



Special Use Permit Application

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
voice 360-416-1320 · inspections 360-416-1330 · www.skagitcounty.net/planning

Permit #:

Received by:

Use this form for both administrative and hearing examiner special use permit applications. Before you apply for a special use permit, it is generally required that you participate in a pre-application meeting. See the Pre-Dev/Pre-App Meeting Request form for details.

Project Information

| | | | | | |
|---------------------|--|------|---|-----|-------|
| Site Address | Rockport Cascade Rd | City | Marblemount | Zip | 98267 |
| Parcel No(s) | P45543, P45548, P45541, P45550, P128574, P120304 | | | | |
| Zoning | See additional sheet | UGA | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, which: | | |
| Project Description | See additional sheet | | | | |

Request

What type of special use permit are you requesting? Check as many as apply.

- | | |
|---|--|
| <input type="checkbox"/> Bed and breakfast | <input type="checkbox"/> Personal wireless facility |
| <input type="checkbox"/> Home-based business 2 | <input type="checkbox"/> Rural Business Expansion Beyond 1,500 sq ft |
| <input type="checkbox"/> Home-based business 3 | <input type="checkbox"/> Rural Business Change of Use |
| <input type="checkbox"/> Kennel | <input type="checkbox"/> Temporary events |
| <input type="checkbox"/> Marijuana production or processing facility | <input type="checkbox"/> Temporary manufactured home—accessory to farm dwelling unit |
| <input type="checkbox"/> Marijuana retail facility | <input type="checkbox"/> Temporary manufactured home—elderly or disabled family member |
| <input checked="" type="checkbox"/> Mineral extraction and processing | <input type="checkbox"/> Other (specify): _____ |
| <input type="checkbox"/> Outdoor outfitters enterprises | |

Required Attachments

Include all of the following with your application:

- ☒ Contact Information & Signature Form
- ☒ Site plan consistent with site plan requirements checklist
- ☐ Lot certification¹ recorded under Auditor's File Number Application submitted 12/21/18 (required unless the proposed development itself does not require lot certification)
- ☐ Critical areas approval letter Application submitted 01/22/19
- ☐ Water review approval letter N/A
- ☐ Pre-application meeting letter or pre-application meeting waiver Waived
- ☐ Landscape plan (if required by pre-app meeting letter)
- ☐ Parking plan (if required by pre-app meeting letter)
- ☐ Any other documents requested at your pre-application meeting

¹ SCC 14.06.045(2).



January 22, 2019

Submitted To: Skagit County Planning and Development Services
1800 Continental Place, Mount Vernon, WA 98273
(360) 416-1330

Subject: Additional Fact Sheet for **Marblemount Quarry Special Use Permit Application**

Zoning:

P45543: RRc-NRL with MRO

P120304: SF-NRL with MRO

P45550: SF-NRL with MRO

P128574: SF-NRL with Partial MRO (west half of parcel)

P45548: RRc-NRL with MRO on northwestern portion, SF-NRL with partial MRO on southern portion, IF-NRL on southeastern portion

P45541: SF-NRL on western portion and IF-NRL on eastern portion

Brief Project Description:

The Proposed Project would occur in four steps:

1. Site clearing, grading, preparation, and building access roads and stormwater systems;
2. Mining within the existing Mineral Resource Overlay (MRO) Area;
3. Possible future quarry expansion (contingent on an MRO boundary change*), and;
4. Quarry reclamation.

*Note that the Proposed Project is **not** contingent upon Step 3. If the MRO boundary is not expanded, the rest of the project can still proceed and be commercially viable.

Reference the **Engineering Site Plans** (Exhibit A) and **Marblemount Quarry Reclamation Plans (Skagit Co. SUP)** (Exhibit B) for Proposed Project details.

Step 1 – Site Clearing, Preparation, Building Access Roads and Stormwater Systems. Step 1 will include clearing, timber harvest, stump removal, site grading, road construction, stormwater systems installation, and boundary line adjustments. Activities will occur on what is currently parcels P45543, P45550, P120304, P128574, and parts of P45548 and P45541. Marketable timber will be removed from

the site. An approximately 6,700-foot gravel access road would be built to access the top and eastern portions of the project site. Details of the access road are provided in Exhibit A of the SEPA Checklist: **Engineering Site Plans**. Wood mulch and topsoil would be stockpiled on site for future reclamation. Access to the site would include building two new access driveways on Rockport Cascade Road and decommissioning the two existing access points. Details of the site access are provided in Exhibit A of the SEPA Checklist: **Engineering Site Plans**. Grading and roadways for quarry operations and stormwater management will be constructed on the western portion of the project limits. The road providing access to the eastern portion of the site would be designed to meet or exceed Skagit County standards, Washington Department of Natural Resources (DNR) Forest Practice and Mining standards, and any other standards appropriate for its use. Following site clearing and preparation, the road would be used to access the top of the quarry and for hauling rocks to the bottom for processing.

Step 1 will also include performing boundary line adjustments on parcels to consolidate the project footprint onto fewer parcels and to enable the potential for future phase quarry expansion (see Step 3 below). The Proposed Project would take place on two parcels following boundary line adjustments rather than the six parcels currently affected by the Proposed Project. The boundary line adjustments are not necessary for the permitting process or operation of the Proposed Project, but will ultimately result in simpler land ownership and management.

KIC will obtain SUP, Forest Practice Conversion, Grading, Road Access, Building, and Fire Permits from Skagit County and DNR as appropriate for the Step 1 activities.

Step 2 – Mining within the Existing MRO Area (In MRO). Step 2 includes establishing the quarry within the current MRO boundary per Exhibit B of the SEPA Checklist: **Marblemount Quarry Reclamation Plans (Skagit Co. SUP)**. Step 2 also includes the creation of mining operation areas, establishing support facilities, and mining operations implementation. Support facilities include portable offices/storage structures, a truck loadout scale, a heavy equipment and employee parking area, a fueling station, maintenance shops, and storage facilities for blasting equipment. An undersized rock stockpile area would be established within the existing MRO area on P128574. Rock mining would be conducted using a “top down” approach and transported to the stockpile or staging areas by truck. Surface mining would occur in phases as described in the Reclamation Plan. The land use to the south, east, and west of the project limits is secondary and industrial forestry and the land use to the north is rural residential. A minimum 100-foot setback would be maintained along adjacent property lines or bordering quarry activities. A 50-foot vegetative buffer would be maintained on Rockport Cascade Road.

A summary of project elements of Step 2 would include:

Onsite Activities

- Providing for an approximately 5-acre armor stone staging area in the western portion of P45543;
- Constructing a gravel area with 35 parking spaces;
- Providing a scale control shed and a 70-ton portable scale;
- Providing a maintenance facility, a lubrication storage unit, a spill response Connex, a tool storage facility;

- Providing three ANFO and emulsion trailers and two high explosive magazine storage buildings;
- Providing an off-road diesel tank, a highway diesel tank, and a gasoline tank;
- Providing an office structure;
- Providing an approximately 13-acre undersized rock stockpile area within the existing MRO area on P128574;
- Implementing rock quarrying within the existing MRO using a “top down” approach such that rock would not be cast off the cliff face;
- Transporting quarry rock on-site to the stockpile or staging areas by truck;
- Hours of Operation for quarrying and hauling operations would occur between 6:00 AM and 6:00 PM Monday through Saturday; however, occasional operation outside of these hours may occur during limited, short-duration time periods. Other supportive and normal activities, such as equipment maintenance, may occur after the stated work hours;
- Operations management will include Noise and Vibration Management, Stormwater Management, and Fugitive Dust Management. See Operations Proposal for details.

Off-site Activities

- Off-site hauling: The Proposed Project would have a *maximum* of 75 loaded trucks per day leaving the site during full quarry operations. Up to 50 trips would be flatbed trucks hauling jetty stone. Up to 25 trucks would be dump trucks hauling non-jetty stone rock material. These are maximum values and it is anticipated that there will be periods where little to no hauling of materials occurs.
 - Truck Loads: Trucks will be legal loads of up to 105,500 pounds. If loads exceed this weight limit, appropriate permits will be obtained. Maximum over-load hauls would be less than 10 percent of total hauls.
 - Haul Routes: The haul route identified is via Rockport Cascade Road to Rockport and west on SR-20 to I-5.

KIC will obtain Surface Mining Permits from Skagit County and DNR for Step 2 activities as appropriate.

Step 3 – Possible Future Quarry Expansion (Future Phase). Step 3 would enable the possibility of future quarry expansion to meet anticipated future demand for jetty stone (**Figure 3** in Attachment 1: **Detailed Project Description**). Step 3 is optional; Steps 1, 2 and 4 do not rely on MRO and quarry expansion. This potential step is referenced as the “future phase” throughout the SEPA checklist. KIC understands that future phase quarry expansion requires an expansion of the existing MRO through a Comprehensive Plan Amendment. The Proposed Project includes this potential future phase expansion for full disclosure. Technical assessments conducted for SEPA review considered the maximum project potential, including the future phase, for impact analysis.

If Step 3 is completed, the mining footprint would increase by approximately 10 acres and the undersized stockpile footprint would increase by approximately 15 acres. Approximately 18 acres of the expansion area would be vegetation retention areas, the existing road, and buffers. The total MRO expansion area would be approximately 43 acres. While the Proposed Project within the existing MRO can operate and meet the immediate demand, expanding the quarry would enable meeting anticipated future demand and increase the total potential quarry rock yield by approximately 150 percent. This

would allow KIC to fulfill all anticipated supply needs with the least impact, as establishing a new quarry in another location would result in greater overall impacts.

The total proposed MRO expansion area would be approximately 31 acres, or about a 75 percent increase of the current MRO zone that includes the Marblemount Quarry. Skagit County has designated over 61,682 acres of land in Skagit County as MRO. The addition of 31 acres would increase the total MRO area in Skagit County by 0.05 percent.

KIC will work with Skagit County to obtain a Comprehensive Plan Amendment as appropriate to support Step 3 activities. Surface Mine Permit/Special Use Permits for Step 3 activities will either be integrated into permitted conditions (preferred) contingent upon MRO expansion, or modifications to existing permits will be necessary following successful MRO expansion.

Step 4 – Quarry Reclamation. Step 4 would include full reclamation of all the affected parcels following decommissioning of the quarry, roads, and supporting mining operations. The full lifespan of the quarry would be up to 100 years or whenever the source of rock is exhausted. The Mining Reclamation Plan is consistent with DNR surface quarry reclamation regulations. The land will be restored to forestry land use following mine reclamation.



Contact Information & Signature Form

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
voice 360-416-1320 · inspections 360-416-1330 · www.skagitcounty.net/planning

Permit #:

Received by:

Attach this form to a permit application that requires it. A permit application will not be accepted without this form.

By signing this form, the undersigned certifies that the statements, answers, and information both on this form and the remainder of this permit application are true and correct to the best of his or her knowledge and belief.

Applicant/Contact

Name Kiewit Infrastructure Co. Mailing Address 2200 Columbia House Blvd
City, State Vancouver, WA Zip 98661 Phone (360) 693-1478
Email chuck.nylund@kiewit.com

Property Owner

☐ Same as applicant ☒ Multiple owners (attach additional page)

Name See additional page Mailing Address _____
City, State _____ Zip _____ Phone _____
Email _____

Contractor

☐ None ☒ Same as applicant ☐ Same as property owner

Name _____ Mailing Address _____
City, State _____ Zip _____ Phone _____
Email _____ License # _____ Expires _____

Financing¹

☒ None ☐ Lender below is providing construction financing ☐ Firm below has issued payment bond

Name _____ Mailing Address _____
City, State _____ Zip _____ Phone _____

Signature

- ☐ I am the owner of the subject property and I grant permission to field staff to enter the site to verify the presence or absence of critical areas and perform inspections of work proposed by this application; OR
- ☒ I have the consent of the owners of the subject property and have attached Agent Authorization Form(s) (SCC 14.06.090); OR
- ☐ This is a mechanical/plumbing permit; ownership certification is not required.

Signature(s):

Date:

JAN 22, 2019

Printed Name:

Charles Dale Nylund

Title:

Estimating Director

Company:

Kiewit Infrastructure Co.

¹ Required by RCW 19.27.095(2)(d).

Marblemount Quarry
Additional Sheet
Skagit County Contact Information & Signature Forms

Property Owner

Skagit County Parcel #s: P45541, P45548
Name: Kiewit Infrastructure Co.
Mailing Address: 2200 Columbia House Blvd
City, State: Vancouver, WA
Zip: 98661
Phone: (360) 693-1478
Email: chuck.nylund@kiewit.com

Property Owner

Skagit County Parcel #: P45543
Name: A. Ann Parker, Trustee
Mailing Address: P.O. Box 8
City, State: Hamilton, WA
Zip: 98255
Phone: (360) 826-1109
Email: johnecakes@aol.com

Property Owners

Skagit County Parcel #s: P128574, P45550, P120304
Name: Kevin Ashenfelter
Name: Sue Ashenfelter
Mailing Address: PO Box 249
City, State: Marblemount, WA
Zip: 98267
Phone: (360) 770-4506
Email: ashenfs@outlook.com





Agent Authorization Form

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
voice 360-416-1320 · inspections 360-416-1330 · www.skagitcounty.net/planning

Use this form to authorize someone other than the property owner to apply for permits for the subject property.

Project Site

Property Address: P45548 and P45541; Rockport Cascade Road

City, State, Zip: Marblemount, WA 98267

Permit #:

Received by:

Authorization Statement

I/we, as the owners of the property identified above, authorize Charles Dale Nylund, Kiewit Infrastructure Co. to act as agent to submit applications, receive correspondence regarding the application, and sign title notices on my behalf.

I/we grant permission to field staff to enter the site to verify the presence or absence of critical areas and perform inspections of work proposed by this application.

Property Owner Signature(s)

Signature:

Printed Name:

Title:

Company:

Date:

Charles D. Nylund

CHARLES D. NYLUND

ESTIMATING DIRECTOR Co.

KIEWIT INFRASTRUCTURE INC

FEB 19, 2019

Signature:

Printed Name:

Title:

Company:

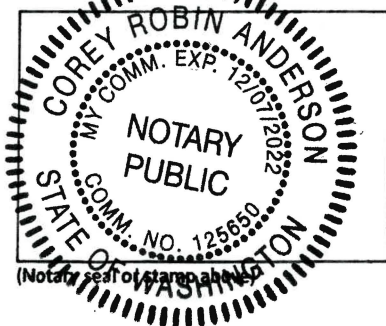
Date:

DRC FOR
CN
2/20/19

Notarization

I certify that I know or have satisfactory evidence that CHARLES D. NYLUND is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 2/19/2019



Corey Robin Anderson

Signature of Notary Public

COREY ROBIN ANDERSON

Printed Name of Notary Public

My appointment expires 12/7/2022



Agent Authorization Form

Planning & Development Services • 1800 Continental Place • Mount Vernon WA 98273
voice 360-416-1320 • inspections 360-416-1330 • www.skagitcounty.net/planning

Sup

Permit #:

Use this form to authorize someone other than the property owner to apply for permits for the subject property.

Project Site

Property Address: P45550, P128574; P120304; Rockport Cascade Road

City, State, Zip: Marblemount, WA 98267

Received by:

Authorization Statement

I/we, as the owners of the property identified above, authorize Charles Dale Nylund, Kiewit Infrastructure Co. to act as agent to submit applications, receive correspondence regarding the application, and sign title notices on my behalf.

I/we grant permission to field staff to enter the site to verify the presence or absence of critical areas and perform inspections of work proposed by this application.

Property Owner Signature(s)

Signature:

Kevin E. Ashenfelter

Printed Name:

Kevin Ashenfelter

Title:

Company:

Date:

Signature:

Sue Ashenfelter

Printed Name:

Sue Ashenfelter

Title:

Company:

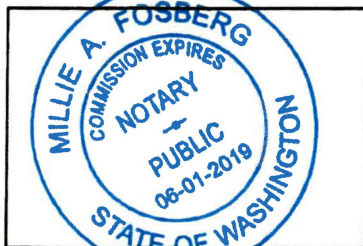
Date:

Notarization

I certify that I know or have satisfactory evidence that Kevin Ashenfelter and Sue Ashenfelter is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated:

1/14/2019



(Notary seal or stamp above)

Signature of Notary Public

Millie A. Fosberg

Printed Name of Notary Public

Millie A Fosberg

My appointment expires

06 01 2019





Agent Authorization Form

Planning & Development Services • 1800 Continental Place • Mount Vernon WA 98273
voice 360-416-1320 • inspections 360-416-1330 • www.skagitcounty.net/planning

Use this form to authorize someone other than the property owner to apply for permits for the subject property.

Permit #:

Received by:

Project Site

Property Address: P45543, Rockport Cascade Road

City, State, Zip: Marblemount, WA 98267

Authorization Statement

I/we, as the owners of the property identified above, authorize Charles Dale Nylund, Kiewit Infrastructure Co. to act as agent to submit applications, receive correspondence regarding the application, and sign title notices on my behalf.

I/we grant permission to field staff to enter the site to verify the presence or absence of critical areas and perform inspections of work proposed by this application.

Property Owner Signature(s)

Signature:

A. Ann Parker

Printed Name:

A. Ann Parker

Title:

Trustee

Company:

Cunningham Family Trust

Date:

January 15, 2019

Signature:

Printed Name:

Title:

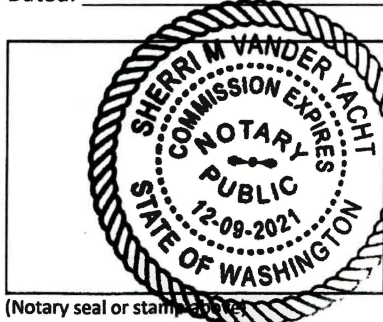
Company:

Date:

Notarization

I certify that I know or have satisfactory evidence that A. Ann Parker is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: January 15, 2019



Signature of Notary Public

Sherri M Vander Yacht

Printed Name of Notary Public

My appointment expires 12.9.21

(Notary seal or stamp required)

① Requirements for ALL Special Use Permits

All types of special use permits require the following. Attach using a **separate sheet of paper**.

- ☒ A narrative that includes numbered responses to the following:

1. Describe your proposal/business.
2. Describe what days and hours will your operation be open.
3. How many employees will you have?
4. What will your employees' working hours be?
5. Will employees work on site?
6. How many employees will work off-site?
7. Describe the location and size of any signs you propose to advertise your operation.
8. How do you propose to screen your operation from public view? E.g., plants, shrubs, fences.
9. Describe your proposed parking area.
10. Describe your schedule, including any phasing, for development of your operation.
11. Describe the expected traffic impact of your operation on public roads.
12. Describe any internal road system your operation will have.
13. Describe how your operation will be accessed.
14. Describe any heat from machinery or equipment that your operation will generate.
15. Describe any noise your operation will generate.
16. Describe any odors your operation will generate.
17. Describe any steam, smoke, or dust your operation will generate.
18. Describe any vibrations your operation will generate.
19. Describe any heavy equipment or machinery your operation will use.
20. Describe any chemicals, waste oil, solvents, fuel, etc, your operation will store.
21. Describe your plan for disposal of any chemicals.
22. Describe your plans to prevent trespassing by employees, customers, or visitors to adjoining property.
23. If your operation will use a building please describe the size, height and construction type. This building must be shown on the site plan.
24. Describe the sewage disposal plan for employees and the public.
25. Describe the water supply for employees and the public.
26. Address any fire flow issues.

- ☒ A narrative that includes numbered responses to the following General Special Use Permit Evaluation Criteria.² The burden of proof is on the applicant to provide evidence that the use complies with the criteria.

27. Demonstrate that the proposed use is compatible with the neighboring properties.
28. Demonstrate that the proposed use complies with Skagit County Code. Please cite code section.
29. Demonstrate that the proposed use will not create undue noise, odor, heat, vibration, and air or water pollution on surrounding, existing, or potential dwelling units, based on the performance standards of SCC 14.16.840.
30. Demonstrate that the proposed use will not generate intrusions on privacy of surrounding uses.
31. Demonstrate that proposed use will not cause potential adverse effects on the general public health, safety, and welfare.
32. For special uses in the Industrial Forest-NRL, Secondary Forest-NRL, Agricultural-NRL, and Rural Resource-NRL zones, demonstrate that the impacts on long-term natural resource management and production will be minimized.
33. Demonstrate that the proposed use is not in conflict with the health and safety of the community.
34. Demonstrate that 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.
35. Demonstrate 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.

² SCC 14.16.900(1)(b)(v).

② Additional Requirements for Specified Special Use Permits

Find the specific special use permit(s) you are applying for below, and attach the additional information listed.

A. Bed and Breakfast

Attach all of the following:

- ☐ A narrative that includes numbered explanations for how your proposal will comply with the following requirements:³
 - A1. The bed and breakfast must be owner-occupied and managed.
 - A2. Parking is on-site and a minimum of 10 feet away from neighboring residences.
 - A3. All lighting is directed away from neighboring residences.
 - A4. The impacts will be no more obtrusive than a residence.
 - A5. Five bedrooms or less are available for guest use.

B. Home-Based Business 2⁴

The intent of this Special Use is to allow home based businesses to operate with the limitations listed below. When the business grows beyond the criteria established and/or the conditions included in any approval, the business should relocate to a zone that would permit the activity. Attach all of the following:

- ☐ SEPA Checklist (unless categorically exempt).
- ☐ A narrative that includes numbered explanations for how your proposal will comply with the following requirements:
 - B1. Is carried out by a member or members of a family residing in the dwelling;
 - B2. Is clearly incidental and secondary to the use of the property for dwelling purposes (business activity may be conducted in buildings other than the dwelling; provided, that the size of such use does not exceed 50 percent of the living area of the dwelling unit);
 - B3. Has no outside storage nor other exterior indication of the home occupation or variation from the residential character of the property with the exception of one sign not to exceed four square feet, provided such sign shall not be illuminated;
 - B4. Does not require the installation of heavy equipment, large power tools or power sources not common to a residential dwelling;
 - B5. Does not create a level of electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odors, heat, glare, traffic and other environmental impacts beyond that which is common to a residential area;
 - B6. Does not create a level of parking demand beyond that which is normal to a residential area;
 - B7. May have clients come to the site.

C. Home-Based Business 3⁵

The intent of this Special Use is to allow home based businesses to operate with the limitations listed below. When the business grows beyond the criteria established and/or the conditions included in any approval, the business should relocate to a zone that would permit the activity. Attach all of the following:

- ☐ SEPA Checklist (unless categorically exempt).
- ☐ A narrative that includes numbered explanations for how your proposal will comply with the following requirements:
 - C1. Is carried out by a member or members of a family residing in the dwelling and up to three additional employees;
 - C2. Is clearly incidental and secondary to the use of the property for dwelling purposes;
 - C3. The business activity may be conducted in buildings other than the dwelling; provided, that the size of such building shall be consistent with the residential area and such building is properly permitted for the use;
 - C4. Has no outside storage nor other exterior indication of the home occupation or variation from the residential character of the property with the exception of one sign not to exceed four square feet, provided such sign shall not be illuminated;
 - C5. Does not create a level of electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odors, heat, glare, traffic and other environmental impacts beyond that which is common to a residential area;
 - C6. Does not create a level of parking demand beyond that which is normal to a residential area;
 - C7. May have clients come to the site.

³ SCC 14.16.900(2)(c).

⁴ SCC 14.16.730(3).

⁵ SCC 14.16.730(4).

D. Kennels⁶

Identify which type of kennel you are applying for:

- ☐ **Day-Use Kennel:** any premises at which 1 or more dogs, cats, or both are kept during daytime hours for a commercial purpose including but not limited to grooming, training, and/or boarding. Note these limitations:
 - A day-use kennel shall not exceed 25 dogs or cats on site at any one time.
 - No commercial breeding or selling of dogs or cats shall occur at a day-use kennel.
 - No overnight boarding of animals shall occur at a day-use kennel.
- ☐ **Limited Kennel:** any premises at which 1 or more dogs, cats, or both are kept overnight for a commercial purpose including but not limited to breeding or selling. A single, incidental litter in a 12-month period is not a commercial purpose. Note these limitations:
 - A limited kennel shall not exceed 25 dogs or cats over 16 weeks of age on site at any one time.
 - At no time shall there be more than 50 dogs or cats of any age on site.
 - No dogs or cats shall be commercially boarded at a limited kennel.
 - A limited kennel may have animals kept during daytime and overnight hours and may also include additional related services including but not limited to selling, training, grooming, and daily care.
- ☐ **Overnight Boarding Kennel:** any premises at which 1 or more dogs, cats, or both are kept overnight for the commercial purpose of boarding. Note these limitations:
 - An overnight boarding kennel shall not exceed 150 dogs or cats on site at any one time.
 - No commercial breeding or selling of dogs or cats shall occur at an overnight boarding kennel. A single, incidental litter in a 12-month period is not commercial breeding or selling.
 - An overnight boarding kennel may have animals kept during daytime and overnight hours and may also include additional related services including but not limited to training, grooming, and daily care.

Attach all of the following:

- ☐ SEPA checklist.
- ☐ An evacuation plan for the dogs or cats in the event of an emergency.
- ☐ An exercise plan for the dogs or cats.
- ☐ A narrative that includes numbered explanations for how your proposal will comply with the following criteria:
 - D1. Areas used as part of a dog kennel operation shall be composed of at least one-half of 1 acre for every 5 dogs (i.e. 2.5 acres of kennel area would be required for 25 dogs).
 - D2. Any indoor or outdoor area to be occupied by kennel animals shall be located at least 50 feet from any property line. A solid-wood fence or continuous, non-deciduous vegetative barrier shall be required, each at least 6 feet in height, between any outdoor kennel use area and the subject property lines. Fences and continuous barriers will not be required in cases where kennel use areas are at least 500 feet from all subject property lines.
 - D3. Parking for all kennel customers and employees shall be fully contained on the subject property and shall not include the use of any road right-of-way.
 - D4. All lighting shall be directed away from neighboring residences or businesses.
 - D5. An approved waste disposal plan that complies with Chapter 12.16 SCC shall be required.
 - D6. Kennel animals must be contained on the subject property. Outdoor kennel areas shall be constructed with adequate materials and height so as to prevent animal escapement.
 - D7. Any outdoor kennel use areas shall be configured such that impacts to surrounding properties are minimized. All animals must be contained in enclosed buildings between the hours of 9:00 p.m. and 8:00 a.m. daily.

⁶ SCC 14.16.900(2)(i).

E. Marijuana Production or Processing⁷

Attach all of the following:

- ☐ SEPA checklist.
- ☐ A copy of your current license from the State Liquor and Cannabis Board.
- ☐ A narrative that includes numbered explanations for how your proposal will:
 - E1. Address impacts on surrounding properties, including but not limited to the appropriate distance of the facility from residences, schools, daycare facilities, public parks, other public facilities, and other marijuana facilities;
 - E2. Include appropriate controls on odor;
 - E3. Include appropriate screening or other requirements to avoid lighting impacts and the visual impacts of security fencing;
 - E4. Include requirements for appropriate disposal of the waste and byproducts of production and processing;
 - E5. Include protections against security cameras infringing on neighbors' privacy;
 - E6. Include any additional controls on hazardous processing methods with potential to injure neighboring properties;
 - E7. Mitigate other impacts.

F. Marijuana Retail Facility⁸

Attach all of the following:

- ☐ SEPA checklist.
- ☐ A copy of your current license from the State Liquor and Cannabis Board.
- ☐ A narrative that includes numbered explanations for how your proposal will:
 - F1. If the facility will use security cameras, ensure those cameras are aimed so as to view only the facility property, not public rights-of-way or neighboring properties.
 - F2. Avoid customer use of marijuana on site or in adjacent areas (e.g., security cameras, fences, or site design).
 - F3. Mitigate other impacts.

G. Mineral Extraction or Processing

Please see SCC 14.16.440(10) for the operating standards and requirements for all mining special uses. Attach all of the following:⁹

- ☒ SEPA checklist.
- ☒ A narrative that includes numbered responses to all of the following:
 - G1. The estimated quantities of all materials to be extracted.
 - G2. Identification of any possible Scientific Resource Sites that may be located on the proposed site. Scientific Resource Sites include unique or rare occurrences of rocks, minerals, or fossils that are of outstanding scientific significance. These areas must be delineated on the vicinity map below and the proposal for preservation of the identified area(s) must be addressed.
 - G3. 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.
 - G4. An operations proposal detailing estimated frequency of blasting, estimated truck loads per day, what provisions for screening and fencing are proposed, and estimated hours of operation.
 - G5. Identification and description of those critical areas designated and regulated by SCC 14.24, together with any critical areas studies that may be required by SCC 14.24.
- ☒ All of the following maps on 11x17" paper:
 - ☒ A vicinity map with a north arrow indicating the area on which the extraction operation is proposed including a legal description, showing right-of-way width of access roads to the proposed site from the nearest community and any roads proposed on the site, and showing zoning of adjacent properties and land uses within 5 miles of the area proposed for mineral extraction and related activities;
 - ☒ A pre-mining map drawn to scale with an appropriate scale bar showing the permit area and buffers, elevations and contours, natural slopes and other drainage patterns, boundaries of municipalities, boundaries of property ownership,

⁷ SCC 14.16.855.

⁸ SCC 14.16.855.

⁹ Required by SCC 14.16.440(8).

names and addresses of adjacent property owners, locations of nearby mines, locations of all railroads, bridges, utility lines or other rights of way, locations and names of any streams and natural or artificial drain ways on or adjacent to the site, locations of parks and other significant features;

- ☒ A reclamation sequence map drawn to scale with an appropriate scale bar covering the same area as the pre-mining map showing the permit area border and buffers, excavation areas, location of all proposed access roads to be built, location of types of setbacks and beams, numbered segments and the direction of the sequence of mining, soil storage areas and sequence of stripping, storing and replacement of mined segments, overburden storage areas and sequence of stripping, storing and replacement of overburden on mined segments, waste rock piles and how they will be reclaimed and stabilized, operation plant and processing areas, measures to be taken to adjacent surface area to prevent slumping or landslides on adjacent lands, location and description of storm-water and erosion control systems including drainage facilities and settling ponds and estimated runoff served by individual facilities; and
- ☒ A final reclamation map drawn to scale with an appropriate scale bar covering the same area as the pre-mining map permit area and buffers, final elevations and contours, adjacent natural ground slopes, reclaimed drainage patterns, general topography, locations and names of any roads, utility lines, rights-of-way, streams, bridges, lakes, springs, wetlands, location and depth of topsoil to be replaced after seedbed preparation, permanent drainage and water control systems, area to be re-vegetated and proposed species, 2 cross-sections (at right angles) with horizontal and vertical scales the same that show the original and final topography and the water table.
- ☒ A report by a qualified geologist, hydrologist, or licensed engineer characterizing the area's ground water including, but not limited to, the following information:
 - A description of the geology and hydrogeology of the area including the delineation of aquifer, aquitards, or aquicludes (confining layers), hydrogeologic cross-sections, porosity, and horizontal and vertical permeability estimates;
 - Determination of the direction and velocity of ground water movement, water table contour and potentiometric surface maps (for confined aquifers) if applicable; and
 - A map containing the limits of the mine, buffer zones, location of all ground water wells within one-mile distance down gradient from the property boundaries, location of all perennial streams and springs, and definition or specification of locations of aquifer recharge and discharge areas.
- ☒ Attach a transportation analysis 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 the Skagit County Comprehensive Plan or its Transportation Technical Appendix and applicable state and local regulations.

H. Outdoor Outfitters¹⁰

Attach all of the following:

- ☐ SEPA checklist.
- ☐ A narrative that includes numbered explanations for how your proposal will comply with the following requirements:
 - H1. Temporary lodging may be allowed at temporary primitive campgrounds as regulated in each district, existing lodges/cabins, or approved bed and breakfasts.
 - H2. No more than five self-contained RVs shall be allowed with such enterprises at any one time.
 - H3. Temporary lodging in a single location shall not exceed 14 days for any one individual, group, or party.
 - H4. At least seven days must pass before registered guests may return for lodging.
- ☐ A site plan that includes location, size, access of proposed primitive campsites, existing lodges/cabins, and RV sites.

I. Personal Wireless Facilities

See SCC 14.16.720 for a description of all standard personal wireless facilities requirements. Attach all of the following:

- ☐ SEPA checklist.
- ☐ Photo simulations. Photo simulations of the existing site and proposed facility from all adjacent properties and public rights-of-way at a radius of 1 mile from the proposed personal wireless service facility, including additional height of 20 feet for possible co-location. Photo simulations shall be made from a range of elevations of surrounding residential areas. The photo simulation shall be coded to a scaled vicinity map.

¹⁰ SCC 14.16.900(2)(d).

- ☐ Site plan. A scaled site plan showing the location, point of reference, type, height and longitude and latitude of the proposed towers and antennas, existing buildings, on-site land uses and zoning, adjacent land uses and zoning, adjacent roadway right of ways, parking areas if applicable, proposed means of access, setbacks from property lines and the approximate distance between the proposed tower and the property lines. The method of fencing and, if applicable, the method of camouflage, noise screening, and illumination shall be indicated. The application shall also include elevation drawings of the proposed tower and any other proposed structures. A vicinity map shall be included.
- ☐ Landscaping plan. A landscaping plan shall be prepared indicating the specific placement of the facility on the site. Trees and other significant site features, the type and location of plant materials used to screen the facility, and the proposed color(s) of the facility shall also be indicated.
- ☐ Service area map. A current map showing the location of the proposed tower, the locations and service areas of other personal wireless service facilities operated by the Applicant and those proposed by the Applicant that are close enough to impact service within the County.
- ☐ Co-location statements. A statement by the Applicant as to whether construction of the tower will accommodate co-location of additional antenna(s) for future users. In addition, a signed statement shall be included indicating that: (i) the Applicant and landowner agree they will diligently negotiate in good faith to facilitate co-location of additional personal wireless service facilities by other providers on the Applicant's structure or within the same site location; and (ii) the Applicant and/or landowner agree to remove the facility within 60 days after abandonment.
- ☐ Environmental documentation. Copies of any environmental documents if required by any Federal or State agency.
- ☐ Compliance letter. A letter signed by the Applicant stating the tower and antenna will comply with all applicable Federal, State and local laws and regulations, EIA standards and SCC 14.16.720.
- ☐ Co-location attempt. A narrative of the attempt to co-locate shall be included which lists names and dates of parties contacted for potential co-locations. A statement by the Applicant has made a diligent attempt to mount the facilities on an existing tower or structure that is within a 2,500-foot radius of the chosen site.
- ☐ Interference certification. Certification that the antenna usage will not interfere with other adjacent or neighboring transmission or reception functions of other communications facilities.
- ☐ Licenses. The personal wireless service provider must demonstrate that the FCC licenses it, if required to be licensed under FCC regulations for the provision of service within the County.
- ☐ Lease agreements. The Applicant, if not the personal wireless services provider, shall submit proof of lease agreements with an FCC-licensed personal wireless services provider, if such provider is required to be licensed by FCC regulations.
- ☐ E911 compliance. All providers shall attest to and demonstrate compliance with FCC and Washington State laws relating to Emergency 911 regulations.
- ☐ Financial security. The application for any tower shall be accompanied by a letter of credit, performance bond, or other security in an amount to be determined by the County, which may be drawn upon by the County as necessary to cover the costs of removal of the facility.
- ☐ Historic documentation. If applicable, a letter of permission from the designated County Official if the site is on a National Landmark or located in a Historic District.
- ☐ County recommendation. If the Applicant proposes to use County-owned property, a letter of recommendation from the Director of the Skagit County Parks and Recreation Department, Public Works Department or other applicable official.

J. Rural Business Expansion Beyond 1,500 Square Feet

A special use permit is available for a use in the Rural Business zone established prior to July 1, 1990, to expand more than 1,500 sq ft if certain other conditions are met.¹¹ Attach all of the following:

- ☐ SEPA checklist.
- ☐ A narrative that includes numbered explanations for how your proposal will comply with the following requirements:
 - J1. Except for agricultural support services, the expansion may not exceed 50 percent of the gross floor area dedicated to the Rural Business use as of July 1, 1990, up to a maximum of 5,000 square feet.
 - J2. The expansion must occur on the same lot upon which the existing use is located.
 - J3. The expansion must be visually compatible with the surrounding neighborhood and rural area.
 - J4. Detrimental impacts to adjacent properties or to existing easement rights on the property may not be increased or intensified.
 - J5. The expansion may not result in a formerly small operation dominating the area.
 - J6. The expansion may not constitute new urban growth in the rural area, except that uses may utilize urban services that are historically available to the site.
 - J7. Public services and facilities are limited to those necessary to serve the isolated nonresidential use and are provided in a manner that does not permit low density sprawl.

K. Rural Business Change of Use

A special use permit is available for a use in the Rural Business zone to change to another use that is not substantially similar to the pre-existing use in terms of the type of commercial activity performed.¹² Attach all of the following:

- ☐ SEPA checklist.
- ☐ A narrative that includes numbered explanations for how your proposal will avoid a substantially increased impact on any one of the following criteria, or result in smaller impacts across a number of criteria that cumulatively result in a substantially increased overall impact. Information in parentheses defines "substantial impact" for that particular measure.
 - K1. Traffic generation (more than 10% increase in vehicle trips per day). How will this remain under 10%?
 - K2. Parking requirements (the need to expand existing parking facilities or the likelihood that parking would overflow to adjacent roads or properties). Will you be increasing your parking spaces?
 - K3. Hours of operation (10% increase in hours of operation, or any measurable increase in evening and weekend hours). What are the current hours? Will they increase?
 - K4. Visitors/customers visiting the site (10% increase in visitors to the site). How many customers visit the site now? How many after the expansion?
 - K5. Is there a need for expanded septic, sewer, water, power or other services?
 - K6. Will there be a need for increased infrastructure, such as road widening or access improvements?
 - K7. Noise, light, glare and related impacts from business operations on adjacent properties. What is the impact now? What will it be after?
 - K8. Will your proposal impact productive use of surrounding natural resource lands? How?
 - K9. Will your proposal have detrimental impacts to surrounding critical areas? How?
 - K10. Describe how your proposed change to the visual character of the structure or property would not significantly and negatively affect the visual character of the surrounding rural area.
 - K11. Your proposal must be consistent with any applicable community development plan, if one has been adopted. Is there an applicable plan, and how is your proposal consistent with it?

¹¹ SCC 14.16.150(4)(d).

¹² SCC 14.16.150(4)(e).

L. Temporary Events¹³

"Temporary events" is "commercial use of a property for any musical, cultural, or social event held either indoors or out of doors."¹⁴

Attach all of the following:

- ☐ SEPA Checklist.
- ☐ A narrative that includes numbered explanations of how your use will comply with the following requirements:
 - L1. Events may occur on no more than 24 calendar days per year.
 - L2. Parking for all events shall be fully contained on the subject property and shall not include the use of any road right-of-way.
 - L3. Does not create a detrimental level of electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odors, heat, glare, traffic or other environmental impacts on the surrounding area.
 - L4. All lighting is directed away from neighboring residences or businesses.

M. Temporary Manufactured Home—Accessory to a Farm Dwelling Unit¹⁵

A temporary manufactured home accessory to a farm dwelling unit on property meeting the definition of a farm in RCW 84.34.020 may be used to accommodate agricultural workers and their families employed on the premises. Attach all of the following:

- ☐ A narrative that includes numbered answers to the following questions:
 - M1. Demonstrate that your property meets the definition of "farmland" in RCW 84.34.020 (Open Space Taxation).
 - M2. Demonstrate that your operation is in compliance with the temporary worker standards in Washington State Law, including RCW 19.27, RCW 70.114a, RCW 49.17, RCW 43.22 and RCW 43.70.
 - M3. Demonstrate that the nature of the employee's work requires said employee to be immediately available to the job site is required by the farm owner/operator.

Please note: a building permit is required for the manufactured home. A building permit requires review of septic and road access. If you propose to use an existing septic system, you should contact the Public Health Department to determine whether it has sufficient capacity before you apply for the special use permit. Any dwelling in Ag-NRL must comply with the Ag-NRL siting criteria.

Any temporary manufactured home special use permit will be conditioned that if the farm employee stops residing in the manufactured home, the home must be removed.¹⁶

N. Temporary Manufactured Home—Elderly or Disabled Family Member¹⁷

A temporary manufactured home may be placed on the property to accommodate the housing needs of disabled or elderly family members. Attach all of the following:

- ☐ Documentation that the need for nearby care is required by a doctor and/or physician.

Please note: a building permit is required for the manufactured home. A building permit requires review of septic and road access. If you propose to use an existing septic system, you should contact the Public Health Department to determine whether it has sufficient capacity before you apply for the special use permit. Any dwelling in Ag-NRL must comply with the Ag-NRL siting criteria.

Any temporary manufactured home special use permit will be conditioned that if the disabled or elderly family member stops residing in the manufactured home, the home must be removed.¹⁸

¹³ SCC 14.16.900(2)(h).

¹⁴ SCC 14.04.020.

¹⁵ SCC 14.16.900(2)(b).

¹⁶ SCC 14.04.020, definition of "temporary manufactured home."

¹⁷ SCC 14.16.900(2)(a).

¹⁸ SCC 14.04.020, definition of "temporary manufactured home."

Return Name & Address:



201901310052

01/31/2019 01:04 PM Pages: 1 of 2 Fees: \$100.00
Skagit County Auditor

SKAGIT COUNTY PLANNING & DEVELOPMENT SERVICES
LOT OF RECORD CERTIFICATION

File Number: PL_18-0644

Applicant Name: __Element Solutions

Property Owner Name: __Cunningham Family Trust & Lawrence Cunningham Trustee; Ardath Ann Parker, Trustee

Having reviewed the information provided by the applicant, the Department hereby finds that the parcel(s) bearing Skagit County Parcel Number(s):

P#(s): 45543; 351024-2-001-0012; within a Ptn. of the NE ¼ of the NW ¼ of Sec. 24, Twp. 35, Rge 10, E.W.M.

Lot Size: __approximately 38 acres

1. CONVEYANCE

X **IS**, a Lot of Record as defined in Skagit County Code (SCC) 14.04.020 or owned by an innocent purchaser who has met the requirements described in SCC 14.18.000(9) and RCW 58.17.210 and therefore IS eligible for conveyance.

IS NOT, a Lot of Record as defined in SCC 14.04.020 or owned by an innocent purchaser who has met the requirements described in SCC 14.18.000(9) and RCW 58.17.210 and therefore IS NOT eligible for conveyance or development.

2. DEVELOPMENT

IS, the minimum lot size required for the _____ zoning district in which the lot is located and therefore IS eligible to be considered for development permits.

X **IS NOT** the minimum lot size required for the __Rural Resource-Natural Resource Land zoning district in which the lot is located, however, does meet an exemption listed in SCC 14.16.850(4)(c)(viii) and therefore IS eligible to be considered for certain development permits.

Authorized Signature: _____

Date: __ 1/31/2019

See attached map for Lot of Record boundaries.





January 22, 2019

Submitted To: Skagit County Planning and Development Services
1800 Continental Place, Mount Vernon, WA 98273
(360) 416-1330

Subject: Narrative for **Marblemount Quarry Project Special Use Permit**

1. *Describe your proposal/business.*

The Proposed Project would occur in four steps:

1. Site clearing, grading, preparation, and building access roads and stormwater systems;
2. Mining within the existing Mineral Resource Overlay (MRO) Area;
3. Possible future quarry expansion (contingent on an MRO boundary change*), and;
4. Quarry reclamation.

*Note that the Proposed Project is **not** contingent upon Step 3. If the MRO boundary is not expanded, the rest of the project can still proceed and be commercially viable.

Reference the **Engineering Site Plans** (Exhibit A) and **Marblemount Quarry Reclamation Plans (Skagit Co. SUP)** (Exhibit B) for Proposed Project details.

Step 1 – Site Clearing, Preparation, Building Access Roads and Stormwater Systems. Step 1 will include clearing, timber harvest, stump removal, site grading, road construction, stormwater systems installation, and boundary line adjustments. Activities will occur on what is currently parcels P45543, P45550, P120304, P128574, and parts of P45548 and P45541. Marketable timber will be removed from the site. An approximately 6,700-foot gravel access road would be built to access the top and eastern portions of the project site. Details of the access road are provided in Exhibit A of the SEPA Checklist: **Engineering Site Plans**. Wood mulch and topsoil would be stockpiled on site for future reclamation. Access to the site would include building two new access driveways on Rockport Cascade Road and decommissioning the two existing access points. Details of the site access are provided in Exhibit A of the SEPA Checklist: **Engineering Site Plans**. Grading and roadways for quarry operations and stormwater management will be constructed on the western portion of the project limits. The road providing access to the eastern portion of the site would be designed to meet or exceed Skagit County standards, Washington Department of Natural Resources (DNR) Forest Practice and Mining standards, and any other standards appropriate for its use. Following site clearing and preparation,

the road would be used to access the top of the quarry and for hauling rocks to the bottom for processing.

Step 1 will also include performing boundary line adjustments on parcels to consolidate the project footprint onto fewer parcels and to enable the potential for future phase quarry expansion (see Step 3 below). The Proposed Project would take place on two parcels following boundary line adjustments rather than the six parcels currently affected by the Proposed Project. The boundary line adjustments are not necessary for the permitting process or operation of the Proposed Project, but will ultimately result in simpler land ownership and management.

KIC will obtain SUP, Forest Practice Conversion, Grading, Road Access, Building, and Fire Permits from Skagit County and DNR as appropriate for the Step 1 activities.

Step 2 – Mining within the Existing MRO Area (In MRO). Step 2 includes establishing the quarry within the current MRO boundary per Exhibit B of the SEPA Checklist: **Marblemount Quarry Reclamation Plans (Skagit Co. SUP)**. Step 2 also includes the creation of mining operation areas, establishing support facilities, and mining operations implementation. Support facilities include portable offices/storage structures, a truck loadout scale, a heavy equipment and employee parking area, a fueling station, maintenance shops, and storage facilities for blasting equipment. An undersized rock stockpile area would be established within the existing MRO area on P128574. Rock mining would be conducted using a “top down” approach and transported to the stockpile or staging areas by truck. Surface mining would occur in phases as described in the Reclamation Plan. The land use to the south, east, and west of the project limits is secondary and industrial forestry and the land use to the north is rural residential. A minimum 100-foot setback would be maintained along adjacent property lines or bordering quarry activities. A 50-foot vegetative buffer would be maintained on Rockport Cascade Road.

A summary of project elements of Step 2 would include:

Onsite Activities

- Providing for an approximately 5-acre armor stone staging area in the western portion of P45543;
- Constructing a gravel area with 35 parking spaces;
- Providing a scale control shed and a 70-ton portable scale;
- Providing a maintenance facility, a lubrication storage unit, a spill response Connex, a tool storage facility;
- Providing three ANFO and emulsion trailers and two high explosive magazine storage buildings;
- Providing an off-road diesel tank, a highway diesel tank, and a gasoline tank;
- Providing an office structure;
- Providing an approximately 13-acre undersized rock stockpile area within the existing MRO area on P128574;
- Implementing rock quarrying within the existing MRO using a “top down” approach such that rock would not be cast off the cliff face;
- Transporting quarry rock on-site to the stockpile or staging areas by truck;

- Hours of Operation for quarrying and hauling operations would occur between 6:00 AM and 6:00 PM Monday through Saturday; however, occasional operation outside of these hours may occur during limited, short-duration time periods. Other supportive and normal activities, such as equipment maintenance, may occur after the stated work hours;
- Operations management will include Noise and Vibration Management, Stormwater Management, and Fugitive Dust Management. See Operations Proposal for details.

Off-site Activities

- Off-site hauling: The Proposed Project would have a *maximum* of 75 loaded trucks per day leaving the site during full quarry operations. Up to 50 trips would be flatbed trucks hauling jetty stone. Up to 25 trucks would be dump trucks hauling non-jetty stone rock material. These are maximum values and it is anticipated that there will be periods where little to no hauling of materials occurs.
 - Truck Loads: Trucks will be legal loads of up to 105,500 pounds. If loads exceed this weight limit, appropriate permits will be obtained. Maximum over-load hauls would be less than 10 percent of total hauls.
 - Haul Routes: The haul route identified is via Rockport Cascade Road to Rockport and west on SR-20 to I-5.

KIC will obtain Surface Mining Permits from Skagit County and DNR for Step 2 activities as appropriate.

Step 3 – Possible Future Quarry Expansion (Future Phase). Step 3 would enable the possibility of future quarry expansion to meet anticipated future demand for jetty stone (**Figure 3** in Attachment 1: **Detailed Project Description**). Step 3 is optional; Steps 1, 2 and 4 do not rely on MRO and quarry expansion. This potential step is referenced as the “future phase” throughout the SEPA checklist. KIC understands that future phase quarry expansion requires an expansion of the existing MRO through a Comprehensive Plan Amendment. The Proposed Project includes this potential future phase expansion for full disclosure. Technical assessments conducted for SEPA review considered the maximum project potential, including the future phase, for impact analysis.

If Step 3 is completed, the mining footprint would increase by approximately 10 acres and the undersized stockpile footprint would increase by approximately 15 acres. Approximately 18 acres of the expansion area would be vegetation retention areas, the existing road, and buffers. The total MRO expansion area would be approximately 43 acres. While the Proposed Project within the existing MRO can operate and meet the immediate demand, expanding the quarry would enable meeting anticipated future demand and increase the total potential quarry rock yield by approximately 150 percent. This would allow KIC to fulfill all anticipated supply needs with the least impact, as establishing a new quarry in another location would result in greater overall impacts.

The total proposed MRO expansion area would be approximately 31 acres, or about a 75 percent increase of the current MRO zone that includes the Marblemount Quarry. Skagit County has designated over 61,682 acres of land in Skagit County as MRO. The addition of 31 acres would increase the total MRO area in Skagit County by 0.05 percent.

KIC will work with Skagit County to obtain a Comprehensive Plan Amendment as appropriate to support Step 3 activities. Surface Mine Permit/Special Use Permits for Step 3 activities will either be integrated into permitted conditions (preferred) contingent upon MRO expansion, or modifications to existing permits will be necessary following successful MRO expansion.

Step 4 – Quarry Reclamation. Step 4 would include full reclamation of all the affected parcels following decommissioning of the quarry, roads, and supporting mining operations. The full lifespan of the quarry would be up to 100 years or whenever the source of rock is exhausted. The Mining Reclamation Plan is consistent with DNR surface quarry reclamation regulations. The land will be restored to forestry land use following mine reclamation.

2. *Describe what days and hours will your operation be open.*

Mining and hauling operations would occur between 6:00 AM and 6:00 PM Monday through Saturday; however, occasional operation outside of these hours (including night operations) may occur during limited, short-duration time periods. Other supportive and normal activities, such as equipment maintenance, may occur after the stated work hours.

3. *How many employees will you have?*

A maximum of 25 Kiewit employees would work at the site during certain high-volume contracts. A maximum of 10 Cunningham Crushing employees would work at the site during peak operation. There will be periods of time when quarry operations are scaled back and fewer employees would work onsite.

4. *What will your employees' working hours be?*

Mining and hauling operations would occur between 6:00 AM and 6:00 PM Monday through Saturday; however, occasional operation outside of these hours (including night operations) may occur during limited, short-duration time periods. Other supportive and normal activities, such as equipment maintenance, may occur after the stated work hours.

5. *Will employees work on site?*

Yes.

6. *How many employees will work off-site?*

Offsite employees will consist of 15-18 highway transportation operators transporting quarry stone to local destinations.

7. *Describe the location and size of any signs you propose to advertise your operation.*

One double-sided sign that indicates the entrance and exit to the quarry location may be placed on Cascade Rockport Rd. It would be consistent with Skagit County regulations.

8. *How do you propose to screen your operation from public view? E.g., plants, shrubs, fences.*

A 50-foot vegetative buffer would be retained along Rockport Cascade Road to act as a visual screen. Additionally, vegetation would be retained within the 100-foot setback along property lines to provide a visual buffer. The adjacent properties are undeveloped. A security fence would be installed around the entrances/exits of the quarry.

9. Describe your proposed parking area.

Up to 35 parking spaces will be provided in the gravel area across from the portable office trailer.

10. Describe your schedule, including any phasing, for development of your operation.

Site preparation will begin following issuance of Skagit County permits and a Washington Department of Natural Resources (DNR) Class IV Forest Practice Conversion permit. The access road to the top of the site will be constructed first in Spring 2019 after issuance of the Skagit County Grading Permit and DNR Forest Practice permits. Quarry operations within the existing MRO will begin after the Skagit County Special Use Permit, DNR mining permits, and other associated permits are issued planned for Spring/Summer 2019. The Future Phase of Mining will not commence until the MRO is expanded through a Comprehensive Plan Amendment update process (initiated in 2019, potentially completed in 2020). While mining within the MRO can happen independent of the proposed future phase expansion, we are requesting a Skagit County SUP for the entire potential quarry buildout (including the Future Phase of the quarry outside the current MRO). We recognize that MRO expansion would be a condition of the SUP for this future phase. Reclamation will take place after the quarry is depleted. This may occur on a 50 to 100-year horizon, depending on market needs. The supplemental sheet for non-project actions has been completed for the proposed MRO expansion.

11. Describe the expected traffic impact of your operation on public roads.

The Proposed Project, as planned, has the potential to have up to 75 loaded trucks depart the site per day. This value is considered the maximum peak potential for loaded truck trips. Fewer actual loaded trucks are anticipated. Overall, the Proposed Project has the potential to generate up to 260 total daily vehicle trips per day Monday through Saturday. This number includes jetty-related truck trips; non-jetty-related truck trips; employee trips; and service, vendor, and delivery vehicle trips. The peak vehicle volume would likely occur between 6 and 7 am, with the majority of employees arriving at the site between that time period. Approximately 75 percent of the trips would be commercial trucks (up to 150 truck trips and up to 40 delivery vehicle trips).

Based on findings in the Traffic Impact Analysis, the Proposed Project is not forecast to adversely impact the local road network and conditions (TSI, January 18, 2019). The study intersections satisfy the local level of service standards and there are no significant crash trends that warrant mitigation. The proposed site access is designed to meet Skagit County requirements. See **Appendix I Traffic Impact Analysis** of the **SEPA Checklist** for details.

12. Describe any internal road system your operation will have.

There are three main road systems within the project site.

Entrance Road Loop. The quarry will be accessed from Rockport Cascade Road. There are two site access driveways: one to the north and one to the south. Trucks will access the site from the northern entrance and will exit the site through the southern exit. The entrance road loop will be constructed from crushed gravel and will be approximately 20-feet wide. It will be situated between the larger gravel area and Detention Pond A. There are currently two sub-standard driveway access points to the project area. The proposed loop road will replace the two existing accesses, so there will be no net increase in access points.

Gravel Area. A gravel area and road will be constructed to service onsite operations. It will extend from the beginning of the access driveway southwest adjacent to the entrance road loop. It will continue south to service the maintenance/parking area. It will turn right just north of Stormwater Detention Pond B and continue east along the northern boundaries of Detention Pond B and the topsoil stockpile area. It will terminate at the High Explosive Magazine Storage Buildings.

Access Road. A 6,700-foot access road will be constructed from the northern access driveway to the top of the site along the eastern site boundary. It will be constructed of crushed gravel, will meet a minimum of 20 feet wide, and will have a maximum 12% grade. The access road will accommodate logging trucks (and ultimately quarry stone haul trucks). The road will start at the northwestern corner of the site and traverse south while gaining elevation. The road will have one switchback in the southeastern corner of the project area and continue north until its terminus at the top of the slope. The road will cross two watercourses. Culverts will be constructed.

13. Describe how your operation will be accessed.

The site will be accessed from two controlled driveways on Rockport Cascade Road. Vehicles will enter from the north access point and exit from the south access point.

14. Describe any heat from machinery or equipment that your operation will generate.

Mobile mining equipment and off-highway vehicles will be used onsite. Onsite equipment and vehicles have the potential to generate engine heat typical for that industry.

15. Describe any noise your operation will generate.

Proposed activities at the Marblemount Quarry consist of land clearing, drilling, blasting, excavation, onsite transportation of rock by truck for stockpiling, sizing of rock using hydraulic splitters, load-out of rock, and equipment maintenance. Occasional and intermittent crushing, screening, and load-out of processed rock rip-rap and aggregate would occur. See Appendix E: **Sound Analysis** of the **SEPA Checklist** for details.

16. Describe any odors your operation will generate.

Potential odors may include diesel exhaust and spent powder from blasting caps.

17. Describe any steam, smoke, or dust your operation will generate.

The project is not anticipated to produce any steam or smoke. Dust may be generated from mobile mining equipment and off-highway trucks during dry periods. A Fugitive Dust assessment

was prepared and is included in the SEPA Checklist application (Appendix B: **Fugitive Dust Plan**). The **Marblemount Quarry Mitigation Plan** (Appendix K) identifies mitigation measures adopted in the **Marblemount Quarry Operations Proposal** (Appendix L).

18. Describe any vibrations your operation will generate.

The Proposed Project will generate vibration from blasting operations and truck traffic. Small blasts will occur 4-6 times per day during access road construction, for approximately three months. Blasting for quarry operations will occur up to two times per day. There will likely be long periods of time when no blasting will occur. Additionally, there will be vibration from trucks hauling rock and onsite operations. Two vibration reports (Appendix F) have been prepared to address both blasting and operational vibration. See Appendix F: **Vibration Studies** (Revey Associates, Inc., January 14, 2019 and Ramboll, January 14, 2019). Measures to mitigate vibration are provided in the **Marblemount Quarry Mitigation Plan** (Appendix K) identifies mitigation measures adopted in the **Marblemount Quarry Operations Proposal** (Appendix L).

19. Describe any heavy equipment or machinery your operation will use.

The quarry will use trucks, dozers, excavators, horizontal grinders, off-road haul trucks, excavators with hydraulic drills, motor graders, rock drills, front shovels, backhoes, front end loaders, splitting drills, man lifts, forklifts, scales, and other heavy equipment/machinery. This equipment will be used for site clearing and grading, site preparation, quarry operation, and reclamation. See Appendix L: **Marblemount Quarry Operations Proposal**.

20. Describe any chemicals, waste oil, solvents, fuel, etc., your operation will store.

KIC's proposed Mining operations will require the storage of diesel fuel, gasoline, motor oil, hydraulic oil and equipment related lubricants. Hazardous materials will be stored on-site within a portable hazmat container and handled per industry and regulatory standards. The **Marblemount Quarry Operations Proposal** (Appendix L) provides measures to manage hazardous materials.

21. Describe your plan for disposal of any chemicals.

KIC contracts with Emerald, a full-service environmental partner for automotive, commercial and industrial services. They will recycle and/or dispose of used oil and industrial materials generated by the quarry and manage them as per applicable regulatory standards.

22. Describe your plans to prevent trespassing by employees, customers, or visitors to adjoining property.

The 100-foot property line setbacks consist of young timberland vegetation and extremely thick growth. We do not anticipate providing a security fence around the proposed quarry operation. However, the two quarry access driveways will be fenced and gated appropriately to help prevent trespassing. See Appendix L: **Marblemount Quarry Operations Proposal**.

23. If your operation will use a building please describe the size, height and construction type. The building must be shown on the site plan.

The tallest height of all proposed buildings is approximately 25 feet. Metal or synthetic coverings are the principal exterior building material for all structures except the sprung structure (Maintenance Facility) which is canvas. Buildings to be constructed include:

- **Scale Control Shed:** 8 ft x 20 ft (160 sf)
- **Portable Office Trailer:** 12 ft x 60 ft (720 sf)
- **Maintenance Facility:** 54 ft x 40 ft (2,160 sf)
- **Lubrication Storage Unit:** 8 ft x 20 ft (160 sf)
- **Spill Response Connex:** 8 ft x 20 ft (160 sf)
- **Tool Storage Facility:** 8 ft x 20 ft (160 sf)
- **Three (3) ANFO & Emulsion Trailers:** 8 ft x 40 ft (320 sf). A 15-foot-high topsoil barrier will be constructed around the north, west, and south sides of the ANFO & Emulsion Trailers per ATF barrier requirements.
- **Two (2) High Explosive Magazine Storage Buildings:** 8 ft x 40 ft (320 sf)

24. Describe the sewage disposal plan for employees and the public.

No sewage or septic systems will be used. Porta-Potties/Honey Buckets will be provided for employees' use and will be serviced and maintained in accordance with Skagit County regulations. See Appendix L: **Marblemount Quarry Operations Proposal**.

25. Describe the water supply for employees and the public.

There is currently a residential well onsite, but it will be decommissioned by a certified well driller. Water will be trucked onsite for quarry operations and employees' use. See Appendix L: **Marblemount Quarry Operations Proposal**.

26. Address any fire flow issues.

Water for fire suppression will be stored onsite as directed by the Skagit County Fire Marshal requirements. See Appendix L: **Marblemount Quarry Operations Proposal**.

27. Demonstrate that the proposed use is compatible with the neighboring properties.

The first phase of the proposed quarry is located in zones intended for mineral extraction use. The underlying zoning of all six affected parcels supports an MRO overlay. While the MRO overlay does not currently encompass all the affected parcels, at no time will Mining occur outside the MRO. Future expansion of the quarry is dependent on receiving an MRO overlay expansion. Adjacent land uses include RRC-NRL to the southwest, OSRSI to the northwest, RRv to the north, and SF-NRL and IF-NRL to the east and south.

The Proposed Project will comply with all existing regulations to ensure that the quarry has acceptable land use impact to adjacent properties. Any impacts that exceed regulated thresholds will be mitigated to ensure compliance with regulations. Potential anticipated effects would include noise, vibration, aesthetics, and transportation. The technical studies appended to this checklist include mitigation measures as applicable to address potential impacts to land uses on adjacent properties.

28. *Demonstrate that the proposed use complies with Skagit County Code. Please cite code section.*

The Proposed Project complies with the Skagit County Code sections cited below:

14.16.410(5)(d)—Mining operations are a hearing examiner special use in IF-NRL zones.

14.16.420(4)(d)—Mining operations are a hearing examiner special use in SF-NRL zones.

14.16.430(4)(g)—Mining operations are a hearing examiner special use in RRc-NRL zones.

14.16.440(2)—Expansion of the MRO is permitted through the legislative process described in this section.

14.16.440(3)(c)—Commercial mining operations lying within the designated MRO may continue to operate. Expansion beyond geographical and/or operational limits is allowed through a new Special Use Permit.

29. *Demonstrate that the proposed use will not create undue noise, odor, heat, vibration, and air or water pollution on surrounding, existing, or potential dwelling units, based on the performance standards of SCC 14.16.840.*

Noise

Existing measured sound levels are at or below Skagit County noise limits at all measurement locations in the vicinity of the proposed quarry. Calculated sound levels from proposed operations at the Marblemount Quarry with noise mitigation meet applicable Skagit County noise limits at all analysis locations. See proposed mitigation in Appendix K: **Marblemount Quarry Mitigation Plan** of the SEPA Checklist and Appendix E: **Sound Analysis** of the SEPA Checklist.

Odor

No odor performance standards are addressed in SCC 14.16.840.

Heat

Onsite equipment has the potential to generate heat. These heat sources are very localized and are not anticipated to create a nuisance beyond the boundary lines of the property in which the use is located.

Vibration

Two vibration assessments were conducted for the Proposed Project: one to address vibration from blasting operations and another to address vibration from trucking operations. See Appendix F of the SEPA Checklist for the two vibration analyses (Revey Associates, Inc., January 14, 2019 and Ramboll, January 14, 2019). There would be no vibration impacts from trucking operations and blasting vibrations have appropriate mitigation measures to reduce vibration impacts below regulatory levels (see Appendix K of SEPA Checklist for **Marblemount Quarry Mitigation Plan**).

Air

None addressed in code.

Water

None addressed in code.

30. Demonstrate that the proposed use will not generate intrusions on privacy of surrounding uses.

100-foot property line setbacks will be maintained on all property lines. Setbacks to the north, east, and south are heavily forested and would help prevent intrusions on surrounding properties. Noise mitigation proposed in the **Marblemount Quarry Mitigation Plan** (Appendix K of SEPA Checklist) would reduce noise intrusion onto adjacent properties. A security fence will also be installed near the entrance and exit to the quarry.

31. Demonstrate that proposed use will not create potential adverse effects on the general public health, safety, and welfare.

There are impacts associated with this proposal. The potential impacts are noise, traffic and fugitive dust. However, technical studies prepared for the Proposed Project include mitigation measures that ensure that impacts do not exceed regulatory thresholds to the extent feasible. The quarry operations have been designed and mitigation measures put in place to reduce any potential adverse impacts to the general public health, safety, and welfare to regulatory acceptable levels. See Appendix K: **Marblemount Quarry Mitigation Plan** of SEPA Checklist for mitigation measures.

32. For special uses in the Industrial Forest-NRL, Secondary Forest-NRL, Agricultural-NRL, and Rural Resource-NRL zones, demonstrate that the impacts on long-term natural resource management and production will be minimized.

The entirety of this project is within IF-NRL, SF-NRL, and RRC-NRL zones. P45543, the parcel that will contain the majority of the quarry operations currently does not have high natural resource value outside the Shuksan greenschist that will be quarried. The western half of the parcel contains stands of immature, second-growth trees and saplings that are not a managed forest resource and do not provide significant commercial value. The talus slope and top of the rock face contain a few scattered Douglas firs that may be marketable; however, the low quantity means that long-term resource management and production of timber on this parcel is low.

The adjacent parcels zoned IF-NRL and SF-NRL are part of a working timber operation. This would mean that timber would be converted to non-forest land during quarry operations. This is a temporary impact. The Reclamation Plan identifies reforestation to reestablish future forest practice uses.

The quarry itself will have a long-term impact on rock natural resources in that it is not a renewable resource. The rock resources at the site will be quarried according to all applicable federal, state, and local regulations to ensure that the natural resources are extracted safely and efficiently as possible.

33. Demonstrate that the proposed use is not in conflict with the health and safety of the community.

The Proposed Project's construction, operation, and reclamation will be consistent with all applicable local, state, and federal codes administered by Skagit County, DNR, Ecology, Mine Safety and Health Administration (MSHA), and others. The regulations are designed to support the health and safety of the community. Mitigation measures have been designed and incorporated into the Proposed Project to ensure that all applicable regulatory thresholds are not exceeded (see Appendix K: **Marblemount Quarry Mitigation Plan** of SEPA Checklist).

34. *Demonstrate that 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.*

The Proposed Project may result in an increased need for fire protection/EMS if an incident occurs. Otherwise, the Proposed Project is not anticipated to result in a substantial need for increased public services. The quarry would not generate significant impacts to fire protection, police protection, public transit, health care, schools, or other public facilities that would require services to expand to meet increased need.

35. *Demonstrate 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.*

Skagit County Code allows for mineral resource extraction in this area and the County's right to manage disclosure helps landowners understand and be aware of their proximity to mineral resource land. The Proposed Project has incorporated mitigation measures into its design to help maintain the character, landscape and lifestyle of the rural area to the extent feasible and to reduce impacts that exceed regulatory thresholds. These mitigation measures are detailed in full in the **Marblemount Quarry Mitigation Plan** (Appendix K of SEPA Checklist).

Additional Requirements for Specified Special Use Permits

- G1. *The estimated quantities of all material to be extracted.*

Approximately 3.8 million cubic yards is anticipated to be quarried during Steps 1 & 2 of the Proposed Project. If the quarry is expanded in the future, an additional approximately 5.8 million cubic yards would be mined during that future phase.

- G2. *Identification of any possible Scientific Resource Sites that may be located on the proposed site. Scientific Resource Sites include unique or rare occurrences of rocks, minerals, or fossils that are of outstanding scientific significance. These areas must be delineated on the vicinity map below and the proposal for preservation of the identified area(s) must be addressed.*

There are no Scientific Resource Sites on the proposed site. The closest known Scientific Resource Site is a habitat restoration project on Illabot Creek on Rockport Cascade Road over four miles from the project site. The proposed truck route crosses a bridge over Illabot Creek near the site, but no impacts to the site are anticipated.

G3. 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.

Studies for noise, vibration, and fugitive dust have been prepared and are appended to this application. A mitigation plan with appropriate mitigation for noise, vibration and dust is provided in the **Marblemount Quarry Mitigation Plan** (Appendix K of SEPA Checklist).

G4. An operations proposal detailing estimated frequency of blasting, estimated truck loads per day, what provisions for screening and fencing are proposed, and estimated hours of operations.

An operations proposal is set forth in Appendix L of the SEPA Checklist. Appropriate mitigation is discussed in Appendix K of the SEPA Checklist.

G5. Identification and description of those critical areas designated and regulated by SCC 14.24, together with any critical areas studies that may be required by SCC 14.24.

The project area contains fish and wildlife habitat conservation areas and geohazard critical areas. A **Skagit County Geologically Hazardous Critical Areas Report** is attached in Appendix A of the SEPA Checklist. A **Biological Assessment** is attached in Appendix D of the SEPA Checklist.