Section A), 10 of 17 (received Feb. 23, 2018).
[10] CNW, Revised Project Description (Section A), 10 of 17 (received Feb. 23, 2018).
[11] CNW, Revised Project Description (Section A), 10 of 17 (received Feb. 23, 2018).

truck-and-trailer trips per hour.[12] The TIA does not define extended hours or explain why the site would be limited to that number of trips if demand were high enough to require greater production. DN Traffic Consultants' earlier memo, aptly-titled "Maximum Daily Truck Traffic," estimated that a realistic maximum number of trips for truck-and-trailer was 60 trips per hour.[13] That study assumed that increased demand for material would lead to increased production at the site, limited only by the (likely artificial) logistical consideration of the number of truck and pups available in Skagit County.[14] DN Traffic explains in its TIA that the ~30 trips per hour that it estimates for a higher end number is based on the anticipation that the Mine could generate up to 5000 tons per day. It does not explain how this production amount was derived and does not explain the inconsistency between the ~30 trips figure and the 60 truck-and-trailer trips per hour that it deemed a realistic maximum in its Maximum Daily Truck Traffic memo.

The gravel and sand would be hauled by trucks and trailers forced to navigate narrow rural roads with medium to high speed limits. The original road special use narrative stated that hauling would occur along Old Highway 99, Prairie Road, and Grip Road.[15] Subsequent documents identified Bow Hill Road and F&S Grade Road as potential route extensions. Road widths along these routes are just 20-22 feet and they allow speeds up to 50 mph. Although the TIA suggests that shoulders exist along each of these roads but Grip Road, the Skagit County Bike Map identifies Grip Road, Prairie Road, and F&S Grade Road as roads without shoulders.[16] A simple review of these roads through google maps' street view function confirms that paved shoulders are largely non-existent on those roads, though some stretches contain large gravel that promptly slopes down to a ditch. In addition, the TIA asserts that there are no known bike routes in the subject area, yet the readily-available Skagit County Bike Map identifies Prairie and F&S Grade Roads as part of a federal bike route, US Route 87. Local residents have communicated that guard rails have been installed along a significant stretch of Prairie Road, shrinking the width available for cyclists and pedestrians outside the actual roadway to nothing.

The transportation documents associated with the application do not prescribe a haul route, but instead contemplate multiple options. The TIA states "[i]t is estimated that 95 percent of the trips will be assigned to and from the west on Prairie Road; with 80 percent south to the existing Belleville Pit Operation using either Old Highway 99N or I-5 south; ten (10) percent of the trips to end users via I-5 south, five (5) percent to end users west of I-5 on Bow

[12] DN Traffic Consultants, Traffic Impact Analysis for Grip Road Mine (Sept. 10, 2020).
[13] DN Traffic Consultants, Memo re: Grip Road Gravel Pit, Maximum Daily Truck, 2 Traffic (Nov. 30, 2016).
[14] DN Traffic Consultants, Memo re: Grip Road Gravel Pit, Maximum Daily Truck, 2 Traffic (Nov. 30, 2016).
[15] CNW, Grip Road Special Use Narrative, page 9 of 17 (March 7, 2016).
[16] See Skagit Valley Bike Map, attached hereto as Attachment C.

Hill Road; and five (5) percent to end users east of the Mine access via Grip Road."[17] One of the options in the TIA assumes that truck/trailer combinations using Old Highway 99 would be short-loaded to comply with current weight restrictions on the Old Highway 99 Samish River bridge or that those restrictions would be removed. The Application does not evaluate the number of truck trips that would be required if vehicles were short-loaded to meet current bridge weight limits. The Application's revised project description identifies the route through Grip Road, Prairie Road, and Old Highway 99 North.[18]

In addition, although the Application does not describe the on-site haul route on CNW property, a review of aerial photographs indicates that it would stretch for more than two (2) miles between the Mine and Grip Road.

4. Independent review of transportation documents.

Although CNW has provided several documents about the Mine's traffic impacts, a review by Jeffrey Hee, P.E., Senior Transportation Engineer at Transportation Solutions Incorporated ("TSI") reveals that some impacts have yet to be addressed and others have not been fully evaluated.[19] Mr. Hee analyzed project documents, including the traffic reviews by DN Traffic Consultants, and discovered the following unresolved issues:

- the maximum trip generation numbers and frequency of maximum trip hours and days for the Mine have not been finalized. The Application offers conflicting information about the maximum traffic to be generated, and County conditions could require trucks without trailers, which would decrease capacity for each shipment and therefore increase the number of trips to ship the same overall volume of material. Also, the Application does not identify whether the trip generation numbers account for on-site workers and non-haul mining operations (page 3);

- site distance impacts were not evaluated based on common industry practice that contemplates the use of 85th-percentile design speeds from the County's Road Standards. Instead, even though those 85th-percentile speeds were readily available on the Skagit County of Governments website, DN Transportation relied on lower posted speeds for its modeling. This may underrepresent sight distance risks (page 4);

- site distance impacts were not evaluated for the intersection where the site access road meets Grip Road, based on the mistaken assumption that it wasn't required for a lower

[17] DN Traffic Consultants, Traffic Impact Analysis for Grip Road Mine, 13 (Sept. 10, 2020).
[18] CNW, Revised Project Description (Section A), 9 of 17 (received Feb. 23, 2018).
[19] Memorandum from Jeff Hee to John Day and Martha Bray re: Grip Road Gravel Mine Traffic Analyses Peer Review Comments (April 30, 2021) (attached hereto as Attachment D).

volume road (page 4);

- no mitigation was proposed to address site distance impacts at the Grip Road/access road intersection for egress to the east, and no analysis occurred to determine whether a gravel truck or truck/trailer combination can safely navigate the road network east of the mine (page 4);

- intersection sight distances were not evaluated for truck/trailer combinations at the intersection of F&S Grade Road and Prairie Road. Consequently, Mr. Hee recommended preventing the hauling on F&S Grade Road (page 5);

- the significant truck-trailer impacts that the TIA identifies between the site and Old Highway 99 have not been fully addressed (pages 1, 5);

- there has been no analysis of safety impacts associated with truck-and-trailer combinations traveling east of the Mine access. Mr. Hee recommended preventing hauling east of the Mine site (page 5-6);

- the Application does not evaluate traffic impacts associated with the redistribution of truck traffic onto Cook Road due to Samish River bridge weight limits. This is important given the traffic issues that WSDOT and Skagit County have identified for the Cook Road interchange at Old Highway 99 (page 6);

- the Application does not provide detailed specifications for the type(s) of vehicle(s) it modeled for transportation impacts, preventing confirmation of its results (page 5).

Specifically, with regard to site distance and haul route concerns, Mr. Hee notes at pages 5 and 6 that the following comments and questions should be answered:

- is the County's vision clearance triangle satisfied in the study area?

- what speed is needed to achieve site distance at the study locations?

- are sight distance exhibits available for public review?

- Why are total crashes different in some of the Tables in the TIA?

- Will the applicant complete the improvements recommended by the TIA for the intersection of Prairie Road and Old Highway 99?

- Why doesn't the TIA provide conclusions about whether the project traffic will increase the frequency and severity of collisions on the haul route given the route's geometric and sight distance constraints?

B. Valuable Ecological Setting.

The 68-acre mine site and associated properties provide important terrestrial and aquatic habitats. The Samish River, a salmon-bearing river, winds for more than one-quarter mile along the eastern portion of the mine property. Associated wetlands extend toward the Mine from the river's active channel and flood plain, though it is unknown just how close the edges of the wetland reach to the proposed mining area because they have not been delineated.[20] Swede Creek, a documented fish-bearing stream, would be traversed by every truck hauling gravel and sand to and from the Mine on the private haul road. The Application does not acknowledge the private haul road as part of the project and therefore does not evaluate impacts to wetlands along that route[21] or to Swede Creek from the haul road that crosses it.[22] A fish-bearing tributary to the Samish River crosses the southeastern corner of the Mine site.

1. Lack of analysis of undersized Mine buffer.

According to the project description set forth in the MDNS, the Mine would observe a 200-foot wetland buffer rather than the 300-foot buffer required for the wetlands associated with the Samish River. The MDNS refers to the mining of approximately 4,280,000 cubic yards of sand and gravel.[23] According to its Special Use Narrative, CNW will be able to extract 4,280,000 cubic yards of material if it mines up to 200 feet from the estimated edge of the wetlands, and approximately 3,942,000 cubic yards if it observes the required 300-foot buffer.[24] By embracing the larger volume, the MDNS indicates PDS' approval of a 200-foot buffer for the Mine.

A buffer of at least 300 feet applies to the Mine as a high intensity land use adjacent to a Category II wetland.[25] According to the Skagit County Code, "high intensity land uses" include "land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium- and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and commercial and

[20] As explained below, the applicant estimated average widths for the river, its floodplain, and associated wetlands, but did not survey or delineate the boundaries of those areas and thus has not specifically measured them.
[21] See Attachment E, map created with Washington Department of Fish and Wildlife mapping tool for identifying site-potential tree height, showing wetlands and drainages near haul road.
[22] Graham-Bunting Associates, Fish and Wildlife Site Assessment: Parcels 50155, 125644, 125645, 1 (Aug. 20, 2015) (circle showing limits of area reviewed around 68-acre mine site) (hereafter "GBA Assessment").
[23] *Compare* MDNS, at 1 *with* CNW Special Use Narrative, at 1.
[24] CNW Special Use Narrative, at 1.
[25] Skagit County Code 14.24.230.

industrial land uses."[26] The Mine qualifies as a commercial and industrial use of the land, and the clear-cutting of existing forest and conversion to a sand and gravel mine qualifies as a high level of human disturbance and substantial habitat impacts. In addition, the Application does not evaluate the angle of the slope in the buffer to determine whether it is greater than 25%, and thus warrants an extension of the buffer 25 feet past the top of the slope.[27]

In addition, by clearing the forest into the buffer, the Mine would eliminate functions that the forest furnishes the productive riparian zone, including: (1) maintaining water quality; (2) controlling fine sediment; (3) contributing large woody debris; (4) providing shade and moderating the microclimate; (5) contributing litter fall and organic matter; (6) moderating site hydrology and stabilizing slopes; and (7) providing fish and wildlife habitat.[28]

This riparian zone where the aquatic environment transitions to a terrestrial environment is essential for the Oregon spotted frog--listed as endangered by Washington in 1997 and threatened federally in 2014--that relies on the wetlands and environs.[29] The US Fish & Wildlife Service has identified critical habitat for the frog that extends from far upstream on the Samish River and includes the mine property adjacent to the river.[30] The 2017 GBA Addendum acknowledges that these wetlands meet the definition of critical habitat for the spotted frog due to their size, saturated soils, and shallow ponds.[31] The GBA Addendum includes a photograph showing these ideal conditions, as well as a hand-drawn line intended to reflect the edge of the saturated area.[32]

However, neither the SEPA Checklist nor the Application's documents by Graham-Bunting evaluate the impact on the Oregon spotted frog or other wetland species of converting one-third of the riparian buffer into a gravel mine. Consistent with the proposal to mine up to

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[26] SCC 14.040.020 (emphasis added).
[27] SCC 14.24.230(2).
[28] *See* Washington Department of Fish & Wildlife, *Riparian Ecosystems, Volume 1: Science Synthesis and Management Implications* (July 2020), *available at:* https://wdfw.wa.gov/sites/default/files/publications/01987/wdfw01987.pdf (last visited April 29, 2021); May, *Stream-Riparian Ecosystems in the Puget Sound Lowland EcoRegion: A Review of the Best Available Science*, 25-26 (2003) *available at:* https://salishsearestoration.org/images/d/d1/May_2003_riparian_best_available_science_puget_lowland.pdf (last visited April 29, 2021).
[29] Graham-Bunting Associates, Addendum to Fish and Wildlife Site Assessment: Parcels 50155, 125644, 125645, 1 (April 18, 2017) (hereafter "GBA Addendum").
[30] *See* US Fish and Wildlife Service Critical Habitat for Oregon Spotted Frog map attached to that addendum that shows critical habitat on the Mine property, attached hereto as Attachment F.
[31] GBA Addendum, at 1.
[32] GBA Addendum, at 2.

200 feet from the wetland, the GBA Addendum suggests that a 200-foot buffer is sufficient to protect aquatic life, but does not offer any justification for that assertion other than the absurd claim that clear-cutting a forest and converting it to a sand and gravel mine is a "medium" intensity use.[33] Nor does the GBA Addendum indicate why a 200-foot buffer would protect the Oregon spotted frog when Skagit County's critical areas ordinance requires a 300-foot buffer to protect the Category II wetland from the impacts of high intensity land uses like mining operations.[34] In fact, the GBA Addendum expressly disclaims that it is not intended to be used for the purpose of evaluating the spotted frog under the Endangered Species Act.[35]

2. Lack of response to Ecology concerns.

In addition to overlooking the impacts of developing 1/3 of the buffer intended to protect species such as the Oregon spotted frog, CNW declined to address state agency concerns expressed by Doug Gresham, the Washington Department of Ecology wetland specialist responsible for Skagit County. In his initial April 7, 2016 email, Mr. Gresham stated that wetland impacts should be avoided by refraining from excavating within the buffer area associated with the Samish River and its associated riparian wetlands and that any wetlands identified on the property that would be impacted should be delineated and permits should be submitted to Ecology.[36] In a June 1, 2016 comment letter, Gresham declared that additional wetland requirements include: (1) flagging of the ordinary high water mark along the Samish River banks by a qualified biologist, and survey of the boundaries; (2) a jurisdictional determination from the U.S. Army Corps of Engineers stating whether the delineated wetlands on the property are under federal jurisdiction; (3) ratings of all wetlands based on Ecology standards; (4) a critical area report describing wetland conditions on the property, wetland data sheets, wetland rating forms, and photographs; and (5) a mitigation plan for unavoidable wetland and buffer impacts per Ecology standards.[37] In addition, Mr. Gresham noted in his June 1, 2016 correspondence that the Application omitted maps showing associated wetlands or the ordinary high water mark of the Samish River.[38]

Six months later, Mr. Gresham supplemented his earlier comments by expressing a

[33] GBA Addendum, at 2.
[34] Skagit County Code 14.24.230.
[35] GBA Addendum, at 2.
[36] Email from Doug Gresham to Planning & Development Services re: PDS Comments (April 7, 2016);
[37] Gresham letter to J. Cooper re: Ecology Comments on the Grip Road Gravel Mine, Project File # PL16-0097 and PL16-0098, 2 (June 1, 2016) (hereafter "Gresham June 2016 Comments").
[38] Gresham June 2016 Comments.

concern with CNW's use of a 200-foot buffer rather than the required 300-foot buffer.[39] Gresham stated that CNW needed to address the gravel mine's encroachment into the 300-foot buffer.[40] Gresham also stated that he had "a concern with the access road that will need to be improved to accommodate 46 truckloads a day, which could impact wetlands and streams. This access road may need to be widened, the Swede Creek bridge may need to be upgraded, and storm water drainage features may need to be reconfigured."[41] Gresham noted that these issues had not been addressed.[42]

Notwithstanding these clearly-stated agency concerns, CNW continues to propose to excavate up to 200-feet from what it assumes is the ordinary high water mark of the Samish River and associated wetlands without delineating the specific location of the river's edge, its floodplain, or the associated wetlands. CNW did not supplement the Application with a survey or flagging of the edge of Samish River, delineation of wetlands on the property (including any wetlands along the haul route), critical area reports for wetlands, a mitigation plan, or a discussion of impacts associated with the Swede Creek bridge or haul road development on the creek or wetlands. Instead, an engineering and surveying group drew a map with estimates for the location of Samish River "plotted from May 2011 aerial photo" and "wetland at toe of slope from LiDAR data and field observation," without a delineation survey.[43] The map is captioned "alternate 300 foot buffer," but none of the application materials indicate that CNW has decided to apply anything other than a 200-foot buffer. The map shows what appear to be roads or mining areas extending into the estimated buffer.

3. Water quality and quantity impacts.

Drainage from the site currently flows to the Samish River both above and below ground. The Application indicates that the mining would occur in an area that is currently elevated about 90 feet above the river and its associated wetlands (50-75 feet above the valley floor in the eastern portion of the site), and that groundwater from the site flows in a northerly direction and discharges to the Samish River.[44] According to the Application, CNW would construct a berm approximately 200 feet landward of the assumed wetland edge in order to

[39] Gresham email to Planning & Development Services re: Ecology Comments on the Grip Road Gravel Mine, Project File # PL16-0097 (Dec. 23, 2016).
[40] *Id.*
[41] *Id.*
[42] *Id.*
[43] Semrau Engineering and Surveying, Pre-Mining Topographic Survey Map, Grip Road Gravel Mine (7-31-2018).
[44] GBA Assessment, at 3; Associated Earth Science Incorporated letter to Concrete Nor'West re: Hydrogeologic Site Assessment, Concrete Nor'West – Grip Road Mine, 3 (Aug. 21, 2015) (hereafter "Hydrogeo Assessment").

direct drainage from the site to the gravel floor for infiltration into the groundwater.[45] The Application does not evaluate whether that berm and mine infiltration would redirect surface water away from the wetlands and river complex and thus dewater these sensitive ecological features, or analyze the impacts of that dewatering.

Application materials offer conflicting information about whether the Mine would reach the water table. Although the GBA Assessment states that the mine would be excavated to a depth of 10 feet above the water table, the SEPA Checklist states that the Mine would be excavated to a depth of 154-163 feet above mean sea level while the hydrogeological assessment found the water table at 145-155 feet above mean sea level.[46] The Application did not evaluate whether excavation to a depth of 154 feet would interfere with a water table at 155 feet.

C. SEPA Requires Withdrawal of the MDNS Because the Application Does Not Supply PDS With Sufficient Information to Fully Consider the Project's Environmental Impacts.

PDS must withdraw the MDNS because it has not fully considered the environmental and ecological effects of CNW's sand and gravel mining proposal. RCW 43.21C.030; *see Boehm v. City of Vancouver*, 111 Wn. App. 711, 717, 47 P.3d 137 (2002). For example, PDS issued the MDNS without analyzing the impact of clearcutting and mining a large portion of a wetland buffer intended to protect wetland species like the federally-threatened and state-endangered Oregon spotted frog. Nor has the Application evaluated impacts associated with the private haul road that will traverse Swede Creek and travel near uncategorized and unsurveyed wetlands. The Application also omits a full analysis of the risk to human health and safety from a haul route that involves public roads where the proposed truck and trailer would not be able to stay in its lane on two-lane roads with speed limits up to 50 mph, and risks associated with the sight distance at the intersection of Grip Road and the site access road. In the absence of this information, PDS has not satisfied its duty under SEPA to fully consider the project's adverse environmental impacts.

SEPA requires agencies to "consider total environmental and ecological factors to the fullest extent when taking 'major actions significantly affecting the quality of the environment.'" *Lassila v. City of Wenatchee*, 89 Wn.2d 804, 814, 576 P.2d 54 (1978) (quoting *Sisley v. San Juan County*, 89 Wn.2d 822, 830, 567 P.2d 1125 (1977)). To determine whether an environmental impact statement is required for a major action, the responsible governmental

[45] GBA Assessment, at 3.
[46] GBA Assessment, at 3. *Compare* SEPA Checklist, at 3 *with* Hydrogeo Assessment, at 3.

body must first determine whether the action will cause significant impacts and render a threshold determination accordingly. RCW 43.21C.030(2)(c); *Boehm*, 111 Wn. App. at 717.

Agencies must first ensure that the proposal is properly defined. WAC 197-11-060(3). Every part of a proposal that combines to form a single course of action must be evaluated in the same environmental document. WAC 197-11-060(3)(b). Thus, where different parts of the same proposal could not proceed unless they are implemented simultaneously, they must be evaluated together. WAC 197-11-060(3)(b)(i). Because the Mine could not function without the use of the private haul road to transport the product off-site, environmental impacts associated with the use of that road must be evaluated as part of the project's SEPA review.

A major action significantly affects the environment when it is reasonably probable that the action will have more than a moderate effect on the quality of the environment. WAC 197-11-794; *Boehm*, 111 Wn. App. at 717 (citing *Norway Hill Pres. & Prot. Ass'n v. King County Council*, 87 Wn.2d 267, 278, 552 P.2d 674 (1976)). Significance involves a proposal's context and intensity; an impact may be significant if its chance of occurrence is low but the resulting impact would be severe. WAC 197-11-794.

To evaluate an action's effects, a responsible official like PDS must: (1) review the environmental checklist and independently evaluate the responses of the applicant; (2) determine if the proposal is likely to have a probable significant environmental impact; and (3) consider mitigation measures that the applicant will implement as part of the proposal. WAC 197-11-060(1); WAC 197-11-330; *Indian Trail Prop. Ass'n v. Spokane*, 76 Wn. App. 430, 442, 886 P.2d 209 (1994). In reviewing a project's impacts, an official must review both direct and indirect impacts and both short-term and long-term impacts. WAC 197-11-060(4). If the responsible official's review concludes that the proposal will not cause probable significant adverse environmental impacts, she issues a determination of nonsignificance ("DNS"). WAC 197-11-340. Conversely, a finding of probable significant adverse environmental impact leads to the issuance of a Determination of Significance ("DS"). WAC 197-11-360. A determination of significance triggers the need for an environmental impacts statement to review the project's identified impacts. WAC 197-11-360.

An agency that determines that a proposal will not result in a significant impact bears the burden of demonstrating "that environmental factors were considered in a manner sufficient to be prima facie compliance with the procedural dictates of SEPA." *Bellevue v. Boundary Rev. Bd.*, 90 Wn.2d 856, 867, 586 P.2d 470 (1978) (quoting *Lassila*, 89 Wn.2d at 814). For example, the threshold determination must be based on information sufficient to evaluate

the proposal's environmental impact. *Boehm*, 111 Wn. App. at 718. In addition, a court will not uphold a DNS unless the record demonstrates that the government gave actual consideration to the environmental impact of the proposed action or recommendation. *Boehm*, 111 Wn. App. at 718. An incorrect threshold determination will be vacated because it thwarts SEPA's policy to ensure the full disclosure of environmental information so that environmental matters can be given proper consideration during decision-making. *Norway Hill Pres. & Prot. Ass'n v. King County Council*, 87 Wn.2d 267, 273, 552 P.2d 674 (1976)).

The MDNS, SEPA Checklist, and associated application materials here demonstrate that PDS did not adequately consider the environmental factors, "in a manner sufficient to be a prima facie compliance with the procedural dictates of SEPA." *Lassila v. City of Wenatchee*, 89 Wn.2d 804, 814, 576 P.2d 54 (1978). The MDNS is not based on information sufficient to evaluate the proposal's environmental impact, as identified below and as exemplified by the lack of response to riparian and wetland requirements noted by Doug Gresham, Ecology's wetland specialist for Skagit County.

1. The MDNS is not based on information sufficient to evaluate the proposal's environmental impact.

The sections below summarize some of the information omitted from the Application that is necessary to fully understand and consider the Mine's environmental impacts. For more detailed descriptions and additional flaws, please see the CSVN November 2020 comment letter at Attachment A.

a. Lack of review of impacts within the Project's full footprint.

The application materials do not evaluate environmental impacts associated with the two-mile-long private haul road that transects the applicant's larger contiguous ownership and traverses Swede Creek, even though industrial-scale use of this haul road is a crucial element of the Project. For more information about this omission, see Attachment A, CSVN Letter at 4.

b. Lack of review of climate impacts associated with hauling sand and gravel.

No application materials, including the SEPA Checklist, evaluate the climate change impact associated with carbon emissions from mining and hauling more than 4 million cubic yards tons of sand and gravel over a 25-year period. Indeed, the SEPA Checklist asserts that, "[t]here are no off-site sources of emissions that would impact the proposal."[47] For more

[47] SEPA Checklist, at 5.

information about this omission, see Attachment A, CSVN Letter at 5 (identifying off-site and cumulative impacts omitted and ignored).

c. Lack of review of impacts from converting 1/3 of a forested buffer into a gravel mine, including impacts to listed species.

Although the MDNS contemplates the mining of more than 4 million cubic yards of sand and gravel, which would occur only if PDS applies a 200-foot buffer rather than the required 300-foot buffer, neither CNW nor PDS evaluated the impacts of reducing the buffer by 100 feet over a stretch of approximately ¼ mile. Nor does the Application review the impacts of this reduction on the listed Oregon spotted frog that relies on the wetlands and environs for its habitat.

d. Lack of sufficient information about wildlife impacts.

Notwithstanding that the Project would convert at least 51 acres of forested land to a gravel pit, the Application does not identify or analyze impacts to native fauna. CSVN have communicated to PDS that bears, cougars, and bobcats have been known to frequent the area and that local residents regularly observe the use of that area as a wildlife corridor between Butler Hill to the south and the Samish River valley and Anderson Mountain to the north. Yet the SEPA Checklist asserts that the property is not an animal migration route. In addition to providing critical habitat for the Oregon spotted frog, bull trout, and Puget Sound steelhead, the Samish River and its associated wetlands provide important habitat for a wide range of species that include river otters, beavers, bald eagles, belted kingfishers, great blue herons, spotted sandpipers, and numerous species of migratory songbirds. The Application should be supplemented to identify the animal species that inhabit or necessarily transit that area and analyze the impacts of turning that land into an open gravel pit and the impacts of converting what is presumably a lightly-used forest road to heavy industrial use.

e. Potential water pollution impacts.

The Application repeatedly states that stormwater will be infiltrated at the site, and notes that the groundwater flows to the nearby Samish River, but does not evaluate whether spills of fuels or other hazardous materials will impact the river's water quality after traveling through, ultimately, just 10 feet of ground before entering the groundwater. The Application also does not evaluate potential impacts from stormwater runoff of the private haul road, including sedimentation and petroleum products entering Swede Creek or wetlands east of that road. The Application must evaluate the potential for water pollution and the effects on Samish River and Swede Creek.

f. Lack of requisite Critical Areas review.

Skagit County has incorporated the goals, policies, and purposes of its Critical Areas Ordinance ("CAO") into its SEPA policies.[48] Consequently, to satisfy its duties under SEPA, the County must require compliance with CAO directives like the standard review of impacts that includes the submission of a critical area checklist and/or a site plan that shows the location of the proposed activity and associated area of disturbance in relation to all known critical areas or critical areas indicators.[49] The County must then review these project documents, complete a critical areas staff checklist, inspect the site, and complete the critical areas field indicator form.[50] Where the County's review concludes that the proposed activity extends to within 200 feet of critical area indicators or a distance otherwise specified by the chapter, it must require a critical areas site assessment. Ultimately, this process should result in protected critical areas being delineated and their outer edges and buffers marked permanently.[51]

With regard to wetlands, any proposed high impact land use within 300 feet of wetland indicators, and any other proposed land use within 225 feet of wetland indicators, requires a wetland site assessment.[52] The site assessment must result in a wetland delineation, classification, site plan with wetland and buffer boundaries, and functions and values analysis.[53]

CNW's application does not satisfy these standards and thus does not meet Skagit County's SEPA requirements. The Application does not identify wetlands adjacent to the haul road at all, much less conduct a wetlands assessment for the impacts associated with the proposed hauling. The Application does acknowledge the existence of wetlands associated with the Samish River, but does not include a delineation, site plan with delineated boundaries depicted in relation to the Mine activities, or a full functions and values assessment. Absent this information, the County does not have sufficient information to issue a threshold determination.

g. Lack of sufficient review of noise impacts.

The Application's noise studies rely on a flawed methodology and overlook the planned

[48] SCC 14.24.060(3).
[49] SCC 14.24.080(1).
[50] SCC 14.24.080(2) (note that these reviews must occur to determine whether activities that are within 200 feet of critical areas or their buffers, or a distance otherwise specified by the CAO).
[51] SCC 14.24.090.
[52] SCC 14.24.210.
[53] SCC 14.24.220.

removal of the forest buffer between the Mine and neighboring properties. For more information about this omission, see Attachment A, CSVN Letter at 13-14.

h. Lack of sufficient review of recreation impacts.

The Application omitted any acknowledgement or analysis of impacts to cycling along regional and federal bicycle routes. For more information about this omission, see Attachment A, CSVN Letter at 14-15.

i. Lack of sufficient information about transportation impacts.

As identified above, the Application omits significant, necessary information about potential traffic impacts, including final maximum traffic generation numbers, site distance impacts for intersections like that at Grip Rd/site access road, modeling with speeds anticipated by Skagit County's Road standards, mitigation for site distance impacts, the impact of truck-trailers crossing the centerline between the site and Old Highway 99, travel east of the Mine, and the redistributed traffic to Cook Road. These must be addressed.

2. The MDNS issued absent consideration of applicable mitigation measures.

While the MDNS included several conditions, the vast majority of them merely require compliance with existing standards (though the MDNS did not require observation of Skagit County's 300-foot buffer and instead embraced CNW's decision to apply only a 200-foot buffer). To the extent that the MDNS included conditions for transportation impacts, it merely directs CNW to avoid hauling with trailers or to design and construct unidentified road improvements on two turns on Prairie Road. Other mitigation measures that should have been considered include:

- Scaled-back size of mine;
- Scaled-back rates of extraction;
- Limiting hours of operation to daylight hours during the workweek. This would partially address areas where the site distance is impaired;[54]
- Limiting the daily number of truck trips;
- Protections from sedimentation and stormwater drainage into Swede Creek;
- A drainage/runoff plan for the length of the private haul road to prevent surface water impacts from heavy traffic on the haul road;

[54] Per recommendation of Transportation Solutions, at 4.

- Requiring roadway upgrades to decrease the likelihood of collisions between Project trucks and other vehicles, bicycles, and pedestrians; and
- Identifying a prescribed haul route.

D. Conclusion.

Notwithstanding the five-year interval since CNW initially applied for the special use permits, it has not supplied PDS with environmental information about the proposal sufficient to warrant a threshold determination. PDS issued the MDNS without fully considering the Project's significant environmental impacts, from loss of habitat for an endangered frog to traffic impacts to impacts associated with the private haul road. CSVN therefore asks PDS to correct that mistake by withdrawing the MDNS and by coordinating with the Applicant to conduct an EIS for the significant impacts referenced above.

In addition, CSVN requests that PDS publish online the comments submitted to address the MDNS as soon as possible.

If you have any questions, please contact me at 360-622-8060 or kyle@loringadvising.com.

Sincerely,

Kyle A. Loring
Counsel for Central Samish Valley CSVN

Cc: Michael Cerbone
Martha Bray
John Day

Attachs:

A. CSVN Letter to Hal Hart re: Proposed Grip Road Gravel Mine #PL16-0097—Comments on SEPA Review

B. WDNR timber harvest map

C. Skagit Valley Bike Map

D. Grip Road Gravel Mine Peer Review Traffic Impact Analysis

E. WDFW map showing wetlands and drainages near haul road

F. US Fish and Wildlife Service Critical Habitat map for Oregon Spotted Frog

ATTACHMENT A

By Email

November 24, 2020

Hal Hart, Director and Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Proposed Grip Road Gravel Mine #PL16-0097—Comments on SEPA Review

Dear Mr. Hart and Mr. Cerbone:

We are writing on behalf of the local community group Central Samish Valley Neighbors (CSVN) to comment on the large new gravel mine along the Samish River proposed by Miles Sand and Gravel/Concrete Nor'West (CNW) in their application for a mining Special Use Permit (SUP) #PL16-0097. Our comments identify information that the County still needs to obtain in order to conduct an adequate review of the impacts that the proposed mine would cause. This information involves the need for both project details and the evaluation of environmental impacts. We are submitting this letter in advance of the renewed public process that Skagit County has committed to conducting[1] with the goal of informing your decision as you restart that process.

As you know, we have been expecting a decision from Skagit County Planning and Development Services (PDS) regarding next steps with this application for many months. Given the uncertainty about the timing of the new public process, we are taking this opportunity to provide you with our concerns. This also allows some of our members who were excluded from the initial State Environmental Policy Act (SEPA) process due to notification flaws to address the project impacts before more time passes. We anticipate following up with additional comments when the PDS issues the revised SEPA determination promised on its website.[2] As the County reopens SEPA and public review for the application, we respectfully request that you respond to community concerns, withdraw the 2016 MDNS, and require a full environmental impact statement (EIS) for the project that takes into consideration all of the environmental impacts.

[1] We are referring to the Skagit County Prosecuting Attorney's representation in a brief last year that *"[o]nce the County receives a complete application, the County will conduct further analysis of potential project impacts, re-issue public notice, publish a new staff report with recommendations on the Special Use Permit conditions, issue a revised SEPA determination, and another public comment period and public hearing will follow."* Skagit County's Response to Renewed Motion to Intervene, PL 18-0200, at 2-3 ((Oct. 4, 2019).

[2] Statement regarding PDS's intent to issue a revised SEPA determination located on the County's website: https://www.skagitcounty.net/Departments/PlanningAndPermit/gravelmine.htm.

Over the last four years, the County has gone to considerable effort to clarify this proposal by requesting additional information from the applicant. Nonetheless, the application remains incomplete and inconsistent, and the applicant has still not provided all of the information necessary to evaluate the environmental impacts of the project. The submitted application materials are substantively inaccurate and inconsistent, and the scale of the project is consistently under-represented. Rather than clarifying the proposal, the additional submittals from the applicant have added more layers of confusing and contradictory information. And, the applicant has still not proposed or evaluated appropriate mitigation or project alternatives. For these reasons, the County's MDNS both was premature and failed to meet the environmental review requirements of SEPA and Skagit County Code. Based on our own review and consultation with our attorney, the project impacts identified in the application are significant and warrant additional analysis through an EIS that fully evaluates them and identifies appropriate alternatives and mitigation measures.

Summary of necessary information and environmental review omitted from the application materials. Based on our review of the March 7, 2016 SEPA Checklist, the August 2, 2019 Supplemental SEPA Checklist Information, the documents referenced in those materials, and the other documents posted to the County's project website, the application continues to suffer from the SEPA inadequacies listed below.

1) Project scale is under-represented: The application minimizes and under-represents the scale of the mining activity by avoiding many details and using vague descriptors such as "extracting relatively low volumes of aggregate".

2) Full footprint of project is not included in the environmental review: The application does not evaluate environmental impacts within the full footprint of the project. Instead, the project description is limited to just the 68 acre area where the actual mine would be. None of the project documents evaluate the use or impact of a two-mile long private haul road that transects the applicant's larger contiguous ownership, even though industrial scale use of this private haul road is a crucial element of the project.

3) Off-site and cumulative impacts are omitted and ignored: The application omits and/or minimizes descriptions of off-site and cumulative impacts of the project, especially off-site impacts related to truck traffic.

4) Future plans not disclosed: The application omits plans for future on-site processing despite the suggestion in the application materials that the applicant may seek to operate on-site processing in the future. This omission prevents a complete evaluation of the impacts and identification of appropriate mitigation.

5) Impacts on Environmental Elements inadequately reviewed: Defects in application materials result in a failure to fully disclose impacts for all of the "Environmental Elements" required by SEPA.

6) Mitigation measures and project alternatives not considered: Consequently, the application does not identify or evaluate appropriate mitigation measures or alternatives.

We discuss all of these issues further below, in the order listed.

1) **Project scale is under-represented.** The SEPA Checklist, Supplement and Special Use Narrative minimized and under-represented the scale of the proposed mining development by avoiding detail and using vague descriptors such as "extracting relatively low volumes of aggregate". The mining activity was described using generalities, and omitting many details. This approach obscured important information and it is unclear whether key details were used by the County in its SEPA review. Other examples of misleading application materials include the characterization of the site as "very remote" and the proposed mining as a "temporary" activity. The SEPA Checklist states, "traffic generated by the project will be typical of mining operations," but does not state any actual numbers. To the extent the submitted documents actually provide this information, many of those details are buried in the referenced studies and drawings.

   The truth is that this is a proposal for a 50-acre open pit mine that will eventually be ninety feet deep. This is a hole in the ground about the area of 38 football fields and ten stories deep. The Checklist states that there will be "4.28 million cubic yards of excavation". If 4 million cubic yards are hauled off site (assuming 1 yard equals 3,000 pounds), this would be approximately 6 million tons of sand and gravel removed from the site over a twenty-five year-period, or 240,000 tons per year. We do not see this scale of land disturbance and trucking at this location as "low volume". Furthermore, although the application characterizes the mining operation as a "temporary activity," its proposed daily operations over 25 years will feel permanent to the community, as will the long-term alterations to the landscape. The "very remote" characterization likewise ignores the actual setting--the site is located in an area where no prior industrial scale mining has occurred, and it would operate amidst a rural residential neighborhood with more than 100 homes within a mile of the site and 750 homes within three miles. And, an investigation into the DN Traffic memo (June 2019) reveals that the "typical" gravel truck traffic referenced in the SEPA Checklist is actually an estimated 11,765 tandem gravel truck trips per year on narrow substandard County roads.[3]

[3] Contrary to the volume of gravel stated in the SEPA checklist, the DN traffic memo assumes that 200,000 tons of material per year will be removed from the site. Using DN's math, and assuming the larger volume stated in the SEPA checklist, the number of truck trips per year would be actually be closer to 14,118 (240,000 tons/34

By avoiding details in the main project documents, the application appears complete, but does not actually address the full impacts of the project, nor does it explore less damaging alternatives or identify mitigation measures.

2) **Full footprint of project is not included in the environmental review.** The SEPA Checklist's description of the project site (Section A. #11) as only a 68-acre parcel of land precludes review of the full scope of the project; it fails to clearly identify the two-mile-long haul road across the applicant's 726-acre property, which is required to get the gravel to Grip Road. The applicant's SEPA narrative, as well as the updated narrative for the Special Use Permit application, describes the mine occurring on a 68-acre parcel of land and mentions the access point with Grip Road. It does not clearly explain that the mine site is located two miles from the access point on Grip Road. Therefore, hauling the mined material off site involves use of a private haul road that transects the applicant's larger 726-acre ownership.

   Industrial scale use of this private haul road is integral to the project, and yet the land area that the road crosses is not included in the project description. The application materials do not even identify the parcels the road crosses as part of the project. This is misleading and misrepresents both the size of the project and the extent of the environmental impacts. The private haul road, all of which is on the applicant's larger ownership, is adjacent to wetlands and crosses Swede Creek, a fish-bearing stream. This private haul road has been significantly upgraded in the past two years, without County oversight, under the auspices of the former landowner's Forest Management Plan (Trillium, 2009), filed with the state Department of Natural Resources. There are potentially significant impacts to surface water quality and hydrology as well as to Critical Areas, not only from the recent road upgrading, but also from the planned industrial scale use of this road by heavy trucks. Yet, this two-mile stretch of land has not been afforded environmental review.

   In the course of the permit review, and in response to public comments, the County requested that the applicant describe how this private haul road meets the County's private road standards. In response, the applicant submitted a request for Alternatives to County Road Standards (June 2019), and an "as built" drawing of the road. It is unclear if there was any formal decision issued by the County regarding this request, but regardless this does not address potential impacts from the heavy industrial use of the private haul road to surface water quality and quantity and to fish and wildlife habitat. The footprint of the entire project, including the areas adjacent to the haul road, must be included in the

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tons/truck*2), or an average of 54 truck trips per day (not 46 per day as stated in the DN memo). This is one of many examples of inconsistent and confusing information provided in the application materials.

environmental review of the project. It is not possible to evaluate the full project impacts or the necessary remediation measures without this information.

3) **Off-site and cumulative impacts omitted and ignored.** One of the most significant components of this proposal is the plan to haul approximately 4 million cubic yards of sand and gravel from the site to be processed at another facility. The material would be moved by truck along more than five miles of County roads over a period of 25 years. This trucking activity is a crucial part of the project that will cause significant environmental harm, yet the project description in the SEPA Checklist (Section A. #11), as well as the updated narrative for the Special Use Permit application, omit details of this aspect. The only mention of truck traffic is by reference – listing several "traffic memos" submitted by the applicant separately, together with piecemeal supplemental information and addenda. The County's pursuit of additional information on traffic impacts eventually led to a third-party desktop review by a consulting traffic engineer engaged by the County (HDR), and most recently (September 2020) a longer Traffic Impact Analysis (TIA) that was prepared by DN Traffic Consultants on behalf of CNW. However, all of the documents that look at the traffic impacts appear as a kind of postscript. This has the effect of concealing the severity of the truck traffic impacts and it considers only those impacts related to a narrow set of criteria regarding County road standards and "level of service". In reality, the off-site impacts from a heavy and sustained volume of truck traffic over a twenty-five year period are many-pronged and cumulative. These impacts include carbon emissions and air pollution, noise, vibration, public safety, and damage to public infrastructure. A full SEPA review needs to evaluate and identify mitigation measures for <u>all</u> of these impacts, not just those that fall under the narrowly defined criteria in County Code for triggering Traffic Impact Analyses. Furthermore, the applicant's TIA fails to meet some of the basic requirements for such documents included in Skagit County Road Standards, 2000, as incorporated by reference in the Skagit County Code.

   To illustrate the scale of this proposal (using the conservative figures in the DN traffic studies) approximately 294,000 truck trips over a 25-year period are required to haul the amount of material the applicant proposes to excavate from the mine. The shortest haul route to CNW's Belleville Pit site on County roads is approximately 11.5 miles round trip, plus an additional 4 miles round trip on the private haul road. Cumulatively, this is more than 4,600,000 miles over 25 years, or more than 184,000 miles per year. This is equivalent to almost 800 round trips between Seattle and New York City. [4] Furthermore, one fully

[4] Different application documents identify conflicting amounts of material to be excavated and hauled from the site, as well as different haul routes and mileage and load weights. Using the higher extraction figures in the SEPA checklist (assuming 4 million cubic yards of excavation), 356,666 truck trips would be required over a 25-year period cumulatively more than 5,528,300 miles (220,000 miles per year), equivalent to 970 round trips between New York City and Seattle.

loaded standard gravel truck with pup trailer weighs more than 80,000 pounds. Very few of the off-site impacts associated with this hauling have been addressed in the application materials. Finally, the number of truck trips and cumulative mileage may actually be considerably higher than stated above depending on several factors, including weight limits on the bridge over the Samish River on Highway Old 99 and the extent of third-party sales.

Other off-site impacts that were minimized or inadequately described in the application documents include potential impacts to surface water; impacts of noise from mining equipment and hauling; and potential impacts to fish and wildlife. We address these concerns elsewhere in this letter under the specific environmental elements, in the order they appear in the SEPA Checklist.

4) **Future plans not disclosed.** The SEPA checklist asks specifically if there are any plans for future additions, expansion, or further activity related to or connected with this proposal (Section A. #7). The applicant answered 'no' to this question on the SEPA Checklist but implies elsewhere that they may conduct onsite processing at a future date. The applicant was asked to clarify this point, and in a letter to the County on May 15, 2017, states only that no processing was proposed "in this application" – implying that future on-site processing is contemplated. And, the revised "Special Use Narrative," dated Aug. 2, 2018, states in the third paragraph that "No processing is proposed onsite at this time" (*emphasis ours*). SEPA guidelines require that all parts of a proposal be disclosed, even if the applicant plans to do them "over a period of time or on different parcels of land." We find the inconsistency on this topic troubling. Given the cost of hauling raw materials 184,000 miles/year, we find it unlikely that CNW will not apply for an additional permit in the future to allow on-site gravel processing. Furthermore, the disclosure of future plans is essential here because the project buffers would need to be larger to accommodate on-site gravel processing, and because the project would be subject to even more rigorous scrutiny. On-site processing would trigger a significantly larger buffer (200 feet—double the 100 feet currently proposed) on the northern and western borders to reduce noise and vibration impacts to the neighboring private properties (SCC 14.16.440(10)). This would reduce the amount of gravel available for extraction, but it is an important mitigation measure for reducing impact to adjacent landowners. It is also reasonable to assume that the applicant plans to expand the mine itself over time to cover more of the large property holding there. There have been many examples of Skagit County approving similar expansions and scope changes through the permitting process. Dividing the planned activities into separate development applications is a way to piecemeal SEPA review and thus under-evaluate project impacts. Under SEPA, the full scope of the proposed project must be considered in order to prevent inappropriate phased or piecemeal review (WAC 197-11-060(5)(d)(ii). Given that the applicant has expressly reserved the right to pursue processing at this site in the future, the project must be reviewed on the basis of what has been reserved as a

potential future activity—that such processing would occur on the site. Therefore, the conditions on the permit need to anticipate potential future expansion with larger buffers and additional measures to reduce likely future impacts. Alternately, restrictions need to be put in place to prevent such changes to on-site activities in the future.

5) **Impacts on Environmental Elements inadequately reviewed.** As addressed below, defects in the application materials result in the lack of adequate review of the project's impacts to earth, air, water, and environmental health are minimized or not completely disclosed in the SEPA Checklist and supporting documents.

Earth (SEPA Checklist, Section B. #1): Although question #1.e. of the SEPA Checklist requests a description of any project filling, excavation and grading, the applicant limits its response to the 51-acre open-pit mine footprint. The Checklist does not describe essential project elements such as storage and management of excavated and side-cast materials. In fact, there is no description of what, if any, site preparation will occur outside of the footprint of actual mine.

The "Site Management Plan, Sand and Gravel Permit" document that the applicant submitted (also a requirement for WA Department of Ecology's NPDES permit) does not cure the Checklist defect. It is almost entirely generic, and simply lists typical Best Management Practices (BMPs) to prevent erosion and manage buffers. It is not site-specific and does not actually explain how the side-cast materials, or "overburden", will be handled or how buffers along property lines will be managed. It is unclear in this plan which BMP's listed will actually be implemented or when or where they will be used. This omitted information is essential for verifying that the project would protect water quality, minimize disturbance to wildlife habitat, and reduce noise, dust and vibration impacts on neighboring properties.

Numerous relatively small private parcels lie to the west and north of the proposed mine site. Noise, dust and vibration from the mine will impact these properties. An appropriately-scaled, undisturbed vegetated buffer must be established to protect these properties. It is unclear in the application materials if the buffers between the mine and adjacent properties will be left undisturbed. In addition, there are repeated assertions in project documents that all runoff from the site will drain into the open pit and infiltrate into groundwater. This does not address any surface water runoff and contamination from side-cast material that may be stockpiled outside of the footprint of the mine itself for use in reclamation when mining operations are completed. There is no way to evaluate the impact of this earth moving activity when it is not fully explained and described.

Question #1.g. asks if any impervious surfaces are proposed. The applicant states that no permanent, impervious surfaces are proposed, despite the two-mile private haul road and

the apparent need for on-site staging areas at the mine site for dozens of trucks and equipment. A site-specific surface water drainage plan that includes measures for protecting waterways from sediment and other contaminants from these impervious surfaces needs to be prepared and implemented.

Air (SEPA Checklist, Section B. #2): The applicant's response to question #2.a., which requests disclosure of the project's air emissions, avoids identifying the substantial amount of emissions to be expected over the project's 25-year lifespan. Instead, the answer characterizes air quality impacts as "temporary." Mining is an ongoing activity. It is not temporary construction. There will be earthmoving equipment generating emissions constantly during operating hours for decades. Additionally, there is no mention of the significant cumulative carbon and particulate emissions from 25 years of diesel truck traffic. This omission alone is fatal to SEPA review.

Question #2.b. The applicant states incredulously that there are no off-site sources of emissions or odor. This answer simply ignores emissions from diesel truck hauling. As stated above, the cumulative mileage of tandem diesel trucks hauling material from this mine is more than 4,600,000 miles, or more than 184,000 miles per year.[5] The diesel emissions from this hauling activity will be concentrated in a small area, day after day, year after year. Diesel emissions include both particulates that create localized health hazards and greenhouse gasses that contribute to global climate change. The type of diesel fuel used, maintenance and age of vehicles, speed and driving patterns, idling activities, etc. all influence the intensity of emissions. The applicant must disclose the true nature and quantity of these emissions and identify measures to reduce the impact to air quality. A simplistic calculation of the carbon emissions from just the hauling component of this project is more than 17,200 metric tons over 25 years, or around 690 metric tons per year[6]. The actual amount of carbon emissions will probably be considerably higher because, as discussed above, the mileage is under-represented. This is a very carbon-intensive proposal. The applicant needs to provide realistic estimates of the cumulative emissions from all of the truck hauling and on-site mining activities, as well as propose an adequate mitigation plan for them.

Water (SEPA Checklist, Section B. #3): Question #3.a. involves disclosing impacts to surface water. The Checklist does not fully disclose surface water impacts from the project's proposed undersized buffer. The applicant proposes a 200-foot vegetative buffer between

[5] Assumptions: round trip of 15.4 miles between the mine and Belleville Pit, 46 round trips per day, 260 days per year, for 25 years.

[6] Carbon emissions estimation based on the per ton/mile truck emissions estimates and sample calculations included in the EDF publication produced to assist industry in reducing carbon emissions, "A Green Freight Handbook", Chapter 2, Establish Metrics, we estimate that depending again on which of the two proposed main haul routes is followed, annual (total) truck CO2 emissions will be between 271 (6,768) and 403 (10,064) metric tons.

the mine and the adjacent Samish River, but a 200-foot buffer is not adequate and is inconsistent with Skagit County Critical Areas Ordinance (SCC 14.24.230) requirements for the intensity of this land use. Additionally, when slopes of 25% or more are present, buffers are generally required to extend 25 feet beyond the top of the slope. We address this further in the section on "animals" below, and in the attached memo titled: "Fish and Wildlife, and Water Quality (Regulated Critical Areas) Review " (Wiggins, November 2020).

In response to these concerns, PDS asked the applicant to submit drawings showing a 300 foot buffer, which they did. This drawing is labeled "Alternate 300 foot buffer" (dated July 2018). To date, however, this "alternate" buffer has not been required as a condition of the permit.

In addition, mine site plans identify an unnamed tributary to the Samish River on the southeast corner of the site. The supplement to the SEPA checklist references the Site Management Plan to explain how surface water will be protected. Again, as discussed above in the "Earth" section, this Site Management Plan is not site-specific and simply lists a number of BMPs without explaining where or how they may be implemented; except that Appendix B ("Site Map") of the plan identifies one "monitoring point" near the tributary stream. There is not enough information provided to determine if surface water will be adequately protected from sediment and other contaminants or if the minimal monitoring proposed will be adequate to detect such pollution. In addition, it is unclear from the project documents where all the surface water in the areas around the mine site may drain after the site is disturbed. The mine site is perched above the river and it is unclear if the proposed buffers encompass the entire slope edge between the mine and the river. There is not enough detail in the drawings and application materials to ensure that erosion and contaminated run-off will be prevented from making its way downslope to the river.

Question #3.b. involves disclosing impacts to groundwater. The applicant states that no waste discharge will occur into groundwater. The Supplement to the SEPA Checklist again references the Site Management Plan, and states that mining runoff will infiltrate into the bottom of the mine. However, the project description states that the intention is to mine within ten feet of the groundwater level. Given the pervious nature of the sand and gravel floor of the mine, we question if this method of preventing groundwater contamination is sufficient. This is especially concerning as the groundwater in this location will essentially flow directly into the Samish River and into designated critical habitat for the endangered Oregon Spotted Frog (discussed further below in the section about animals). Protection of groundwater requires further evaluation, especially in terms of the potential for fuel and other toxic material spills from heavy equipment in the mine (this issue is further discussed below under the section about environmental health and hazardous chemicals.)

In addition, the application does not explain how operators will ensure that they remain at least ten feet above groundwater during seasonal fluctuations. To avoid the risk of the mining activity penetrating into groundwater, the applicant must identify a method for determining the highest groundwater level and establish a monitoring plan to ensure compliance.

Question #3.c. involves describing impacts from water runoff, including stormwater. In addition to the concerns related to runoff from the mining site described above in the 'earth' section, the impact of runoff from the haul road to surface water was not identified as a concern and has not been addressed. This involves impacts to both water quality and quantity -- to the wetlands on site, to Swede Creek and to the greater Samish watershed. There is the potential for sedimentation in Swede Creek, a fish-bearing stream, and for increased overland flows and downstream flooding. There are already significant flooding issues associated with Swede Creek. The ditch adjacent to Grip Road east of the bridge over the Samish River is an overflow channel of Swede Creek. The Public Works Department and local residents are well aware that this ditch routinely spills over its banks and floods the roadway during high rainfall events. In addition, the edge of the roadbed itself at this location has required repeated hardening and repair due to erosion caused by the high volume of water flowing through this ditch. The impacts to hydrology and the potential for exacerbating sedimentation and flooding problems from the increased impervious surface and heavy use of the haul road, especially in the gorge where the road crosses Swede Creek, needs to be evaluated and appropriate mitigation measures required. A stormwater management plan for the haul road needs to be prepared and implemented.

Plants (SEPA Checklist Section B. #4): Notwithstanding that the mine would completely strip native vegetation from more than fifty acres of land, the Checklist omits any discussion of ways to minimize this impact. A one-sheet survey drawing titled "Reclamation Plan and Mine Sequence" (May 2015) shows the proposed mine area divided into four quadrants labeled "1" through "4". These labeled quadrants presumably explain the "sequencing" of the mining activity, but there appears to be no narrative explaining how or when this sequencing may occur. Phasing the mining so that portions of the site remain forested until it is needed, and/or reclaiming sections over time while other sections are being mined would significantly reduce the impact to native vegetation. Simply reducing the scale of the proposed mine would be even more appropriate. Measures and alternatives that reduce the impact to the native vegetation must be evaluated.

Animals (SEPA Checklist Section B. #5): The Checklist omits significant animal species and potential project impacts on them. First, the Checklist states that no threatened or endangered species are known to be on or near the site. In fact, the US Fish and Wildlife Service and WA Department of Fish and Wildlife have designated Critical Habitat for the Oregon Spotted Frog (*Rana pretiosa*) along the Samish River directly adjacent to the site. In

addition, there is designated Bull Trout (*Salvelinus confluentus*) Critical Habitat a few hundred feet downstream from the northeast corner of the mine site. The Oregon Spotted Frog was believed to be extirpated from this area until breeding sites were discovered in 2011-2012 in the upper Samish River. The Samish River system is the only place in Skagit County that the Oregon Spotted Frog has been found. It is listed as Endangered in Washington State, and Threatened federally. Bull Trout is a Candidate species for listing in Washington State and is listed as Threatened federally. The presence of designated critical habitat for species listed under the Endangered Species Act (ESA) was not disclosed in the SEPA Checklist nor in the accompanying Fish and Wildlife Assessment (GBA/August 2015). These are serious omissions.

At the request of the County, an Addendum to the Fish and Wildlife Assessment was submitted by the applicant to address the presence of the Oregon Spotted Frog habitat adjacent to the site (GBA/April 2017). However, the addendum simply states that in the consultant's opinion, their recommended 200-foot buffer is adequate to protect this designated critical habitat without siting any clear science or expert biological opinion to back up the statements. In fact, a note in the Addendum states:

> "*Our original assessment and this addendum are not intended to constitute a biological evaluation pursuant to the requirements of the Endangered Species Act. The documents are intended solely to demonstrate compliance with the Skagit County Critical Areas Ordinance (SCC 14.24).*"

Further evaluation of the impact from the proposed mining to the Oregon Spotted Frog, Bull Trout, and their designated critical habitat, needs to be conducted, consistent with State requirements and the Federal ESA. As discussed in sections elsewhere in this letter (in "earth", "water" and "toxics"), measures are not clearly described that will protect the water quality of the Samish River, its tributaries, and the groundwater that flows to the river. This is a serious concern that must be addressed to ensure that the Oregon Spotted Frog, Bull Trout, and Puget Sound Steelhead habitat is adequately protected according to law.

In addition, the SEPA Checklist and Supplement do not acknowledge a number of large mammals that are known to frequent this area. These include bear, cougar and bobcat. Furthermore, the Checklist states that the property is not an animal migration route even though local residents regularly observe the use of this area as a wildlife corridor between Butler Hill to the south and the Samish River Valley and Anderson Mountain to the north. Surrounding landowners have seen cougar, bobcat, and bear traveling across their properties on numerous occasions, and at least one resident located south of the subject property has captured many photos of these animals on remote trail cameras. These animals require large territories and are sensitive to disturbance. The subject property is the last large undeveloped property linking a larger landscape between Butler Hill to the

south, and the Samish River to the north. The applicant's Fish and Wildlife Assessment does not address the impacts to this wildlife corridor. Measures could be taken to protect a swath of land and maintain intact vegetative buffers surrounding the mine on the applicant's larger ownership. This would help reduce this impact.

Finally, the applicant's Fish and Wildlife Assessment is more than five years old (August 2015), and its limited scope does not address the current data regarding Threatened and Endangered Species (ESA). A new complete Fish and Wildlife Assessment needs to be prepared that considers the full footprint of the project, including the land area impacted by the private haul road, as well as all ESA species that may be impacted by the proposal. These concerns are further discussed in the attached memorandum: "Fish and Wildlife, and Water Quality (regulated Critical Areas) review" (Wiggins, November 2020).

Energy (SEPA Checklist Section B. #6): This is a very fossil fuel and carbon intensive project, both on and off site. As stated previously, just to haul the proposed volume of gravel to the applicant's processing site would require diesel truck/trailer combinations to drive more than 4,600,000 miles over 25 years, or more than 184,000 miles per year. This does not include the on-site energy consumption from the heavy equipment required for the mining activity. In addition, there is no electrical power supply to the site. There is no mention of power supply in the application materials, but presumably the applicant plans to run generators to provide light and power to the site. This will create even more fossil fuel consumption (and noise pollution that has not been disclosed). The applicant has made no attempt to estimate the amount of energy required, nor the impacts to the environment from it. There are no proposed energy conservation measures. The applicant should be required to evaluate alternatives to such high rates of energy consumption, and a carbon budget should be calculated with mitigation identified to offset the effects of carbon emissions to the atmosphere.

Environmental Health (SEPA Checklist Section B. #7): Question #7a. Toxics: The Supplement to the SEPA Checklist states that "mobile fueling vehicles" and "mobile maintenance vehicles" will be used and that "if fueling stations or other storage of these materials occurs on site, it will be in compliance with the NPDES Permit filed with the WA Department of Ecology". These vague and inconsistent statements fail to confirm whether fueling stations and fuel storage are planned or not. Furthermore, the application does not define "mobile fueling" or "mobile maintenance" or measures to control or respond to spills from them in different locations across the site. The applicant must explain how they will monitor this and provide specific management practices for use with mobile fueling and maintenance units.

Although the Site Management Plan purports to address spill prevention, it merely recites generic BMPs. It does not state what specific measures will be used on this site, nor does it

show any locations for fueling, fuel storage, etc. The applicant needs to disclose what the nature and location of the fuel storage and vehicle refueling and maintenance process will actually be, and what measures will be taken to prevent spills and toxins from entering surface and groundwater. As discussed previously, there is a real danger of surface water contamination and or groundwater contamination through the bottom of the mine floor if this issue is not properly addressed.

Question #7.b. Noise: This section requires disclosure of health impacts related to noise generated from the project on-site and off-site. The applicant submitted an "Updated Noise and Vibration Study" (November 2018), which concludes through modeling that the noise generated from the mine, and from off-site trucking, is within the limits set forth in Skagit County Code. There are several major flaws in this study that call into question its thoroughness and validity:

- Concerning the computer modeling of mine operation noise levels, the November 2018 noise study states "A front-end loader, dozer, and excavator were assumed to operate concurrently in the mine", with noise levels at 100 feet from each shown as 75, 75, and 76, dBA respectively. The study does not cite the source for these numbers. Presumably, different sizes and models of heavy equipment generate different levels of noise, and are not interchangeable for noise level modeling purposes.

- Furthermore, the noise study appears to address only "typical" mine production levels, not the "extended hours" production scenario of up to 5,000 tons per day described in the September 2020 DN Traffic Consultants Traffic Impact Analysis. Presumably, the latter would require more pieces of heavy equipment to accomplish, as well as more trucks. Based on the seasonal nature of sand and gravel demand, it seems likely that the mine would exceed "typical" or "average" production levels for extended periods during late spring, summer, and early fall. For a noise study to be valid, it must address the <u>maximum</u> production level.

- The computer modeled noise level receptor labeled "R3" is located approximately 900 feet north of the receiving property boundary, not at the receiving property boundary as required under WAC 173.58-020(11) and 173-60-040(1).

- The study does not address the significant noise fully loaded truck/trailer combinations will generate using their compression brakes while descending the Grip Road hill. Adding an "average" of 46 diesel trucks a day (or 30 trucks an hour, as under the "extreme" scenario from the DN Traffic Impact Analysis) onto Grip and Prairie Road will be a major change to the soundscape for residents along the haul route for the next 25 years regardless of whether the trucks exceed legal noise limits.

There are 100 homes within a mile radius of the proposed mine, and 375 homes within a 2 mile radius. Even if the applicant's consultant can somehow create a model that shows that the noise generated from the mine and truck traffic is below the thresholds set out in the WAC and Skagit County Code, the ambient noise from the mine and the trucks will become a constant backdrop for the residents in the surrounding area. This noise will have a lasting impact on public health, on the quality of life in this quiet rural neighborhood, and on wildlife. Per an article titled "The Adverse Effects of Environmental Noise Exposure on Oxidative Stress and Cardiovascular Risk" in the National Institute of Health's online National Medical Library, "Epidemiological studies have provided evidence that traffic noise exposure is linked to cardiovascular diseases such as arterial hypertension, myocardial infarction, and stroke."

The SEPA checklist and accompanying documents contain no discussion of ways to reduce or mitigate noise impacts, instead the focus is simply on proving that this new unprecedented level of industrial scale noise pollution will somehow meet legal standards. What is "legal" and what is "acceptable" are not interchangeable.

Light and glare (SEPA Checklist Section B. #11. The applicant apparently intends to operate the mine during dark hours, however the application does not describe the type of lighting that will be used on site. Nor does the application identify whether, or what, lighting would be installed for security purposes. The 700 acres owned by the applicant is currently used only for forestry, and it is dark at night. The type of lighting used for heavy construction tends to be very bright and penetrates into the night sky. Measures need to be taken to minimize light pollution from the site. Impacts on migrating birds from even small amounts of outdoor lighting is well-documented.[7] The applicant needs to describe the type and extent of the lighting systems that are planned, and appropriate mitigation measures need to be required, including down-shielding of all lights, and installing motion sensors and controls where constant lighting is unnecessary.

Recreation (SEPA Checklist Section B. #12: This section requires disclosing "designated and informal recreational opportunities" in the vicinity. The applicant's response mentions only hunting and fishing. In fact, local residents walk on Grip and Prairie Roads, and the haul route along Grip and Prairie Roads is a popular recreational bicycling route. The route is included in a "Skagit County Bike Map" produced by Skagit Council of Governments, and distributed by Skagit County Parks Department. This same bike map is also included in Skagit County's 2016 Comprehensive Plan, as the "Bicycle Network Map"; it includes Grip and Prairie Roads as part of the inventory of the County's non-motorized transportation system. This important recreational activity was not disclosed in the SEPA checklist; nor were impacts to it evaluated. As discussed elsewhere in this letter, Grip and Prairie Roads

[7] https://www.fws.gov/news/blog/index.cfm/2020/4/22/Lights-Out-for-Migrating-Birds

are narrow and substandard with soft or nonexistent shoulders. There are many parts of this route where there is literally no option for a cyclist to move to the right to make room for a passing vehicle. The recent addition of guardrails on portions of Prairie Road have had the effect of eliminating options for a shoulder and narrowing the roadbed even further (guardrails were apparently installed more to protect power poles from vehicle collision than for public safety).

The introduction of an average of five tandem gravel trucks an hour (much less the 30 trucks an hour under the "extreme" scenario) to this route will render recreational cycling not only unpleasant, but very dangerous. Mitigation and alternatives could be identified for reducing the impact of trucking on these important recreational uses, such as widening and hardening road shoulders, limiting the number of trucks allowed per day on the road and designating 'safe passage' times during each day, when trucks are not allowed to haul from the site.

The omission in the SEPA checklist and project documents of the impact on pedestrians and bicyclists along the haul route is just one more example of the serious inadequacies in the application materials, and the disregard for public safety shown by the applicant. Issues regarding public safety related to truck traffic and the condition of County roads along the haul route are further discussed below under traffic.

Transportation/Traffic (SEPA Checklist Section B. #14): The SEPA Checklist and Supplement asserts that that no improvements to existing roads are necessary and that traffic generated will be "typical" of mining operations. The Checklist and Supplement then reference studies conducted by their traffic consultant DN Traffic Consultants without providing further details. However, a review of those documents reveals that "typical" traffic is a stunning 11,765 truck trips per year. The SEPA documents do not identify this number. DN Traffic goes on to calculate that this will "average" 46 truck trips per day. However, given the seasonal nature of gravel mining, this "average" is meaningless. The number of trucks that the applicant intends to deploy on a daily or weekly basis has never been clearly defined. This makes it impossible to evaluate the actual intensity of use and potential threats to public safety.

DN Traffic Consultants' more recent "Traffic Impact Analysis" (TIA), submitted in September 2020, seems intended to address the basic requirement that a TIA be done for this project (we have been requesting a TIA since we first learned about the permit application in 2016). It also seems intended to address at least some of the issues we have raised in the many comment letters we have submitted since that time. However, the document fails on both counts. While we intend to submit a detailed comment letter to the county on the entire TIA in the future, we provide below a summary of some of our main concerns.

- It does not meet the requirements and format for a Level II TIA as set out in Skagit County Road Standards, 2000 (SCRS) (SCRS 4.01-4.02 and Appendix A).
- It does not state whether the information included in the TIA supersedes previous inconsistent and/or contradictory information submitted by the consultant and the applicant regarding critical aspects of the project, including hours of operation and numbers of truck trips. This adds to the overall lack of definition for the project rather than clarifying it.
- It proposes that if the applicant needs to exceed a limit of 46 truck trips per day to meet demand (up to a limit of 29.4 trips each way per hour, or 294 trips per 10-hour operating period), they will first request permission from the County, and then Public Works will be responsible for determining temporary safety measures to mitigate for the increased risks. This is problematic in several regards:
    - It does not state how often and for how long this "extended hours operation" could occur.
    - It seems to imply, without ever stating clearly, that hauling under this scenario would take place for only 10 hours per day, while mining would happen for unspecified "extended hours." Since the applicant has repeatedly asserted their right to operate up to 24 hours per day, seven days per week, we must assume that both accelerated mining and hauling could take place during those hours. The actual number of round trips per 24-hour period under this scenario would be 706, meaning there would be 1,412 one-way truck trips every 24 hours, and 60 one way truck trips every hour. Mine traffic impacts must be evaluated on this basis.
    - Without specifying what measures would need to be implemented to ensure traffic safety under this "extended hours" scenario, the applicant defers its obligation in this regard to the County and potentially exposes the County to liability.
- It contains false statements regarding existing road conditions and uses, as well as future uses, for instance:
    - As previously noted, the statement that there are no designated bicycle routes on the roads proposed for the haul route, when in fact a map of these routes is included in the non-motorized transportation component of the County Comprehensive Plan.
    - The statement that the shoulders on Prairie Road vary from two feet to four feet wide. In actuality, recently installed guardrails on the south side of the road practically eliminate the shoulder entirely for a considerable distance along the haul route.
    - The statement that there is no significant development planned that will impact traffic levels on the proposed haul route. In fact, the County has already approved bringing Kalloch Road and North Fruitdale Road up to arterial

standards to provide better access from the north to the Sedro Woolley Innovation for Tomorrow (SWIFT) Center. The bulk of this traffic from the north will come via I-5, Bow Hill Road, Prairie Road, Grip Road, and Mosier Road. In addition, a major new residential development is planned for north of Sedro Woolley between SR9 and Fruitdale Road. This will also generate a significant amount of traffic to the north via these same roads.

- It omits key facts and conditions, such as:
    - The existence of several Burlington and Sedro-Woolley School District bus routes along the proposed haul route. It makes no mention of these bus routes; does not analyze the threats presented by mine truck traffic to the safety of schoolchildren, parents, or district employees and equipment; and proposes no mitigation actions for these risks.
    - A major roadway misalignment issue on the Grip Road Hill curves, which requires that a truck with pup trailer repeatedly encroach on both the centerline and the edge of the pavement (there is no fog line) while navigating this very narrow, steep section of the road.
    - The existing, progressive failure of the pavement and roadbed on the outside of the uphill (south side) lane of traffic in the above location. This presents both a safety hazard to the public and an ongoing maintenance liability for the county.
- It documents some of the other existing, critical road deficiencies and traffic hazards but either omits corresponding mitigating actions or proposes inadequate mitigation actions. For example:
    - It documents that a truck with pup trailer cannot navigate the two 90-degree curves on Prairie Road east of the Old Highway 99 intersection in either direction without encroaching significantly on both the fog line and centerline. It acknowledges that this constitutes a traffic safety hazard, but does not propose any mitigation actions. Instead, it states that the County is responsible for dealing with this issue.
    - It proposes a flashing yellow light warning system to mitigate for inadequate sight distance at the Prairie Road/Grip Road intersection, a measure the author of the TIA described as "temporary" in an earlier traffic memo. This is the same place where, in an email obtained via public records request, former PDS Senior Planner John Cooper described coming upon the scene of an auto accident at this intersection and being told by the attending Sheriff's Department officer (who himself was a former commercial truck driver) that a flashing yellow warning light would be insufficient to prevent accidents in that location (John Cooper email to Dan Cox, 1/30/2017).

In addition, in the TIA fails to disclose serious impacts with regard to use of the bridge over the Samish River on Old 99. In response to information about the bridge's weight

restrictions, the TIA proposes either to reduce load weights or to use an alternate route that involves continuing west up Bow Hill Road from Prairie Road to I-5, heading south to the Cook Road exit, and then north on Old 99. However, these options either generate more truck trips than proposed (lighter loads equals more trucks trips) or follow a considerably longer haul route. The impacts from this longer haul route have not been analyzed. There are many concerns related to dozens of gravel trucks making their way up the steep Bow Hill Rd and entering and exiting two busy freeway interchanges, and passing through additional busy intersections that are already hazardous. And of course, either way, the cumulative mileage and emissions increase. These additional impacts have simply not been evaluated.

As we stated above, the comments included here on DN Traffic's TIA are only some examples of how woefully short this document falls when it comes to addressing the true scope of road and traffic safety risks associated with this project. Until these issues are thoroughly analyzed and comprehensive mitigation measures proposed, the only valid SEPA threshold determination for the proposed mine is a determination of significance (DS) requiring a full environmental impact statement (EIS).

Finally, to our knowledge, the County's hired traffic engineer/consultant, HDR, who has been reviewing the various traffic information submitted by the applicant, has never visited the site and actually observed the condition of the roads in question. All of the third-party review has been conducted remotely using information and data provided by the applicant and County – it is simply unacceptable that the reviewers signing off on the traffic studies have not observed in-person the problems with road conditions and safety.

Public Services (SEPA Checklist Section B. #15). The applicant states that there will be no impacts to public services, but absent measures to address the road safety issues discussed above, the traffic collision rate in this area will undoubtedly increase. This will create a heavier demand on law enforcement and first responders. In addition, the need for road maintenance will increase considerably with the hauling of 200,000 tons of gravel per year on Grip and Prairie Roads.

The applicant should be required to share costs of necessary infrastructure improvements as stated in Skagit County Comprehensive Plan Policies: *Policy 4D-5-3: Roads and Bridges: New public roads and bridges accessing designated Mineral Resource Overlay Areas shall be designed to sustain the necessary traffic for mineral extraction operations. Existing roads and bridges shall be improved as needed as each new extraction operation is developed. Cost sharing for the improvement of roads and bridges shall be negotiated between the permitting authorities and the applicant.*

6) **Appropriate mitigation measures or alternatives are not identified.** The overriding assumption in the application documents seems to be that this project requires very little mitigation. There is no real exploration of project alternatives or other ways proposed to reduce impacts. We find this very troubling, and it supports the need for a full EIS. Since key aspects of the proposal are still not clearly defined, it is difficult to fully explore appropriate permit conditions and mitigation measures. Nonetheless, it is clear to us that there are some pathways to addressing the project impacts. A few examples of alternatives that should be explored, and mitigation measures or permit conditions that should be required are discussed in the various sections of this letter, and identified below, along with a list of additional studies that need to be completed.

- Explore alternative project scenarios that include significantly scaled back rates of extraction, a smaller mine size and limits on daily truck trips.
- Limit hours of operation and hauling to daylight hours.
- Require a larger buffer on Samish River consistent with the County's Critical Areas Ordinance and Department of Ecology's guidance for protecting river and associated wetlands and sensitive & critical habitat from industrial uses.
- Require a larger undisturbed vegetated buffer between the active mine and adjacent private property, to reduce noise, vibration and dust.
- Major road and safety upgrades along the haul route need to be included before hauling is allowed, including but not limited to:
    - Traffic lights and/or turn lanes at critical intersections including: Grip Road at the intersection with the mine access road; at intersection of Grip and Prairie Roads; at the intersection of F&S Grade and Prairie Roads, at intersection of Prairie Road and Old 99.
    - Improve site distance to the east at intersection of Prairie and Grip Roads
    - Widen Grip and Prairie roads and harden shoulders.
    - Straighten and widen curves on Grip Road hill or find an alternate access point to the mine below the 'S curves' and hill.
    - Improve the two ninety degree turns on Prairie Road so that trucks can stay in their lanes.

- Gravel trucks must be restricted to the identified haul route (presuming necessary road improvements have been made). There are numerous safety issues with other haul routes that have not been evaluated, including at least four ninety degree corners on Grip Road heading east where it is impossible for large trucks to stay in their lane.
- The above safety concerns are also applicable to sale of mined materials to private parties and independent truckers. The application materials are not consistent regarding whether CNW intends to sell directly to third parties. If this were to occur,

these third party trucks would not necessarily stay on the identified haul route. Therefore sale to private parties and independent truckers from the site must be prohibited.

Additional Assessments or Studies needed:

- Fully updated Critical Areas study and Fish and Wildlife assessment of the larger property, including the private haul road and areas adjacent to it, with appropriate mitigation measures identified for the footprint of the entire project, not just the mine itself.
- Further evaluation needs to be conducted of the impact to the listed Oregon Spotted Frog and Bull Trout consistent with State and Federal Endangered Species Act.
- The impacts to hydrology and potential for exacerbating sedimentation and flooding problems from the increased impervious surface and heavy use of the haul road, especially in the gorge where the road crosses Swede Creek, needs to be evaluated and appropriate mitigation measures required.
- Full Level II Traffic Impact Analysis.
- A realistic estimate of the cumulative emissions from all of the mining activities on-site, as well as the diesel emissions from truck hauling needs to be made, and a mitigation plan proposed.
- A revised Noise Study that corrects the serious flaws identified in this letter.

We hope that you find this letter useful as you proceed with your review of this project, and the new SEPA process. We would be happy to discuss any of it further, and look forward to hearing from you. Thank you for your time and consideration.

Sincerely,



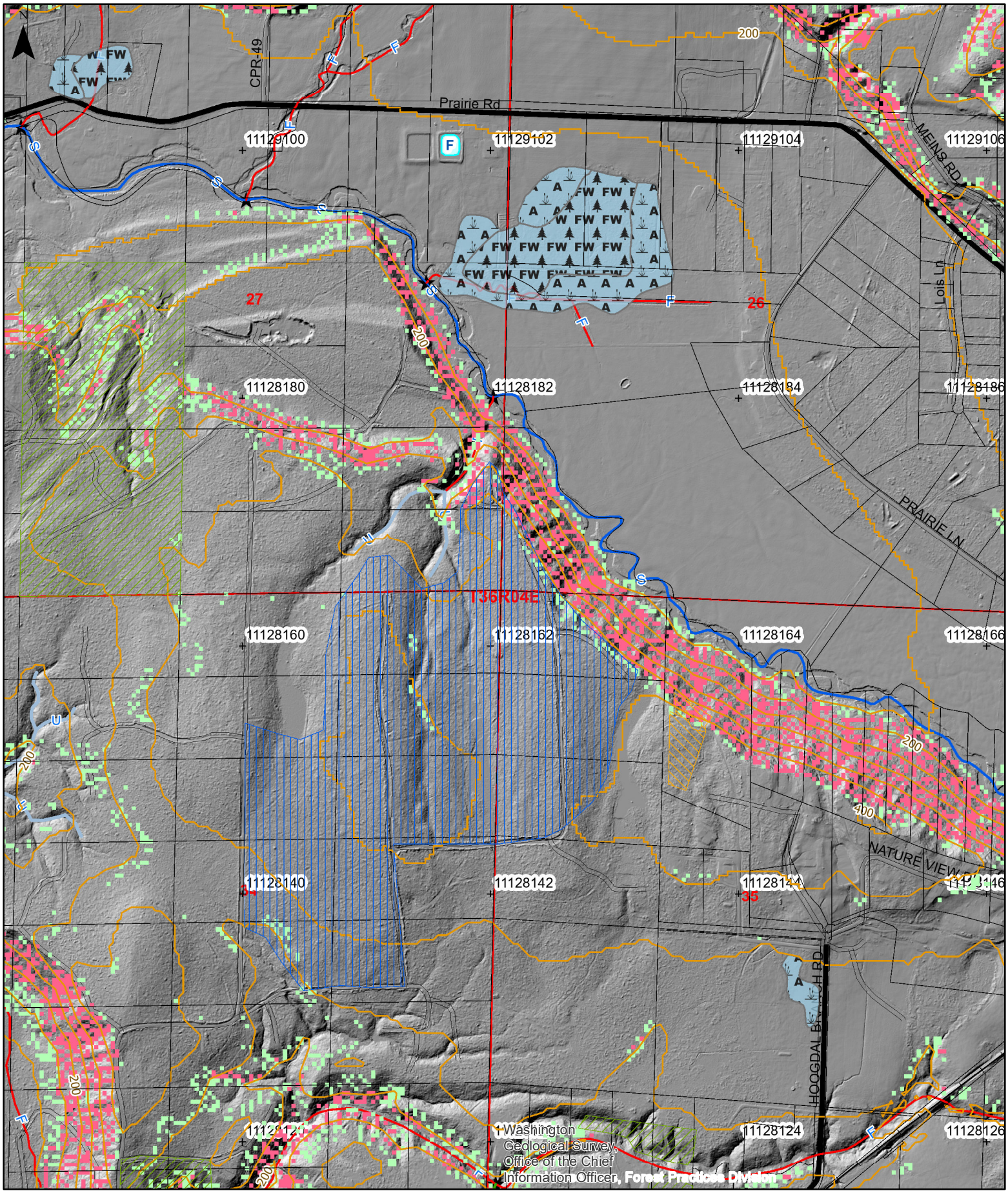
Martha Bray and John Day
6368 Erwin Lane
Sedro-Woolley, WA 98284

cc: Julie Nicholl, Skagit County Prosecuting Attorney
Kyle Loring, Attorney, Loring Advising

Encl: "Fish and Wildlife, and Water Quality (regulated Critical Areas) review" (Wiggins, November 2020

ATTACHMENT B

Active harvest -- Lisa Inc



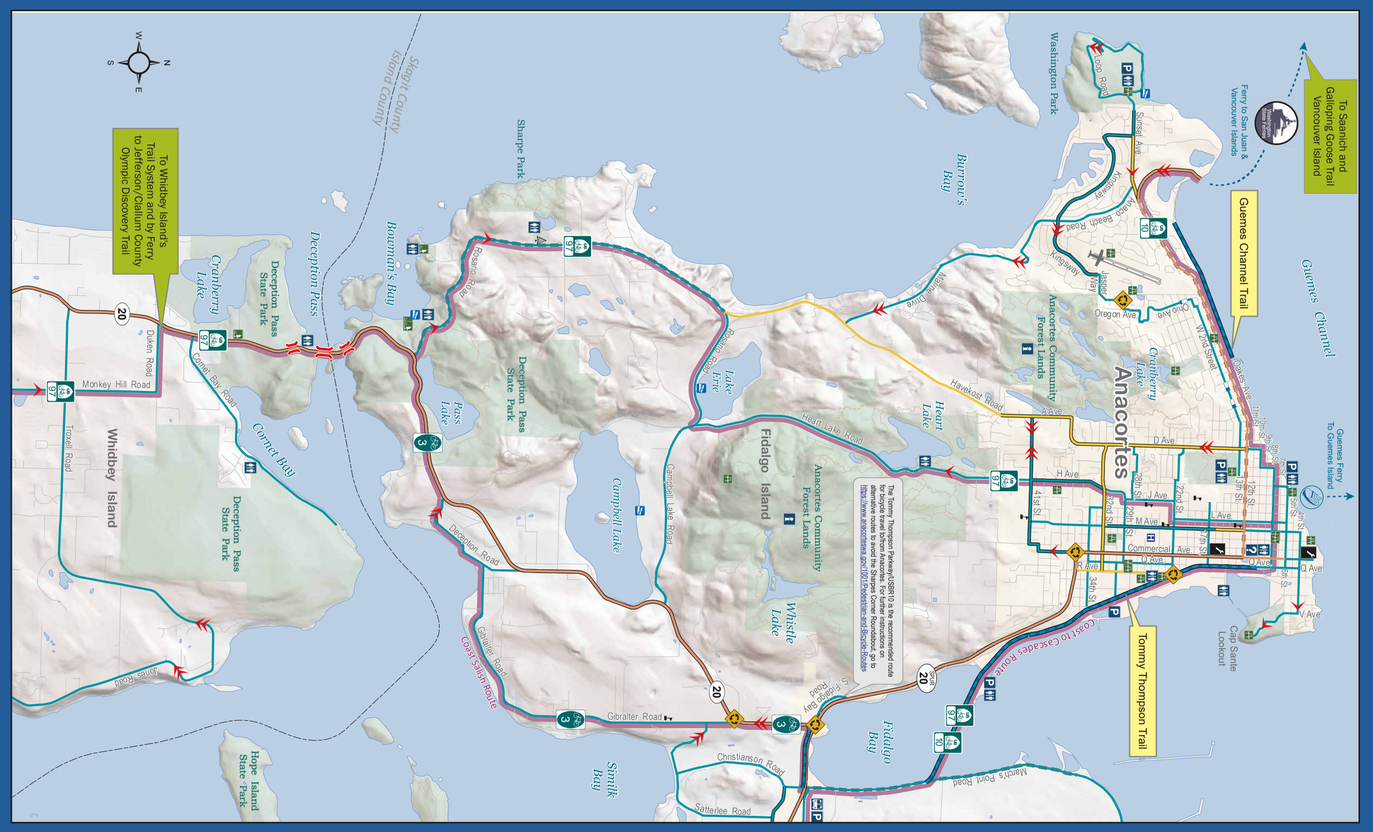
WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES

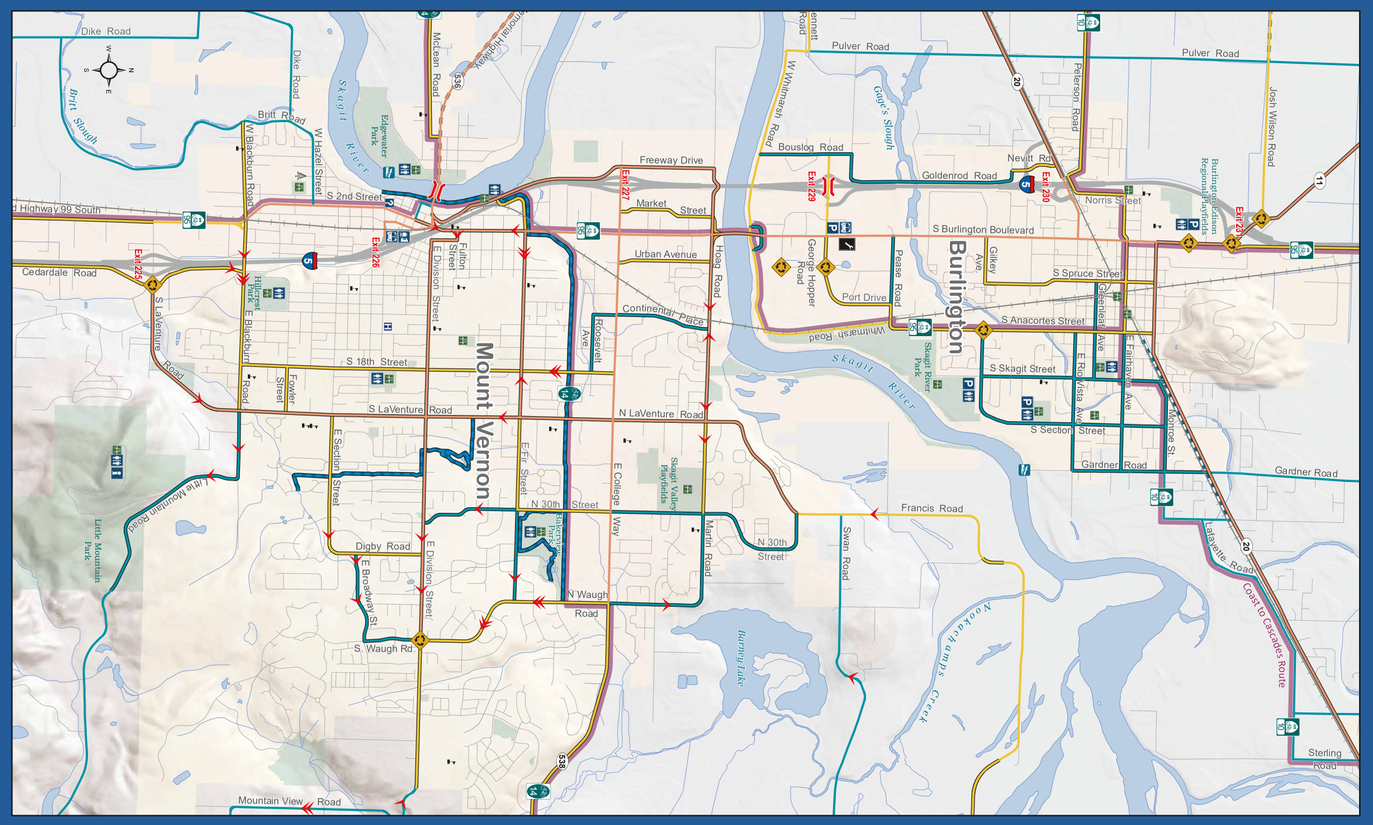
Extreme care was used during the compilation of this map to ensure its accuracy. However, due to changes in data and the need to rely on outside information, the Department of Natural Resources cannot accept responsibility for errors or omissions, and therefore, there are no warranties that accompany this material.

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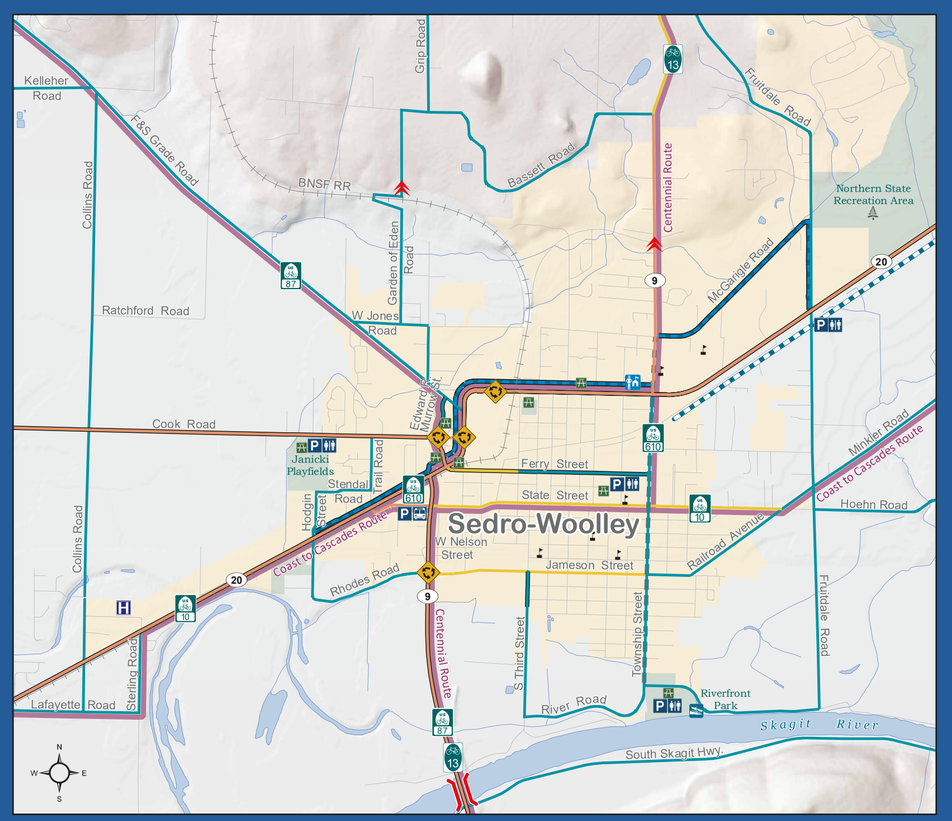
Date: 4/26/2021 Time: 5:05:00 PM

ATTACHMENT C









Discover the wonderful bicycling Skagit County has to offer.



The Skagit County Bike Map is intended to familiarize cyclists with the many great bicycling opportunities in Skagit County and to provide information to cyclists so they can make their own decisions as to which route is suited for their skill level.

The 2018 edition of the map is made possible with support and funding from: Skagit Regional Health, Anacortes Chamber of Commerce, bikespot, Skagit Bicycle Club, Island Hospital, Port of Skagit, Skagit Cycle Center, Sedro-Woolley Chamber of Commerce, Kiwanis Club of Burlington-Edison, Skagit Bank, Skagit Valley Food Co-Op, Sherman Physical Therapy, Shell Puget Sound Refinery and La Conner Chamber of Commerce.

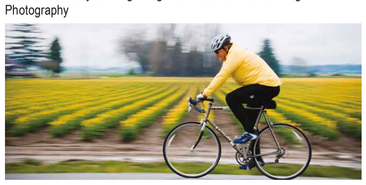
Special thanks to Skagit County Geographical Information Services, Skagit Council of Governments staff and Non-Motorized Advisory Committee members: Marie Erbstoeszer, Jeroldine Halberg, Steve Jahn, Liz McNett Crowl and Linda Talman. Thanks as well to Walt Farmer and John Pope for their assistance with the map.

To contribute, request multiple copies, or to send comments and suggestions, contact info@scog.net.

Cartography & Map Design: Kim Berry, Skagit County Geographical Information Services and Mapping Services

Graphic Design: Thomas Printing

Photos: Courtesy of Skagit Regional Health and Linda Wright Photography





The Non-Motorized Advisory Committee developed this map with the intent of encouraging safe bicycling, increasing physical activity, improving health, and increasing the amount of non-motorized transportation trips taken in Skagit County.

This map is intended to provide information to cyclists so that they can make their own decisions as to which route is suited for their skill level. Facilities in Skagit County range from narrow roads with no shoulder to roads with bike lanes or wide shoulders, and separated non-motorized trails. Likewise, vehicular traffic varies from low to high on the roads throughout the region.

The roads have been coded with input from local bicycle commuters, recreational cyclists, and transportation planners using criteria important to bicyclists including: grade, pavement condition, paved shoulder width, vehicle lane width, traffic volumes, and speed. The legend matrix of the roads should only be used as a guide. Cyclists should be prepared to make their own evaluations. Experienced cyclists may feel comfortable on medium and heavy traffic routes, while beginning and novice riders may prefer to stick to routes with designated bike lanes or lower traffic volumes.

This map and the accompanying information are intended solely to assist bicyclists in their selection of facilities to ride on throughout Skagit County. This map includes facilities within multiple jurisdictions, and as such, conditions and design elements may vary widely. It is the responsibility of the individual bicyclist to remain alert at all times as to the conditions of a facility, pedestrian and vehicle traffic, and the inherent potential for conflict in any shared-use space. Riders should always ride with care for their own safety as well as the safety of all users of a facility right-of-way.

Legend

4ft + Shoulder	2ft to 4ft Shoulder	No Shoulder	*Average Annual Daily Traffic
			Heavy Traffic 7000 + AADT *
			Medium Traffic 3,000 - 7,000 AADT *
			Low Traffic 0 - 3,000 AADT *

Federal and Regional Bike Routes

Separated Non-Motorized Trails — Paved / Unpaved

- Hill
- Steep Hill
- Narrow Bridge
- Roundabout
- Regional Bike Routes: 14; 3 - Coast Salish Route; 5 - Coast Millennium Route; 13 - Centennial Route
- US Bike Routes: 87, 95, 97, 610; 10-Coast to Cascades Route
- Visitor Information
- Parking
- Restrooms
- Transit
- Train Station
- State Route
- Interstate (No Bikes)
- Park/Public Land
- School
- County Park
- City Park
- State Park
- National Park Service Office
- Hospital
- Bike Shop
- Urban Areas

Additional Information Links

- Little Mountain Park Trails (360) 336-6125 http://www.littlemountainpark.org/map/
- City of Anacortes Parks and Recreation (360) 293-1918 www.anacorteswa.gov/490/Parks-Recreation
- Port of Skagit Trails 360-757-0011 http://scog.net/Content/2018/04/Port_of_Skagit_TrailSystem.pdf
- Link to Online Version of Bike Map www.skagitcounty.net/BikeMap

0 2.5 5 Miles

N W E S

Detail A Sharpes Corner

The Tommy Thompson Parkway/USBR10 is the recommended route for bicycle travel to/from Anacortes. For further instructions on alternative routes to avoid the Sharpes Corner Roundabout, go to https://www.anacorteswa.gov/1001/Pedestrian-and-Bicycle-Routes

Warning: Narrow Bridge With 2-Way Bike Path Over North Span Only. East Bound Bikes Must Double Under at SR20 Bridge

SAME ROADS • SAME RIGHTS • SAME RULES
Be Visible • Wear a Helmet • Be Alert • Have Fun

BE PREDICTABLE
Ride so drivers can see you and predict your movements. Remember that the rules in the driver's manual apply to bicyclists also.

BE ALERT
Ride defensively and expect the unexpected. Remember, bicyclists are more vulnerable.

BE EQUIPPED
Always wear a helmet. Use protective gear and wear visible clothing.

USE HAND SIGNALS
Hand signals tell others what you intend to do. Signal as a matter of courtesy and self-protection.

RIDING ON SIDEWALKS MAY BE PROHIBITED
Pedestrians have the right-of-way. Give them an audible warning before you pass. Watch for vehicles at driveways and intersections.

BE VISIBLE AT NIGHT
The law requires a strong headlight and a rear reflector or taillight at night or when visibility is poor. Wear light-colored clothes with reflective tape for extra protection.

OBEY TRAFFIC SIGNS, SIGNALS, AND LAWS
Bicyclists must follow the same laws as motorists. Stop at red lights and stop signs just as you would in a car.

FOLLOW LANE MARKINGS
Do not go straight in a lane marked right-turn-only.

RIDE WITH BOTH HANDS READY TO BRAKE
You may need to stop suddenly at unexpected times. In rain, allow three times the normal braking distance.

RIDE IN THE MIDDLE OF NARROW LANES
When the lane is too narrow for a car to pass you safely, ride in the middle of the lane.

YOU MAY LEAVE A BIKE LANE
When overtaking a bicycle, making a left turn, avoiding a road hazard or other obstruction or you are afraid a motorist might turn across your path, you may temporarily merge WITH CAUTION into the adjacent automobile lane for safety or better visibility.

RIDE IN A STRAIGHT LINE
Ride in a straight line and far enough from parked cars so you can avoid suddenly opened doors. Riding in a straight line allows others to anticipate what you are likely to do.

CHOOSE THE BEST WAY TO TURN LEFT
1) Like an auto, signal, move into the left lane, and turn left. Do not turn left from the right lane.
2) Like a pedestrian, use the crosswalk and walk your bike across the sidewalk.

NEVER RIDE AGAINST TRAFFIC
Bicyclists must ride with traffic. Approach velocities are unsafe! Motorists are looking for oncoming traffic when turning right.

SCAN THE ROAD AROUND YOU
Look ahead and anticipate what other traffic is likely to do. Watch for cars, people, pebbles, grates, etc. Learn to look back over your shoulder without losing your balance or swerving.

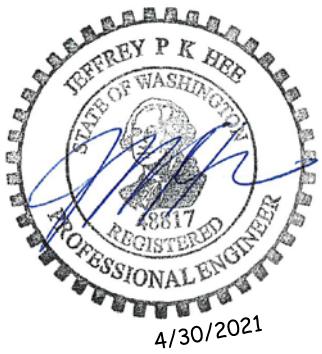
DO NOT PASS ON THE RIGHT
When approaching an intersection or driveway, be especially cautious and do not overtake a vehicle on its right; it might turn right in front of you.

RIDE SINGLE FILE
When riding with other bicyclists, ride in a single file line so automobiles can safely pass. Cyclists in front should warn those following of potential hazards.

008233

ATTACHMENT D

Transportation Solutions
INNOVATIVE | PRACTICAL | EQUITABLE



April 30, 2021

To: John Day and Martha Bray, Central Samish Valley Neighbors

From: Jeff Hee, PE, Transportation Solutions

Subject: Grip Road Grave Mine Traffic Analyses
Peer Review Comments

This memorandum provides my professional opinion comments on the Applicant's traffic impact analyses and responses to comments, Skagit County and HDR staffs' comments, and Skagit County's Re-Issued conditions for the proposed Grip Road Gravel Mine project. If you have any questions, please contact me at your convenience.

Main Comments/Questions

- What is the maximum trip generation and anticipated frequency of maximum trip hours and days? The November 30, 2016 Maximum Daily Truck Traffic memorandum forecasted a maximum trip generation of 60 truck trips per hour. The September 10, 2020 TIA documented an extended hours maximum haul operation of 29.4 truck trips per hour. The frequency and intensity of trips generated suggest a need for additional analysis and mitigation on the part of the Applicant.
- The County's April 15, 2021 Re-Issued MDNS gives the Applicant the option to improve substandard roadway conditions or to not use truck/trailer combinations. If the Applicant elects not to resolve substandard roadway conditions and use standard gravel trucks (no trailer), then the number of truck trips generated is anticipated to be higher than what was evaluated in the traffic analysis.
- The Applicant's mitigation measures do not address all impacts at the new mine access/Grip Road intersection. The intersection sight distance is not satisfied at the site access and the mitigation measures do not extend to Grip Road east of the new access. Additionally, it is my opinion that the sight distance impacts were not accurately disclosed.
- Safety impacts were identified on the proposed haul route in the vicinity of Friday Creek east of Old Highway 99. There are sections along the haul route where the roadside shoulder sections do not meet County standards. The analyses of roadway centerline and shoulder impacts just in the vicinity of Friday Creek, in my opinion, does not provide sufficient information to conclude the other sections along the haul route are adequate for gravel truck traffic.

This document is organized to present my comments and questions regarding the trip generation analysis, proposed site operations, sight distance analysis, roadway shoulder and centerline impacts, haul route impacts, and requests for additional information on the Applicant's traffic mitigation plans, level-of-service standards and impacts to Cook Road.

The comments that follow are based on criteria from the Skagit County Road Standards as applied to the analyses prepared by the Applicant's consultant. References include:

> Section 2.14. "Transportation and frontage improvements, SEPA mitigation, traffic impacts, fees, etc. or the proportionate cost share of the improvements based on peak hour trips and necessary to mitigate impacts of the development (or each phase of development if it is done in phases) shall be in place or paid no later than time of final plat approval or certificate of occupancy, whichever occurs first, for that development or

phase. If the improvements are not listed on the County Transportation Improvement Plan, they shall be installed prior to final plat approval.

"Frontage improvements will be required for all new development that front on an existing County road (See Section 13). Other transportation improvements that may be required will be identified in the Traffic Impact Analysis (See Section 4.06) and the Safety Analysis (See Section 4.09)."

Section 4.00. "All applications for land division and changes of land use shall include sufficient data to determine the amount of additional traffic generated by the development. Such data shall also be used as a guideline for access road and/or driveway requirements."

Section 4.06. "The County may require developments to make traffic impact contributions if the development significantly adds to a road's need for capacity improvement, to a roadway safety problem, or to the deterioration of a physically inadequate roadway. Such traffic impact contributions are in addition to transportation and frontage improvements required in the immediate area for access to and from the development. See also Section 2.14."

Documents Reviewed

- *Grip Road Gravel Pit Preliminary Traffic Information* February 8, 2016, DN Traffic Consultants.
- *Grip Road Gravel Pit Maximum Daily Truck Traffic* November 30, 2016, DN Traffic Consultants.
- *Grip Road Mine Response to Skagit County Request* April 13, 2020, DN Traffic Consultants.
- *Concrete Nor'West Grip Road Gravel Pit Project* April 28, 2020 Grip Road Gravel Pit Traffic Impact Analysis, HDR recommendations.
- *Concrete Nor'West Grip Road Gravel Pit Project* May 14, 2020 Grip Road Gravel Pit Traffic Impact Analysis by County Staff, HDR recommendations.
- *Mitigated Determination of Nonsignificance PL16-0097 and PL16-0098* May 26, 2016, Skagit County.
- PL16-0097 *Revised Request for Additional Information* July 31, 2020, Skagit County Planning and Development Services.
- *Grip Road Min Traffic Impact Analysis* September 10, 2020, DN Traffic Consultants.
- *PL 16-0097 Mining Special Use Permit Response to Additional Information Request, July 31, 2020,* October 8, 2020, Semrau Engineering and Surveying, PLLC mitigation plans.
- *Notice of Withdrawn and Re-Issued MDNS for Concrete Nor'West File #'s PL16-0097 and PL16-0098* April 15, 2021, Skagit County.

Trip Generation Impacts and Hours of Operation

Page 1 of the February 8, 2016 Preliminary Traffic Information memorandum states that hauling from the project is limited to 9 AM-3 PM on 260 working days (Monday-Friday) per year. The trip generation assumes an average and even distribution of truck traffic during those hours. The time frame is typically consistent with the consultant's conclusions that there will be negligible traffic impacts during the traditional AM (7-9 AM) and PM

(4-6 PM) peak hour traffic periods. The preliminary study forecasted the site's hourly trip generation to be 7.67 truck trips per hour.

Page 13 of the September 10, 2020 TIA changed the site operations to 7 AM-5 PM. Truck hauling was proposed to be limited to Monday-Friday and onsite activity proposed to extend to Saturday. Unlike the earlier project proposal, the current proposal will generate truck traffic during the peak hour periods. Under a typical operation, the TIA indicates that the site would generate an average of 4.6 combination truck/trailer trips per hour. The truck/trailer combination is assumed for all truck trips based on the 34-ton load capacity of the combination vehicle.

The frequency and to a degree the intensity of the peak number of truck trips generated by the site are unclear. The consultant's November 30, 2016 Maximum Daily Truck Traffic memorandum states that the maximum truck volume generated by the project could be up to 60 truck trips per hour, based on the availability of truck/trailer combinations in the County. The consultant's September 10, 2020 TIA computed a maximum truck volume of 29.4 trips per hour, assuming extended hours of operation and a higher daily volume transported for the site.

The forecasted maximum trip generation and frequency of maximum trip generating events needs to be clarified. It is assumed that maximum conditions will not occur every day or for every hour of the day; however, it is reasonable for the County to consider implementing restrictions on the project's operations. Restrictions such as prohibiting hauling during the weekday AM, PM, or school peak periods or limiting hauling to not to exceed 5 trucks per hour (based on the consultants 4.6 trucks per hour forecast) would reduce the potential for significant project impacts during peak traffic hours and during the time-periods associated with school bus pickup/drop-off.

Condition 12 of the County's April 15, 2021 Re-Issued MDNS allows the Applicant to limit their operations to non-truck/trailer combination vehicles unless other roadway safety mitigation measures are satisfied. If the Applicant elects to limit their operations to trucks without trailers, then the number of truck trips generated by the project is expected to be higher, due to the smaller hauling capacity of a gravel truck and assuming the same annual and daily tonnage goals provided by the Applicant.

A higher trip generation scenario, based on restrictions on the truck types, should be evaluated. Also, it is common practice to update level-of-service analyses provided in the September 10, 2020 TIA should the trip generation increase.

Trip Generation Impacts and Hours of Operation Additional Comments/Questions

- Does the trip generation account for onsite workers and mining/non-haul operations?
- The site operations have changed from 2013 to 2020. The average-normal hourly trip generation has ranged from 4.6 to 7.67 hourly truck trips. What is the peak hour trip generation anticipated?

Sight Distance Analysis

Sight distance factors include design speeds, brake reaction times, braking distances, and time gaps for turning vehicles, among other factors. Skagit County Road Standards Section 2.02 includes the following speed definitions:

Design Speed - A speed determined for design and correlation of the physical features of a highway that influence vehicle operation: the maximum safe speed maintainable over a specified section of road when conditions permit design features to govern.

Operating Speed - Used for determination of sight distance. Operating speed should be equal to the P85 speed for existing facilities and be equal to the design speed for new facilities.

Tables 5 and 6 from the September 10, 2020 TIA indicate that the posted speed was used to evaluate the sight distance requirements.

There are several locations where sight distance was identified as a concern. The County's Road Standards, suggest a design speed alternative to the posted speed. The Skagit Council of Governments (SCOG) publishes measured daily traffic volumes and 85th-percentile speeds on their website. A common practice is to use the 85th-percentile speed as the design speed when evaluating sight distance. The sight distance analyses should be revised to reflect the publicly available speed data from the SCOG. I note that in some instances the sight distance may be better than reported by the Applicant's consultant and in other instances sight distance may be worse, when revised using the SCOG data.

Page 11 of the September 10, 2020 TIA states that; "Existing sight distance at Prairie Road/Grip Road and Prairie Road/F&S Grade Road intersection is the responsibility of Skagit County. If sight distance deficiencies exist at these intersections, it is the responsibility of the County to make necessary improvement to provide acceptable sight distance."

Page 11 of the TIA states that; "The Applicant is responsible for providing acceptable SSD (stopping sight distance) and ISD (intersection sight distance) at Grip Road/site access." Page 12 of the TIA identifies intersection sight distance deficiencies at Prairie Road/Grip Road and Grip Road/site access. At Grip Road/site access the TIA states; "In this case, it is estimated there would be no more than one (1) left turning truck during the PM peak hour from the Mine access road. The WSDOT Design Manual (section 1310.05 Intersection Sight Distance), however, indicates that ISD is not required for low volume roadways such as Grip Road."

The Skagit County Road Standards are not based on the WSDOT Design Manual. The WSDOT Design Manual does not appear to include exemptions from sight distance requirements for low volume roads. The WSDOT Design Manual reference, does not deal with sight distance.

On April 28, 2020 HDR comments recommended a reanalysis of sight distance based on truck and trailer combinations and also mitigation for entering sight distance at the site access.

The September 10, 2020 TIA states that; "one (1) left turning truck is forecast during the PM peak hour from the Mine access road". There is no sight distance mitigation proposed to the east of the mine access. The warning beacon system proposed for sight distance mitigation, if still reasonable with any changes trip generation, should be extended to the east of the mine access, at minimum.

The warning devices are recommended by the Applicant and accepted by HDR and the County staffs. Since these devices are intended to mitigate and not resolve existing sight distance deficiencies, which the Applicant's consultant has indicated are the responsibility of the County, it is requested that the hours of hauling operations be limited to daylight hours to afford roadway users optimal conditions to navigate through sight distance impaired locations.

Sight Distance Analysis Additional Comments/Questions

- Is County's Vision Clearance Triangle (Road Standards Figure C-2) satisfied in the study area?
- Were sight distance exhibits submitted and are they available for review?
- What is the speed needed to achieve sight distance at the study locations?
- Intersection sight distance for truck/trailer combinations was not evaluated at the F & S Grade Road/Prairie Road intersection (Table 6 September 10, 2020 TIA); and thus, it is requested that mine traffic be prohibited from using F & S Grade Road, unless additional analysis or mitigation is provided.

Roadway Shoulder and Centerline Impacts

Page 20 of the September 10, 2020 TIA states; "Prairie Road has a number of curves which would force the dump truck/pup rigs to encroach on the centerline or the shoulder." Page 21 states; "The Consultant prepared an AutoTurn® analysis of these turns on Prairie Road approximately 1200 lineal feet and 1800 lineal feet east of the Prairie Road/Old Highway 99 intersection. Based on this analysis, it was estimated the dump truck/pup trailer combination is expected to encroach approximately two (2) to three (3) feet onto the shoulder of over the centerline." Page 21 later states; "Potential encroachment of the dump truck/pup combination on shoulder and center line is a safety concern. It should be noted the roadways are not consistent with current Skagit County Road Standards for shoulder widths."

The exhibits included in the TIA are hard to read. The exhibits do not provide dimensions and specifications for the non-standard, "custom", truck/trailer design vehicle. Common practice for reporting vehicle-turn results is to provide an exhibit clearly showing the design vehicle and its analysis specifications. This is reasonable considering the design vehicle is "custom" and was created for this analysis.

The Grip Road east of the Prairie Road and west of the site is narrow and includes ditches, curve warning and speed reduction signs, guardrails, no shoulder striping, limited available shoulder area and a relatively steep grade section. Common practice is to apply design vehicle turning templates to justify the roadway section(s) can support the desired vehicle. No turning templates or similar analyses were applied to Grip Road based on the materials provided to review.

The Re-Issued MDNS Condition 12 gives the Applicant an option to operate with gravel trucks (no trailers).

To verify that the proposed haul route can support truck/trailer combinations or gravel trucks (no trailers) the Applicant's consultant should provide additional turning templates to support use of the existing road section.

Haul Route Impacts

Page 1 of the County's July 2020 Request for Additional Information document identifies concerns that truck/trailers will not be able to navigate the 90-degree turns on Prairie Road directly east of Friday Creek.

The project trip distribution, Figures 4 and 6 in the September 10, 2020 TIA, shows truck trips to/from the east of the site on Grip Road.

The 90-degree turns on Grip Road directly of the site access have similar challenges as those on Prairie Road near Friday Creek. There is no analysis that supports a truck/trailer combination traveling to/from the east of the site. I recommend that the County limit the haul route to/from the west of the site unless the roadway

geometry to the east of the site is analyzed and there is documentation provided to support a haul route either for truck/trailer combinations or a truck (no trailer) vehicles east of the site.

The crash history on pages 9 and 10 of the September 10, 2020 TIA does not report or evaluate collision trends on road segments on the haul route. It is common to include segment crash trends in a TIA, particularly when the analyses disclose safety issues on the haul road segment in the vicinity of Friday Creek and also since the County is allowing the Applicant the option of not mitigating certain existing substandard conditions.

Haul Route Additional Comments/Questions

- It would be useful if turning templates could be amended to show the gravel truck (non-combination) impacts at key locations along the haul route.
- The total crashes at I-5 SB Ramps/Bow Hill Road and at Old Highway 99 N/Bow Hill Road/Prairie Road are different in Tables 2, 3, and 4 in the September 10, 2020 TIA.
- The TIA report recommends improvements at Prairie Road/Old Highway 99. Will the Applicant complete the improvements recommended in the report?
- The analysis does not provide any conclusions on if the project traffic will increase the frequency and severity of collisions on the haul route, given the haul route's geometric and sight distance constraints.

Mitigation Plans Additional Comments/Questions

The plans included for the Mine Access do not include street names and are difficult read. May new copies be sent of Sheets 3 and 10 and any other relevant sheet?

Other Comments/Questions

- The TIA does not address the segment LOS requirements, per the County Road Standards. Based on the analyses to date, this is not likely to be a significant issue, unless the trip generation radically increases.
- The TIA references a weight limitation on the Samish River bridge on Old Highway 99. The Re-Issued MDNS requires the project to comply with the weight restrictions on the bridge. Compliance to the bridge loading was addressed in the TIA by redistributing traffic to I-5 southbound to the Cook Road interchange. The WSDOT, SCOG and County have identified traffic issues on Cook Road at the interchange and at and on Old Highway 99 and related to the local railroad crossing. Does the redistribution of truck traffic to Cook Road affect traffic operations and warrant mitigation?

ATTACHMENT E

Washington Dept of Fish & Wildlife

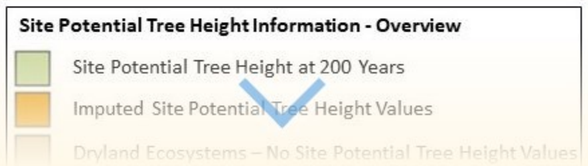
Priority Habitats And Species: Riparian Ecosystems and the Online SPTH Map Tool

This mapping tool provides site-potential tree height information at the parcel level state-wide. However, the specific application of this tool is for those areas that are proximate to waterbodies - also known as the riparian ecosystem.

The riparian ecosystem is the extent of the area alongside a waterbody that significantly influences the exchange of energy and matter among terrestrial and aquatic ecosystems. Riparian ecosystems are a focal point for conservation because within them, protection of full riparian functions are possible. In addition to fish and wildlife habitat connectivity, those functions include bank stability, shade, pollution removal, and contributions of detrital nutrients and of large woody debris. For more information see: ***Riparian Ecosystems***, *Volume 1: Science Synthesis and Management Implications* and *Volume 2: Management Recommendations*.

Using this online map tool:

- The online map contains GIS data layers that will provide you with site-potential tree height (SPTH) values (in feet) for forested ecoregions (green), imputed site-potential tree height values (in feet) for selected urban areas (gold/orange), steps to derive a riparian management zone width value for dryland ecosystem areas (brown), or directions for contacting WDFW Habitat Biologists for riparian guidance for lands that have no site-potential tree height values (tan).



Site-potential Tree Height (SPTH) and Riparian Management Zone (RMZ) Values

Find address or place

Legend

Washington State NHD Hydrography

NHD Coastline

NHD Rivers
- Stream / Perennial
- Intermittent / Ephemeral
- Canal, Ditch
- Pipeline
- Connector

NHD Waterbody
- Lake, Pond, Reservoir
- Swamp, Marsh
- Ice Mass

NHD Area
- Large Rivers
- Canal, Ditch
- Foreshore
- Rapids

Site Potential Tree Height Information

Site Potential Tree Height at 200 Years

Imputed Site Potential Tree Height Values

Other Lands - No Site Potential Tree Height Values
- No NRCS soil information available
- No SPTH site index data available

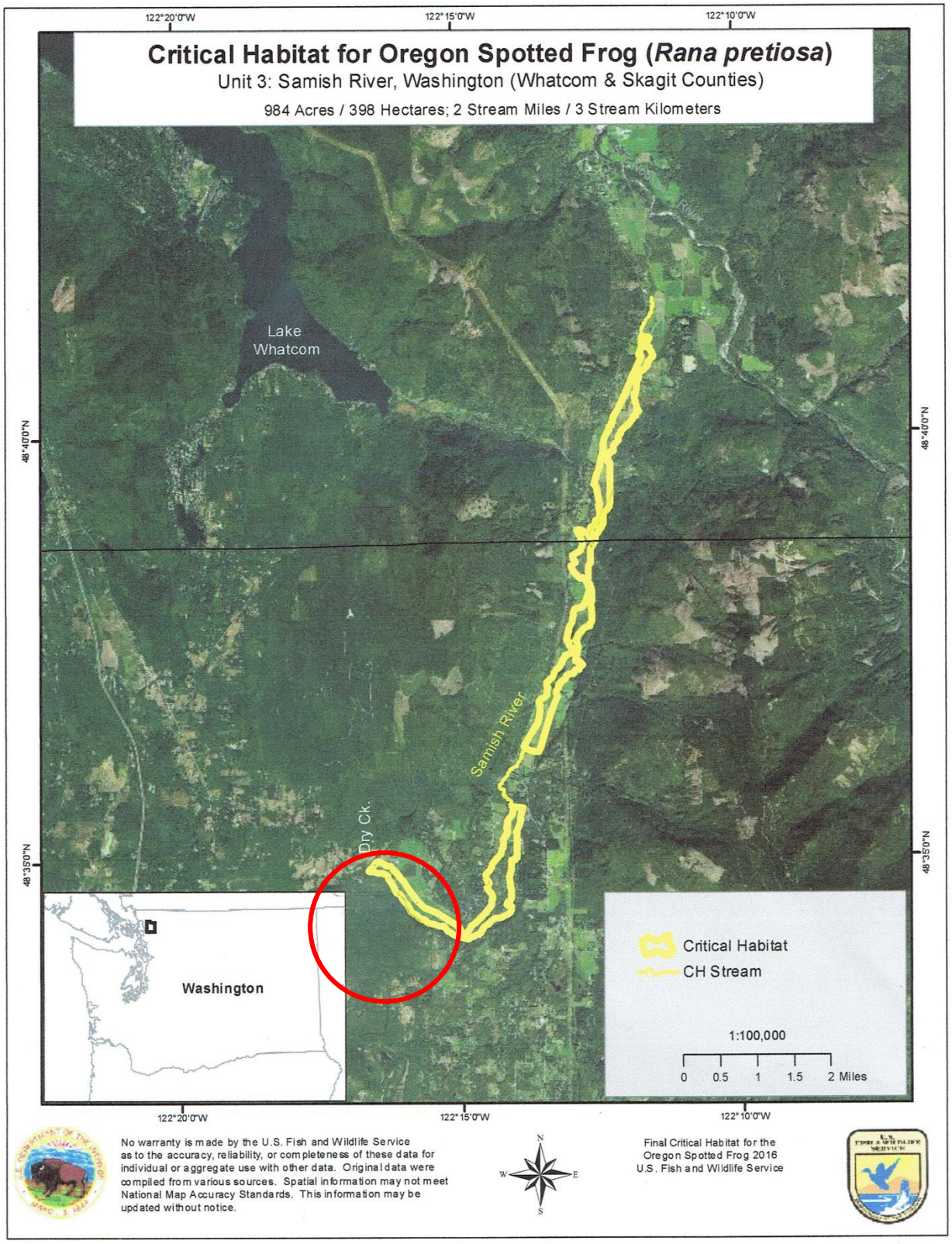
Dryland Ecosystems: No Site Potential Tree Height Values
- Red: Band_1
- Green: Band_1
- Blue: Band_1

600ft

48.5734 -122.2727 Degrees

Maxar | WDFW

ATTACHMENT F


Critical Habitat for Oregon Spotted Frog (*Rana pretiosa*)
Unit 3: Samish River, Washington (Whatcom & Skagit Counties)
984 Acres / 398 Hectares; 2 Stream Miles / 3 Stream Kilometers
122°20'0"W
122°15'0"W
122°10'0"W
48°40'0"N
48°35'0"N
Lake Whatcom
Samish River
Dry Ck.
Washington
Critical Habitat
CH Stream
1:100,000
0 0.5 1 1.5 2 Miles
N
S
E
W
No warranty is made by the U.S. Fish and Wildlife Service as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. Spatial information may not meet National Map Accuracy Standards. This information may be updated without notice.
Final Critical Habitat for the Oregon Spotted Frog 2016
U.S. Fish and Wildlife Service

April 29, 2021

Michael Cerbone, Assistant Director
Skagit County Planning and Development Services
1800 Continental Place
Mount Vernon, WA 98273

RE: Mitigated Determination of NonSignificance for proposed Grip Road Gravel Mine
File #'s PL16-0097 & PL16-0098

Dear Mr. Cerbone,

Central Samish Valley Neighbor's attorney, Kyle Loring, is submitting comments on behalf of our group regarding the recently re-issued MDNS for the proposed Grip Road Gravel Mine. That letter provides a more comprehensive review of our concerns regarding this SEPA review process, and we fully support its findings. However, we are also submitting a few additional comments directly to express our concern with the state of this application and permit review process.

Even though this project has supposedly been under review by PDS for more than five years, it appears that very little has changed about the original proposal, especially in terms of protection of the natural environment. In fact, none of the assessments and application documents related to protection of fish, wildlife, and air and water quality have been updated (except the 2017 "Addendum to the Fish and Wildlife Assessment further evaluating ESA listed species", wherein there is a clear disclaimer stating that the addendum is not intended to address requirements of the ESA). The SEPA documents were incomplete and inaccurate in 2016-2017 and they still are. Further, it appears that the County has ignored almost all of the concerns expressed by the community on these matters over the past years. We acknowledge the County's efforts to provide better information regarding traffic and public safety impacts, however the additional traffic analysis has obvious, glaring omissions and the proposed mitigation falls far short.

And, now, there seems to be a rush to push through a new Threshold Determination without truly taking into consideration new public comment (as indicated by publishing the deadline for a SEPA appeal prior to even receiving public comment on the MDNS). This does not feel like a sincere effort at public process.

The volume of information referenced in the MDNS serves mostly to confuse and obfuscate. We have spent countless hours poring through these documents trying to understand what the applicant really proposes to do. And yet, we still don't know how many daily truck trips to expect (presumably somewhere between "46 per day" and "30 per hour"). We are still confused about whether the applicant will adhere to "normal" or "extended hours" scenarios; or, whether they plan to haul during peak traffic hours or not. In addition, if they are allowed to haul during peak hours and/or at volumes up to 30 per hour, why doesn't the MDNS specifically state this and require appropriate mitigation measures? With the modest requirement to fix some of the most glaring safety hazards on Prairie Road prior to using trucks with trailers, we are now confused as to whether they will run more single trucks until this work is completed, or if they might use 'alternative haul routes' instead – potentially generating even larger number of truck trips and/or new haul routes that haven't been evaluated at all for safety concerns. In fact, we still don't know what the haul route will be, with the MDNS simply stating that material will be "transported to nearby facilities for processing or sold directly to market".

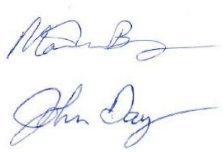
We still find no mention in the traffic analyses of dozens of trucks per day added to the narrow steep "S" curves on the Grip Road hill. Community members have repeatedly expressed the danger of school buses, farm equipment and commuters encountering tandem gravel trucks here, yet it is not even mentioned, let alone evaluated. We find it bewildering that the County has still not required the applicant to clarify these issues.

We don't even know if the County will require a 300-foot buffer on the Samish River, even though this is clearly required by the County's CAO. And, we still don't understand why the applicant wasn't required to conduct an environmental review of the entire footprint of the project, including the two-mile long private haul road that is clearly integral to the project, with approximately 12,000 truck trips annually traveling on it.

This is an industrial scale development located in a vibrant rural community and a sensitive watershed, where no commercial mining anywhere near this scale has occurred. The applicant and the County still don't seem to grasp the magnitude of impact and permanent change this proposal would cause to the place we call home. Before this proposal moves forward, the County needs to reverse its Threshold Determination under SEPA, and require a full Environmental Impact Statement that fully evaluates the impacts, appropriate mitigation, and identifies scaled back alternatives.

Thank you for your time and consideration.

Sincerely,



Martha Bray & John Day
6368 Erwin Lane
Sedro-Woolley, WA 98284

Matt Mahaffie
22031 Grip Road
Sedro Woolley, WA 98284

April 30, 2021

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

RE: PL16-0097

Dear Mr. Cerbone,

I am writing in comment to the special use permit application PL16-0097, a proposed operation of a gravel mine by Concrete Nor'West. I am supportive of the need of the company to have a reliable source of their base material going into the future, a need that also in many cases has a public benefit, but have serious concerns about the proposal as presented which will place undo burden upon the local community's quality of life, safety, and environment without any meaningful mitigating measures volunteered by Concrete Nor'West nor Skagit County, even after extensive public input for several years.

I am very familiar with this property, having spent over 20 years traversing all portions of the property when it was open for public access (previous owners) as well as reviewing it professionally as a wetland/critical areas specialist under other development proposals. I am also a nearby resident of the community who also spent many years as a CDL licensed driver of the types of trucks proposed to be utilized with this endeavor. Specific concerns are as follows:

Critical Areas Review

In the normal course of work I personally have the utmost respect for Graham-Bunting Associates and Skagit County Planning staff, and as previously commented, respectfully disagreed with a few key findings presented with the supplied report and/or the scope of work that should have been specified by Skagit County. The fact that these distinct factual errors and very clear requirements of Skagit County Code were ignored after being pointed out by the Washington State Department of Ecology, two Skagit County approved Critical Area specialists, and countless community members is very disturbing.

- The singular wetland rating put forth appears accurate. However, the land use intensity (moderate) put forth in no way conforms to the land use intensity description put forth in Appendix 8C of WA DOE Publication No. 05-06-008 as required if using the alternative buffers in SCC 14.24.230(1)(b). This is not just

my personal opinion; it is my opinion as a Natural Resource Planner and staff biologist for a local County government, trained by the Department of Ecology in the use of their rating system, as well as a consulting wetland professional recognized by Skagit County as such via inclusion as a recognized qualified professional included in Skagit County PDS list of approved consultant (having submitted hundreds of approved critical area assessments to Skagit County). It was also the consistent opinion every professional wetland scientist and agency reviewer that I inquired with, including the Department of Ecology (Doug Gresham, DOE, personal conversation 12/23/16) the authors of the said referenced publication who has also commented to Skagit County on this proposal with this fact. The land use intensity for a full-time gravel mining operation is unquestionably **high**. A high habitat score (as put forth by the supplied wetland rating) requires a 300ft wetland buffer per SCC 14.24.230, not 200ft as proposed (300 also being the standard buffer).

- The review/assessment also neglected SCC 14.24.230(2), where in general, buffers are to extend 25 feet past the top of sloping areas that are 25% or greater. The site plan as indicated shows areas where this provision is applicable. Regardless of the aforementioned land use intensity issue, the buffer likely should still extend past the line indicated in areas unless there is a rational reason put forth not to, which does not appear to have been done specific to this.

- A wetland assessment is required for this project as proposed (regardless of the land use intensity) per SCC 14.24.220. A wetland assessment has not been submitted for this project even though the Fish & Wildlife Assessment made it clear that a wetland was present. The wetland assessment should include a wetland delineation which was also requested to be completed by WA DOE during the initial SEPA comment period. It is unclear why this portion of Skagit County Code was ignored, as were all of the SEPA comments submitted by the singular state agency most relevant to the issue.

- Critical area review, and to a lesser extent SEPA, was limited to the proposed mine site only. However, Skagit County staff has consistently maintained that changing the use of forest roads to new uses was tantamount to a new impact, needing at a minimum assessment, and potentially mitigation. The haul road is most certainly a change of use by a drastic degree. Going from an access only used infrequently for forestry purposes to a road that could have hundreds of truck trips per day essentially in perpetuity will most certainly be an impact to the environment in numerous areas. This will be a distinct habitat break in what is presently one of the largest undeveloped tracts of left in lowland Skagit County, home to deer, bear, cougar, and elk as well as many avian and small mammal species. Heavily trafficked corridors are well known to affect the habits of such species. The haul road also drains to a salmon stream that has serious turbidity problems, and it seems inconceivable that the increased road traffic and maintenance/improvements without stormwater control will not affect this riparian area.

The road crosses one of the most productive tributaries in the Samish River basin as well as being within the buffer of likely Category I wetlands. The road has already been improved, and it would be ridiculous to think that the significant improvements (grading, surfacing, and vegetation clearing) were solely for "forest management" after the special use permit is granted. It is unclear from the available documentation why Concrete Nor'West is not being held to the same standards as numerous clients of mine (professionally) building simple single-family homes have been; addressing the clear intensification of impacts when transferring the use of a logging road to another use.

- No meaningful protective measures have been assessed to the buffer of the critical area adjacent to the mine operations. While recording of a Protected Critical Area (PCA) site plan is standard and generally adequate for a single family home, a commercial operation with employees on heavy equipment, no oversight, and no vested interest in the observation of the buffer is a recipe for disregard of said buffer (not to mention a PCA is required by SCC). Glaringly as well, there is no reference on the ground for the buffer. If there is no survey or mapping, how will anyone know where the buffer is? The buffer should be required to be demarcated in the field, an absolute standard practice, and in reality, should be fenced as well (absolutely standard industry practice).

- All conversion activities (PL16-0098) were supposedly limited to the mine site. Most recent aerial photos of the site (Google Earth August 2020) clearly indicate conversion activities that have occurred onsite, including conclusively within the standard review area of a clearly apparent wetland, quite likely within the buffer. The proposal and subsequent review has in no way addressed these areas of converted forest land as defined by WAC/RCW, with the scope of the noticing of the conversion activities not held to, nor the apparent non-compliance of issued FPA conditions.

<u>Noise</u>

The applicants have stated that their project will have no noise concerns to the neighborhood. This is blatantly false. A raised voice can be heard on neighboring properties to the north (known from personal past observation) from the area proposed to be mined. How would heavy equipment not be heard? An excavator bucket hitting the side of a dump truck is as loud as a small caliber rifle shot, and such hits and bucket shaking will take place many times a day with such a mining operation. All of the neighboring properties will be subject to such noise. On the upslope side (where I live), any use of the onsite road system by even a diesel pickup truck can be clearly heard outside on a clear day, heavy equipment use can be heard inside. There is absolutely no way mining operations will be fully self contained in regards to noise. Operations during standard business hours would be one thing, but evening and weekend operations would result in a seriously degraded quality of life in this regard. While it can be noted that the

area is in a mineral resource overlay (zoning), the overlay was added after many of us moved into the area.

Also lacking in analysis is the road noise going east from the site, and very questionable analysis going west. Although eastern traffic is not part of the proposal, without a condition regarding such, there will very likely be traffic going that way as well. We live on a small country road, and most of the homes are close to the road. When the infrequent gravel truck and trailer passes by, the entire house shakes, both from the noise of the truck/engine, and the constantly used exhaust brake. The noise has been so loud that objects have fallen off of walls, children wake from naps, and any sense of peace and quite country living is shattered. We knew the conditions when we bought property in the area, and were accepting, but a constant and potentially hundredfold increase in daily gravel truck traffic would be unacceptable for any in the area, especially in light of the fact that Skagit County Planning staff required that my home be built abutting the road rather than the several hundred feet back that I desired to address such issues. These trucks will pass many homes and will cause significant duress for many residents.

Traffic Safety

While it is nice to see that the County added conditions regarding the two 90-degree corners closest to Old 99 on Prairie Road be fixed prior to truck/trailer combos being allowed to access the site in the updated MDNS, glaring omission was made to the status of Grip Road if such happens. As an experienced driver of the types of trucks in question (still hold Class A CDL and have for many years), yes, a dump truck and pup trailer may technically traverse Grip Road from the property to Prairie Road. Reality, however, is far different. Virtually no truck driver is going to consistently traverse this road section safely. Center lines will be crossed and shoulders will be driven upon, it is a given. This creates an issue for taxpayers who will have to repair the road, for the environment that will be degraded by the continual influx of sediment from damage to the shoulder/ditch, and the public safety. There will be no place to safely walk or ride a bike on this stretch of road with trucks and trailers cutting corners. Families walk in the area, ride bikes, and commute on this road (as well as Prairie Road). Also present are hundreds of bicyclists throughout the warmer months with numerous planned rides/races using this area as one of the "safer" routes. With the development of the Tope Ryan Conservation Area (Skagit Land Trust property at Swede Creek on Grip Road) trail system, the lower end of Grip Road has also become a park like setting with many families using the area, walking the road and bridge, and swimming in the river (which can only be accessed after walking from the parking spots down the road). How will this safety issue be mitigated. While I let our older children ride their bikes down to the river now, or their friends house, I cannot allow such with such an increase in industrial truck traffic. My children's safety and basic childhood experience will forever be altered by this proposal.

In over 30 years of living in the area, I have noted numerous very serious accidents at the intersection of Grip and Prairie Roads, one of the worst blind corners in the County. Recent work by Skagit County to extend the site distance has not significantly changed the response time for a driver, and while past lowering of the speed limit has helped

some, but having trucks and trailers essentially blocking the intersection throughout the day will lead to disaster, regardless of a blinking warning light (that the drivers will assuredly become numb too).

While Grip Road can technically be argued to be traversable from the property in question to Prairie Road, it absolutely cannot the other way (east). The two 90-degree corners immediately west cannot physically be traversed by a truck and trailer within the bounds of their assigned lanes. Presently, when a truck meets another vehicle, one must stop as the truck must cross into another lane to traverse the corner. It is unclear why traffic analysis did not address this when application materials clearly left open the possibility and likelihood of routing this way (and why the County has only noticed the project with truck traffic going west) without any kind of mitigating measure put forth in the MDNS.

Future Plans

It is the stated purpose of the applicants and the County that Concrete Nor'West that this project is to haul gravel to haul to their other facilities for processing. However, onsite sales are also mentioned in some documentation, as is residential development. Concrete Nor'West also states their need as the existing pits in their portfolio are being depleted. That begs the question of why would they continue to haul to other pits for processing? It would seem to be much more practical to bring their processing to this site. The issuing of this special use permit with the presently recommended conditions would simply lead to further intensification of the site and all that would entail (onsite processing, retail sales, batch plant construction?). Honesty and consistency on the part of the applicant with proper conditioning of the permit is a must, with an MDNS issued that applies concrete terms, not generalities; to be applied to any issued permits as well. Concrete Nor'West has not been a good neighbor here, or on other properties, and there is no reason to think that would change.

The County has consistently put forth an average number of truck trips per day. The applicants have clearly indicated not wishing to be bound by this number on a daily basis. Using it without any actual limitation or conditions is quite arbitrary and by not putting

Conclusions

Whether I am sure that it was not intentional, the permitting review of this project quite preferential to the applicants and has created a high level of distrust with Skagit County in the local community, and I find that quite unfortunate. It is understood that as a company that supplies materials derived from mining operations that a reliable supply going forward would be a business necessity. However, unlike the other gravel pits in the Concrete Nor'West portfolio, they are not acquiring an existing pit in a neighborhood, but creating a new one in an existing, long established neighborhood. There will be notable environmental, quality of life, and safety impacts with no notable or worthwhile mitigating conditions placed upon the applicants, and in many regards is a slap in the face

to the citizens of Skagit County I work with on a daily basis that must comply with Skagit County Code to get their permits. Regardless of the complete lack of understanding of the SEPA process to put a mitigating condition as following County code, in the instance of following the CAO while blatantly ignoring factual errors as pointed out by professionals as well as representative of the Agency which wrote and manages the documentation the County is to follow is appalling.

A cursory exercise in the finances of the project shows that there will be in excess of $100,000,000 of material sold, this is of course before costs and using an average sale price (~$25/cy as typical for 5/8 minus), but reflects the sheer volume of money involved and the resources Concrete Nor'West should be willing and able to mitigate the impacts that they will create. We, the neighbors of this site, and the citizens of the County as a whole, should not have to bear the costs for a private companies profit whether it be lost property values, health and safety, or via sacrifice of local habitat and sensitive environments. While at this time I do not support the project as proposed, the appropriate conditions following review (that is required by Skagit County Code) would make it much more palatable and supportable. This should be via a holistic review of the proposal followed most likely by an EIS.

Thank you for your time and consideration on this matter.

Respectfully,

Matt Mahaffie