Planning & Permit Center
Pre-application Request Form
Pursuant to SCC 14.06.080(2)

PA#: _____

Date Received

- ☐ Binding Site Plan
- ☐ Bldg Permits Triggering SEPA
- ☐ Fill & Grade Triggering SEPA
- ☐ Forest Practice Waiver – HE
- ☐ Level II, III and IV Applications
- ☐ Long CaRD ☐ Pre ☐ Final
- ☐ Plat or SPU Modification
- ☐ Rezone
- ☐ Shoreline Substantial Use Permit
- ☐ Short CaRD
- ☐ Short Plat
- ☐ Special Use Permit Level II
- ☐ Variance Level II
- ☐ Other _____

Please submit 8 copies of the pre-application submittal materials

1. Other Related Permits or Approvals: Conditional Use Permit # 77-031

2. Parcel ID#: P74865 Assessor Tax #: 350928 - 1 - 005 - 0001

Parcel ID#: _____ Assessor Tax #: _____ - _____ - _____ - _____

3. Section 28 Township 35 Range 9 Comprehensive Plan/Zoning Designation: Rural Reserve

4. Site Address: 50598 Hwy 20 - Between Concrete + Rockport

5. Lot of Record: ☐ Yes ☐ No Urban Growth Area: ☐ Yes ☑ No If yes, City: _____

6. Comp Plan/Zoning within 200 feet: na

7. Mineral Resource Overlay within ¼ mile ☐ Yes ☑ No Critical Area/Water within 200 feet: ☐ Yes ☑ No

8. Acreage / Lot Dimensions: 40 acres

9. Flood Zone: — FIRM Map Panel #: na Map Date: na

10. Road access ☑ Private ☐ County – Permit #: _____ ☐ State – Permit #: _____

11. Water Source ☐ Drilled well - Permit #: na ☐ Community Well ☐ Public _____

12. Sewage Disposal: ☐ Septic – Permit #: na ☐ Public Sewer: _____

13. Lot Certification: See attached

14. Legal Description: See attached

(Attach additional sheet if necessary.)

1005 2006 0000 2593

Planning & Permit Center

Applicant

3D-H Aggregates
Name

P.O. Box 142 Stanwood Wa 98292
Address

360 629 4633 _____ _____
Phone Fax e-mail address

Owner

David/Helen Weber & Dave/Darcy Harvin
Name

809 Raitdal Rd Camano Island Wa 9829
Address

_____ _____ _____
Phone Fax e-mail address

Contact

Merle Ash / Land Technologies
Name

18820 - 3rd Ave NE Arlington Wa 98223
Address

360 652 9729 360 652 5374 _____
Phone Fax e-mail address

***Contractor** (When applicable. If owner, write owner-builder)*

_____
Name

_____
Address

_____ _____ _____
Phone Fax e-mail address

_____ _____
Contractors License # Expiration Date

10 05 2006 08:00 259

PRE-APPLICATION REQUEST

Permit Application
Legal Description- Exhibit A
Owner Certification

1008 2806 0000 889

EXHIBIT A

the West 1/2 of the Southwest 1/4 of the Northeast 1/4 and the West 1/2 of the Northwest 1/4 of the Southeast 1/4 in Section 28, Township 35 North, Range 9 East, W.M.

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over and across a 60 foot right of way located on the Northerly portion of the East 1/2 of the Southwest 1/4 of the Northeast 1/4 of said Section 28, as said easement was reserved in deed recorded June 21, 1977, under Auditor's File No. 858854.

Situate in the County of Skagit, State of Washington.

1005 2006 0000 2594

OWNERSHIP CERTIFICATION

I, Dave Harvin, hereby certify that I am the major property owner or officer of the corporation owning property described in the attached application, and I have familiarized myself with the rules and regulations of Skagit County with respect to filir application, and that the statements, answers and information submitted presents th ment on behalf of this application and are in all respects true and correct to the best of my knc ge and belief.

Street Address: 5930 - 332nd ST. N.W.

City, State, Zip: Stanwood, WA. 98292

Phone: (360) 629-9243 Signature(s): X Dave Harvin

for: 3dh Hogreg. s Inc.
(corporation or company name, if applicable)

ACKNOWLEDGMENT

STATE OF WASHINGTON)
ss.)
COUNTY OF SKAGIT)

On this day personally appeared before me Gregg Eaton, known to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purpose therein mentioned.

GIVEN under my hand and official seal the 4th day of May, 2000.

[signature]
NOTARY PUBLIC in and for the State of Washington,

Anacortes
residing at

My Commission Expires: 6/30/2000

GREGG T. EATON
COMMISSION EXPIRES
NOTARY
PUBLIC
STATE OF WASHINGTON

1005 2006 0080 2591

CORRESPONDENCES

Letter prepared by Land Technologies dated April 12, 2001
Response letters from:
Todd L. Harrison, Mt. Baker Assistant Area Administrator
Dave Williams, Mayor of Concrete
Mary Margaret Haugen, Chairman, Senate Transportation Committee
Bryon Mercer

1008:2006 0000:8888

Washington State Department of Transportation
Ida Morrison
Secretary of Transportation

Northwest Region
15700 Dayton Avenue North
P.O. Box 330310
Seattle, WA 98133-9710

(206) 440-4000

February 6, 2001

FEB 8 2001

Mr. Dave Weber
3D/H Aggregates, Inc.
P.O. Box 142
Stanwood, WA 98292

Subject: SR-20 MP 95 Vic. CS 2932
Access Connection Permit Application AC00040022

Dear Mr. Weber:

We have reviewed your proposal to access SR-20 by easement or lease through WSDOT Pit Site M-106. We are denying this request for the following reasons:

- The WSDOT pit site access will not safely accommodate two-way truck traffic.
- While it may be an inconvenience to its users, the current access connection meets our safety standards. There appears to be better sight distance at the existing access location. Our records also indicate that there have been no accidents attributed to the current access within the last three years.
- We recommend upgrading the existing joint access with Skagit County to accommodate all users.

If you have any questions, please contact Phil Segami of our Developers Services section at 206-440-4665.

Sincerely,

R. PAUL JOHNSON, P.E.
Mount Baker Area Administrator

PS:ps

cc: Dick Van Dyk, WSDOT Real Estate Services MS 118
Ted Dempsey, Maintenance Superintendent, Area 2 MS 42
Gary F. Sorensen, Skagit County Solid Waste Section

skagit01/access/AC040022b.doc

1005 2002 0800 2599

Washington State Senate

Olympia Office:
[illegible] John A. Cherberg Building
PO Box [illegible]
Olympia, WA [illegible]

Senator Mary Margaret Haugen
10th Legislative District

(360) 786-7618
FAX: (360) 786-1999
e-mail: haugen_ma@leg.wa.gov

1 May 2001

To Whom it May Concern:

I would greatly appreciate your consideration to fast track the special use permit as requested by Land Technologies. They have applied for a job specific permit for a portable asphalt/crushing plant at a permitted gravel resource site

Expediting this permit is very necessary to the flow of traffic along Highway 20, especially now as we move into tourist season with more RV and car congestion. Rushing this permit now and allowing Land Technologies to begin work will eliminate close to 3,350 truck and trailer trips along the Highway 20 corridor.

Thank you very much for your consideration.

Sincerely,

Mary Margaret

Mary Margaret Haugen
Chairman, Senate Transportation Committee
10th District State Senator

MMH/kfl

Committees: Transportation, Chair • Judiciary • State & Local Government

To Whom It May Concern :

My name is Bryon Mercer and I reside at 50691 Hornbeck ln. In Rockport.

This is in reference to "3DM Aggregates" which is located across the highway from us. When "3DM Aggregates" first moved in they came over to introduce themselves and to tell me to let them know that if in any way their operation disrupts my life with noise , dust or any thing else to please let them know. I found this very courteous.
"3DM Aggregates", has been and hopefully always will be an asset to me and the rest of the upper Skagit Valley.
This letter is concerning a semi-temporary asphalt production system they would like to start this year. I have been in construction most of my life and this will remain very trivial to me. When the plant in Concrete shut down the valley was at a loss for material. When 3DM moved in, and I know I speak for many when I say, we welcome them with open arms. Within reason, I don't think they could do to much to disrupt our lives.

Respectfully Youre

Bryon Mercer

Please feel free to call with any further inquiries

(360) 853-8050

DRAWINGS

1 of 3 Cover Sheet
2 of 3 Aerial Photograph
3 of 3 Photographs

3DH Aggregate

SKAGIT COUNTY, WASHINGTON

Special Use Permit - Asphalt Plant

Project Information
Assessor Number..350928-1-005-0001
Parcel ID Number..P44865
Zoning...Rural Reserve
Land Use..Gravel Site..
Acreage..40 acres
Fire District #..10

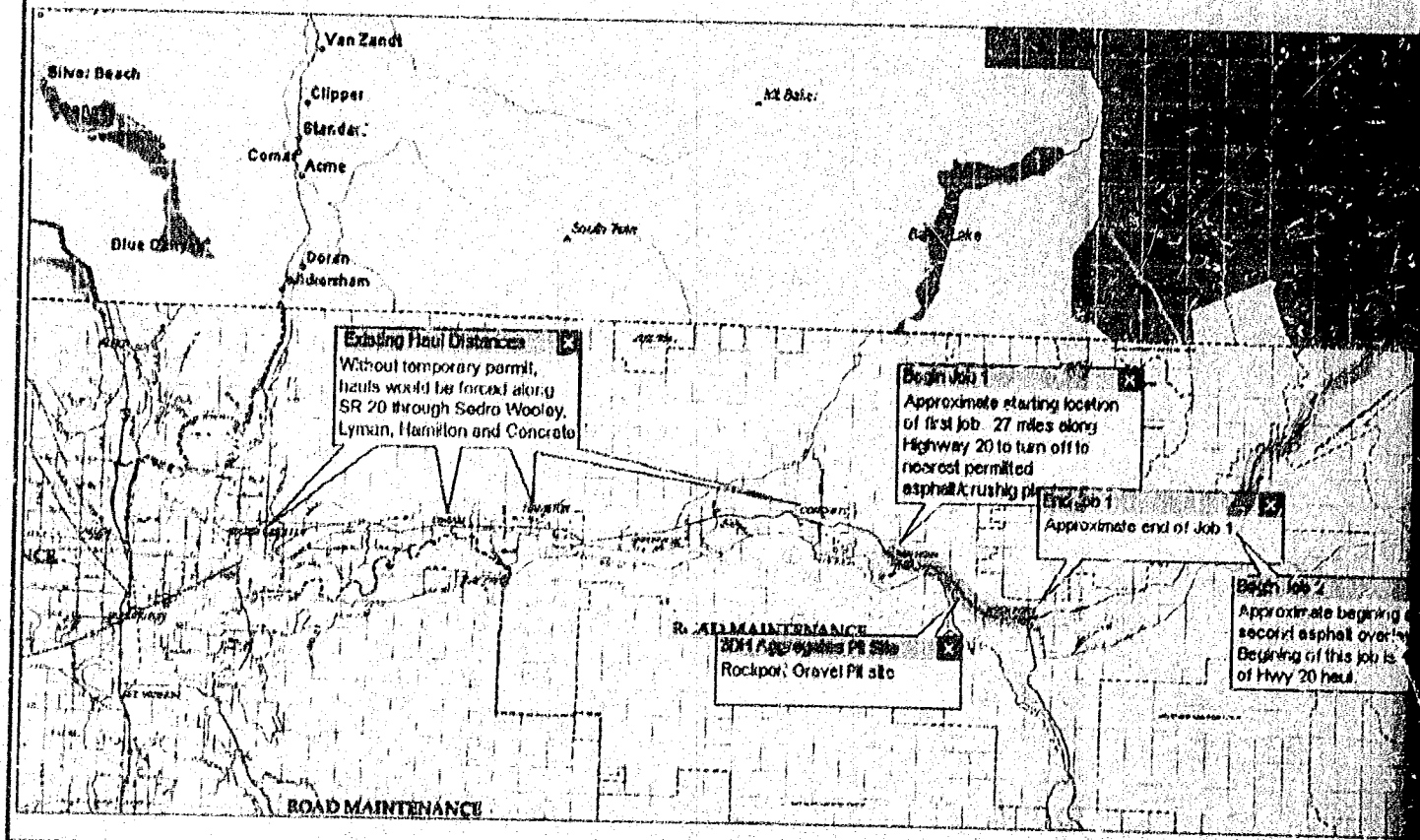
Applicant
3D-H Aggregates
PO Box 142
Stanwood, WA 98292
360.629.4633

Contact
Land Technologies/Merle Ash
18820 3rd Avenue NE
Arlington, WA 98223

Section 28, Township 35 North, Range 9 East, W.

Legal Description
The West 1/2 of the Southwest 1/4 of the Northeast 1/4 and the West 1/2 of the Northwest 1/4 of the Southeast 1/4 in Section 28, Township 35 North, Range 9 East, W.M

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over and across a 60 foot right of way located on the Northerly portion of the East 1/2 of the Southwest 1/4 of the Northeast 1/4 of said Section 28, as said easement was reserved in deed recorded June 21, 1977, under Auditor's File No.858054.



FEB 5 2006 00:00 26.03

North, Range 9 East, W.M.

nwest 1/4 of the
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North, Range 9 East, W.M.

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ress and utilities
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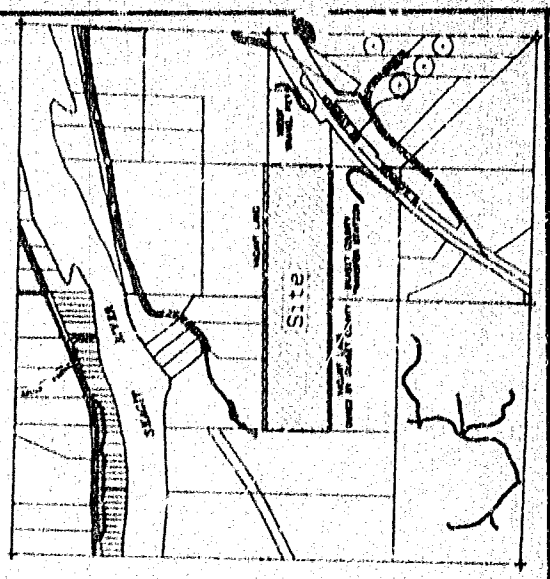
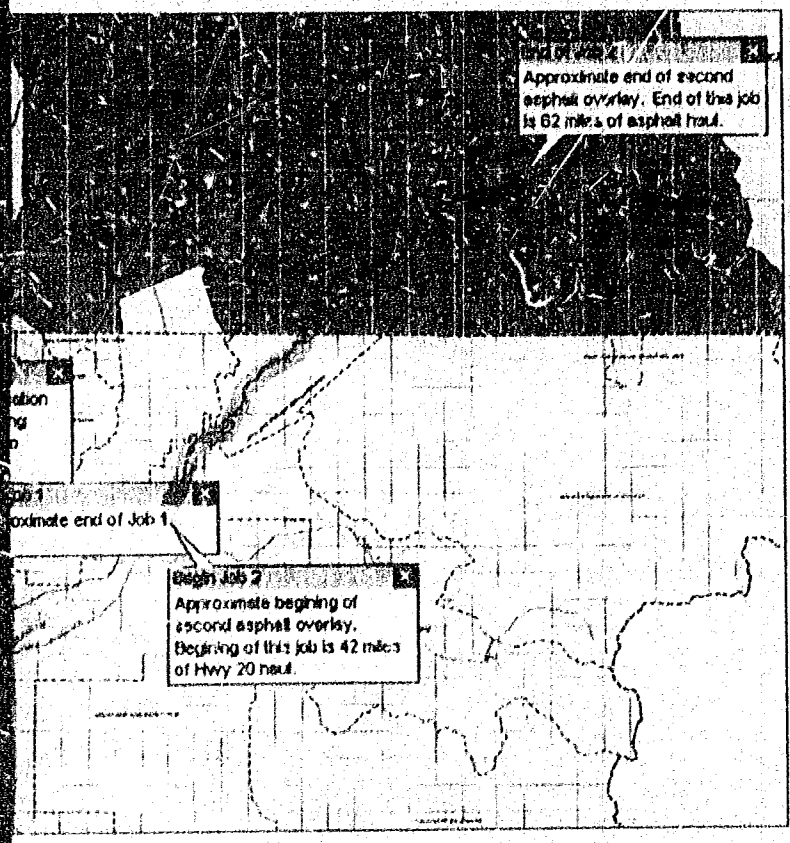


Vicinity Map

1" = 1400'



INDEX TO SHEETS

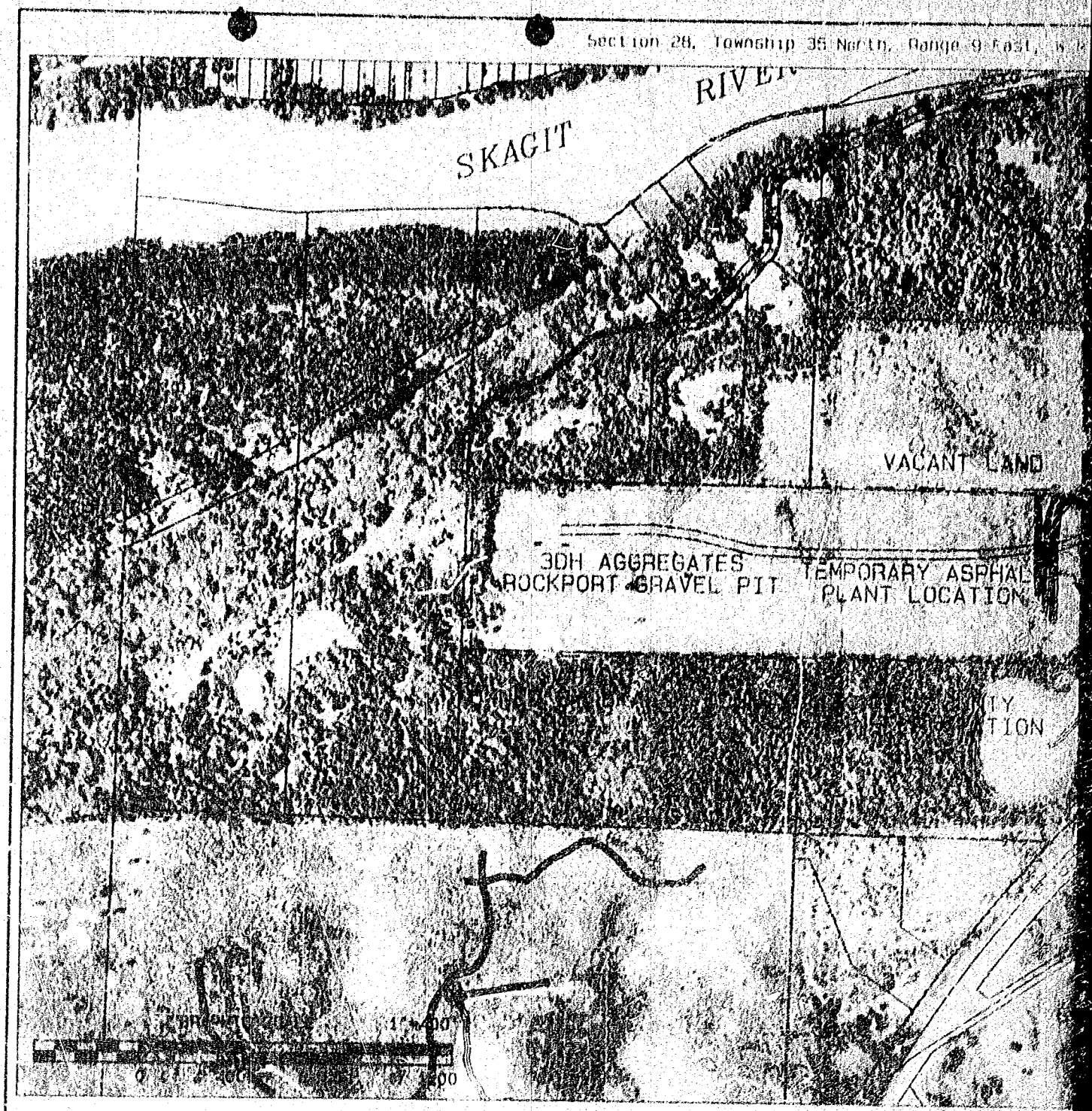
1 of 3 Cover Sheet
2 of 3 Asphalt Plant Special Use Permit
3 of 3 Existing Photographs

3DH AGGREGATE INC. | Rockport Gravel Pit

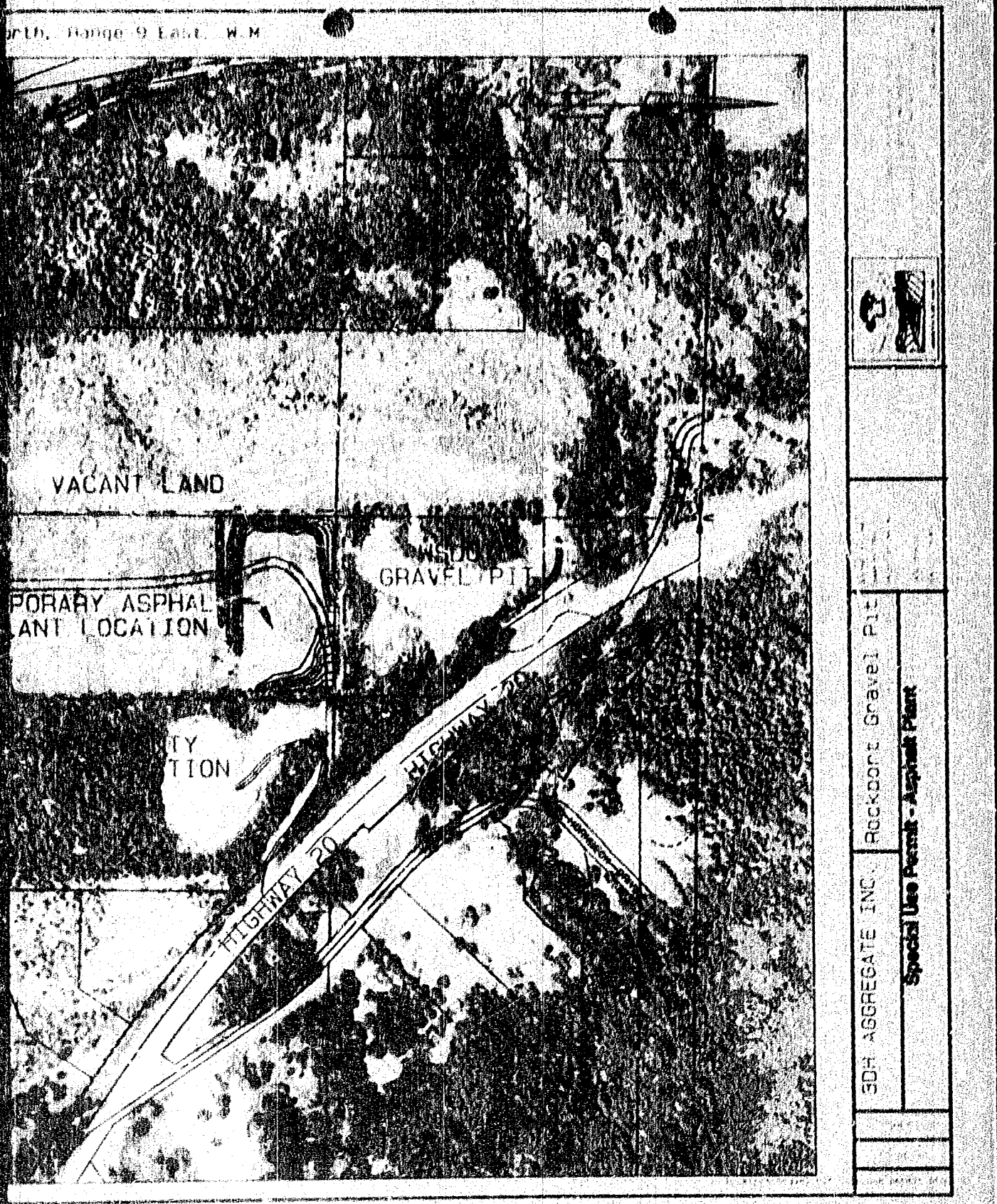
Cover Sheet

1005 2006 0000 2604

Section 28, Township 35 North, Range 9 East, W.



1005 2006 0000 2605



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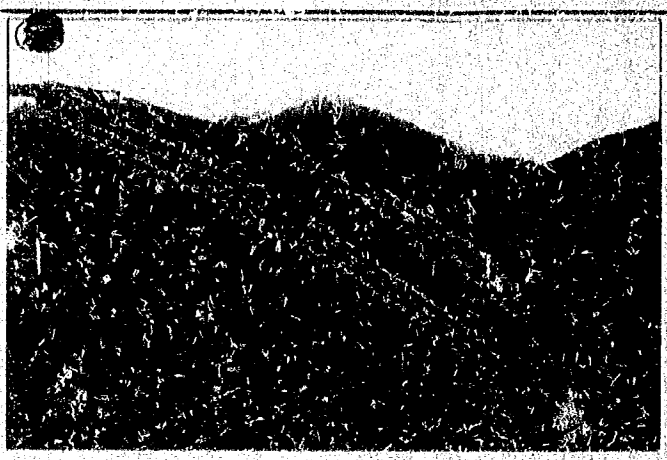
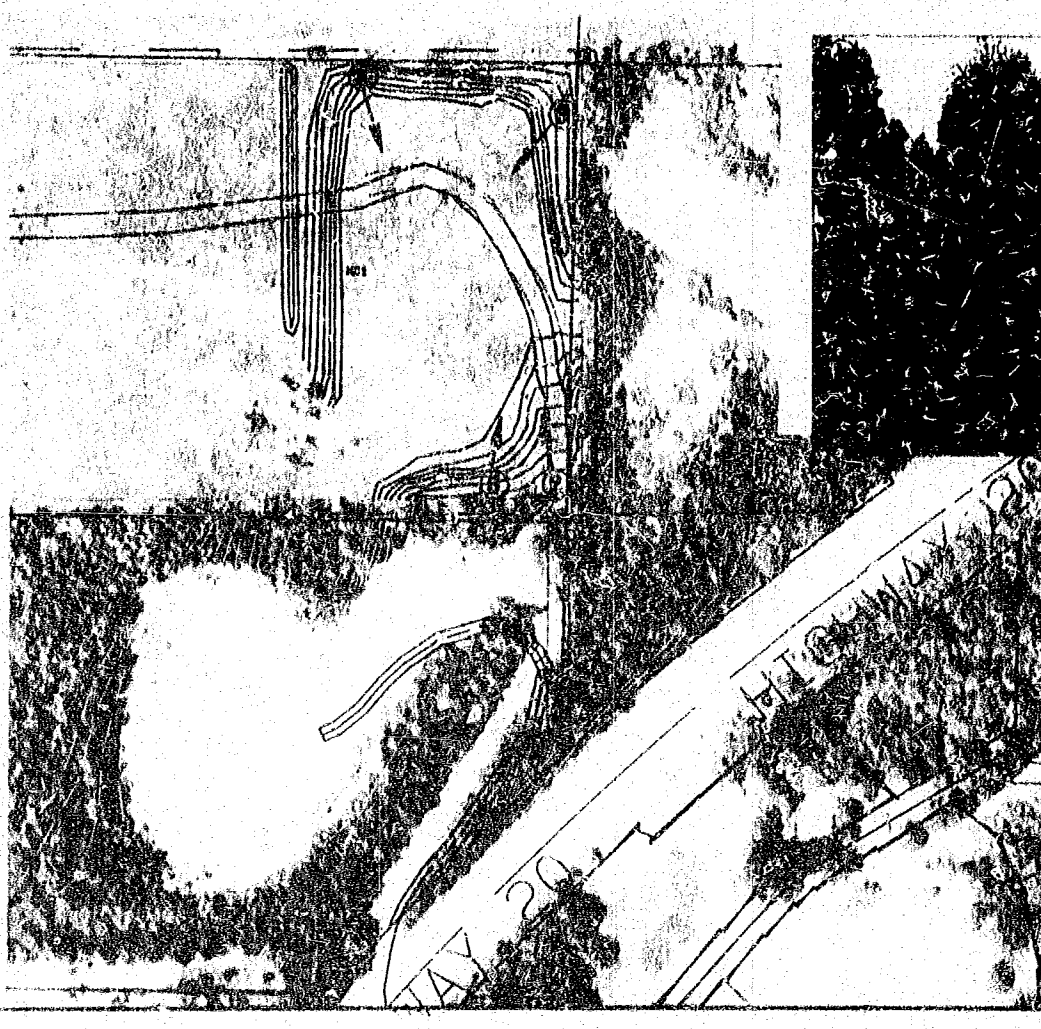






Photos Show Remoteness a

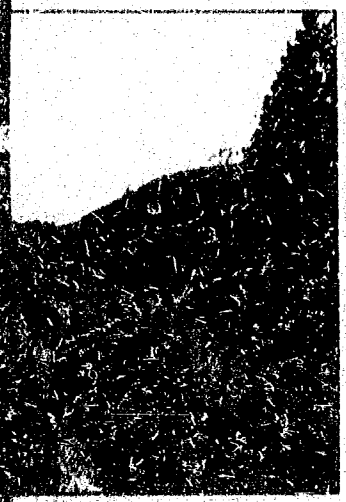
1..Looking north across
from trees in middle of
behind trees on right ha
left half of picture.
2..Looking southeast a po
3..Looking northeast acc
to Skagit County proper
4..Access point to highwa
5..Looking south from po
WSDOT pit. The south po
to Skagit River Valley.

1005 2006 0000 2607

Section , Township 35 North, Range :ast, W.M.









os Show Remoteness and Seclusion of Site

ooking north across existing gravel excavation. Pit entry
m trees in middle of picture. Skagit County transfer station
ind trees on right half of picture. WSDOT pit behind trees on
t half of picture.
ooking southeast a point of entry to gravel pit.
ooking northeast across pit. Trees provide heavy screening
Skagit County property.
ccess point to highway 20.
ooking south from point of entry along west boundary with
OT pit. The south boundary is vacant land that drops rapidly
Skagit River Valley.

LAND TECHNOLOGIES

3DH AGGREGATE INC.

Rockport Gravel Pit

Existing Photographs

SHEET

3 of 3

Rockport Gravel Pit - B use permit.pro

SUMMARY OF REQUEST

LAND TECHNOLOGIES, INC.

MAKING A WAY OUT OF "NO WAY"



May 15, 2001

Skagit County

Project File Number: Conditional Use Permit #77-031
Re: Pre-Application Data Sheet

Summary of Request

The proponent has an existing Conditional Use (CU) to extract gravel from 10-acres of a forty-acre parcel. This CU is to be reviewed after two years of operation and if operations are acceptable, the Department of Natural Resource (DNR) form SM-6 is to be signed so as to bring the gravel extraction area allowed by the county to match that of the DNR, which has permitted the whole forty-acres. Wilder Construction obtained the original CU for the purpose of providing a gravel resource site and a site to temporally produce asphalt for work along this remote portion of the Cascade Highway. Existing permitted sites would have to truck asphalt from north of Burlington for repair and maintenance to the Highway. Two specific asphalt overlay projects are scheduled for this area this summer. An estimated 120,000 tons of asphalt is projected for use on these two projects. That will require an estimated 9400 truck hours along 30 miles of the North Cascade Highway through Sedro Wooley and Concrete during the height of the tourist season.

We are requesting a job specific permit to operate a portable asphalt plant and crushing plant on the gravel pit site for the duration of the two specific jobs. One project crosses our access point to the Highway and the other project is twenty minutes east of our pit site. Estimated trucking time would be reduced to 1100 hours and no traffic would be routed through Concrete or Sedro Wooley. Hauling from this site reduces the impacts to only a few miles of the North Cascade Highway.

Information Requested for Emergency/Suspended Zoning Code

Fairness to Other Contractors: The Owners of the Rockport Gravel Pit are not paving Contractors and will not be bidding this work. 3DH Aggregates will supply material and the site to every Contractor bidding this work. Materials and the site will be available for standard pricing to all bidders.

Hours of Operation: Talks with WSDOT say that the only the restrictions from their side is that work has to be suspended on Fridays at noon. Expected work periods desired by bidders will be daylight hours from Monday morning to Friday at noon. There are no immediate neighbors that will be affected by the in pit work. The nearest resident is 1500 feet away and screened by terrain and trees. The plant will set in a hole surrounded by earth berms. The two jobs of concern are to be completed in the summer of 2001.

Sanitation: Sani-cans with full services will provide for on-site sanitation. Numbers of units installed will be appropriate to the size of crews working at the site.

Location of Batch Plant: The plant will be located in the middle of the existing pit as shown on the attached maps. The Skagit County Transfer Station borders the location on the east side. An old WSDOT

18820 3rd Ave NE - Arlington, WA. 98223 (360) 652-9727 Fax (360) 652-5374

borrow site borders the site to the North and vacant land borders the site to the west. Two thousand feet of the operator's property borders the site to the south. The nearest existing resident is 1500 feet from the proposed location of the batch plant.

Site Description

Soils: The site soils are deep deposits of sand and gravel. The sand and gravel deposit is of commercial quality and meets Washington State Department of Transportation (WSDOT) standards for Gravel Backfill Sections 9-03.12(1), (1)B, (2), (3), (4), & (5); Gravel Borrow Sections 9-03.14(1), (2), (3). Screening may be required to meet some specifications due to oversize material. The fines contents, portion less than the 200-screen, is less than five percent. This is an excellent Gravel Aggregate Resource.

The Department of Agricultures Soil Conservation Service (SCS) has mapped this soil as Winston Gravelly Silt Loam and describes it as very deep, well-drained soil on terraces and is underlain by glacial outwash. Permeability is moderate from the surface to the substratum and very rapid in the substratum.

Drainage: As described from the SCS book, this soil type is very well drained in the substratum. There is virtually no surface runoff, stormwater moves vertically through the well-drained soils.

Topography: The forty-acre site itself sets up on a small plateau and is fairly level with a slight slope the south. To the east of the property, the slope drops fairly rapidly in terraces to the Skagit River. Some slopes, between terraces, approach thirty-three percent. The River is a thousand feet west of the property. To the north is WSDOT gravel pit that slopes back to the North Cascade Highway. From the northeast corner of the property to the Cascade Highway is about 250 feet with a 30-foot drop in elevation.

Wetlands and Streams: The rapid permeability of the soils does not provide hydrology that is conducive to the formation of wetlands and streams. Neither exists on site, there appears to be no surface water or drainage on or within 200 feet of the site.

Vegetation and Wildlife: The site had been clear-cut within the last 10 years and is in the shrub dominant successional stage in areas that have not been re-cleared for gravel extraction. Native plants and wildlife is typical of this North Cascade Region.

Surrounding Land Use: North of the site is a WSDOT gravel pit, between this site and the North Cascade Highway, along the east boundary is an old Skagit County landfill and the current transfer station. To the south and west are large parcels with some use as rural residential.

Traffic Patterns: The North Cascade Highway through an easement accesses the gravel pit across the Skagit County Transfer Station Property.

Project Description

Gravel mining is currently in progress on a 10-acre portion of the DNR permitted 40-acre site. The temporary 10-acre limit was imposed by Skagit County through the Conditional Use permit #77-031. After two years the county is to review the mining activities to consider expansion into the additional 30 acres as permitted by DNR.

The gravel resource site is remote from general use and was originally permitted by Wilder Construction in anticipation of supplying materials for road repairs and maintenance along the North Cascade Highway. Wilder Construction had never found further reason to actually start mining the site and the site has since been purchased by 3DH Aggregates. 3DH Aggregates has been mining the site for the last [illegible] years. The site is remote and has had no problems with neighbors. Neighbors to the north and [illegible] WSDOT gravel pit and a Skagit County Transfer Station. The mining area is invisible from [illegible] neighboring properties or the Highway.

Along the North Cascade Highway, WSDOT has scheduled two repair and asphalt overlay projects that are to begin in early summer of 2001. The first project is about a 20,000-ton asphalt job that [illegible] three miles west of the gravel pit and passes right in front of the driveway to the pit. The second job is from Marble Mount to Diablo Road and will take an estimate 100,000-tons of asphalt. The Marble Mount job is 20 minutes east of the gravel pit. The nearest sites actually permitted for gravel extraction and an asphalt plant are north of Burlington and are 30 miles of tourist highway from the first job location.

These jobs will begin in about two months and we are requesting a job specific permit to bring in a portable asphalt plant and crusher to supply pavement to these two specific jobs. The asphalt/crusher plant would be onsite for approximately 4 months.

Project Issues

Timing and Benefits: Time is of the essence as these projects are schedule to begin in early summer. Permits for the onsite use of the portable plant would be required in June of 2001. There is significant benefit to the community for expediting this permit process. Thirty six hundred and fifty truck trips and over 9400 hours of truck time on the North Cascade Highway will cause a tourist season traffic nightmare from Sedro Wooley to Diablo Road for approximately 3 months of the summer. Ninety four hundred hours of trucking will cost taxpayers $705,000 for the asphalt haul alone. Asphalt hauls from the Rockport pit would only cost $265,000, which is a $440,000 savings for the asphalt haul alone. Other benefits would add up to at least a half million-dollar savings to the taxpayers for this roadwork. This is just the cash benefit to cost of government; there are un-measurable benefits to the frustration levels of thousands of tourists and locals using the North Cascade Highway. The highway through Sedro Wooley and Concrete would be literally choked off for a large portion of the summer.

Asphalt Haul Impact Table

Description	Burlington	Rockport	
Estimated Tons of Asphalt	120,000	120,000	Combined work scheduled
Number of Truck and Traders	3,350	3,350	Based on 33 tons per T&T
Miles to Middle Job 1	30	0	
Miles to Middle Job 2	52	22	
Est. Truck Hours on Road	9400	3500	Not considering time lost to traffic jams
Cost of Truck Hours on Road	$705,000	$265,000	Haul costs at $75 per hour, no delay time costs
Frustrated Tourist Travel	XXXXXX	X	Impact based on road haul time
Frustrated local Travel	XXXXXX	x	No traffic in Sedro or Concrete.

Planning & Permit Center
SPECIAL USE APPLICATION
Pursuant to SCC 14.16.900 and others as indicated

PL# 01-0435

Date Received

SKAGIT COUNTY
PLANNING & PERMIT CENTER
OCT 24 2003
RECEIVED

Level
Level I review: ☐ Administrative SPU
Level II review: ☒ Hearing Examiner SPU

Type, if applicable (Having Additional Review Criteria)

- ☐ Ag Processing Facility
- ☐ Bed and Breakfast
- ☐ Home Based Business II
- ☐ Outdoor Outfitter Enterprise
- ☐ Temp Manufactured Home
- ☐ Mineral Resource Overlay Permit 14.16.440
- ☐ Rural Business Expansion Beyond 1,500 Sq Ft 14.16.150(4)(d)
- ☐ Rural Business Change In Use 14.16.150(4)(e)
- ☐ Personal Wireless Facility 14.16.720
- ☐ Other: _____

Please submit the following Special Use application requirements.

1. **Fees.** Payment of all applicable review fees. Check not signed - returned 10/24/03
2. **Fact Sheet.** Fully completed and signed fact sheet.
3. **Assessor's Map.** Please include a full scale (18" X 24") Assessor's section map purchased from the Assessor's office. Please identify the subject property on the map.
4. **Ownership Certificate.** Pursuant to 14.06.090(1)(c) a completed and notarized ownership certification form is required.
5. **Pre-application Verification Form or Waiver Form.**
6. **Lot of Record Certification.**
7. **Concurrency Determination Form.**
8. **Site Plan.** Applications for a Special Use permit must include a site plan drawn to a scale of not less than 1" = 40' (at least one must be on paper no larger than 11" X 17"), to clearly show: dimensions of all property lines; location and dimensions of existing structures, proposed buildings and additions; access points, off street parking; existing and proposed landscaping; location of septic tank and drain field including the distances from all structures existing and proposed, from property lines, and each other.
9. **SEPA/CAO/ESA Checklist.** A fully completed and signed environmental checklist for projects subject to review under the State Environmental Policy Act, completed Critical Areas checklist and ESA Listed Salmonids checklist. (Note: SEPA is not required for Temporary Manufactured Home request)
10. **Pre-addressed/Stamped Envelopes of Owner(s) of Record with 300 feet of the Proposal.** Pursuant to 14.06.150 the applicant shall provide pre-addressed and stamped envelopes for Owner(s) of Record within 300 feet of all subject property boundary lines. The information shall be updated within 3 months of the date public notice is required.
    - 1 full set required for Administrative Special Use applications
    - 2 full sets required for Hearing Examiner Special Use applications

11. **Attach a Detailed Project Description.** Please address any of the following applicable items in the narrative. Special use permits are vested to the specific details provided in the application.

- Total number of employees on site and their working hours
- Hours and days of operation
- Exterior indication of use and proposed methods to mitigate aesthetic impacts
- Address parking needs and provisions
- Development schedule
- Vehicle traffic generated by the use and its impact on the County and State Road systems
- Design of internal roadway system, if applicable (provide a profile)
- Address any noise, odors, or heat generated from the proposed use
- Address any emissions to the air resulting from the use
- Describe any heavy equipment/machinery that may cause vibrations to adjacent properties
- Describe any chemicals, waste oils, solvents, fuel, etc. that might be stored that could potentially contaminate water supplies if spilled or improperly used
- Address methods to prevent water pollution potential
- Describe the potential for trespassing onto adjacent properties by visitors, customers or employees.
- Describe methods to prevent trespassing
- If your proposal includes the utilization of an existing structure, please indicate how you intend to comply with the Uniform Building Requirements for Change of Use
- Address sewage disposal needs for employees and the public

12. **Address the General Special Use Permit Application Evaluation Criteria.** Please re-state and address each applicable general criteria for special uses. The burden of proof shall be on the Applicant to provide evidence in support of the application.

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 14.16.840.

d. The proposed use will not generate intrusions on privacy of surrounding uses.

e. Potential effects regarding the general public health, safety, and general 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.

13. **Special Uses with Specific Criteria.** Please re-state and address special criteria related to certain requests. Agricultural Processing Facilities, Temporary Manufactured Homes, Bed and Breakfasts, Outdoor Outfitters Enterprises, and Home Based Business II have specific criteria that are listed on the General Special Use Information Sheet. Applicable criteria and submittal requirements for Mineral Resource Overlay and Personal Wireless Facility Special Use permits

are outlined on specific information sheets for those uses. **Failure to address the required criteria will cause delays in processing your application.**

Agricultural Processing Facilities: The proposal must demonstrate to the Hearing Examiner's satisfaction that the following criteria can be met:

- The use does not substantially detract from natural resource production onsite or in the area.
- The use is directly related to natural resource enhancement or production.

Temporary Manufactured Home:

Accessory to a Farm Dwelling Unit: A temporary manufactured home accessory to a farm dwelling unit on property meeting the definition of a farm in RCW 84.34.020 to accommodate agricultural workers and their families employed on the premises, as provided:

- The property must meet the definition of a farm in RCW 84.34.020 (Open Space Taxation).
- Demonstrate 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.

Residential Accessory to Provide Care for an Elderly or Disabled Family Member

- Description of the proposed method of sewage disposal: If an existing system will be used, and Environmental Health Specialist should be contacted to determine the feasibility of utilizing the existing on-site sewage disposal system. If a new system is proposed, it will be necessary to have a site evaluation and a design completed by a Certified Designer and submitted to the Permit Center for review and approval. The site evaluation should be submitted for review prior to submittal for the Administrative Special use Permit.
- Description of proposed water source: Before an application for a Special Use Permit is accepted, approval from the Health Department is required. The exceptions are State approved purveyors (PUD, City of Anacortes, Town of LaConner and Rancho San Juan Del Mar). The Health Department will require an approved septic site evaluation and/or design to approve private wells.
- Description of proposed access: The proposed access road will need to meet the Fire Marshall's standards and be in conformance with the Skagit County Road Standards.
- Documentation: A letter from a doctor and/or physician documenting the need for nearby care.
- Conditions: The following standard conditions will be applicable: 1) All permits and approvals shall be obtained (building permit must be obtained including associated approvals: on-site sewage disposal, water approval, setbacks, access road requirements). 2) At such time as the elderly or disabled parent or relative is no longer residing in the mobile home, it shall be removed. *Note: This condition is placed on the permit to eliminate the future potential that the mobile home will remain on the property after the person is no longer utilizing it.*

Bed and Breakfast: Bed and breakfast special use permits are subject to the following requirements:

- They are owner occupied and managed.
- Parking is on-site and a minimum of 10 feet away from neighboring residences.
- All lighting is directed away from neighboring residences.
- It is demonstrated that the impacts will be no more obtrusive than a residence.
- 5 bedrooms or less are available for guest use.

Outdoor Outfitters Enterprises: Special use permits for Outdoor Outfitters Enterprises shall be subject to the following requirements:

- Temporary lodging may be allowed at temporary primitive campgrounds as regulated in each district existing lodges/cabins or approved bed and breakfasts.
- No more than 5 self-contained RVs shall be allowed with such enterprises at any one time.
- Temporary lodging in a single location shall not exceed 14 days for any 1 individual, group or party.
- At least 7 days must pass before registered guests may return for lodging.
- A site plan showing the location, size, access of proposed primitive campsites, existing lodges/cabins and RV sites is required to be submitted with the Special Use application.

Home Based Business II: Special Use permits are subject to the following criteria:

- Is carried out by a member or members of a family residing in the dwelling and may include up to 3 additional employees;
- Is clearly incidental and secondary to the use of the property for dwelling purposes;
- The business activity may be conducted in other than the dwelling;
- 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 4 square feet, provided such sign shall not be illuminated;
- 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;
- Does not create a level of parking demand beyond that which is normal to a residential area; and may have clients come to the site.
- It should be noted that the intent of this category of Special Uses is to allow home based businesses to operate with the above-noted limitations. When the business grows beyond the criteria established above and the conditions included in any approval, the business shall relocate to a zoning classification that would permit the activity.

Rural Business Expansion Beyond 1,500 Square Feet: A Rural Business established prior to July 1, 1990 (the applicant shall have the burden of proof in demonstrating that the use was established prior to July 1, 1990), may be expanded beyond the 1,500 square foot limit established in SCC 14.16.150(2)(c), provided that the 50% maximums of that Subsection are met and the following criteria are met:

- The expansion will occur on the same lot upon which the existing use is located;
- The expansion is visually compatible with the surrounding neighborhood and rural area;
- Detrimental impacts to adjacent properties or to existing easement rights on the property will not be increased or intensified;
- The expansion does not result in a formerly small operation dominating the area;
- The expansion will not constitute new urban growth in the rural area, except that uses may utilize urban services that are historically already available to the site; and
- Public services and facilities are limited to those necessary to serve the isolated non-residential use and are provided in a manner that does not permit low density sprawl.

Rural Business Change in Use SCC 14.16.150(2)(b) Does Not Apply: The Hearing Examiner shall not grant a special use permit if he/she determines that the change of use would result in a substantially increased impact on any one of the following criteria; or result in smaller impacts across a number of criteria that combined, result in a substantially increased overall impact. Information in parentheses defines "substantial impact" for that particular measure.

- Traffic generation (more than 10% increase in vehicle trips per day = substantial increase).
- Parking requirements (the need to expand existing parking facilities or the likelihood that parking would flow over to adjacent roads or properties = substantial increase).
- Hours of operation (10% increase in hours of operation, or any measurable increase in evening and weekend hours = substantial increase).

- Visitors/customers visiting the site (10% increase in visitors to the site = substantial increase).
- Need for expanded septic, sewer, water, power, or other services.
- Need for increased infrastructure, such as road widening or access improvements.
- Noise, light, glare and related impacts from business operations on adjacent properties.
- Detrimental impacts on productive use of surrounding natural resource lands.
- Detrimental impacts to surrounding critical areas.
- Change to the visual character of the structure or property that would significantly and negatively affect the visual character of the surrounding rural area.
- Be inconsistent with an applicable community development plan, if one has been adopted.

Mineral Resource Overlay Special Uses: Please reference the Mining Resource Overlay Special Use Permit information sheet.

Personal Wireless Facilities Special Uses: Please reference the Personal Wireless Special Use Information Sheet.

PLANNING AND PERMIT CENTER

LOUIS J. HAFF, PE, INTERIM DIRECTOR

GARY R. CHRISTENSEN, AICP
Administrative Official &
Assistant Director of Planning

KENDRA SMITH, ASLA, AICP
Assistant Director
Community Development

BILL DOWE, CBO
Building Official
Permit Center

MEMORANDUM

Date: April 30, 2004

To: Brandon Black

From: John Cooper

Re: Review of Hydro-geologic Report

As per your request, critical areas division has reviewed the Hydrogeologic Report and information for 3DH Aggregates Pit. The results of the review indicate that the report and associated information satisfy the criteria required as a hydrogeologic assessment as specified in SCC 14.16.440 (8)(b).

200 West Washington Street • Mount Vernon, WA 98273 • Phone: (360) 336-9410 • Fax: (360) 336-9416

BrandonBlack

From: JohnCooper
Sent: Tuesday, January 27, 2004 8:31 AM
To: 'houghdc@aol.com'
Cc: BrandonBlack
Subject: Hydrogeo report for 3DH

Dave,

The hydrogeo report in the text looks fairly good, except it is missing a couple of parameters to meet code.

- I need to confirm that a licensed hydrogeologist or geologist has prepared or reviewed and approved the report. Report needs to be signed and stamped.
- The report is missing a hydrogeologic x-section indicating groundwater elevations and aquitards.
- The report also needs **estimates** of porosity, and horizontal and vertical permeability.
- The report needs an **estimate** of groundwater velocity and down gradient direction.
- The report needs to be supplemented with a water table contour map, and in the event of a confined aquifer, a potentiometric map.
- And last the report should include a map indicating any distinct aquifer discharge or recharge locations.

Feel free to call if you have any questions concerning the above related requirements for a hydro-geo report.

ECOLOGICAL LAND SERVICES, INC.

SKAGIT COUNTY
PERMIT CNTR.
APR 12 2004
RECEIVED

April 8, 2004

Mr. John Copper
Associate Planner
Skagit County Planning and Permit Center
200 West Washington Street
Mount Vernon, Washington 98273

RE: 3DII Aggregates Pit, Rockport, Washington
Hydrogeological Report
Additional Parameters for Skagit County Code Requirements

Dear Mr. Copper,

Enclosed is a supplemental report addressing additional hydrogeologic parameters for the 3DII Aggregates asphalt batch plant permit application, per your email to Mr. Hough, January 27, 2004. ELS believes this report supplements previous reports addressing the hydrogeologic conditions within the project vicinity and satisfies Skagit County Code.

If you have questions regarding this report, please contact me.

Sincerely,

Brad Campbell

Brad Campbell
Ecological Land Services, Inc.
1157 3rd Avenue, Suite 220
Longview, Washington 98632
360.578.1371
brad@eco-land.com

10/05/2006 8000 2020

INTRODUCTION

On behalf of 3DH Aggregates, Ecological Land Services, Inc. (ELS) has prepared this report to satisfy additional requirements of Skagit County Planning Department for an asphalt batch plant application. Skagit County Planning Department requested additional parameters regarding aquifer conditions on and near the site, in addition to licensed review of application information previously provided. Asphalt batch plant permit application material was provided to Skagit County by David C. Hough and Associates of Mt. Vernon, WA.

In response to Skagit County Planning Department's request, and upon agreement with our client, 3DH Aggregates, ELS has reviewed information provided for this application. Hydrogeologic information has been provided by Hong West and Associates of Lynnwood, Washington through *Monitoring Well Construction Report Gibraltar and Sauk Landfills, Skagit County, Washington, December 20, 1990,* and is included as Appendix A. Additional information is provided as deemed necessary.

PURPOSE

Provide Skagit County Planning & Permit Center with additional and supplemental hydrogeologic information pertaining to the 3DH Aggregates asphalt batch plant application.

SITE DESCRIPTION

3DH Aggregates has been operating a sand and gravel mine under Washington Department of Natural Resources Surface Mine Reclamation Permit #70-011785. Operations have been removing and processing aggregate for area markets since 1978.

The site lies within an area referred to as the North West Cascades System (Brown, 1987, 1988) consisting of rocks of oceanic origin which have been metamorphosed at low temperature and low to high pressures. Area rocks are categorized as the Chilliwack Group, consisting of marine sedimentary rocks, volcanic rocks and marble. Locally Chilliwack Group rocks are strongly foliate, mostly with low dip angles. Chilliwack Group rocks probably were deposited in an arc setting in the late Paleozoic (Blackwell, 1983; Brown, 1987).

The site is mapped as Deposits of the Vashon Stade of Frazier Glaciation of Armstrong and Others (1965) (Pleistocene). Specifically, deposits consist of recessional glacial outwash deposits containing stratified sand and gravel, moderate to well sorted, and well bedded silty sand to silty clay. Local glacial till is also present in the site vicinity consisting of diamicton (matrix-supported conglomerate) with subangular to rounded clasts, glacially transported and deposited (reference quad map).

The Skagit River flows through terraces composed of glacial deposits at roughly 210 feet MSL, approximately 330 vertical feet below and over 800 feet southwest of the project

boundary. Monitoring well construction at the adjacent landfill site which borders 3DH Aggregates pit encountered materials described as five subcategories of aggregate (Appendix A).

METHODS

ELS reviewed the Hong West and Associates Monitoring Well Construction report, including review of area domestic well logs with their report to clarify local aquifer conditions. Comparison was made between domestic well logs, monitoring well construction logs and resultant cross sections with aquifer potentiometric configurations, surficial and subsurface geology for consistency. ELS also performed site reconnaissance to identify potential aquifer discharge or recharge locations in addition to using available topographic maps and aerial photographs.

FINDINGS

Additional supporting information necessary to fulfill Skagit County code requirements per letter to David Hough January 27, 2004 are listed and addressed as follows:

1) **"A hydrogeologic cross section indicating groundwater elevations and aquitards in the site vicinity needs to be provided."** A geologic cross section (ELS Figure 5) from 3DH Aggregates-Revised Reclamation Plan application is included in Appendix B. Figure 5 is based upon information provided in the Hong West and Associates Monitoring Well Construction Report. The geologic cross section indicates groundwater elevations from monitoring well boring data and includes aquitards encountered through borings. Aquitards and other material encountered by well construction are indicated in the Hong West Report, pages 13 and 14, summarized below:

   Well Graded Sand and Gravel: Poorly sorted sand and gravel varying in thickness from 30 feet to 75 feet.

   Poorly Graded Sand: Well sorted sand with thin, infrequent silt strata, and varies in thickness from 65 feet to 140 feet. This deposit contains a silt stratum up to 10 feet thick, identified in two of four borings between 390 and 400 MSL and appears to be discontinuous across the site. An additional silt stratum was identified at 360 MSL, approximately 2.5 feet thick and continuous across the site. Hong West and Associates characterized the lower silt interbed as being a confining layer above the upper, semi-confined aquifer.

   Silty Gravel: Silty gravel was encountered between 350 and 360 MSL, showing varying amounts of included silts across the site, and is identified as the uppermost aquifer.

Clay/Silt Strata: This stratum varies in thickness from about 20 feet from monitoring well borings up to 150 feet thick from area domestic well logs. The clays and silts appear to be glaciolacustrine in nature.

Deep Gravel Deposits: Area domestic well logs show a gravel deposit beneath the overlying clay/silt stratum at roughly 200 feet MSL. Depth to bedrock is unknown in the site vicinity.

Groundwater elevations and aquitards shown in cross section are consistent with boring logs provided.

2) **"The ELS report needs estimates of porosity, and horizontal and vertical permeability."** Estimates, including methods and calculations, of porosity and permeability are provided in the Hong West report (pages 14 and 15), summarized as: Average hydraulic gradient of the shallow, non-domestic use semi-confined aquifer is estimated between 0.004 and 0.005. The hydraulic conductivity, also permeability coefficient, is on the order of $1*10^{-4}$ to $1*10^{-3}$ feet per minute for the upper semi-confined aquifer. An assumed porosity of 25% based on literature (Powers, 1981; Walton,1984) and consistent with material characteristics was used to determine an average hydraulic conductivity of 0.001 feet per minute with an average hydraulic gradient of 0.005, resulting in groundwater velocity of 0.03 feet per day or 11 feet per year. A potentiometric surface of 210 MSL for the deeper, domestic use aquifer, was determined through well log data provided by the Skagit County Health Department, with groundwater flow of roughly south 45 west. Due to lithologic similarity between the upper and deeper (production) aquifer, permeability and porosity may reasonably be assumed as similar.

3) **"The ELS report needs an estimate of groundwater velocity and downgradient direction."** According to the Hong West report, which is consistent by comparison with well log and well construction data, groundwater velocity is estimated at 0.03 feet per day, or 11 feet per year (Hong West, pg. 15). Downgradient flow is estimated as south 45 west in both the upper and lower aquifers (Hong West, pg. 15).

4) **"The ELS report should include a map indicating any distinct aquifer discharge or recharge locations."** ELS performed a field reconnaissance on March 9, 2004 to determine if any recharge/discharge locations are likely in the vicinity of the project site. Field reconnaissance consisted of surficial observations up to 3,000 feet around the site. Investigation included comparison with available aerial photos (MAPQUEST, 2004) and USGS topographic maps (Finney Peak 7.5 minute quadrangle) for possible locations. Base flow along the west side of the site, which consists of steep slopes to 45 degrees, was not observed. The shallow aquifer appears lower in elevation than surrounding topography precluding base flow in the project vicinity.

Distinct aquifer recharge locations were not observed within the project vicinity. Due to the nature of local glacial and fluvial deposits it is likely that local aquifer recharge is limited to precipitation infiltration.

CONCLUSIONS

Two separate aquifers have been identified through monitoring well construction and domestic well construction.

The upper aquifer appears at roughly 350 feet MSL.

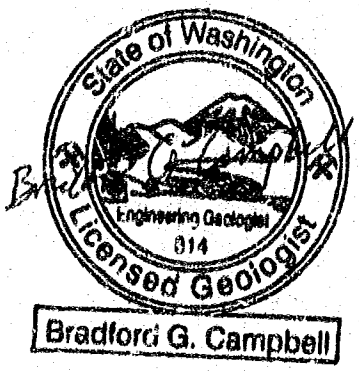
The upper aquifer appears to be semi-confined by an overlying strata of silt and clay up to 20 feet thick, and by underlying silt and clay.

The lower, domestic-use water source aquifer appears separated from the upper aquifer by a confining layer of silt and clay up to 130 feet thick.

Distinct aquifer discharge or recharge locations were not found within the proposed asphalt plant vicinity.

If you have any questions or need additional information concerning this letter or this project, please contact me.

Sincerely,



04/08/2004

Brad Campbell, L.G., L.E.G.
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REFERENCES

Tabor, R.W., et al, 1988, Geologic Map of the Sauk River 30- by 60- Minute Quadrangle, Washington: United States Geological Survey OFR-88-692, 50p.

Hong West and Associates, 1990, Monitoring Well Construction Report Gibraltar and Sauk Landfills Skagit County, Washington: Hong West and Associates.

LIMITATIONS

The services described in this report were performed consistent with generally accepted professional consulting principles and practices. There are no other warranties, express or implied. The services preformed were consistent with our agreement with our client. This report is prepared solely for the use of our client and may not be used or relied upon by a third party for any purpose. Any such use or reliance will be at such party's risk.

The opinions and recommendations contained in this report apply to conditions existing when services were performed. ELS is not responsible for the impacts of any changes in environmental standards, practices, or regulations after the date of this report. ELS does not warrant the accuracy of supplemental information incorporated in this report that was supplied by others.

APPENDIX A

[illegible]/18/94 00:54 FAX 206 3360402

MONITORING WELL CONSTRUCTION REPORT

GIBRALTAR AND SAUK LANDFILLS
SKAGIT COUNTY, WASHINGTON

December 20, 1990
Project No. 8938

Prepared for

R.W. Beck and Associates
2101 Fourth Avenue, Suite 600
Seattle, Washington 98121-2375

HONG WEST & ASSOCIATES
P.O. Box 596
Lynnwood, Washington 98046
(206)774-0106

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SECTION 3 - SAUK LANDFILL

The Sauk Landfill is located in the NW1/4, NE1/4, Section 28, Township 35 North, Range 9 East approximately 6 miles east of Concrete, Washington, immediately southwest of Highway 20 (refer to Figure 3-1, Location Map). Figure 3-1 also shows the location of domestic wells near the Sauk Landfill.

The site occupies an old gravel pit and the landfill has recently been covered with a low permeability cap (refer to Figure 3-2, Site Map). Site elevations range from approximately 520-555 feet above sea level. Thickness/depth of waste is unknown.

3.1 SAUK LANDFILL MONITORING SYSTEM SUMMARY

Four monitoring wells were installed at the Sauk Landfill during the period October 12, 1989 to October 24, 1989. All four monitoring wells were installed in the uppermost aquifer. One well, MW-3, was installed in an upgradient position. The remaining three wells were installed in downgradient locations. Table 3-1, Monitoring Well Specifics, Sauk Landfill, summarizes the significant well parameters. For additional details refer to Appendix A - Monitoring Well Construction, Sauk and Gibraltar landfills.

TABLE 3-1

Monitoring Well Specifics
Sauk Landfill

Well No.	Ground Surface Elevation Feet	Top of Casing Elevation Feet	Drill Depth Feet	Screen Depth Feet	Level Elevation Feet
MW-1	522.38	524.23	182	157-167	365-355
MW-2	524.22	526.07	182	155-165	369-359
MW-3	551.80	553.65	198	168-178	384-374
MW-4	528.14	530.04	178	158-168	370-360

Note: All elevations are above sea level, USGS datum. Top of casing includes a Geoguard pump cap.

The Skagit County Health Department has installed dedicated Geoguard pumps in the wells. The Health Department also performs quarterly sampling and water level measurements. Wellhead elevations were surveyed by the Skagit County Public Works Department. Table 3-2 presents water level measurements for fall 1989 and spring 1990.

TABLE 3-2

Groundwater Levels
Sauk Landfill

Well No.	Top of Casing Elevation Feet	October 31, 1989 Depth Feet	October 31, 1989 Elevation Feet	May 17, 1990 Depth Feet	May 17, 1990 Elevation Feet
MW-1	524.23	151.45	372.78	135.92	388.31
MW-2	526.22	147.84	378.23	139.42	386.65
MW-3	553.65	176.81	376.84	163.42	390.23
MW-4	530.04	152.90	377.14	140.85	389.19

Note: All elevations are above sea level, USGS datum.

3.2 REGIONAL SETTING

The Sauk Landfill is situated in the upper Skagit valley approximately 2,000 feet north/northeast of the Skagit River. The river is approximately elevation 210 feet above sea level (asl), about 330 feet below the landfill. The area is covered by predominantly glacial and alluvial debris overlying metamorphic bedrock at an unknown depth. The nearest bedrock exposures are about 6,000 feet to the northeast on the flanks of Sauk Mountain.

3.3 SITE GEOLOGY

The site is underlain by glacio-fluvial deposits. Most of the material encountered in the boreholes appear to be glacial material which has been reworked and redeposited by the Skagit River. Subsurface exploration and existing domestic water well logs indicate five major units beneath the site: A Well Graded Sand and Gravel, a Poorly Graded Sand, a Silty Gravel, a Silt/Clay Strata and Deep Gravel Deposits.

Well Graded Sand and Gravel

Immediately below the landfill is well graded yellow-gray to olive-gray sand and gravel which varies in thickness from about 30 feet on the northwest side of the landfill to about 75 feet on the southeast side of the landfill. Cobbles and boulders are scattered throughout the unit (refer to Figure 3-3, Subsurface Cross Section).

Poorly Graded Sand

The upper gravel unit is underlain by a distinct pale yellowish-brown poorly graded sand with thin, infrequent silt stringers. The Poorly Graded Sand is about 140 feet thick on the western margin of the site narrowing to about 65 feet thick on the eastern margin. The unit becomes gravelly with depth (below elevation 390 asl).

A distinctive upper silt interbed, approximately 10 feet thick was identified in two of the four borings between elevation 390 and 400 feet asl. The interbed is discontinuous beneath the site and does not appear to be a perching layer.

The base of the Poorly Graded Sand is characterized by another distinctive silt layer at elevation 360 feet asl. This lower silt layer is only about 2-1/2 feet thick but appears to be continuous across the site. However, it was barely discernible in MW-3. The silt interbed has sufficient integrity to serve as a confining layer for the underlying uppermost aquifer.

Silty Gravel

The Silty Gravel is host to the uppermost aquifer and is encountered between elevation 350 and 360 feet asl. The Silty Gravel varies considerably in texture and was significantly coarser grained (less silt) in monitoring wells 1 and 3 than in wells 2 and 4. Monitoring wells 1 and 4 penetrated the full thickness of the Silty Gravel and were advanced into the underlying Clay/Silt Strata.

Clay/Silt Strata

Beneath the Silty Gravel is a gray to brown clayey silt to silty clay. This material appears to be a glacial lake deposit. A thin stringer of gray sand and gravel was identified in MW-1. The total thickness of the Clay/Silt Strata penetrated was about 20 feet. Nearby deep domestic well logs indicate the clay and silt unit is about 150 feet thick.

Deep Gravel Deposits

Domestic well logs show a gravel deposit beneath the Clay/Silt Strata near elevation 200 feet asl. The thickness of this unit is unknown.

3.4 GROUNDWATER OCCURRENCE AND FLOW

Two aquifers have been identified beneath the Sauk Landfill, a shallow semi-confined aquifer and a deep confined aquifer. Available data indicate that only the deep confined aquifer is used for water supply.

Shallow Semi-Confined Aquifer

Based on spring 1990 water level measurements by the Skagit County Health Department, the potentiometric level of the shallow confined aquifer ranges from elevation 395 to about elevation 386 feet above sea level (refer to Figure 3-2, Site Map). Water level differences between fall 1989 and spring 1990 indicate the potentiometric surface fluctuates erratically and to the extreme (15+ feet).

Groundwater flow in the shallow confined aquifer is south toward the Skagit River and appears to form a distinctive trough beneath the landfill. The average hydraulic gradient beneath the landfill ranges from .004 on the west side of the landfill to about .006 on the east side of the landfill.

The hydraulic conductivity of the shallow semi-confined aquifer appears to be quite low. Grain size distribution curves for samples of the silty gravel of the shallow semi-confined aquifer in MW-2 and MW-4 indicate very high uniformity coefficients (25+). Corresponding hydraulic conductivities based on Powers, 1981 are on the order of $1x10^{-4}$ to $1x10^{-3}$ ft/min. Drill cuttings from MW-3 indicate more uniform, sandier aquifer materials.

Based on the literature (Powers, 1981 and Walton, 1984) and our experience with similar material, a porosity of 25% is reasonable for the silty gravel of the shallow semi-confined aquifer. Assuming a porosity of 25%, an average hydraulic conductivity of .001 ft/min, and an average hydraulic gradient of .005, the rate of groundwater flow was calculated using Darcy's Law. Where: V = Ki/n and V = velocity, K = hydraulic conductivity, i = gradient, n = porosity.

Therefore, the rate of groundwater flow beneath the Sauk Landfill = V = [(.001 ft/min)(.005)/.25] (1440) = .03 ft/day or about 11 feet per year.

Deep Confined Aquifer

The available data indicate the deep confined aquifer is separated from the shallow confined aquifer by a 150-foot thick regional aquitard of silt and clay (refer to Figure 3-3). The deep confined aquifer consists of gray to brown sandy gravel at approximately 200 feet above sea level with a potentiometric level of approximately elevation 210 feet above sea level.

Water level data collected by the Skagit County Health Department indicate the direction of groundwater flow in the deep confined aquifer is approximately south 45 degrees west toward the Skagit River. The deep confined aquifer is the principal water supply in the area.

3.5 GROUNDWATER USE

The Skagit County Health Department has identified 18 water supply wells within one mile of the landfill (refer to Figure 3-1). Eight of these wells are on the south side of the river. Five wells are between the landfill and the river and in potentially downgradient locations. Refer to Table 3-3, Sauk Water Supply Wells, for well distance and direction from the landfill (well locations are shown on Figure 3-1, available well logs are included in Appendix C).

TABLE 3-3

Sauk Water Supply Wells

Well	Owner	Depth	Distance & Direction from Landfill
21E1	Dean Mallory	214	4,500 NW
21E2	Dan Rapp	?	4,500 NW
21M1	Robert Taylor	60	3,000 NW
21P1	Mark Berg	312	1,100 NW
27E1	Otto Von Borke	155	3,500 ESE
28D1	Bill Groth	60	2,000 W
28D2	George Theodoratus	46	2,000 W
28E1	Les Bridges	40	3,000 SW
28E2	Lester Thistle	40	3,000 SW
28E3	Walter Magini	40	3,000 SW
28E4	Randy Riggles	110	2,000 S
28E5	Henry Young	?	2,300 SW
28L1	Jack Albrech	260	2,500 SSW
28L2	Steve Hylen	140	2,500 SSW
28N1	James Fratello	50	4,500 SW
28M1	Bill Blunt	60	3,500 SW

TABLE 3-3 (continued)

Sauk Water Supply Wells

Well Owner		Depth	Distance & Direction from Landfill
28M2	Roy Miller	37	3,500
29A1	Jan Nottingham	60	3,500 E
29A2	Rose J. Crouch	37	3,000 E

Based on the available information, it appears that all of the wells (28D1, 28D2, 28L1, 28L2 and 28K1) potentially downgradient of the Sauk Landfill produce from a shallow river-fed unconfined aquifer or the deep confined aquifer. There are no known water supply wells tapping the shallow semi-confined aquifer. Available data suggest that it is unlikely that any wells in the area would use the shallow semi-confined aquifer for water supply due to its low yield potential. Insufficient data are available to determine the hydraulic relationship between the shallow semi-confined aquifer and the deep confined aquifer.

3.6 GROUNDWATER QUALITY

The Skagit County Health Department sampled the Sauk Landfill monitoring wells near the end of February, 1990. Downgradient monitoring wells 2 and 4 exhibited possible signs of contamination.

MW-2 registered 67 ug/l of total halogenated organics (TOX), 1.3 ug/l Cis 1,2-Dichloroethene and a conductivity of 956 micromhos. MW-3 registered 1.3 ug/l Trichlorofluoromethane and 1.4 ug/l of 1,1,1-Trichloroethane (refer to Appendix D for water quality data).

The high conductivity in MW-2 is indicative of groundwater contamination in this area. Typical groundwater conductivities are in the range of 100 to 300 micromhos. The TOX in MW-2 is also indicative of potential groundwater contamination (experience has shown that levels greater than 50 ug/l may indicate contamination). The three volatile organics identified are at concentrations barely above detection limits (1.0 ug/l). At these levels and for these parameters sample or laboratory contamination should not be ruled out.

SECTION 4 - CONCLUSIONS AND RECOMMENDATIONS

The following conclusions are based on the data and information obtained during this investigation and recommendations focus on the specific monitoring requirements outlined in WAC 173-304-490 Minimum Functional Standards for Solid Waste Handling (MFS):

4.1 GIBRALTAR LANDFILL

Four monitoring wells were installed at the Gibraltar Landfill, one monitoring well in a perched aquifer and three monitoring wells in a shallow confined aquifer.

Conclusions

1. Groundwater quality data indicate that landfill operations have impacted the perched aquifer and the shallow confined aquifer. Primary drinking water standards have been exceeded in the perched aquifer and Secondary drinking water standards have been exceeded in the shallow confined aquifer. Organic chemicals have been detected in both aquifers. The landfill has been capped and the concentration of elevated parameters should decrease over time.

2. Data provided by Skagit County Health Department indicate there are no downgradient wells producing from the shallow confined aquifer and no downgradient wells producing from the perched aquifer within a mile of the landfill.

3. The direction of groundwater flow in the shallow confined aquifer is to the southeast. Only one monitoring well accesses the perched aquifer, therefore the direction of groundwater flow in the perched aquifer is unknown. However, flow may follow the westerly slope of the perching layer.

4. The rate of groundwater flow in the perched aquifer is unknown. The rate of groundwater flow in the shallow confined aquifer is on the order of .25 ft/day.

5. None of the monitoring wells installed are in an upgradient (background) position. The available data indicate that it will not be possible to install an upgradient well in the perched aquifer. It may be feasible to site an upgradient (background) well in the shallow confined aquifer near the northwest corner of the site.

6. The single monitoring well in the perched aquifer is in a downgradient position. Additional downgradient monitoring wells for the perched aquifer will require off-site locations.

7. The three monitoring wells in the shallow confined aquifer are in downgradient positions.

Recommendations

1. A an upgradient monitoring well, approximately 200 feet deep, should be installed in the shallow confined aquifer.

2. Two to three test borings, approximately 50 feet deep, should be drilled in the active borrow pit immediately west of the landfill to determine if the perching layer and the perched aquifer continues to the west.

3. As/if appropriate, complete test borings as monitoring wells.

4. Continue sampling and analysis of monitoring system to establish statistically representative data base.

4.2 SAUK LANDFILL

Four monitoring wells were installed in the uppermost, shallow semi-confined, aquifer at the Sauk Landfill.

Conclusions

1. Groundwater quality data indicate that landfill operations have impacted the shallow semi-confined aquifer. The available data indicate that drinking water standards have not been exceeded in any of the monitoring wells. Organic chemicals have been detected in two wells. The landfill has been capped and the concentration of elevated parameters should decrease over time.

2. Data provided by the Skagit County Health Department indicate there are no downgradient wells producing from the shallow semi-confined aquifer.

3. Based on spring 1990 water levels, the direction of groundwater flow is to the south toward the Skagit River. The rate of groundwater flow is about .03 feet/day.

4. Groundwater levels exhibit extreme seasonal variations which may result in changes in the direction of groundwater flow.

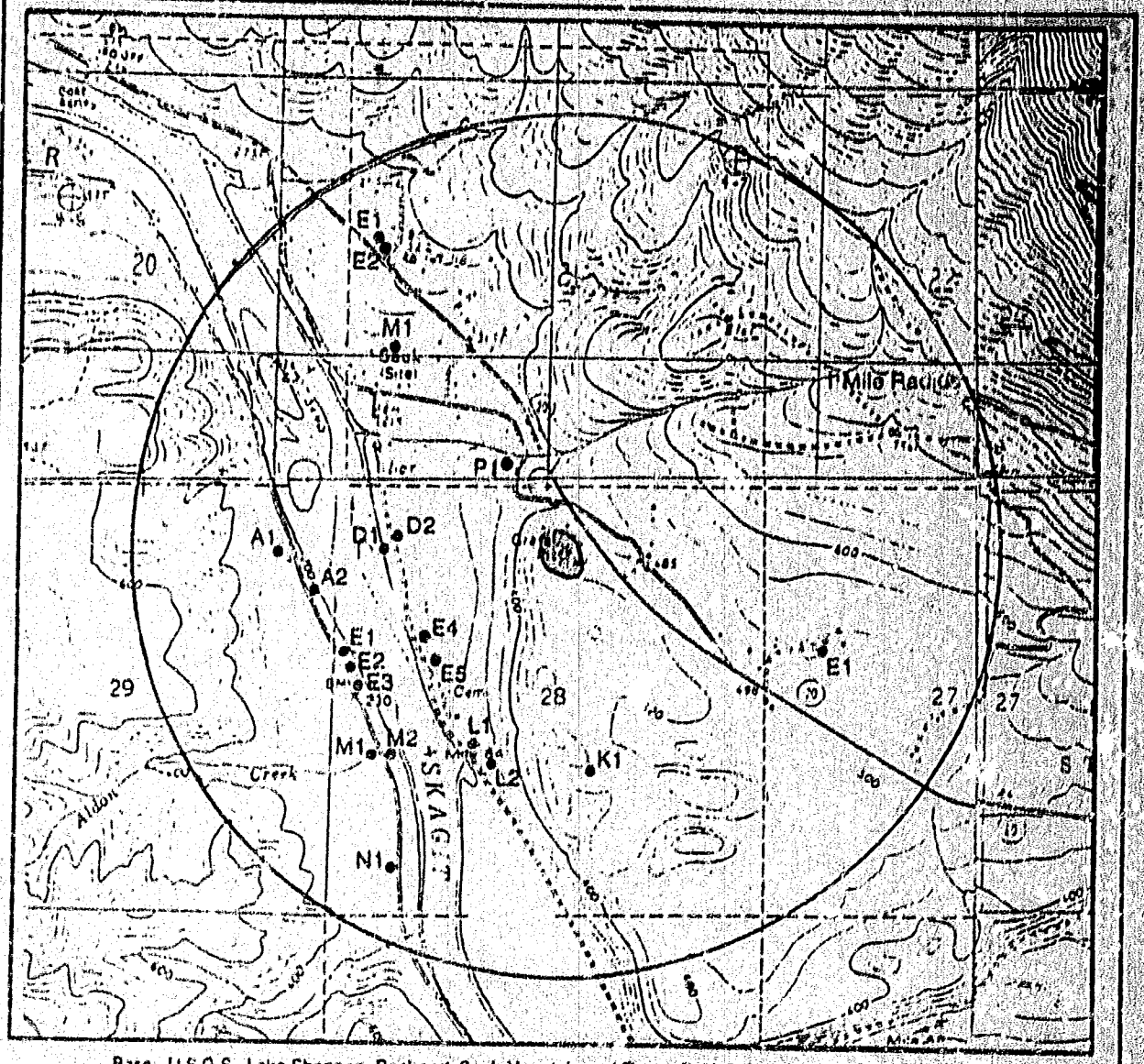
5. The Sauk Landfill monitoring system meets the MFS requirement for one upgradient and three downgradient monitoring wells.

Recommendations

1. Continue sampling and analysis of monitoring system to establish statistically representative data base.

2. Sample and monitor domestic wells which may be downgradient of the landfill.

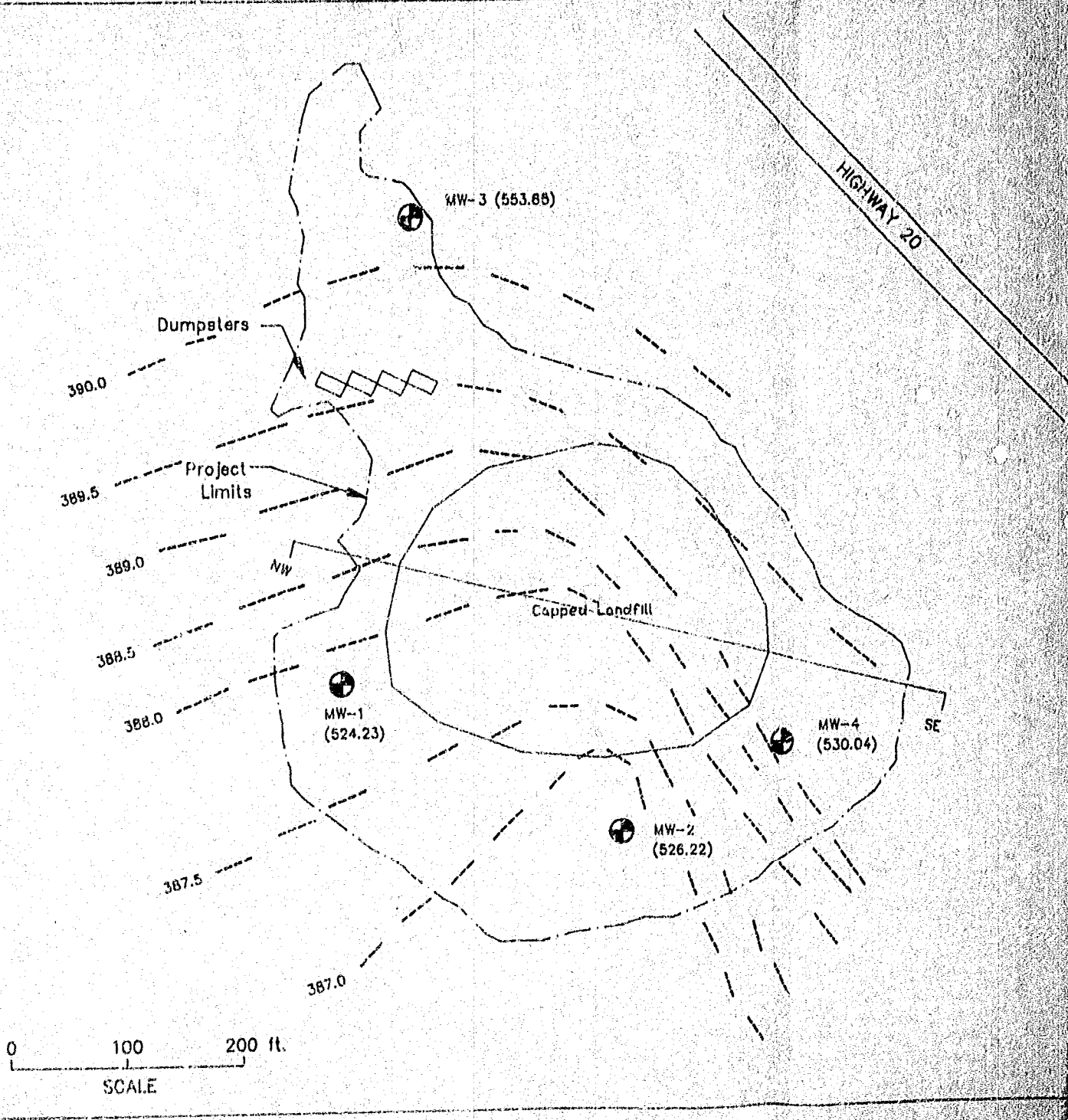
3. Re-evaluate the rate and direction of groundwater flow on a quarterly basis.



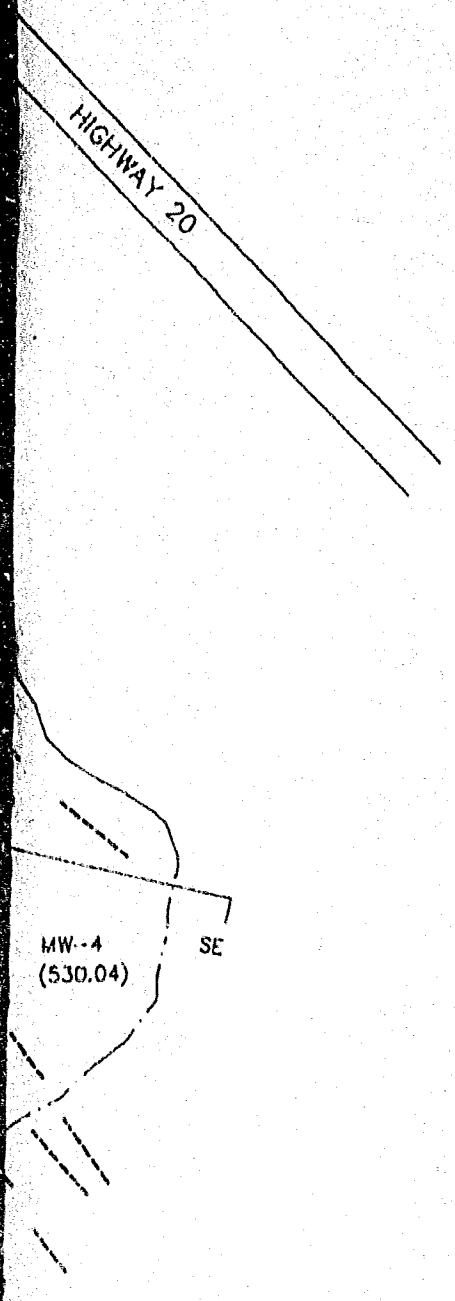
Base: U.S.G.S. Lake Shannon, Rockport, Sauk Mountain and Finney Peak 7.5 Minute Quadrangles

Legend	Skagit County Public Works Department
• D1 Well	Sauk Landfill
Landfill	Site and Well Location Map
Scale: 1 inch = 2000 feet	Figure 3-1

Hong West & Associates 1990

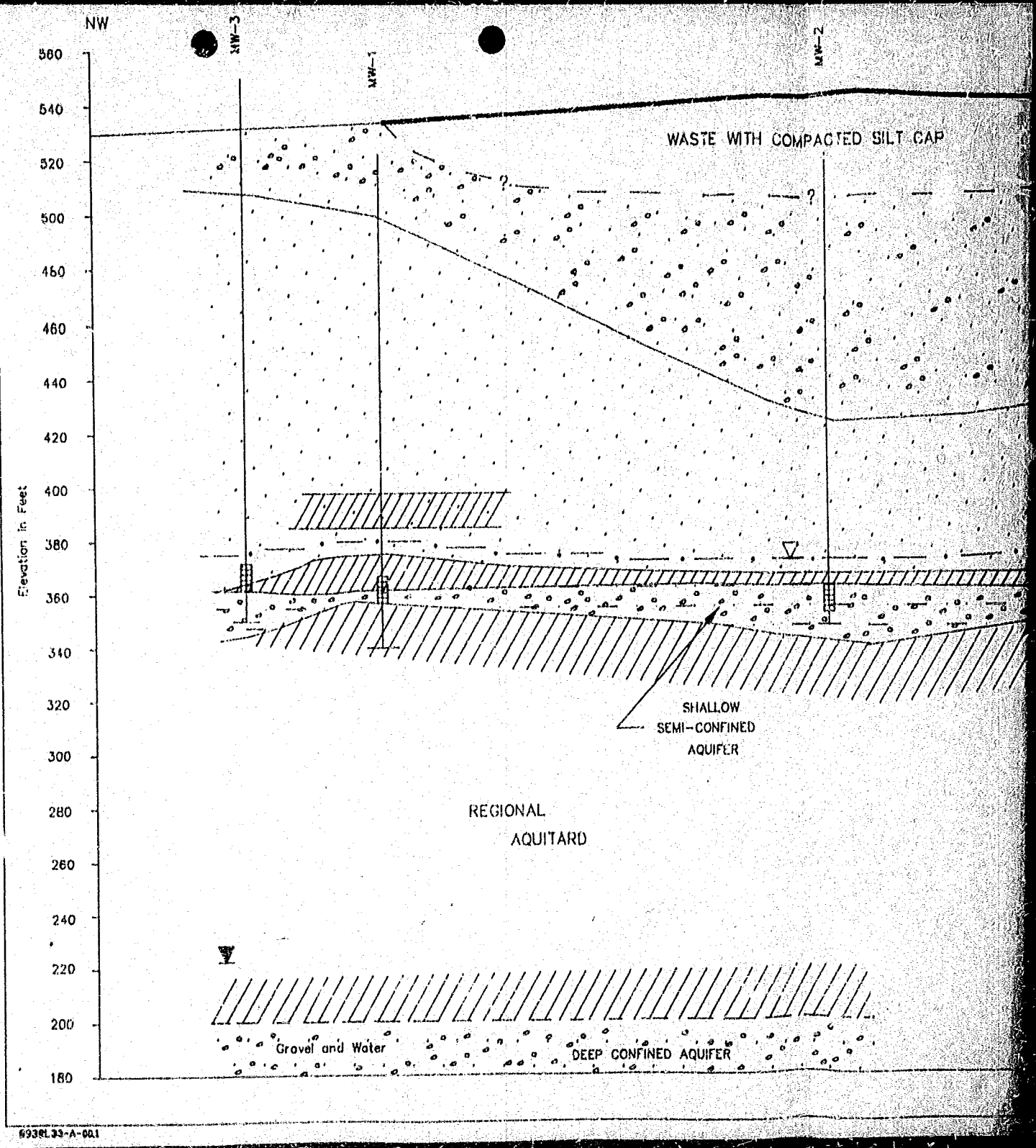

HIGHWAY 20
MW-3 (553.88)
Dumpsters
390.0
389.5
Project
Limits
389.0
NW
388.5
388.0
Capped Landfill
MW-1
(524.23)
MW-4
(530.04)
SE
MW-2
(526.22)
387.5
387.0
0
100
200 ft.
SCALE

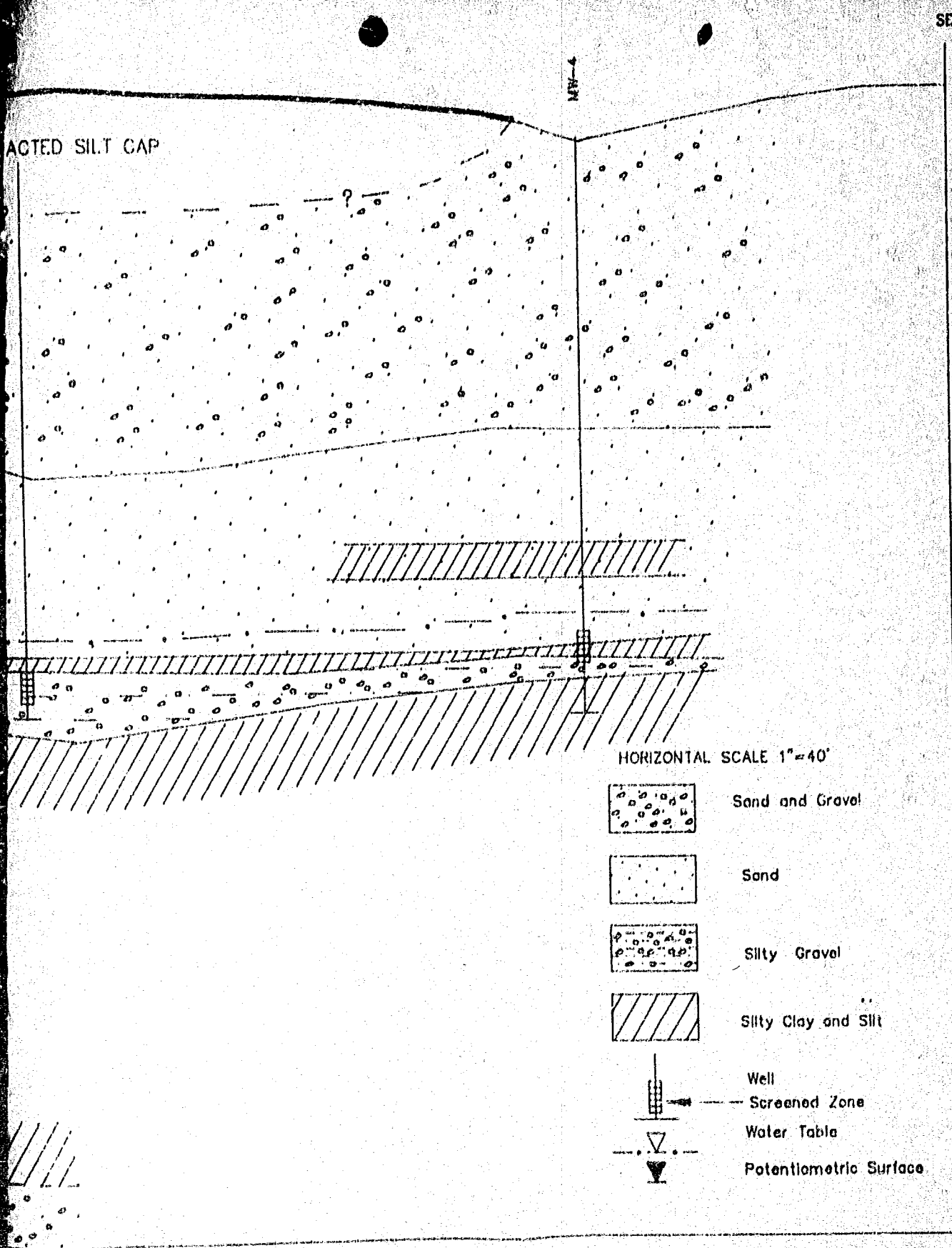
6938-B-L32A.0



Site Map, Sauk Landfill FIGURE 3-2

HONG WEST & ASSOCIATES


NW
MW-3
MW-1
MW-2
560
540
520
500
480
460
440
420
400
380
360
340
320
300
280
260
240
220
200
180
Elevation in Feet
WASTE WITH COMPACTED SILT CAP
SHALLOW
SEMI-CONFINED
AQUIFER
REGIONAL
AQUITARD
Gravel and Water
DEEP CONFINED AQUIFER
6938L33-A-001



Subsurface Cross Section Gauk Landfill FIGURE 3-3

Hong West & Associates

Land Technologies
16820 3rd Ave. NE
Arlington WA 98223
Phone: 360-652-9727
Fax: 360-652-5374
landtech@cedarcomm.com

[redacted]

Fax

To:	AS SENT TO PEOPLE OF CONCERN	**From:**	Merle Ash
Fax:		**Date:**	May 16, 2001
Phone:		**Pages:**	3
Re:	Costs of SR 20 Paving Projects	**CC:**	

X Urgent ☐ **For Review** ☐ **Please Comment** **X Please Reply** ☐ **Please Recycle**

Mr. Sehlin

Follows is a letter explaining a situation with a client that a little help from the State could help. Help would also save the State and taxpayers $500,000 on two upcoming paving projects on the North Cascade Highway and eliminate summer congestion on 30 miles of highway during the height of the tourist season.

Ted Anderson, Skagit County Commissioner, has said he could help expedite a job specific permit for a portable asphalt/crushing plant at a permitted gravel resource site owned by our clients. The site is in the center of one of these paving projects and near the second one.

Use of this site would eliminate approximately 3,350 trucks from 30 miles of SR 20 during the summer tourist season. Without this site, the North Cascade Highway will be extremely congested from Sedro Wooley to near Rockport for a good portion of the summer.

Ted Anderson has said a short letter from the State encouraging Skagit County to "fast track" the special use permit would be enough to set him to action. Could you please provide a letter or direct me to someone from the State that could help.

The site and resource would be available to all bidders; this Owner would not be bidding the job but would only supply the site and gravel to any qualified bidder.

The State taxpayers and thousands of tourist and local residences along SR 20 will also be grateful for your help.

Thank you for your help

LAND TECHNOLOGIES, INC.

MAKING A WAY OUT OF "NO WAY"

April 19, 2001
To Whom It May Concern

Two paving projects along the North Cascade Highway (State Route 20) are to be released for bid April and May of 2001. The projects are near Rockport and past Marble Mount to Diablo. Existing permitted asphalt/crushing plant sites with available resources are north of Burlington. Supply to the project sites will require hauls of 30 miles and 52 miles along SR 20 to the center of each project. The estimated quantities of asphalt are 120,000 tons for the combined jobs (20,000 to Rockport, 100,000 to Marble Mount). This would require approximately 3,350 Truck and Trailer Trips along SR 20 during the peak of the tourist season for the asphalt alone. The Highway from Sedro Wooley to Diablo Road will be highly congested from the mixing of tourist travel and trucks. The local residences and tourists traveling this road will be extremely frustrated from the excessive delays. Cost of hauling along this route will be expensive.

We are informing you of this potential problem as our client has a potential solution that would eliminate congestion from Sedro Wooley to the start of the first project at Rockport and reduce the States and taxpayers' expenditures for this road repair by $500,000. He will need a little help to make it happen.

3DH Aggregates owns and operates a gravel resource site along SR 20 near Rockport. The first project crosses in front of his access to SR 20. His neighbors are the County Transfer Station and an old WSDOT pit. He had been led to believe he was permitted for temporary uses of an asphalt/crushing plant, but recently found he actually wasn't. Ted Anderson, Skagit County Commissioner, has said he believes he could help expedite the special use permit if the State felt use of this site would be beneficial to the State and would provide a short letter supporting a expedited permit process.

The site would be available to all bidders to set up portable asphalt/crushing plant for supply to the SR 20 projects. This would provide the State and taxpayers' the most competitive situation on these bids and eliminate the extreme summer traffic congestion caused by 3,350 additional trucks along 30 miles of SR 20.

Asphalt Haul Impact Table

Description	Burlington		Rockport	
Estimated Tons of Asphalt	120,000		120,000	Total of two projects scheduled
Number of Truck and Trailers	3,350		3,350	Based on 33 tons per T&T
Miles to Middle Job 1	30		0	
Miles to Middle Job 2	52		22	
Est. Truck Hours on Road	9400		3500	Not considering time lost to traffic jams
Cost of Truck Hours on Road	$705,000		$265,000	Haul costs at $75 per hour, w/o delays. Costs could exceed a million dollars w/delays.
Frustrated Tourist Travel	XXXXXX		X	Impact based on road haul time
Frustrated locals Travel	XXXXXX		x	No traffic from Sedro to Van Horn.

We need a short letter from the State encouraging Skagit County to fast track process the job specific permit for this site. Please call Merle Ash at 360-652-972 or e-mail to landtech@cedarcomm.com. **Thank you.**

18820 3rd Ave NE - Arlington, WA. 98223 (360) 652-9727 Fax (360) 652-5374

Washington State Department of Transportation
Sid Morrison
Secretary of Transportation

Northwest Region
Project Engineer's Office
1109 E Kincaid Rd
Mt. Vernon, WA 98274-7775
(360) 428-1593 fx (360) 428-1600

May 1, 2001

Ted Anderson
Skagit County Commissioner
Skagit County Administration Bldg
Mt Vernon, WA 98273

Subject: ASPHALT PAVING ALONG SR 20 EAST OF CONCRETE

Dear Commissioner Anderson:

We are in the process of completing contract plans to repave approximately 20 miles of SR 20 east of Concrete. The first contract is titled "Hornbeck Lane to Rocky Creek Bridge" and will address highway improvements from milepost 95.49 to milepost 102.34. The second project is titled "Cascade Rd. to Diablo Rd. vicinity" and will address highway improvements from milepost 105.75 to milepost 126.04. We plan to advertise these projects in May and anticipate construction to begin in July and continue thru September.

It has been brought to my attention that one or two gravel pits in close proximity to our projects would require special use permits from Skagit County to produce crushed aggregates and asphalt concrete.

I would like to encourage Skagit County to expedite the preparation of such a permit. Having these remote pit sites permitted would greatly reduce the number of truck/trailer combination driving from Burlington up SR 20 during construction. The use of portable asphalt/crushing plants located close to the project limits would provide a substantial cost savings by promoting more competitive bids.

If there is additional information that we could provide you, please do not hesitate to call either Marco Foster or myself at (360) 428-1593.

Sincerely,

Todd L. Harrison
Mt. Baker Assistant Area Administrator

attachments

cc: Representative Jeff Morris
Don Griffith-OSC
Marco Foster
file

TLH/ejd

Post-it™ brand fax transmittal memo 7671 | # of pages ▸

To Merle Ash	From Marco Foster
Co.	Co.
Dept.	Phone #
Fax #	Fax #

Town of Concrete
P.O. Box 118
45672 Main Street
Concrete, WA 98237
Phone (360) 853-8401 ♦ Fax (360) 853-8002

May 1, 2001

Skagit County Commissioners
Attn: Ted Anderson
700 S 2nd Room 202
Mt. Vernon, WA 98273

Re: Land Technologies

Dear Mr. Anderson,

This is a letter of support for Land Technologies. I understand they are applying for a special use permit for their asphalt plant and such. I would like you to know the Town of Concrete is in full support of this action. If you wish to contact me directly to discuss this further, please feel free to contact me at the above number.

Thank you

Dave Williams
Mayor
Town of Concrete

FROM : Town Of Concrete PHONE NO. : 3608538002 May. 01 2001 09:46AM P1

JohnCooper

From: TomKarsh
Sent: Thursday, May 17, 2001 6:54 AM
To: KendraSmith; KenWillis; ChalMartin; DaveSheridan; LindaKuller; JohnCooper
Cc: RoyAtwood
Subject: Rockport Temporary Asphalt Batch /Crushing Plant

Importance: High

Good Morning,

As some of you know, the Board of County Commissioners has an interest in providing relief from our special use permitting requirements for a temporary asphalt plant proposed in the Rockport area. The plant would not only provide asphalt and other materials for a Hy 20 resurfacing project between Rockport and Diablo, scheduled this summer, but would also greatly reduce expenses and truck traffic if these materials came from existing sites nearer to I-5. The property owner, 3D-H Aggregates, has submitted a preliminary (pre-application) packet for our review. The proposal is to locate the temporary machinery in the middle of an existing gravel pit (adjacent to the County Rockport Transfer Station).

We plan to present a proposal for BCC consideration the week of May 29. It would essentially be a resolution that invokes a provision in the zoning ordinance to suspend regulations during emergencies. I want to make sure that there are no significant environmental surprises. To that end I hoping that you can review the proposal, and let me know if you have any concerns or any suggestions for conditioning this proposal. I have provided a copy of the proposal in Dave Sheridan's basket and will be delivering a copy to the Health Department.

To get this to the BCC we need to have your responses by Wednesday (5/230) noon!

Thank you
Tom Karsh

Skagit County Critical Areas Review Form

#: —
Date: 5-17-01
Map Review by: JTC
Field Date: 5-17-01
Field Staff: JTC

Applicant's Name: Rock Art Ground

Site Address: Highway 20 **City/Area:** Rockport

Section: 28 **Township:** 35 **Range:** 9 **P#:** 44865

Comp Plan Designation: Rural Reserve

Field Indicator Review

Wetlands:

	Yes	No
Hydrophytic Vegetation Present?	☐	☑
Hydric Soils Present?	☐	☑
Hydrology Present:		
Inundated?	☐	☑
Depth of Standing Water:		
Saturated Soils?	☐	☑
Depth of Saturated Soil:		
Wetland Site Assessment Required?	☐	☑

Fish & Wildlife Habitat:

Stream Type Present: ☐1 ☐2 ☐3 ☐4 ☐5 none

Priority Species Present: ☐Yes ☑No

Species Present: _____

F&W Biological Assessment Required? ☐Yes ☑No

Geo Hazard:

Alluvial Fan Present? ☐Yes ☑No

Slope Characteristics:
Slope Height: < 10 feet 10-100 feet > 100feet

Slope Angle: 95 %

Slope Vegetation:
- ☑ bare soil areas
- ☑ vegetation cut, removed or cleared
- ☐ Mature vegetation (trees, shrubs, and groundcover)
- ☐ water loving plants (horsetail, skunk cabbage, willow, salmonberry, etc.)

Landslide Indicators:
- ☐ recent slide
- ☑ bowl-shaped slope configuration
- ☐ hummocky ground
- ☐ leaning trees or bowed trunks
- ☐ areas of low brush (blackberry)/bare areas
- ☐ springs or groundwater seepage present

Geotechnical Report Required? ☑Yes ☐No

Comments:

Map Review

WETLAND AND FISH AND WILDLIFE INDICATORS:

1. Does the National Wetland Inventory indicate the presence of wetlands on or within 200 feet of the project area?	YES (NO)
2. Does the Soil Survey of Skagit County *(USDA, 1989)* indicate the presence of hydric soils on or within 200 feet of the project area *(see Appendix A for list of soils)*?	YES (NO)

3. Are there any streams or bodies of water, year-round or seasonal, shown on the County's stream type map which have a Type 1 through Type 5 classification on or within 200 feet of the project area? (Type____) — YES (NO)

4. Are there endangered, threatened or sensitive species with a primary association and/or their habitat indicated on the Priority Habitats and Species Programs maps on or within 200 feet of the project area? — YES (NO)

5. Are there County designated habitats and/or species areas of local importance as noted on the Priority Habitats and Species Program maps on or within 200 feet of the project area? — YES (NO)

6. Are there any public or private tidelands available for shellfish harvest, kelp or eel grass beds, herring or smelt spawning areas as indicated on the Priority Habitats and Species Program maps on or within 200 feet of the project area? — YES (NO)

7. Does the Department of Ecology's, Coastal Zone Atlas indicate the presence of a Critical Biological Area on or within 200 feet of the project area? — YES (NO)

GEOLOGICALLY HAZARDOUS AREA INDICATORS:

1. Is the project area on or within 500 feet of coastal bluffs or slopes or from areas indicated as Unstable, Unstable Bluff, Unstable Recent Slide or Unstable Old Slide on the Coastal Zone Atlas for Skagit County? — YES (NO)

2. Does the project area fall on or within 200 feet of slopes having gradients 15% or greater as shown on the Slope Stability Map? — (YES) NO

3. Is the area on or within 200 feet of an alluvial fan as indicated on the Skagit County Alluvial Fan Study Maps? — YES (NO)

4. Is the project area on or within 200 feet of a mine hazard as indicated on the Department of Natural Resources Map: Coal Measures of Skagit County *(1924)*? — YES (NO)

5. Does the Soil Survey of Skagit County *(USDA, 1989)* indicate soil types #51 *(Dystic Xerorthents)*, #99 *(Mundt)* or #117 *(Saxon)* as being present on the property? — YES (NO)

6. Is the site on or within 200 feet of potential soil liquefaction areas as identified on the Relative Slope Stability map *(USGS Port Townsend Quadrangle)*? — YES (NO)

7. Are areas of historic geologic failures such as quaternary slumps, earthflows, mudflows, lahars, or landslides indicated on maps or technical reports published by the United States Geological Survey or the Geology and Earth Sciences Division of the Department of Natural Resources which the County has on file? — (YES) NO

FREQUENTLY FLOODED AREA INDICATORS:

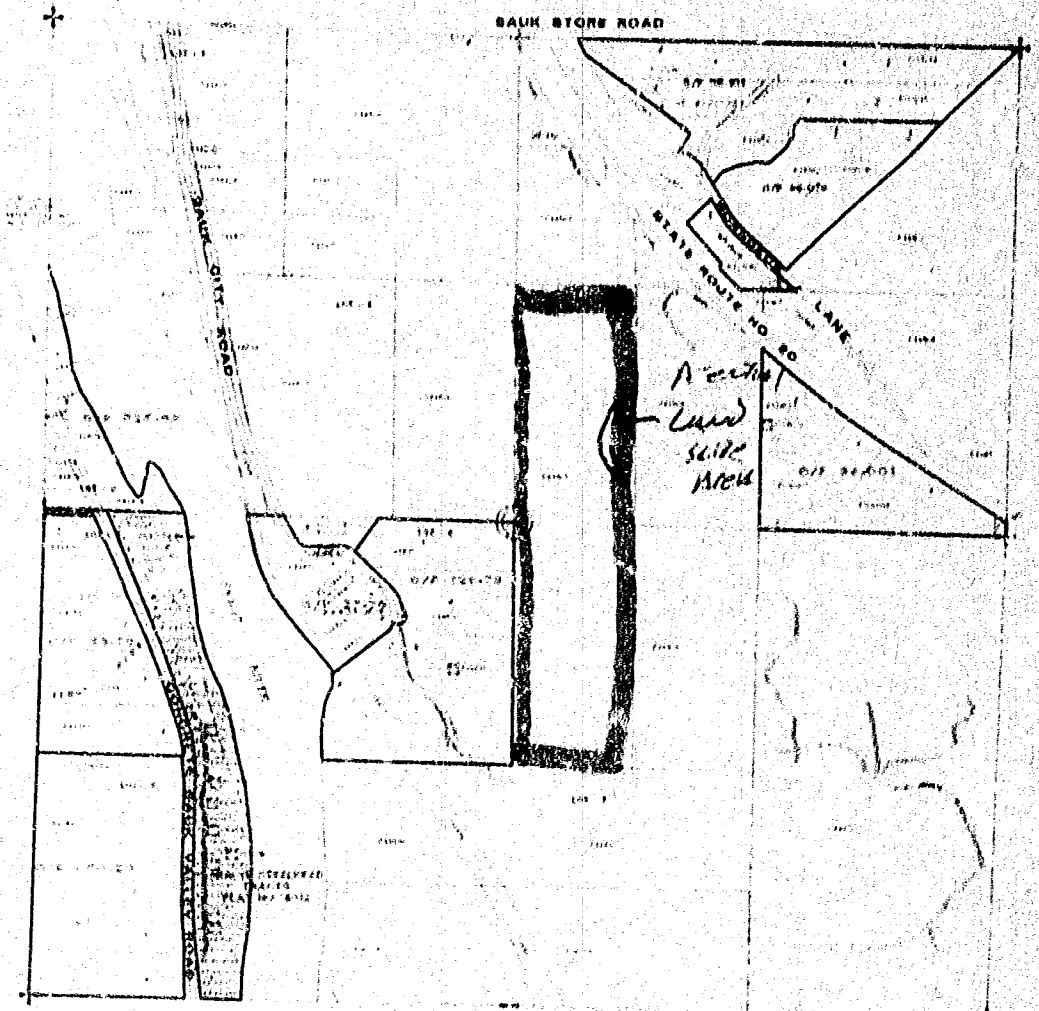
1. Is the proposed activity located in a designated Flood Hazard Area as identified on Skagit County Flood Insurance Rate Maps? — YES (NO)

AQUIFER RECHARGE AREAS:

1. Is the proposal for a single-family building permit on a pre-existing legal lot of record created prior to June 13 1996? — YES (NO)

   1a. Is the proposal on or within 200 feet of a Wellhead Protection Area? close I — (YES) NO
   NOT OUTSIDE WELLHEAD PROTECTION AREA

2. Is the project area within ¼ mile of a Department of Ecology designated "closed" or "low-flow" stream? Or is the proposal on or within 200 feet of a Sensitive or Sole Source Aquifer Area? — YES (NO)



SKAGIT COUNTY

Planning & Permit Center PL 01-0435

Pre-application Verification Form

Date Issued: _____

Pursuant to 14.06.080 (2)

- ☐ Binding Site Plan
- ☐ Commercial Building Permit
- ☐ Bldg Permits Triggering SEPA
- ☐ Fill & Grade Permit w/a SEPA
- ☐ Forest Practice Waiver -- HE
- ☐ Level II, III and IV Applications
- ☐ Long CaRD ☐ Pre ☐ Final
- ☐ Plat or SPU Modification
- ☐ Rezone
- ☐ Shoreline Substantial Use Permit
- ☐ Short CaRD
- ☐ Short Plat
- ☒ Special Use Permit Level II
- ☐ Variance Level II
- ☐ Other _____

Please submit this form with the formal application.

Pre-application meeting held on: 6/21/01

Persons in attendance: Linda Kelley, John Cooper, Alison Moss, Dave Sheridan, Duncan

Other Related Permits or Approvals: _____

Parcel ID#: 44865 Assessor Tax #: 350928 . 1 . 005 . 0001

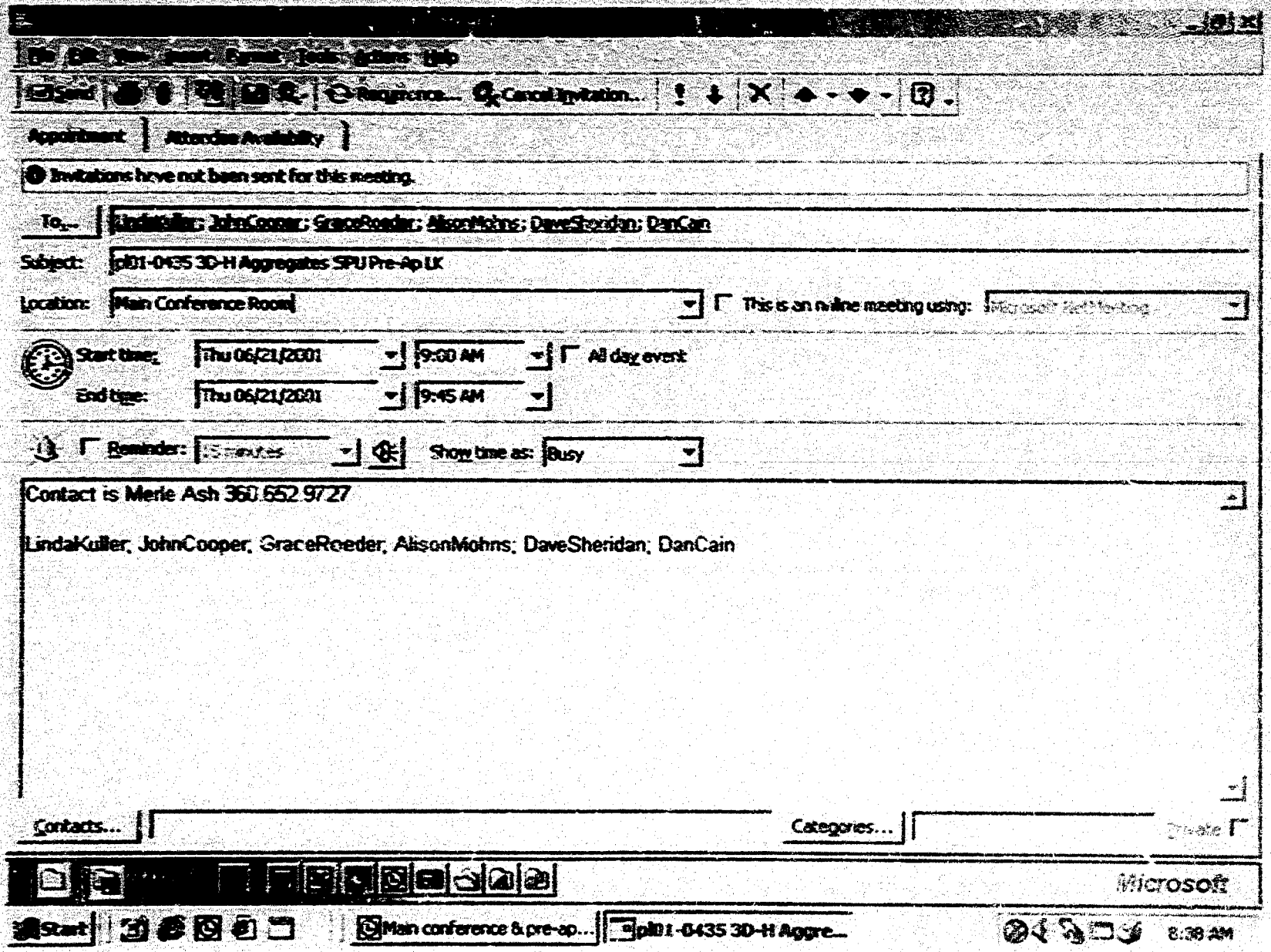
Parcel ID#: _____ Assessor Tax #: _____ . _____ . _____ . _____

Section 28 Township 35 Range 9 Comprehensive Plan/Zoning Designation: RRv

Issues Identified in Meeting: (1) Access location (Preferred access Through WDOT Property). (2) [redacted]. (3) fuel containment. (4) Noise regulations.

(Attach additional sheet if necessary.)

Follow-up by Staff: _____


Send
Cancel Invitation...
Appointment
Attendee Availability
Invitations have not been sent for this meeting.
To...
Subject:
pl01-0435 3D-H Aggregates SPU Pre-Ap LK
Location:
Main Conference Room
This is an online meeting using:
Start time:
Thu 06/21/2001
9:00 AM
All day event
End time:
Thu 06/21/2001
9:45 AM
Reminder:
Show time as:
Busy
Contact is Merle Ash 360.652.9727
LindaKuller; JohnCooper; GraceRoeder; AlisonMohns; DaveSheridan; DanCain
Contacts...
Categories...
Microsoft
Start
Main conference & pre-ap...
pl01-0435 3D-H Aggre...
8:38 AM

Dave S. Dan Cain, Grace, Ron
John Cooper, BB

Maurle Ash
3-D H
6-21-01

- Asphalt & Aggregate
- Conversion

Access & Safety

10 12 per hour trips

Access through DOT preferred.
- work w/ DOT

Palmer: Asphalt & Crushing

Hydro Report - No Hydro Report
- fuel contaminant

No wash plant. No well or water use.

6-16-04 SEPA comments Reviewed (3 = 2 emails & 1 letter From Ray Zipp) mailed comments To Dave Haugh & Applicant 15 mm

8-30-04 put on H.E. Agenda - creating posting notice 15 mm

9-1-04 mailed out H.E. notice to all & sent For posting 15 mm

9-7-04 Two messages left For Joan Berg - wrong Address on Application. 15 mm

9-8-04 worked on Staff Report. 15 mm

- Further Review: discovered That WSDOT issues have not been Addressed
- Spoke w/ Dave Harvin & Dave Haugh, explained issues That still need to be addressed - Dave H. indicated That he would respond today w/ an outline addressing issues. 30 mm
- Called Twice more to Joan Berg - left message.
- Spoke w/ Joan Berg - she indicated That she never received notice - she has concerns about Ground water degradation, smell, Traffic. (she is not w/in 300') 15 mm

9-9-04 Spoke w/ Dave Haugh - Address is 50596 - existing pit - will outline For H.E. 15 mm

~~[illegible]~~ Spoke w/ Dave Sheridan (condition stormwater) 15 mm

- worked on Staff Report 1 1/2

9-13-04 worked on Staff Report 3 1/2

9-14-04 worked on Staff Report 6 hr

9-15-04 Revisions To Staff Report, mail out To Applicant & Parties of Record. 30 mm

* Estimate For H.E. Prep. (Exhibits, prep, packet copies) 30 - Estimate For Hearing 45 1 15

Total = 22 hrs.

PLANNING AND PERMIT CENTER

TOM KARSH, DIRECTOR

GARY R. CHRISTENSEN, AICP
Assistant Director
Community Planning

KENDRA SMITH, ASLA
Assistant Director
Community Development

CORBY SCHMIDT, CBO
Assistant Director
Permit Center/Building Official

MEMORANDUM

Date: May 17, 2001

To: Mr. Tom Karsh
Planning Director

From: John Cooper, PG
Associate Planner

Re: Rockport Gravel Site
Temporary Batch Plant
3D-H Aggregates

As per your request, critical areas review of the 3D-H Rockport Gravel and proposed temporary asphalt batch plant site was performed on May 17, 2001. The results of the review indicated that critical areas are generally not present on or in the vicinity of the proposed development area with the exception of steep slopes. Site observations indicated that grading and gravel mining activities at the subject site has resulted in slopes in excess of 100% (45 degrees) with some of these areas, primarily adjacent to the transfer station, displaying tension cracks at the top of the slope. These observations indicate some slopes on the subject site may be a risk for failure and represent a landslide hazard (Skagit County's Critical Areas Ordinance SCC 14.24.400 (2)). Based on these findings, Skagit County's Critical Areas Ordinance, SCC 14.24.410 (1)(b), requires that a geologically hazardous site assessment be performed if the proposed activity is located within 200 feet of these suspected landslide hazard areas.

Alternatively, if the development proposal is greater then 200 feet from the steep slopes, or, under SCC 14.24.410 (1)(a), if the applicant can demonstrate that the proposed activity has no potential for impacting adjacent ownership and property, public property, or living quarters of any kind, an assessment is not required.



[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

1005 2006 0000 2654

RECEIVED

ROCKPORT GRAVEL SITE
TEMPORATY BATCH PLANT

Applicant:
3D-H Aggregates
PO Box 142
Stanwood, WA 98292

Contact Person:
Land Technologies, Merle Ash
18820 3rd Avenue NE
Arlington, WA 98223
360.652.9727

JUN 0 5 ...
RECEIVED

005 2006 0000 8654

INDEX

Summary of Request

Pre-Application Request

Correspondence

Drawings

SUMMARY OF REQUEST

005 2006 0000 2854

LAND TECHNOLOGIES, INC.

MAKING A WAY OUT OF "NO WAY"

May 15, 2001

Skagit County

Project File Number: Conditional Use Permit #77-031
Re: Pre-Application Data Sheet

Summary of Request

The proponent has an existing Conditional Use (CU) to extract gravel from 10-acres of a forty-acre parcel. This CU is to be reviewed after two years of operation and if operations are acceptable, the Department of Natural Resource (DNR) form SM-6 is to be signed so as to bring the gravel extraction area allowed by the county to match that of the DNR, which has permitted the whole forty-acres. Wilder Construction obtained the original CU for the purpose of providing a gravel resource site and a site to temporally produce asphalt for work along this remote portion of the Cascade Highway. Existing permitted sites would have to truck asphalt from north of Burlington for repair and maintenance to the Highway. Two specific asphalt overlay projects are scheduled for this area this summer. An estimated 120,000 tons of asphalt is projected for use on these two projects. That will require an estimated 9400 truck hours along 30 miles of the North Cascade Highway through Sedro Wooley and Concrete during the height of the tourist season.

We are requesting a job specific permit to operate a portable asphalt plant and crushing plant on the gravel pit site for the duration of the two specific jobs. One project crosses our access point to the Highway and the other project is twenty minutes east of our pit site. Estimated trucking time would be reduced to 1100 hours and no traffic would be routed through Concrete or Sedro Wooley. Hauling from this site reduces the impacts to only a few miles of the North Cascade Highway.

Information Requested for Emergency/Suspended Zoning Code

Fairness to Other Contractors: The Owner of the Rockport Gravel Pit are not paving Contractors and will not be bidding this work. 3DH Aggregate will supply material and the site to every Contractor bidding this work. Materials and the site will be available for standard pricing to all bidders.

Hours of Operation: Talks with WSDOT say that the only the restrictions from their side is that work has to be suspended on Fridays at noon. Expected work periods desired by bidders will be daylight hours from Monday morning to Friday at noon. There are no immediate neighbors that will be affected by the in pit work. The nearest resident is 1500 feet away and screened by terrain and trees. The plant will set in a hole surrounded by earth berms. The two jobs of concern are to be completed in the summer of 2001.

Sanitation: Sani-cans with full services will provide for on-site sanitation. Numbers of units installed will be appropriate to the size of crews working at the site.

Location of Batch Plant: The plant will be located in the middle of the existing pit as shown on the attached maps. The Skagit County Transfer Station borders the location on the east side. An old WSDOT

18820 3rd Ave NE - Arlington, WA. 98223 (360) 652-9727 Fax (360) 652-5374

borrow site borders the site to the North and vacant land borders the site to the west. Two thousand feet of the operator's property borders the site to the south. The nearest existing resident is 1500 feet from the proposed location of the batch plant.

Site Description

Soils: The site soils are deep deposits of sand and gravel. The sand and gravel deposit is of commercial quality and meets Washington State Department of Transportation (WSDOT) standards for Gravel Backfill Sections 9-03.12(1), (1)B, (2), (3), (4), & (5); Gravel Borrow Sections 9-03.14(1), (2), (3). Screening may be required to meet some specifications due to oversize material. The fines contents, portion less then the 200-screen, is less than five percent. This is an excellent Gravel Aggregate Resource.

The Department of Agricultures Soil Conservation Service (SCS) has mapped this soil as Winston Gravelly Silt Loam and describes it as very deep, well-drained soil on terraces and is underlain by glacial outwash. Permeability is moderate from the surface to the substratum and very rapid in the substratum.

Drainage: As described from the SCS book, this soil type is very well drained in the substratum. There is virtually no surface runoff, stormwater moves vertically through the well-drained soils.

Topography: The forty-acre site itself sets up on a small plateau and is fairly level with a slight slope the south. To the east of the property, the slope drops fairly rapidly in terraces to the Skagit River. Some slopes, between terraces, approach thirty-three percent. The River is a thousand feet west of the property. To the north is WSDOT gravel pit that slopes back to the North Cascade Highway. From the northeast corner of the property to the Cascade Highway is about 250 feet with a 30-foot drop in elevation.

Wetlands and Streams: The rapid permeability of the soils does not provide hydrology that is conducive to the formation of wetlands and streams. Neither exists on site, there appears to be no surface water or drainage on or within 200 feet of the site.

Vegetation and Wildlife: The site had been clear-cut within the last 10 years and is in the shrub dominant successional stage in areas that have not been re-cleared for gravel extraction. Native plants and wildlife is typical of this North Cascade Region.

Surrounding Land Use: North of the site is a WSDOT gravel pit, between this site and the North Cascade Highway, along the east boundary is an old Skagit County landfill and the current transfer station. To the south and west are large parcels with some use as rural residential.

Traffic Patterns: The North Cascade Highway through an easement accesses the gravel pit across the Skagit County Transfer Station Property.

Project Description

Gravel mining is currently in progress on a 10-acre portion of the DNR permitted 40-acre site. The temporary 10-acre limit was imposed by Skagit County through the Conditional Use permit #77-031. After two years the county is to review the mining activities to consider expansion into the additional 30 acres as permitted by DNR.

The gravel resource site is remote from general use and was originally permitted by Wilder Construction in anticipation of supplying materials for road repairs and maintenance along the North Cascade Highway. Wilder Construction had never found further reason to actually start mining the site and the site have since been purchased by 3DH Aggregates. 3DH Aggregates has been mining the site for the last 2-years. The site is remote and has had no problems with neighbors. Neighbors to the north and east are a WSDOT gravel pit and a Skagit County Transfer Station. The mining area is invisible from any neighboring properties or the Highway.

Along the North Cascade Highway, WSDOT has scheduled two repair and asphalt overlay projects that are to begin in early summer of 2001. The first project is about a 20,000-ton asphalt job that starts three miles west of the gravel pit and passes right in front of the driveway to the pit. The second job is from Marble Mount to Diablo Road and will take an estimate 100,000-tons of asphalt. The Marble Mount job is 20 minutes east of the gravel pit. The nearest sites actually permitted for gravel extraction and an asphalt plant are north of Burlington and are 30 miles of tourist highway from the first job location.

These jobs will begin in about two months and we are requesting a job specific permit to bring in a portable asphalt plant and crusher to supply pavement to these two specific jobs. The asphalt/crusher plant would be onsite for approximately 4 months.

Project Issues

Timing and Benefits: Time is of the essence as these projects are schedule to begin in early summer. Permits for the onsite use of the portable plant would be required in June of 2001. There is significant benefit to the community for expediting this permit process. Thirty six hundred and fifty truck trips and over 9400 hours of truck time on the North Cascade Highway will cause a tourist season traffic nightmare from Sedro Wooley to Diablo Road for approximately 3 months of the summer. Ninety four hundred hours of trucking will cost taxpayers $705,000 for the asphalt haul alone. Asphalt hauls from the Rockport pit would only cost $265,000, which is a $440,000 savings for the asphalt haul alone. Other benefits would add up to at least a half million-dollar savings to the taxpayers for this roadwork. This is just the cash benefit to cost of government; there are un-measurable benefits to the frustration levels of thousands of tourists and locals using the North Cascade Highway. The highway through Sedro Wooley and Concrete would be literally choked off for a large portion of the summer.

Asphalt Haul Impact Table

Description	Marblemount	Rockport	Comments
Estimated Tons of Asphalt	120,000	120,000	Combined work scheduled
Number of Truck and Trailers	3,350	3,350	Based on 33 tons per T&T
Miles to Marble Mt Job	30	0	
Miles to Diablo Job	52	22	
Est. Truck Hours on Road	9400	3500	Not considering time lost to traffic jams
Cost of Truck Hours on Road	$705,000	$265,000	Haul costs at $75 per hour, no delay time costs
Estimated Tourist Traffic	XXXXXX	X	Impact based on road haul time
Frustrated Locals Travel	XXXXXX	x	Nc traffic in Sedro or Concrete.

PRE-APPLICATION REQUEST

Permit Application
Legal Description- Exhibit A
Owner Certification

Planning & Permit Center
Pre-application Request Form
Pursuant to SCC 14.06.050(2)

PL01-0435

Date Received

SKAGIT COUNTY
PERMIT CNTR.
JUN 0 5 2001
RECEIVED

- ☐ Binding Site Plan
- ☐ Bldg Permits Triggering SEPA
- ☐ Fill & Grade Triggering SEPA
- ☐ Forest Practice Waiver – HE
- ☐ Level II, III and IV Applications
- ☐ Long CaRD ☐ Pre ☐ Final
- ☐ Plat or SPU Modification
- ☐ Rezone
- ☐ Shoreline Substantial Use Permit
- ☐ Short CaRD
- ☐ Short Plat
- ☐ Special Use Permit Level II
- ☐ Variance Level II
- ☐ Other _____

Please submit 8 copies of the pre-application submittal materials.

1. Other Related Permits or Approvals: Conditional Use Permit # 77-031

2. Parcel ID#: P46865 Assessor Tax #: 350928 - 1 - 005 - 0001

Parcel ID#: _____ Assessor Tax #: _____ - _____ - _____ - _____

3. Section 28 Township 35 Range 9 Comprehensive Plan/Zoning Designation: Rural Reserve

4. Site Address: 5059 Hwy 20 - Between Concrete & Rockport

5. Lot of Record: ☐ Yes ☐ No Urban Growth Area: ☐ Yes ☑ No If yes, City: _____

6. Comp Plan/Zoning within 200 feet: NA

7. Mineral Resource Overlay within ¼ mile ☐ Yes ☑ No Critical Area/Water within 200 feet: ☐ Yes ☑ No

8. Acreage / Lot Dimensions: 40 acres

9. Flood Zone: - FIRM Map Panel #: NA Map Date: NA

10. Road access: ☑ Private ☐ County – Permit #: _____ ☐ State – Permit #: _____

11. Water Source: ☐ Drilled well - Permit #: NA ☐ Community Well ☐ Public _____

12. Sewage Disposal: ☐ Septic – Permit #: NA ☐ Public Sewer: _____

13. Lot Certification: See attached

14. Legal Description: See attached

(Attach additional sheet if necessary.)

Planning & Permit Center

Applicant

3D-H Aggregates
Name

P.O. Box 142 Stanwood Wa 98292
Address

360 629 4633
Phone | Fax | e-mail address

Owner

David/Helen Weber & Dave/Darcy Harvin
Name

809 Raidal Rd Camano Island Wa 9829
Address

Phone | Fax | e-mail address

Contact

Merle Ash / Land Technologies
Name

18820 - 3rd Ave NE Arlington Wa 98223
Address

360 652 9729
Phone | 360 652 5374
Fax | e-mail address

Contractor *(When applicable. If owner, write owner-builder)*

Name

Address

Phone | Fax | e-mail address

Contractors License # | Expiration Date

Exhibit A

the West 1/2 of the Southwest 1/4 of the Northeast 1/4 and the West 1/2 of the Northwest 1/4 of the Southeast 1/4 in Section 28, Township 35 North, Range 9 East, W.M.

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over and across a 60 foot right of way located on the Northerly portion of the East 1/2 of the Southwest 1/4 of the Northeast 1/4 of said Section 28, as said easement was reserved in deed recorded June 21, 1977, under Auditor's File No. 858854.

Situate in the County of Skagit, State of Washington.

OWNERSHIP CERTIFICATION

I, DAVE HARVIN, hereby certify that I am the major property owner or officer of the corporation owning property described in the attached application, and I have familiarized myself with the rules and regulations of Skagit County with respect to filing this application, and that the statements, answers and information submitted presents the argument on behalf of this application and are in all respects true and correct to the best of my knowledge and belief.

Street Address: 5930 - 332ND ST. N.W.

City, State, Zip: STANWOOD, WA. 98292

Phone: (360) 629-9243 Signature(s): X [signature]

for: 3dh NAGEGATES INC.
(corporation or company name, if applicable)

ACKNOWLEDGMENT

STATE OF WASHINGTON)
ss.)
COUNTY OF SKAGIT)

On this day personally appeared before me GREGG EATON, known to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purpose therein mentioned.

GIVEN under my hand and official seal the 4TH day of MAY, 2000.

[signature]
NOTARY PUBLIC in and for the State of Washington,

ANACORTES
residing at

My Commission Expires: 6/30/2000

GREGG T. EATON
COMMISSION EXPIRES
NOTARY
PUBLIC
JUNE 30, 2000
STATE OF WASHINGTON

CORRESPONDENCES

Letter prepared by [illegible] dated April 12, 2001
Response [illegible]
Todd L. [illegible] Deputy Assistant Area Administrator
Dave Williams, [illegible]
Mary Margaret [illegible], Chairman, Senate Transportation Committee
[illegible]

1005 2006 0000 2865

Land Technologies
18820 3rd Ave. NE
Arlington WA 98223
Phone: 360-652-9727
Fax: 360-652-5374
landtech@cedarnpmm.com

[redacted]

Fax

To:	AS SENT TO PEOPLE OF CONCERN	**From:**	Merle Ash
Fax:		**Date:**	May 16, 2001
Phone:		**Pages:**	3
Re:	Costs of SR 20 Paving Projects	**CC:**	

X Urgent ☐ For Review ☐ Please Comment X Please Reply ☐ Please Recycle

Mr. Sahlin

Follows is a letter explaining a situation with a client that a little help from the State could help. Help would also save the State and taxpayers $500,000 on two upcoming paving projects on the North Cascade Highway and eliminate summer congestion on 30 miles of highway during the height of the tourist season.

Ted Anderson, Skagit County Commissioner, has said he could help expedite a job specific permit for a portable asphalt/crushing plant at a permitted gravel resource site owned by our clients. The site is in the center of one of these paving projects and near the second one.

Use of this site would eliminate approximately 3,350 trucks from 30 miles of SR 20 during the summer tourist season. Without this site, the North Cascade Highway will be extremely congested from Sedro Woolley to near Rockport for a good portion of the summer.

Ted Anderson has said a short letter from the State encouraging Skagit County to "fast track" the special use permit would be enough to get him to action. Could you please provide a letter or direct me to someone from the State that could help.

The site and resource would be available to all bidders; this Owner would not be bidding the job but would only supply the site and gravel to any qualified bidder.

The State taxpayers and thousands of tourist and local residences along SR 20 will also be grateful for your help.

Thank you for your help

LAND TECHNOLOGIES, INC.

MAKING A WAY OUT OF "NO WAY"

April 19, 2001
To Whom It May Concern

Two paving projects along the North Cascade Highway (State Route 20) are to be released for bid April and May of 2001. The projects are near Rockport and past Marble Mount to Diablo. Existing permitted asphalt/crushing plant sites with available resources are north of Burlington. Supply to the project sites will require hauls of 30 miles and 52 miles along SR 20 to the center of each project. The estimated quantities of asphalt are 120,000 tons for the combined jobs (20,000 to Rockport, 00,000 to Marble Mount). This would require approximately 3,350 Truck and Trailer Trips along SR 20 during the peak of the tourist season for the asphalt alone. The Highway from Sedro Wooley to Diablo Road will be highly congested from the mixing of tourist travel and trucks. The local residences and tourists traveling this road will be extremely frustrated from the excessive delays. Cost of hauling along this route will be expensive.

We are informing you of this potential problem as our client has a potential solution that would eliminate congestion from Sedro Wooley to the start of the first project at Rockport and reduce the States and taxpayers' expenditures for this road repair by $500,000. He will need a little help to make it happen.

3DH Aggregates owns and operates a gravel resource site along SR 20 near Rockport. The first project crosses in front of his access to SR 20. His neighbors are the County Transfer Station and an old WSDOT pit. He had been led to believe he was permitted for temporary uses of an asphalt/crushing plant, but recently found he actually wasn't. Ted Anderson, Skagit County Commissioner, has said he believes he could help expedite the special use permit if the State felt use of this site would be beneficial to the State and would provide a short letter supporting a expedited permit process.

The site would be available to all bidders to set up portable asphalt/crushing plant for supply to the SR 20 projects. This would provide the State and taxpayers' the most competitive situation on these bids and eliminate the extreme summer traffic congestion caused by 3,350 additional trucks along 30 miles of SR 20.

Asphalt Haul Impact Table

Description	Burlington	Rockport	
Estimated Tons of Asphalt	120,000	120,000	Total of two projects scheduled
Number of Truck and Trailers	3,350	3,350	Based on 33 tons per T&T
Miles to Middle Job 1	30	0	
Miles to Midd's Job 1	52	22	
Est. Truck Hours on Road	9400	3500	Not considering time lost to traffic jams
Cost of Truck Hours on Road	$705,000	$265,000	Haul costs at $75 per hour, w/o delays. Costs could exceed a million dollars w/delays.
Frustrated Tourist Travel	XXXXXX	X	Impact based on road haul time
Frustrates locals Travel	XXXXXX	x	No traffic from Sedro to Van Horn.

We need a short letter from the State encouraging Skagit County to fast track process the job specific permit for this site. Please call Merle Ash at 360-652-972 or e-mail to landtech@cedarcomm.com. **Thank you.**

18920 3rd Ave NE · Arlington, WA 98223 (360) 652-9727 Fax (360) 652-5374

Washington State Department of Transportation
Sid Morrison
Secretary of Transportation

Northwest Region
Project Engineering Office
1109 E Hickox Rd
Mt. Vernon, WA 98274-7775
(360) 428-1593 fx (360) 428-1600

May 1, 2001

Ted Anderson
Skagit County Commissioner
Skagit County Administration Bldg
Mt Vernon, WA [illegible]

Subject: ASPHALT PAVING ALONG SR 20 EAST OF CONCRETE

Dear Commissioner Anderson:

We are in the process of completing contract plans to repave approximately 20 miles of SR 20 east of Concrete. The first contract is titled "Hornbeck Lane to Rocky Creek Bridge" and will address highway improvements from milepost 95.49 to milepost 102.34. The second project is titled "Cascade Rd. to Diablo Rd. vicinity" and will address highway improvements from milepost 105.75 to milepost 126.04. We plan to advertise these projects in May and anticipate construction to begin in July and continue thru September.

It has been brought to my attention that one or two gravel pits in close proximity to our projects would require special use permits from Skagit County to produce crushed aggregates and asphalt concrete.

I would like to encourage Skagit County to expedite the preparation of such a permit. Having these remote pit sites permitted would greatly reduce the number of truck/trailer combination driving from Burlington up SR 20 during construction. The use of portable asphalt/crushing plants located close to the project limits would provide a substantial cost savings by promoting more competitive bids.

If there is additional information that we could provide you, please do not hesitate to call either Marco Foster or myself at (360) 428-1593.

Sincerely,

Todd L. Harrison
Mt. Baker Assistant Area Administrator

attachments

cc: Representative Jeff Morris
Don Griffith-OSC
Marco Foster
file

TLH/ajd

Post-it™ brand fax transmittal memo 7671	# of pages ▸
To Merle Ash	From Marco Foster
Co.	Co.
Dept.	Phone #
Fax #	Fax #

Town of Concrete
P.O. Box 118
45672 Main Street
Concrete, WA 98237
Phone (360) 853-8401 ♦ Fax (360) 853-8002

May 1, 2001

Skagit County Commissioners
Attn: Ted Anderson
700 S 2nd Room 202
Mt. Vernon, WA 98273

Re: Land Technologies

Dear Mr. Anderson,

This is a letter of support for Land Technologies. I understand they are applying for a special use permit for their asphalt plant and such. I would like you to know the Town of Concrete is in full support of this action. If you wish to contact me directly to discuss this further, please feel free to contact me at the above number.

Thank you

Doug Williams
Mayor
Town of Concrete

FROM : Town Of Concrete PHONE NO. : 3600538002 May. 01 2001 09:46AM P1

Washington State Senate

Senator Mary Margaret Haugen
10th Legislative District

Olympia Offices
117 John A. Cherberg Building
PO Box 40410
Olympia, WA 98504-0410

(360) 786-7618
FAX (360) 786-1999
e-mail: haugen_ma@leg.wa.gov

1 May 2001

To Whom it May Concern:

I would greatly appreciate your consideration to fast track the special use permit as requested by Land Technologies. They have applied for a job specific permit for a portable asphalt/crushing plant at a permitted gravel resource site

Expediting this permit is very necessary to the flow of traffic along Highway 20, especially now as we move into tourist season with more RV and car congestion. Rushing this permit now and allowing Land Technologies to begin work will eliminate close to 3,350 truck and trailer trips along the Highway 20 corridor.

Thank you very much for your consideration.

Sincerely,

Mary Margaret Haugen
Chairman, Senate Transportation Committee
10th District State Senator

MMH/kfl

03-01-1999 05:15p P.01

To Whom It May Concern :

My name is Bryon Mercer and I reside at 50691 Hornbeck ln. in Rockport.

This is in reference to "3DM Aggregates" which is located across the highway from us. When "3DM Aggregates" first moved in they came over to introduce themselves and to tell me to let them know that if in any way their operation disrupts my life with noise , dust or any thing else to please let them know. I found this very courteous.
"3DM Aggregates", has been and hopefully always will be an asset to us and the rest of the upper Skagit Valley.
This letter is concerning a semi-temporary asphalt production system they would like to start this year. I have been in construction most of my life and this will remain very trivial to me. When the plant in Concrete shut down the valley was at a loss for material. When 3DM moved in, and I know I speak for many when I say, we welcome them with open arms. Within reason, I don't think they could do to much to disrupt our lives.

Respectfully Yours

Bryon Mercer

Please feel free to call with any further inquiries

(360) 853-8050

NORTHWEST
AIR POLLUTION AUTHORITY

1600 South Second Street
Mount Vernon, WA 98273-5202
Tel: (360) 428-1617 / Fax: (360) 428-1620
Serving Island, Skagit and Whatcom Counties

May 17, 2001

Dave Harvin
5930 332nd Street NW
Stanwood, WA 98292

Subject: Airborne Nuisance Potential of Asphalt Plants and Rock Crushers

Dear Mr. Harvin:

I am writing in response to your inquiry regarding our experience with dust and odor nuisance problems related to operation of asphalt batch plants and portable rock crushers. The Northwest Air Pollution Authority (NWAPA) enforces air pollution regulations in Island, Skagit and Whatcom Counties. State and local regulations prohibit airborne nuisances. Our records indicate receipt of only a handful of complaints each year alleging nuisances caused by these kinds of facilities. Most of the complaints we have received seem to be associated with one or two facilities. We believe that proper operation and maintenance, including conscientious dust suppression at the points where dust may be generated, will reduce emissions to a reasonable minimum. These emission abatement steps are elements of the approval orders that each facility is required to obtain from the NWAPA. Failure to adequately reduce dust and odors will result in enforcement. Neighbors impacted by facility emissions may contact the NWAPA for relief from nuisances, although we clearly prefer that potential problems be dealt with beforehand.

Please contact Julie O'Shaughnessy at 360-428-1617 x210 if you have further questions.

Sincerely,

Lester Keel
Air Quality Engineer

DRAWINGS

1 of 3 Cover Sheet
2 of 3 Aerial Photograph
3 of 3 Photographs

1005 2008 0000 2673

3DH Aggregate

SKAGIT COUNTY, WASHINGTON

Special Use Permit - Asphalt Plant

Project Information
Assessor Number.350928-1-005-0001
Parcel ID Number.P44865
Zoning...Rural Reserve
Land Use..Gravel Site..
Acreage..40 acres
Fire District #..10

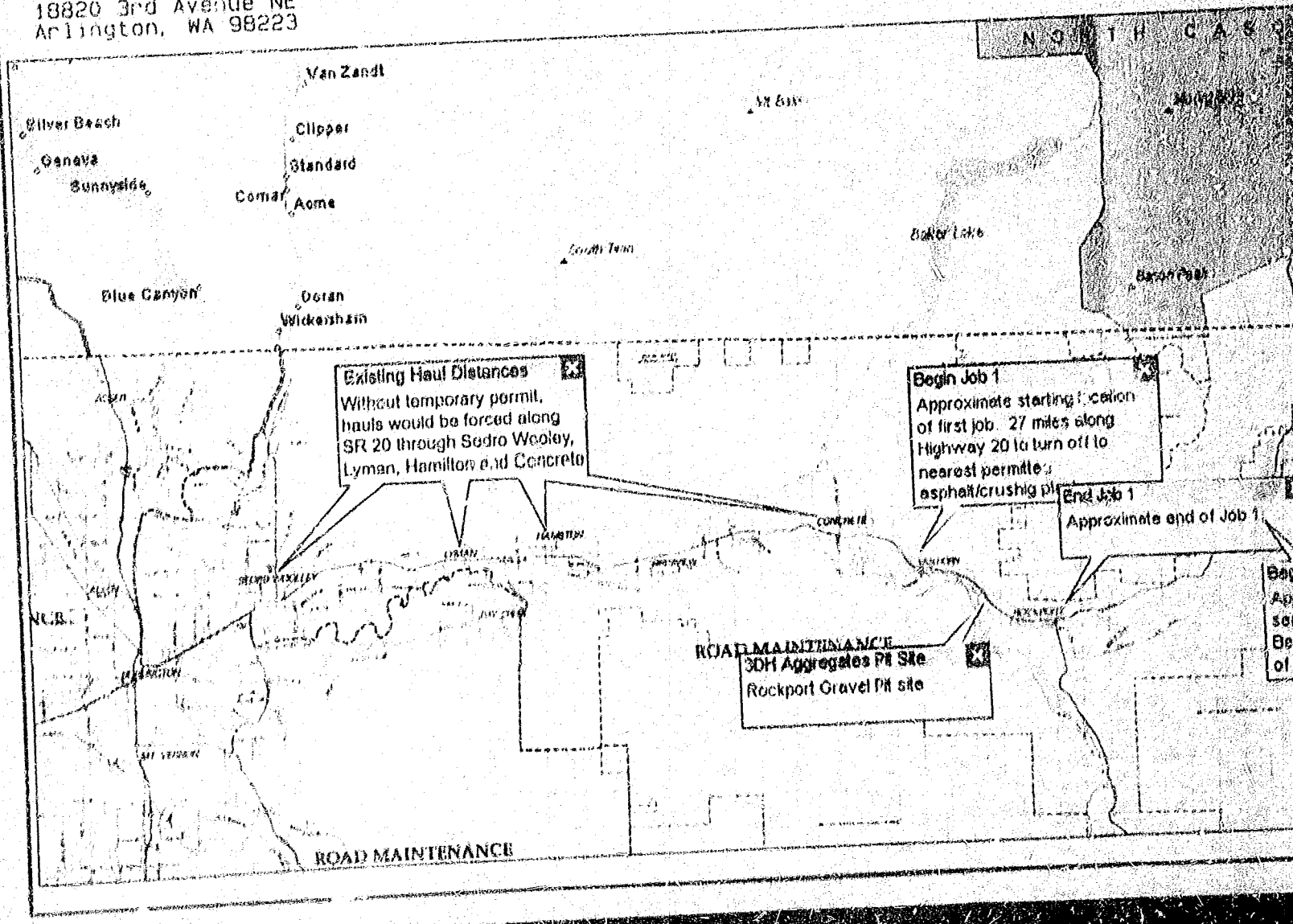
Applicant
3D-H Aggregates
PO Box 142
Stanwood, WA 98292.
360.629.4633

Contact
Land Technologies/Merle Ash
18820 3rd Avenue NE
Arlington, WA 98223

Section 28, Township 35 North, Range 9 E

Legal Description
The West 1/2 of the Southwest 1/4 of the
Northeast 1/4 and the West 1/2 of the
Northwest 1/4 of the Southeast 1/4 in
Section 28, Township 35 North, Range 9 E

TOGETHER WITH a non-exclusive
easement for ingress, egress and utiliti
over and across a 60 foot right of way l
on the Northerly portion of the East 1/2
Southwest 1/4 of the Northeast 1/4 of sa
Section 28, as said easement was reserve
deed recorded June 21, 1977, under
Auditor's File No.858854.



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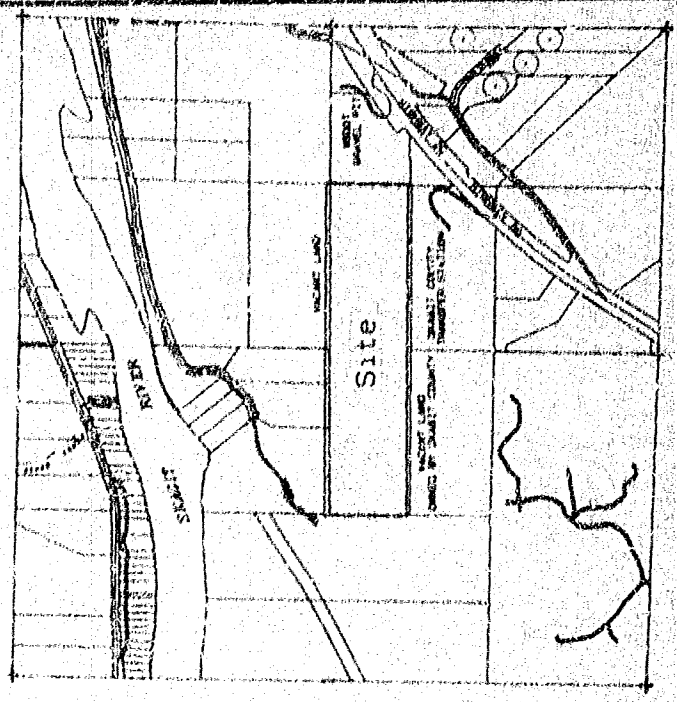
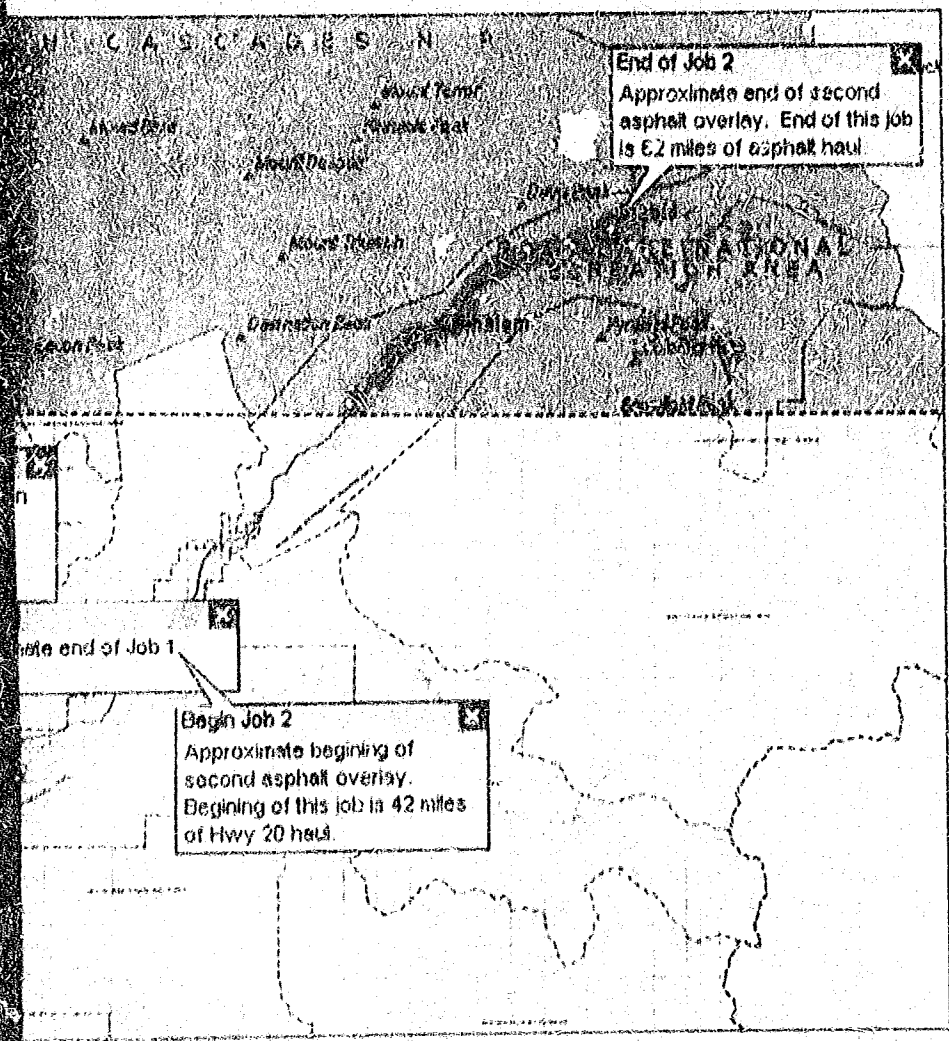


Vicinity Map

1" = 1600'



INDEX TO SHEETS

1 of 3 Cover Sheet
2 of 3 Asphalt Plant Special Use Permit
3 of 3 Existing Photographs

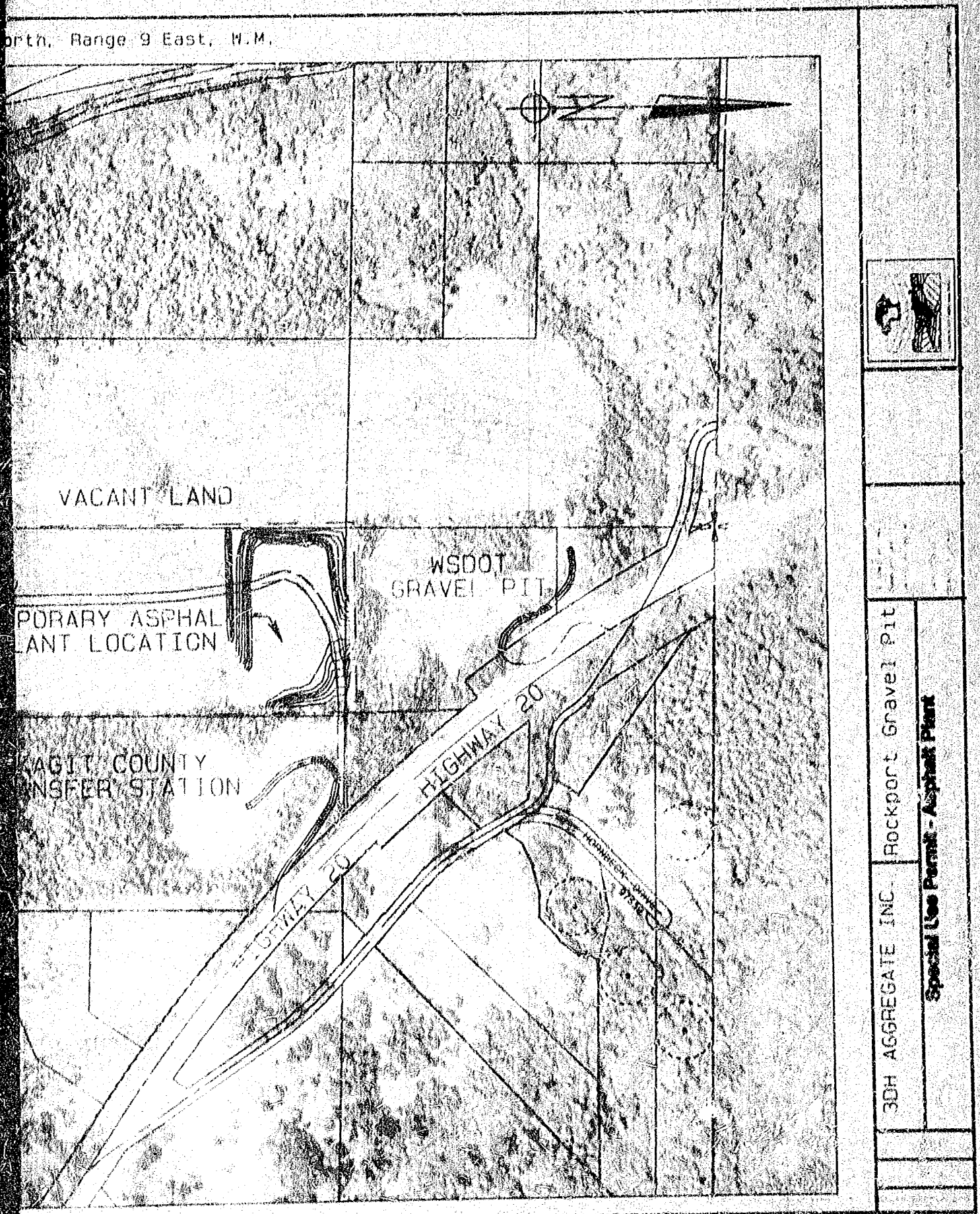
3DH AGGREGATE INC. | Rockport Gravel Pit

Cover Sheet

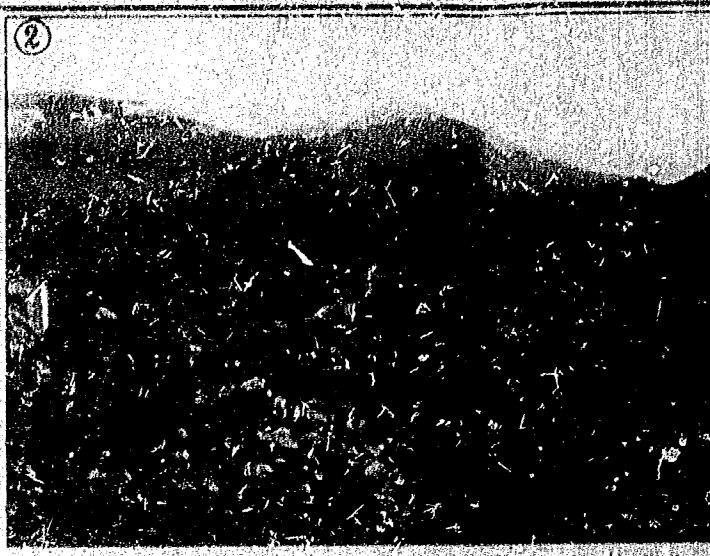
SHEET

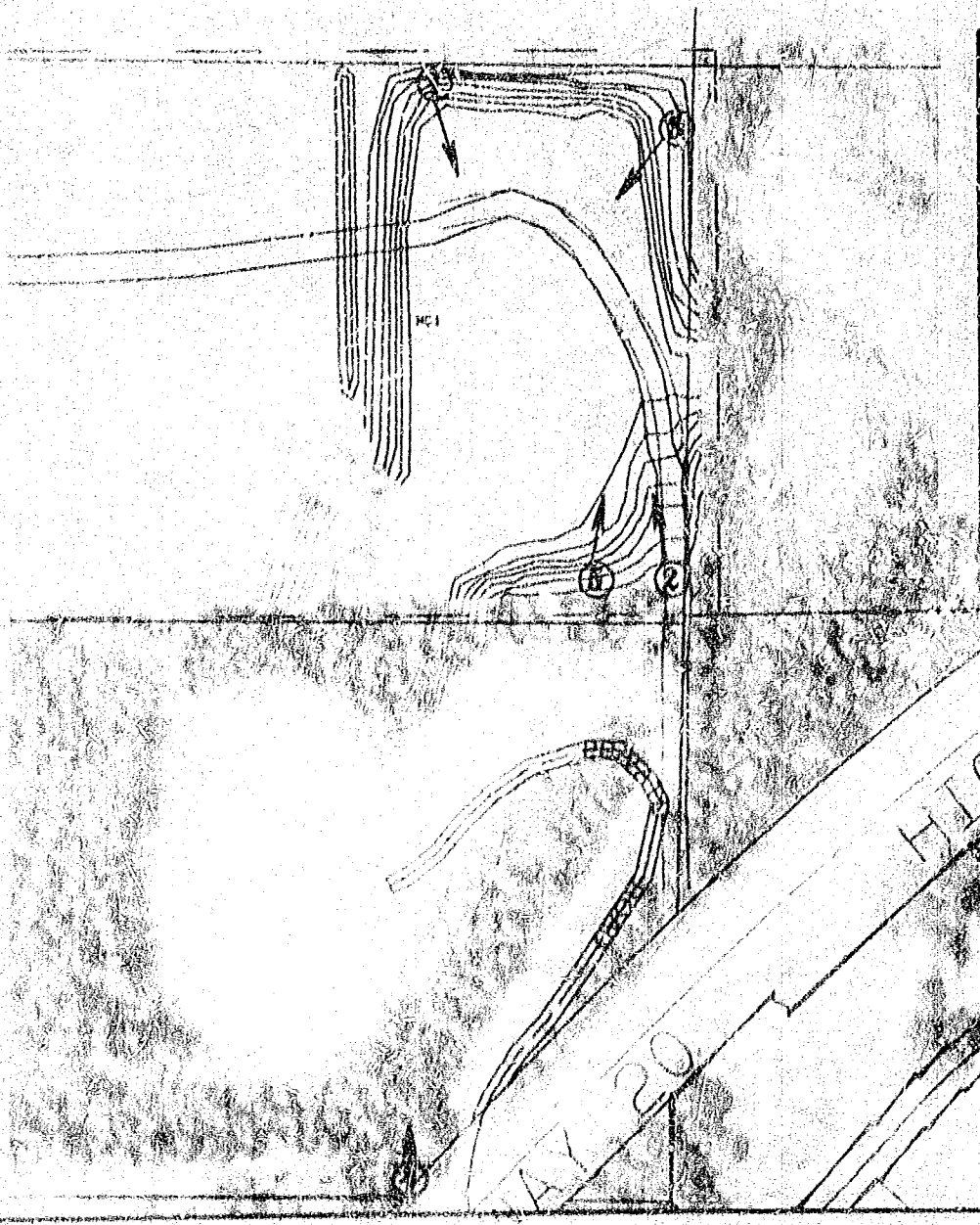
Section 28, Township 35 North, Range 9 East,

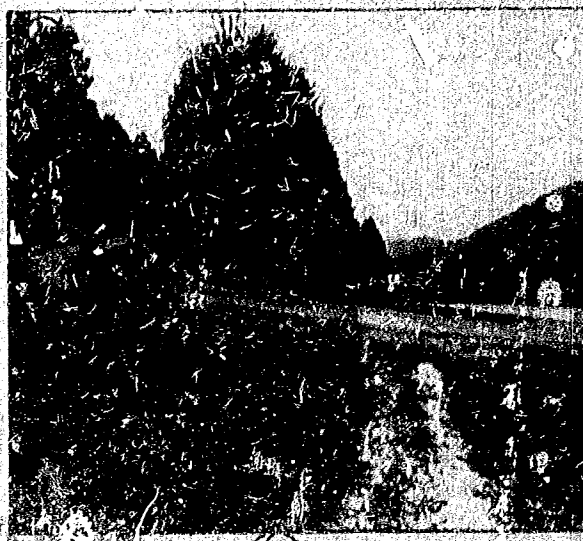
1005 2006 8000 2676


orth, Range 9 East, W.M.
VACANT LAND
WSDOT
GRAVEL PIT
PORARY ASPHAL
LANT LOCATION
KAGIT COUNTY
NSFER STATION
HIGHWAY 20
HIGHWAY 20
3DH AGGREGATE INC.
Rockport Gravel Pit
Special Use Permit - Asphalt Plant









Photos Show R

1. Looking no
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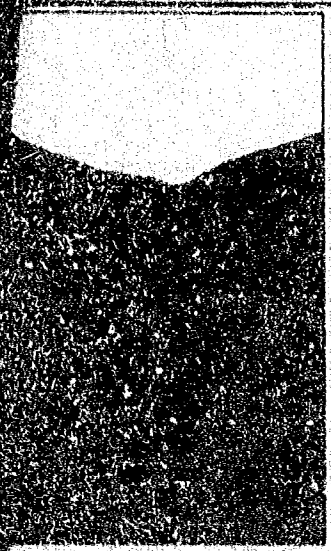
to Skagit R

Section 28, Township 35 North, Range 9 East, W.M.









tos Show Remoteness and Seclusion of Site

Looking north across existing gravel excavation. Pit entry
om trees in middle of picture. Skagit County transfer station
hind trees on right half of picture. WSDOT pit behind trees on
ft half of picture.
Looking southeast a point of entry to gravel pit.
Looking northeast across pit. Trees provide heavy screening
Skagit County property.
Access point to highway 20.
Looking south from point of entry along west boundary with
DOT pit. The south boundary is vacant land that drops rapidly
Skagit River Valley.

LAND TECHNOLOGIES

Rockport Gravel Pit

3DH AGGREGATE INC.

Existing Photographs

SHEET

3 of 3

Rockport Gravel Pit - S... use permit.prb

118163 James Patterson
Joseph Shephard
P.O. Box 478
Concrete 98237

44831 Hans Schick
10671 Evergreen Hill Lane
Concrete 98237

44830 Walter Beals
10597 Evergreen Hill Lane
Concrete

44826 G&S Sundquist
3030 NE 181ST
Seattle 98155

44869 "

44863 WSDOT
4100 Cedardale Rd
Mt Vernon 98274

44854 WSDNR
PO Box 47014
OLYMPIA 98504-7014

44866 Skagit County
700 S. 2nd Room 202
Mt Vernon 98273

44874 S.C.

44828 Henry Young
P.O. Box 655
Concrete 98237

10.05.2006 0000 2681

JohnCooper

To: houghdc@aol.com
Cc: BrandonBlack
Subject: Hydrogeo report for 3DH

Dave,

The hydrogeo report in the text looks fairly good, except it is missing a couple of parameters to meet code.

- I need to confirm that a licensed hydrogeologist or geologist has prepared or reviewed and approved the report. Report needs to be signed and stamped.
- The report is missing a hydrogeologic x-section indicating groundwater elevations and aquitards.
- The report also needs estimates of porosity, and horizontal and vertical permeability.
- The report needs an estimate of groundwater velocity and down gradient direction.
- The report needs to be supplemented with a water table contour map and in the event of a confined aquifer, a potentiometric map.
- And last the report should include a map indicating any distinct aquifer discharge or recharge locations.

Needed for complete
Hydrogeo report.

8 b' - ils report prepared by Hydrogeo?
- stamped?

i) no x-section, Delin of Aquifer,
porosity + horizontal + vertical
permeability estimates

ii) GW velocity? water table
contour + Potentiometric map?

iii) ~~GW well locations w/in~~
~~+ mile of site - down gradient~~
~~[illegible] of all~~ stream springs?
Aquifer discharge/recharge areas

Hough DC @ AOL

ECOLOGICAL LAND SERVICES, INC.

December 18, 2002

Matt Brookshire/Cindy Preston
Washington State Department of Natural Resources
Surface Mine Reclamation Program
PO Box 47007
Olympia, WA 98504-7007

Re: Revised Reclamation Plan for 3DH Aggregates Surface Mine, DNR Permit # 11785.

Dear Mr. Brookshire and Ms. Preston:

Enclosed is a revised reclamation plan with supporting materials on behalf of 3DH Aggregates for a surface mine on State Route 20, approximately 6.0 miles east of Concrete. 3DH and others have actively mined the site since the late 1970's typically removing relatively small quantities of sand and gravel as needed for road improvement and other projects. To date, approximately 12.3-acres within the existing 40.0-acre permit boundary have been disturbed by mining. 3DH Aggregate's propose is to mine the remaining resource within the existing permit boundary.

The revised plan would result in a disturbance of 39.1-acres, which includes the previously mined area, within the 40.0-acre permit boundary. The site topography is naturally situated to complement the proposed mining and reclamation plans. Due to the size and location of the proposed mining operation, coupled with the reclamation plan, potential negative environmental impacts will be insignificant. 3DH Aggregate and the owner of a surface mine (WSDOT) abutting the northern property boundary have agreed to connect mine plans and join reclamation features. Joining the two surface mines will best utilize the mineral resource and create a sinuous topography at the completion of both operations.

We believe you will find this update package complete. However, should you need additional information or have any questions, please call me. Additionally, please include me on your distribution list for any correspondence with 3DH Aggregate or other agencies during your project review.

Sincerely,

Roy Garrison
Reclamation and Soils Specialist

cc: Helen Weber – 3DH Aggregates

1339 Commerce Avenue, Suite 311 • Longview, Washington 98632 • (360) 578-1371 • Fax (360) 414-9305

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DEPARTMENT OF NATURAL RESOURCES – SM-8A FORM

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- **2.2 –** ***Background***
- **2.3 –** ***Subsequent Use***

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- **3.2–** ***Site Geology***
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REFERENCES

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APPENDICES

APPENDIX A –Sauk Landfill Monitoring Well Logs
APPENDIX B – DOE Water Supply Well Logs

SEPA CHECKLIST

ATTACHMENTS - ENDANGERED SPECIES DATA SEARCH

Washington Department of Fish and Wildlife
Habitats and Species Information

National Marine Fisheries Service
Northwest Region Species List For Endangered, Threatened, Proposed and Candidate Species

United States Department of the Interior Fish and Wildlife Service
Listed and Proposed Endangered and Threatened Species, Candidate Species and Species of Concern

Washington State Department of Natural Resources
Natural Heritage Information System on Rare Plants, Select Rare Animal Species, and High Quality Wetland and Terrestrial Ecosystems

DNR FORM SM-6

WASHINGTON STATE DEPARTMENT OF
Natural Resources

COUNTY OR MUNICIPALITY APPROVAL FOR SURFACE MINING (Form SM-6)

NAME OF COMPANY OR INDIVIDUAL APPLICANT(S)
Same as name of the exploration permit holder. *(Type or print in ink.)*

3D-H Aggregates

MAILING ADDRESS

P.O. Box 142
Stanwood, WA 98292

Telephone (360) 629-4633

TOTAL ACREAGE AND DEPTH OF PERMIT AREA
(Include all acreage to be disturbed by mining, setbacks, and buffers, and associated activities during the life of the mine.) *(See SM-5A.)*

Total area disturbed will be 40 acres

Maximum vertical depth below pre-mining topographic grade is 70 feet

Maximum depth of excavated mine floor is 450 feet relative to mean sea level

COUNTY SKAGIT

No attachments will be accepted. Legal description of permit area:

1/4	1/4	Section	Township	Range
W½ SW	NE	28	35	9
W½ NW	SE	28	35	9

Proposed subsequent use of site upon completion of reclamation

Rural Residential

Signature of company representative or individual applicant(s)	Name and title of company representative *(please print)*	Date signed

TO BE COMPLETED BY THE APPROPRIATE COUNTY OR MUNICIPALITY

Please answer the following questions 'yes' or 'no'.

	Yes	No
1. Has the proposed surface mine been approved under local zoning and land-use regulations?	✓	
2. Is the proposed subsequent use of the land after reclamation consistent with the local land-use plan/designation?	✓	

When complete, return this form to the appropriate Department of Natural Resources regional office.

Name of planning director or administrative official *(please print)*

Tommy Alan Icard

Signature

Title *(please print)*

Director Planning & Permit Center
Skagit County, WA

Address

Skagit County Planning & Permit Center
700 W. Washington Street
Mount Vernon, WA 98273

Telephone 360-336-9410

Date 4/30/02

FOR DEPARTMENT USE ONLY

DNR Reclamation Permit No.

County or Municipality Approval (SM-6) Revised 1/01

1005 2004 0000 2693

DNR FORM SM-8

WASHINGTON STATE DEPARTMENT OF
Natural Resources

APPLICATION FOR RECLAMATION PERMIT
FORM SM-8A

Check appropriate box(es): ☐ new permit ☒ revision of existing permit ☐ transfer of permit ☐ expansion

NOTE: Do not attempt to complete this form until you have carefully read the accompanying instruction document (SM8AINST.PDF). Do not attempt to use this form as an MS Word Template unless you are familiar with the use of templates in MS Word.

1. NAME OF APPLICANT/PERMIT HOLDER(S)
3DH Aggregates

2. MAILING ADDRESS
PO Box 142
Stanwood, WA 98292

3. Telephone **(360) 629-4633**
UBI No **966-457**

4. NAME OF MINE
3DH Aggregate Surface Mine

5. Street address and milepost of surface mine
50598 State Route 20, Mile Post 95, between Concrete and Rockport, WA.

6. Distance (miles)	7. Direction from	8. Nearest community
3.0	West	Rockport, WA

9. COUNTY **Skagit**
No attachments will be accepted Legal Description of permit area:

1/4	1/4	Section	Township	Range
SW	NE	28	35	9E
NW	SE	28	35	9E

10. TOTAL ACREAGE OF PERMIT AREA APPLIED FOR
(include all acreage to be disturbed by mining, setbacks, buffers, and associated activities during the life of the mine.)
40.0 acres

11. Do you or any person, partnership, or corporation associated with you now hold, or have you held, a surface mining operating or reclamation permit? ☐ yes ☒ no

If you answered yes to the above, please list: n/a

Permit Number	Active Operation?		Reclamation current/complete?	
	Yes	No	Yes	No
	☐	☐	☐	☐
	☐	☐	☐	☐
	☐	☐	☐	☐
	☐	☐	☐	☐

12. Are all of these mines now in compliance with RCW 78.44, WAC 332-18, and conditions of the permits? n/a ☐ yes ☐ no

13. Have you ever had a surface mine operating or reclamation permit revoked? n/a ☐ yes ☐ no

Have you ever had a reclamation security forfeited? n/a ☐ yes ☐ no
If you answered yes to either of the above, list the permit number(s):
n/a

14. Type of proposed or existing mine: ☒ pit ☐ quarry
Material(s) to be mined: ☒ sand and gravel ☐ rock or stone ☐ clay ☐ metal ☐ limestone ☐ silica ☐ other ____

Deposit type: ☒ glacial ☐ river floodplain (alluvial) ☐ river channel deposits ☐ talus ☐ bedrock ☐ lode ☐ unknown ☐ other ____

15. Total Acreage and Depth of Permit Area: **40.0 Acres**
(Include all acreage to be disturbed by mining, setbacks, buffers, and associated activities during the life of the mine.) (See Form SM-6.)

Total area disturbed will be **39.1** acres.
Area to be disturbed in next 36 months will be **10.0** acres.

Maximum vertical depth below pre-mining topographic grade is **70.0** feet.
Maximum depth of excavated mine floor is **450** feet relative to mean sea level

16. Expected start date of mining	17. Estimated number of years
Existing Operation	15-20

18. Total quantity to be mined over life of mine (estimated):	19. Estimated annual production:
2.5-3.0 million ☐ tons, or ☒ cu yds	100-150,000 ☐ tons, or ☒ cu yds

20. Subsequent land use: ☐ industrial ☐ commercial ☐ residential ☐ agricultural ☐ forestry ☐ wetlands and lakes ☐ Other **Rural Residential**

Reclaimed elevation of floor of mine: **450** feet relative to mean sea level

Reclaimed elevation is shown on cross sections? ☒ yes ☐ no

Subsequent land use is compatible with County or Municipal comprehensive plan? ☒ yes ☐ no

County or Municipality Approval for Surface Mining (Form SM-6) attached? ☒ yes ☐ no

SEPA Checklist required? ☒ yes ☐ no

If any answers are no, explain: ____

21. Application fee for a new reclamation permit is herewith attached? ☒ yes ☐ no

CHECKLIST OF RECLAMATION STANDARDS

22. SEGMENTAL RECLAMATION

Permit area has been divided into segments for mining and a mining schedule has been developed? ☒ yes ☐ no
If no, explain:

Permit area has been divided into segments for reclamation and a reclamation schedule has been developed? ☒ yes ☐ no
If no, explain:

23. SITE PREPARATION

23A. Permit and Disturbed Area Boundaries

Boundary of the permit area has been marked on the ground with permanent boundary markers? ☒ yes ☐ no
Explain boundary markers: **Metal tee posts with florescent orange paint, placed line-of-sight around the permit boundary.**

23B. Saving Topsoil, Subsoil, and Overburden for Reclamation

Thickness of topsoil is 18-20 inches, which combines the A&B or E&B soil horizons (total being salvaged for Recl.)
Thickness of subsoil is n/a
Depth to bedrock is 2.0 feet
Total volume of topsoil is 88,127 cubic yards
Total volume of subsoil is n/a cubic yards
Volume of stored topsoil/subsoil is 11,378 cubic yards and will require 0.75 acres for storage.

Storage areas are shown on maps and have been marked on the ground with permanent boundary markers? ☒ yes ☐ no
Topsoil will be salvaged? ☒ yes ☐ no
If no, explain:

Subsoil and overburden will be moved to reclaim an adjacent depleted segment? ☒ yes ☐ no
If no, explain:

Before materials are moved, vegetation will be cleared and drainage planned for soil storage areas? ☒ yes ☐ no
If no, explain:

Soil storage areas will be stabilized with vegetation to prevent erosion if materials will be stored for more than one season? ☒ yes ☐ no
If no, explain:

23C. Setbacks and Screens

Maximum depth of the mine will be 70.0 feet from 520 feet (*highest*) to 450 feet (*lowest*) elevation relative to mean sea level.

The setback for this site will be 10 feet wide.

Is a permanent, undisturbed buffer planned for this site? ☒ yes ☐ no
If no, explain:

Setbacks are shown on maps and have been marked on the ground with permanent boundary markers? ☒ yes ☐ no
If no, explain: **Shown on maps but not marked in field.**

CHECKLIST OF RECLAMATION STANDARDS

Does this site have a backfilling plan that addresses the protection of adjacent property and how the final, stable slopes are to be achieved? ☐ yes ☒ no
If no, explain: **Refer to narrative.**

23D. Buffers to Protect Streams and Flood Plains

If yes, see "Additional Information Requirements for Flood Plain Mines." This document is included in the SMBAINST.PDF file.

A stream buffer of at least 200 feet has been marked on the ground with permanent boundary markers? n/a ☐ yes ☒ no

A buffer of at least 200 feet from the 100-year flood plain has been marked on the ground with permanent boundary markers? n/a ☐ yes ☒ no
If no, explain: **No streams or flood plains are within 200 feet of the site.**

Copy of Shoreline Permit from local government or the Dept of Ecology is attached? n/a ☐ yes ☒ no

Hydraulic Project Approval from the Department of Fish and Wildlife is attached? n/a ☐ yes ☒ no

23E. Conservation Buffers

Conservation buffers will be established for the following purpose(s): (*Check all that apply*)
☐ unstable slopes ☐ wildlife habitat ☐ water quality ☐ other ____

Describe the nature and configuration of the conservation buffer(s): **n/a**

Conservation setbacks are shown on maps and have been marked on the ground with permanent boundary markers? n/a ☐ yes ☒ no

23F. Ground Water

High water table depth is 390 feet ☒ relative to mean sea level, ☐ below original surface, or ☐ unknown.

Low water table depth is 373 feet ☒ relative to mean sea level, ☐ below original surface, or ☐ unknown.

Annual fluctuation of water table is from 373 feet on fall 1989 to 390 feet on spring 1990.

Direction of ground water flow: South, refer to narrative.

Are well logs attached? **Refer to narrative.** ☒ yes ☐ no

Is the aquifer perched? **Refer to narrative.** ☒ yes ☐ no

Is the shallowest aquifer: ☒ confined ☐ unconfined

The site will be mined: ☐ wet ☒ dry ☐ both

Describe mining method: **Barrow pit, cut slope method and mined in segments. Refer to narrative.**

The site is in a: n/a
☐ critical aquifer recharge area ☐ sole source aquifer ☐ public water supply watershed
☐ wellhead protection area ☐ special protection area ☐ designated aquifer protection area

Ground water study attached? ☐ yes ☒ no
If yes, see "Additional Information Requirements for Hydrologically Sensitive Areas." This document is included in the SMBAINST.PDF file.
If no, explain: **Site will be mined dry, ground water is over 70 feet below the proposed mine floor.**

23G. Archeology

Are archeological/cultural resource sites present? **None known.** ☐ yes ☒ no
If yes, describe how you will protect these resources: **n/a**

CHECKLIST OF RECLAMATION STANDARDS

24. MINING PRACTICES TO FACILITATE RECLAMATION

24A. Soil Replacement

Topsoil will be saved? ☒ yes ☐ no
If no, explain:

Up to 4 feet of topsoil and (or) subsoil will be restored? ☐ yes ☒ no
If no, explain: **Refer to narrative. There is only 20-24 inches of topsoil available on site. There is a 12,435 cubic yard deficit of topsoil in segment 1 due to previous mining. The deficit will be made up by averaging the topsoil depth over segments 1 & 2 with the remaining topsoil available from these two segments.**

Topsoil will be restored and seedbeds prepared as necessary to promote effective revegetation and to stabilize slopes and mine floor? ☒ yes ☐ no
If "yes" give details, if "no", explain: **Refer to narrative.**

Subsoil will be replaced to an approximate depth of n/a feet on the pit floor and a depth of n/a feet on slopes.

Topsoil will be replaced to an approximate depth of 1.2-1.66 feet on the pit floor and a depth of 1.2-1.66 feet on slopes.

Topsoil will be distributed evenly over the site? ☐ yes ☒ no
If no, explain: **As mentioned above, to compensate for the deficit in segment 1&2, topsoil will be distributed at 1.2 feet on segments 1&2 and 1.66 feet on segments 3&4.**

If topsoil is in short supply, it will be strategically placed in depressions and low areas in adequate thickness to conserve moisture and promote revegetation? ☒ yes ☐ no
If no, explain:

Topsoil will be moved when conditions are not overly wet or dry? ☒ yes ☐ no
If no, explain:

Topsoil will be imported? ☐ yes ☒ no
If yes, describe source. If no, explain: **Not required, there is adequate topsoil remaining on site for successful reclamation.**

Synthetic topsoil made from compost, biosolids, or other amendments will be used and (or) made on site to supplement existing topsoil? ☐ yes ☒ no
If yes, explain:

Materials such as till, loess, and (or) silt are available on site that could be used to supplement topsoil for reclamation. ☐ yes ☒ no
If yes, explain:

Silt from settling ponds or a filter press will be used for reclamation? ☐ yes ☒ no
If yes, explain:

CHECKLIST OF RECLAMATION STANDARDS

Settling pond clay slurries will be pumped or hauled to other segments for reclamation? ☐ yes ☒ no
If yes, explain:

Topsoil will be replaced with equipment that will minimize compaction, or it will be plowed, disked, or ripped following placement? ☒ yes ☐ no
If no, explain:

Topsoil will be immediately stabilized with grasses and legumes to prevent loss by erosion, slumping, or crusting? ☒ yes ☐ no
If no, explain:

Topsoil stockpile areas are shown on maps and will be marked on the ground with permanent boundary markers to protect from loss? ☒ yes ☐ no
If no, explain:

Segmental topsoil removal and replacement is shown on maps? ☒ yes ☐ no
If no, explain:

Topsoil salvage and replacement plan included? ☒ yes ☐ no
If no, explain:

24B. Removal of Vegetation

Vegetation will be removed sequentially from areas to be mined to prevent unnecessary erosion? ☒ yes ☐ no
If no, explain:

Small trees and other transplantable vegetation will be salvaged for use in revegetating other segments? ☒ yes ☐ no
If yes, give details. If no, explain: **Refer to narrative and Revegetation Specifications.**

Wood and other organic debris will be:
☐ recycled ☒ removed from site ☒ chipped ☒ burned ☐ buried ☐ used to synthesize topsoil or mulch
☐ other (*explain*)
Solid waste disposal, burning, and land use permits are attached? ☐ yes ☒ no

Some coarse wood (logs, stumps) and other large debris will be salvaged for fish and wildlife habitats? ☐ yes ☒ no
If yes, give details. If no, explain: **Refer to narrative and Revegetation Specifications.**

24C. Erosion control for Reclamation

Pit floor will slope at gentle angles toward highwall, sediment retention pond, or proper drainage? ☒ yes ☐ no
If yes, give details. If no, explain: **Refer to narrative.**

CHECKLIST OF RECLAMATION STANDARDS

Revegetation, sheeting, and (or) matting will be used to protect areas susceptible to erosion? ☐ yes ☒ no
If yes, give details. If no, explain: **Will not be necessary due to the high permeability of the soil/substrate.**

Water control systems used for erosion control during segmental reclamation will:

Divert clean water around pit?	☒ yes	☐ no
Trap sediment-laden runoff before it enters a stream?	☒ yes	☐ no
Result in essentially natural conditions of volume, velocity, and turbidity?	☒ yes	☐ no
Handle a 25-year, 24-hour peak event?	☒ yes	☐ no
(Have you attached calculation?)	☐ yes	☒ no
Be removed or reclaimed?	☐ yes	☒ no

If any answers are no, explain: **n/a to both questions. Refer to narrative.**

Will any water control systems be removed upon final reclamation? ☐ yes ☒ no
If yes, explain:

Water control measure will be established to prevent erosion of setbacks and neighboring properties? ☒ yes ☐ no
If yes, give details. If no, explain: **All drainage is contained in the pit and discharged through infiltration.**

Storm-water conveyance ditches and channels will be lined with vegetation or riprap? ☐ yes ☒ no
If yes, give details. If no, explain: **n/a**

Natural and other drainage channels will be kept free of equipment, wastes, stockpiles, and overburden? ☒ yes ☐ no
If no, explain:

25. RECLAMATION TOPOGRAPHY

25A. Final Slopes

Final slopes will be created using the cut-and-fill method? ☐ yes ☒ no
Explain procedure to be used: **Cut method, refer to narrative.**

Slopes will be created by mining to the final slope using the cut method? ☒ yes ☐ no
Explain procedure to be used: **Slopes will be mined to no greater than 2:1 slopes. Refer to narrative.**

Slopes will vary in steepness? ☒ yes ☐ no
If no, explain:

Slopes will have a sinuous appearance in both profile and plan view? ☒ yes ☐ no
If no, explain:

CHECKLIST OF RECLAMATION STANDARDS

Large rectilinear (that is, right angle, or straight, planar) areas will be eliminated? ☒ yes ☐ no
If no, explain:

Where reasonable, tracks of the final equipment pass will be preserved and oriented to trap moisture, soil, and seeds, and to inhibit erosion? ☒ yes ☐ no
If no, explain:

25B. Slope Requirements for Pits and Overburden/Waste Rock Dumps (non-saleable products)

If the mine is a quarry or in hard rock, skip to Quarry section(25C).

Slopes will vary between 2 and 3 feet horizontal to 1 foot vertical or flatter, except in limited areas where steeper slopes are necessary to create sinuous topography and control drainage? ☒ yes ☐ no
If no, explain:

For pits, slopes will not exceed 2 feet horizontal to 1 foot vertical except as necessary to blend with adjacent natural slopes? ☒ yes ☐ no
Give details: **Refer to narrative.**

Slope stability analysis required? ☐ yes ☒ no
If yes, see "Additional Information Requirements for Mines with Potentially Unstable or Steep Slopes." This document is included in the SM8AINST.PDF file.
Slope stability analysis provided by n/a

25C. Slope Requirements for Quarries and Hardrock Metal Mines

If mine is a pit in unconsolidated materials covered by Section 25B, go to Section 25D

Check the appropriate box(es)
☐ Slopes will not exceed 2 feet horizontal to 1 foot vertical.
☐ Slopes steeper than 1 foot horizontal to 1 foot vertical are an acceptable subsequent land use as confirmed on Form SM-6.
☐ Hazardous slopes or cliffs are indigenous to the immediate area and already present a potential threat to human life. Photo and maps attached to document presence of cliffs.
☐ Geologic or topographic characteristics of the site preclude slopes being reclaimed at a flatter angle and are an acceptable subsequent land use as confirmed on Form SM-6.

Slope stability analysis required? ☐ yes ☐ no
If yes, see "Additional Information Requirements for Mines with Potentially Unstable or Steep Slopes." This document is included in the SM8AINST.PDF file.
Slope stability analysis provided by _____

Measures will be taken to limit access to the top and bottom of hazardous slopes? ☐ yes ☐ no
Describe measures, or if no, explain:

Selective blasting will be used to remove benches and walls and to create chutes, buttresses, spurs, scree slopes, and rough cliff faces that appear natural? ☐ yes ☐ no
Describe procedures, or if no, explain:

Reclamation blasting will be used to reduce the entire highwall to a scree or rubble slope less than 2 feet horizontal to 1 foot vertical? ☐ yes ☐ no
[illegible]ting plan is attached? ☐ yes ☐ no
[illegible], explain:

CHECKLIST OF RECLAMATION STANDARDS

Access to benches will be maintained for reclamation blasting? ☐ yes ☐ no
If no, explain:

Small portions of benches will be left to provide habitat for raptors and other cliff-dwelling birds? ☐ yes ☐ no

23D. Backfilling

Slopes will require backfilling? ☐ yes ☒ no
Depth of backfilling is n/a feet.
Slope stability compaction analysis required? n/a ☐ yes ☒ no
Compaction analysis provided by n/a ☐ yes ☒ no

Backfilling plan and (or) permits are attached? ☐ yes ☒ no
If no, explain: **No backfilling proposed, refer to narrative.**

Backfilling will be done with overburden material after topsoil has been separated? ☐ yes ☒ no
If no, describe composition and source of backfill material: n/a

Explain method of placement of fill: n/a

Locations of stockpiles are shown on maps and will be marked on the ground with permanent boundary markers? ☒ yes ☐ no

Will backfill be imported? n/a ☐ yes ☒ no
If yes, give volumes needed to meet reclamation plan: n/a

Areas to be backfilled are shown on maps? ☐ yes ☒ no
If no, explain: n/a

All grading/backfilling will be done with clean, inert, non-organic solids? ☐ yes ☒ no
If yes, give details. If no, explain: n/a

Backfilled slopes will be compacted? ☐ yes ☒ no
If yes, give details. If no, explain: n/a

Will you be backfilling into water? n/a ☐ yes ☒ no
If yes, is slope stability analysis attached? n/a ☐ yes ☒ no
If yes, describe method:

25E. Mine Floors

Flat areas will be formed into gently rolling mounds? ☒ yes ☐ no
If yes, give details. If no, Explain: **Some grading will be required to leave mounds on the pit floor. Refer to narrative.**

CHECKLIST OF RECLAMATION STANDARDS

Mine floor will be gently grad[illegible] into sinuous drainage channels to preclude sheetwash erosion during intense precipitation? n/a ☐ yes ☒ no
If yes, give details. If no, explain: **Refer to narrative.**

Mine floor and other compacted areas will be bulldozed, plowed, ripped, or blasted to foster revegetation? ☒ yes ☐ no
If yes, give details. If no, explain: **Refer to narrative.**

25F. Lakes, Ponds, and Wetlands

Is water currently present in the area or will the mining penetrate the water table? ☐ yes ☒ no
If no, go to Section 25G.

Reclaimed areas below the permanent low water table in soil, sand, gravel, and other unconsolidated material will have a slope no steeper than 1.5 feet horizontal to 1 foot vertical? ☐ yes ☐ no
If yes, give details. If no, explain:

If not already present, soils, silts, and clay-bearing material will be placed below water level to enhance revegetation? ☐ yes ☐ no
If yes, give details. If no, explain:

Some parts of pond and lake banks will be shaped so that a person can escape from the water? ☐ yes ☐ no
If yes, give details. If no, explain:

Armored spillways or other measures to prevent undesirable overflow or seepage will be provided to stabilize bodies of water and adjacent slopes? ☐ yes ☐ no
If yes, give details. If no, explain:

Wildlife habitat will be developed, incorporating such measures as:
- Sinuous and irregular shorelines? ☐ yes ☐ no
- Varied water depths? ☐ yes ☐ no
- Shallow areas less than 18 inches deep? ☐ yes ☐ no
- Islands and peninsulas? ☐ yes ☐ no

Give details:

Ponds or basins will:
- Be located in stable areas? ☐ yes ☐ no
- Have sufficient volume for expected runoff? ☐ yes ☐ no
- Have an emergency overflow spillway? ☐ yes ☐ no
- Spillways and outfalls will be protected (for example, rock armor) to prevent failure and erosion? ☐ yes ☐ no

If any answers are no, explain:

CHECKLIST OF RECLAMATION STANDARDS

Proper measures will be taken to prevent seepage from water impoundments that could cause flooding outside the permitted area or adversely affect the stability of impoundment dams or adjacent slopes? ☐ yes ☐ no
If yes, give details. If no, explain:

Written approval from other agencies with jurisdiction to regulate impoundment of water is attached? ☐ yes ☐ no
If no, explain:

25G. FINAL DRAINAGE CONFIGURATION

Drainage will be capable of carrying the peak flow of the 25-year, 24-hour precipitation event (*Data are available at DNR Region offices*) ☒ yes ☐ no
If yes, are calculations attached? n/a ☐ yes ☒ no
If yes, give details. If no, explain: **Refer to narrative. No drainage structures are required due to the high infiltration rate of the soils on site.**

Drainages will be constructed on each reclaimed segment to control surface water, erosion, and siltation? n/a ☐ yes ☒ no
Clean runoff is directed to a safe outlet? ☐ yes ☒ no
If either yes, give details. If no, explain: n/a

Are these shown on maps? n/a ☐ yes ☒ no
The grade of ditches and channels will be constructed to limit erosion and siltation? n/a ☐ yes ☒ no
If yes, give details. If no, explain: n/a

Natural-appearing drainage channels will be established upon reclamation? n/a ☐ yes ☒ no
If yes, give details. If no, explain: n/a

26. SITE CLEANUP AND PREPARATION FOR REVEGETATION

26A. Dealing with Hazardous Materials

Hazardous materials are present at the mine site? ☐ yes ☒ no
If no, go to Section 26B
The final ground surface drains away from any hazardous natural materials? ☐ yes ☐ no
If yes, give details. If no, explain:

Plan for handling hazardous mineral wastes indigenous to the site is attached? ☐ yes ☒ no
If no, written approval from all appropriate solid waste regulatory agencies attached? ☐ yes ☒ no

26B. Removal of Debris

All debris (garbage, 'bone piles', treated wood, old mining equipment, etc.) will be removed from the mine site? ☒ yes ☐ no
All sheds, scale houses, and other structures will be removed from the site? ☒ yes ☐ no
If either answer is yes, give details. If no, explain: **All materials, equipment and scale shack will be removed at the completion of mining.**

27. REVEGETATION

The mine site is in: ☐ eastern Washington ☒ western Washington

The mine site is: ☐ wet ☒ dry?

The average precipitation is 65 inches per year.

CHECKLIST OF RECLAMATION STANDARDS

Revegetation will start during the first proper growing season (fall for grasses and legumes, fall or late winter for trees and shrubs) following restoration of slopes? ☒ yes ☐ no
If yes, give details. If no, explain: **Refer to narrative, Revegetation Specifications.**

Test plots will be used to determine optimum vegetation plans? ☐ yes ☒ no

The site will not be revegetated because:

☐ It is a rural area with a rainfall exceeding 30 inches annually and erosion will not be a problem (requires approval of DNR).

☐ Demonstration plots and areas will be used to show that active revegetation is not necessary.
☐ Revegetation is inappropriate for the approved subsequent use of this surface mine.

Explain: n/a

Documentation is attached? ☐ yes ☐ no

27A. Recommended Pioneer Species

In the Sections below, check the species that will be planted at your mine site:
** Indicates nitrogen-fixing species*

Western Washington Dry Areas

☒ alfalfa*	☐ Lupine*	☒ clover*	☐ orchard grass
☐ cereal rye	☐ perennial rye	☐ colonial bent grass	☐ ponderosa pine
☐ creeping red fescue	☒ red alder*	☒ Douglas fir	☐ shore pine
☒ ground cover	☐ shrubs	☒ other: **Refer to narrative, Revegetation Specifications.**	

Western Washington Wet Areas

☐ birdsfoot trefoil	☐ sedges	☐ cedar	☐ tubers
☐ cottonwood	☐ wetland grasses	☐ creeping red fescue	☐ willow
☐ red alder*	☐ other		

Eastern Washington Dry Areas

☐ alder*	☐ grasses	☐ alfalfa*	☐ juniper
☐ black locust	☐ lodgepole pine	☐ clover	☐ lupine*
☐ deciduous trees	☐ ponderosa pine	☐ shrubs	☐ deep-rooted ground cover
☐ diverse evergreens	☐ other		

Eastern Washington Wet Areas

☐ alder*	☐ cottonwood	☐ poplar	☐ sedges
☐ serviceberry	☐ tubers	☐ willow	
☐ other			

Give planting details (stems/acres of trees and shrubs, see Forest Practices manual; lbs/acre of grass, legume, or forb mixture):
Refer to narrative, Revegetation Specifications.

Describe weed control plan:
Control deleterious vegetation that competes with the forest species.

27B. Planting Techniques

Revegetation at this site will require:

CHECKLIST OF RECLAMATION STANDARDS

Ripping and tilling?	☒ yes	☐ no
Blasting to create permeability?	☐ yes	☒ no
Mulching?	☐ yes	☒ no
Irrigation?	☐ yes	☒ no
Fertilization? **Only as needed.**	☒ yes	☐ no
Importation of clay- or humus-bearing soils?	☐ yes	☒ no
Other soil conditioners or amendments?	☐ yes	☒ no

Give details: **Refer to narrative, Revegetation Specifications.**

Trees and shrubs will be planted in topsoil or in subsoil amended with generous amounts of organic matter? ☒ yes ☐ no

If yes, give details. If no, explain: **Native soils on-site. Refer to narrative, Revegetation Specifications.**

Mulch will be piled around the base of trees and shrubs?	☐ yes	☒ no
High quality stock will be used?	☒ yes	☐ no
Trees and shrubs will be planted while they are dormant?	☒ yes	☐ no
Stock will be properly handled, kept cool and moist, and planted as soon as possible?	☒ yes	☐ no
Seeds will be covered with topsoil or mulch no deeper than one-half inch?	☒ yes	☐ no

If any answers are no, explain: **Refer to narrative, Revegetation Specifications.**

28. FINAL CHECKLIST

All required maps are attached (*See Instructions for detailed requirements*)?	☒ yes	☐ no
All required cross-sections are attached (*See Instructions for detailed requirements*)?	☒ yes	☐ no
Geologic map attached (if required)?	☒ yes	☐ no
All documents submitted have the date, the name and address of the permit holder, and the application number on every page of the material?	☒ yes	☐ no
The plan contains predominantly relevant information?	☒ yes	☐ no
Have you completed the SM-6 and has it been signed by the local jurisdiction?	☒ yes	☐ no
Have you provided the SEPA checklist?	☒ yes	☐ no
Have you provided a copy of the SEPA Determination (DNS, MDNS, or DS)?	☐ yes	☒ no
Have you attached photographs? **Figure 2 of the Reclamation Narrative.**	☒ yes	☐ no
Are additional supplemental studies included?	☐ yes	☒ no

If yes, check the appropriate box(es) below:

☐ Archeological ☐ Geohydrologic ☐ Backfill ☐ Slope stability
☐ Topsoil ☐ Flood plain ☐ Conservational ☐ Vegetation
☐ Other

Other permits required? ☐ yes ☒ no

If yes, check the appropriate box(es) below:

☐ Shoreline permit ☐ Water Discharge Permit ☐ Solid Waste Permit
☐ Air Quality Permit ☐ NPDS or General Discharge Permit ☐ Hydraulic Project Approval
☐ Special or Conditional Use Permit ☐ Other

CHECKLIST OF RECLAMATION STANDARDS

When signed by the applicant and approved by the Department of Natural Resources, this document and the associated maps, cross sections, reclamation narrative, and other attachments will be the approved reclamation plan for this permit that the permit holder must follow. Significant variations from the approved reclamation plan may require that a new plan be submitted to the Department for approval.

The applicant shall be considered as the permit holder for this surface mine and shall be responsible for compliance with Chapter 78.44 RCW, Chapter 332-18 WAC, the approved reclamation plan and attachments, and the conditions of the permit if issued by the Department of Natural Resources.

I hereby agree to comply with this plan. *Signature of applicant or company representative*	Name and Title of Company Representative *(Please print)*	Date signed

SURFACE OWNERSHIP (For New Permits Only)

Give names, addresses, and signatures of all individuals with possessory interest in land.
(attach signed copies of this page if more than one)
I verify that the applicant has my permission to mine from my land.

Signature of landowner(s) *Date Signed*

I hereby verify that I have seen and approved this plan.

Signature of landowner(s) *Date Signed*

OWERSHIP OF RIGHTS TO REMOVE MINERALS BY SURFACE MINING (For New Permits Only)

Give names, addresses, and signatures of all individuals with rights.
(attach signed copies of this page if more than one)
I verify that the applicant has my permission to mine this land.

Signature of rights owner(s) *Date Signed*

I hereby verify that I have seen and approved this plan.

Signature of rights owner(s) *Date Signed*

FOR DEPARTMENT USE ONLY

Date accepted	Accepted by:	Title:	Reclamation Permit No.

Comments by Department:

RECLAMATION PLAN NARRATIVE

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RECLAMATION PLAN NARRATIVE

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FIGURE 1 – *Site Location Map*

FIGURE 2 – *1996 Aerial Photograph*

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APPENDICES

APPENDIX A –Sauk Landfill Monitoring Well Logs

APPENDIX B – DOE Water Supply Well Logs

1 – INTRODUCTION

On behalf of 3DH Aggregates (3DH), Ecological Land Services, Inc. (ELS) has prepared this revised reclamation plan for the Washington State Department of Natural Resources (DNR), Surface Mining Reclamation Permit Number 11785. This revision, including the narrative, DNR forms, additional supporting material, maps and figures, is intended to satisfy the DNR requirements as stated in *Chapter 78.44 Revised Code of Washington* (RCW).

2 – SITE DESCRIPTION

2.1 – Site Location

The site is accessed from State Route 20 on an access road south of milepost 95 that also serves the Sauk Transfer Station, between Concrete and Rockport, Washington (Figure 1). An 1996 aerial photograph also identifies the site (Figure 2). The permit boundary encompasses 40.0 acres, identified as parcel # P44865 (Figure 3). The legal description of the site is SW ¼ of the NE ¼, and NW ¼ of the SE ¼ in Section 28 Township 35 North, Range 9 east of the Willamette Meridian.

2.2 – Background

The site is currently permitted for mining under DNR reclamation permit # 11785. There are no plans to expand the existing permit boundary, however, this revised reclamation plan will join reclaimed contours with an existing surface mine (WSDOT Pit M-106) that borders the northern property boundary. The purpose for joining the two surface mines (at some point in the future) is to best utilize the mineral resource and combine a sinuous topography at the completion of both operations.

The 40.0 acres was originally permitted in 1978 in anticipation of supplying materials for road repairs and maintenance along the North Cascade Highway. Sand and gravel mining is currently in progress on the northern portion of the DNR-permitted area. Skagit County, through Conditional Use permit #77-031, has approved the 40.0-acre site; refer to SM-6 attached with this updated plan. The extracted materials are located within a glacio-fluvial deposit that is utilized for a variety of state road and bridge projects. Mining typically involves removing a relatively thin layer of topsoil before excavating the sandy/gravel deposit. The site currently has an active borrow area open to a maximum depth of approximately 30 feet below the existing topography.

The undisturbed area within the permit boundary consists of gently rolling topography with upland forest and shrub communities. The site was logged within the last decade and is heavily vegetated in areas that have not been cleared for gravel extraction. No streams or critical habitat are located within or immediately adjacent to the site. The Skagit River is located over 800-feet southwest of the property boundary. Currently a two-lane paved road provides a shared access to the active mining area and to the adjacent County Solid Waste Transfer Station.

2.3 – Subsequent Use

The subsequent use for the site is rural residential. Following mining, the site will be reclaimed by contouring the slopes to a sinuous and natural topography and revegetating them with conifer and deciduous trees. The subsequent use is consistent with the Skagit County zoning and comprehensive plan designation of RRv (Rural Reserve). The subsequent use is also consistent with land uses adjacent to the site, which include woodlands, mining, transfer station and rural residential.

- According to *Skagit County Code, Section 14.16.320 (1)(2e),* "the purpose of the Rural Reserve district is to allow low-density development and to preserve the open space character of those areas .... Lands in this zoning district are transitional areas between resource land and non-resource lands for those uses that require moderate acreage. Permitted uses include cultivation, harvest and production of forest products or any forest crop, in accordance with the Forest Practice Act of 1974, and any regulations adopted pursuant thereto."

3 - GEOLOGY AND HYDROLOGY

3.1 – Regional Geology

The 3DH property is located in the upper Skagit Valley approximately 800 feet east/northeast of the Skagit River. At this stretch, the river is approximately an elevation of 200 feet MSL, about 330 vertical feet below the pit (Figure 4). The area is covered by predominantly glacial and alluvial debris overlying metamorphic bedrock at an unknown depth. The nearest bedrock exposures are about 6,000 feet northeast of the site on the flanks of Sauk Mountain.

Previous study and monitoring of the abutting Sauk landfill/transfer station provides significant and adequate information to summarize the geology and hydrology of the 3DH surface mine. The landfill/transfer station borders the northeastern property boundary of the 3DH site. The landfill was previously backfilled and has been closed, covered and monitored. Currently, the landfill property is developed as a transfer station for Skagit County. The majority of geology and hydrology information provided in this report is based on the landfill/transfer station report by Hong West & Associates, *Monitoring Well Construction Report Gibraltar and Sauk Landfills Skagit County, Washington,* December 20, 1990.

Four monitoring wells (MW-1, MW-2, MW-3 and MW-4) were installed at the Sauk Landfill during the period October 12, 1989 to October 24, 1989 (Figure 5). All four wells were installed in the uppermost aquifer. Well MW-3 was installed in an upgradient position; the remaining wells were installed in the down gradient position. Table 3-1 summarizes the significant well parameters as provided in the aforementioned report.

TABLE 3-1

Monitoring Well Specifics Sauk Landfill

Well No.	Ground Surface Elevation (ft)	Top of Casing Elevation (ft)	Drill Depth (ft)	Screen Depth (ft)	Level Elevation (ft)
MW-1	522.38	524.23	182	157-167	365-355
MW-2	524.22	526.07	182	155-165	369-359
MW-3	551.80	553.65	198	168-178	384-374
MW-4	528.14	530.04	178	158-168	370-360

Note: All elevations are above sea level, USGS datum. Top of casing includes a Geoguard pump cap.

3.2 – Site Geology

Glacio-fluvial deposits underlie the site. Most of the material encountered in the boreholes of the Sauk landfill/transfer station study appears to be glacial material, which has been reworked and re-deposited by the Skagit River (Figure 5 Geologic X-section). Subsurface exploration and existing domestic water well logs reviewed by Hong West & Associates indicate five major geologic units beneath the site:

1) Well Graded Sand and Gravel
2) Poorly Graded Sand
3) Silty Gravel
4) Silt/Clay Strata
5) Deep Gravel Deposits

Well Graded Sand and Gravel

The materials exposed in the existing 3DH pit appear to be consistent with materials described in the adjacent study site. Well graded yellow-gray to olive-gray sand and gravel which varies in thickness form about 30 vertical feet on the northwest side of the study area to about 75 feet on the southeast side. Cobbles and boulders are scattered throughout the unit.

Poorly Graded Sand

The upper gravel unit is underlain by distinct pale yellowish-brown poorly graded sand with thin, infrequent still stringers. The Poorly Graded Sand is about 140 feet thick on the western margin of the site narrowing to about 65 feet thick on the eastern margin of the study area. The unit becomes gravelly with depth below elevation 390 above sea level (ASL).

A distinct upper silt interbed, approximately 10 feet thick, was identified in two of the four borings between elevation 390 and 400 feet ASL. The interbed is discontinuous beneath the landfill site and does not appear to be a perching layer.

Another distinctive silt layer at elevation 360 feet ASL characterizes the base of this unit. This lower silt layer is only about 2.5 feet thick but appears to be continuous across the study site. However, it was barely discernable in MW-3. The silt interbed has sufficient integrity to serve as a confining layer for the underlying aquifer.

Silty Gravel

The Silty Gravel is host to the uppermost aquifer and is encountered between elevation 350 and 360 feet ASL. The Silty Gravel varies considerably in texture and was significantly coarser grained (less silt) in monitoring wells MW-1 & 2 than MW-3 & 4. Monitoring wells 1 and 4 penetrated the full thickness of the Silty Gravel and were advanced into the underlying Silt/Clay strata.

Silt/Clay Strata

Beneath the Silty Gravel is a gray to brown clayey silt to silty clay. This material appears to be a glacial lake deposit. A thin stringer of gray sand and gravel was identified in MW-1. The total thickness of the Silt/Clay strata penetrated was about 20 feet. Nearby domestic well logs indicate the silt and clay unit as being 150 feet thick.

Deep Gravel Deposits

Domestic well logs show a gravel deposit beneath the Silt/Clay strata near elevation 200 feet ASL. The thickness of the unit is unknown.

3.3 – Groundwater

In addition to significant characterization of the geology at the adjoining Sauk landfill/transfer station, the Hong West & Associates study collected sufficient groundwater data that also adequately represents the 3DH site. The information provided in this report is based on the aforementioned study conducted on the adjoining Sauk Landfill/Transfer station site.

Two aquifers have been identified beneath the Sauk Landfill: a shallow semi-confined aquifer and a deep confined aquifer. Available data, per the Hong West & Associates report indicated that only the deep confined aquifer is used for water supply by residents in the vicinity of the mine.

Shallow Semi-Confined Aquifer

Based on fall 1989 and spring 1990 water level measurements by the Skagit County Health Department, the potentiometric level of the shallow semi-confined aquifer ranges from elevation 390.23 to 372.78 feet ASL, refer to Table 3-2 and Figure 5. Groundwater level monitoring between fall 1989 and spring 1990 indicated the potentiometric surface fluctuated up to >15 feet (MW-1). The following table summarizes groundwater levels at the Sauk Landfill for fall 1989 and spring 1990, per Hong West & Associates.

TABLE 3-2

Groundwater Levels Sauk Landfill

Well No.	Top of Casing Elevation (ft)	October 31, 1989		May 17, 1990	
		Depth (ft)	Elev. (ft)	Depth (ft)	Elev. (ft)
MW-1	524.23	151.45	372.78	135.92	388.31
MW-2	526.07	147.84	378.23	139.42	386.65
MW-3	553.65	176.81	376.84	163.42	390.23
MW-4	530.04	152.90	377.14	140.85	389.19

Note: All elevations are above sea level, USGS datum.

Groundwater flow in the shallow confined aquifer is south toward the Skagit River and appears to form a distinctive trough beneath the landfill. The average hydraulic gradient beneath the landfill ranges for 0.004 on the west side of the landfill to about 0.006 on the east side. Hong West & Associates' well logs (MW-1, MW-2, MW-3 and MW-4) are included in Appendix A.

Deep Confined Aquifer

The available data indicate the deep confined aquifer is separated from the shallow semi-confined aquifer by a 150-foot thick regional aquitard of silt and clay (Figure 5). The deep confined aquifer consists of gray to brown sandy gravel at approximately 200-feet ASL with a potentiometric level of approximately elevation 210-feet ASL.

Water level data collected by the Skagit County Health Department indicates the direction of groundwater flow in the deep confined aquifer is approximately south 45 degrees west toward the Skagit River. The deep confined aquifer is the principal water supply for residents in the area.

3.4 – Groundwater Use

The Skagit County Health Department has identified 16 water supply wells within one mile of the 3DH site, per Hong West & Associates report. E S removed 2 well numbers from the original report because no well logs were identified. Additionally, there was no well log for a well (K1) that the Hong West report indicated near the eastern edge of the 3DH parcel. An on-site investigation was not able to locate this well and a subsequent discussion with a Skagit County Public Works Department senior hydrologist confirmed that well K1 might never have existed (Gary Sorensen, 9/23/02).

Of the remaining logged wells, eight are on the northeast side of the river. Four wells are between the mine site and the river and are potentially down-gradient locations (Figure 6). Refer to the following Table 3-3, Water Supply Wells, for well distance and direction from the 3DH pit.

TABLE 3-3

Water Supply Wells

Section/ Well No.	Well Owner	Well Depth (ft)	Distance & Direction From 3DH Pit Site
21/E1	Dean Mallory	214	5,000 ft.NW
21/M1	Robert Taylor	60	3,600 ft.NW
21/P1	Mark Berg	312	1,700 ft.NW
27/E1	Otto Von Borcke	155	2,800 ft.E
28/D1	Bill Groth	60	2,100 ft.NW
28/D2	George Theodoratus	46	2,000 ft.NW
28/E1	Les Bridges	40	2,400 ft.W
28/E2	Lester Thistle	40	2,300 ft.W
28/E3	Walter Magini	40	2,200 ft.W
28/L1	Jack Albrech	260	1,000 ft.W
28/L2	Steve Hylen	140	700 ft.W
28/N1	James Fratello	50	2,100 ft.SW
28/M1	Bill Blunt	60	2.100 ft.W
28/M2	Roy Miller	37	1,900 ft.W
29/A1	Jan Nottingham	60	3,300 ft.W
29/A2	Rose J. Crouch	37	2,800 ft.W

Note: Well depths are feet below ground surface.

Based on the available information, it appears that wells 28/D1, 28/D2, 28/L1 and 28/L2 are potentially down gradient of the Sauk Landfill and produce from a shallow river-fed unconfined aquifer or the deep confined aquifer. There are no known water supply wells tapping the shallow semi-confined aquifer. Available data suggest that it is unlikely that any wells in the area tap into the shallow semi-confined aquifer for water supply due to its low yield potential. Insufficient data are available to determine the hydraulic relationship between the shallow semi-confined aquifer and the deep confined aquifer. Water supply well log reports are included in Appendix B.

4 – MINING AND RECLAMATION

4.1 – Segmental Mining and Reclamation

The permit boundary for this site is 40.0 acres. Approximately 12 acres have been disturbed from previously mining (Figure 4). All mining disturbance (previous and future) is included within the 40.0-acre permit boundary. The mining disturbance boundary includes all mining-related operations including excavation, product stockpiles, topsoil stockpiles and haul roads. Historically, a portion of the topsoil was salvaged and stockpiled along the northwest and southeast boundaries of the project (Mining Segment 1). Current topsoil stockpiles cover 0.75 acres in Segment 1. All remaining topsoil and subsoil in Segments 2-4 will be salvaged and considered a valuable resource for reclaiming the site.

Mining is divided into 4 segments (11.8, 8.8, 8.7 and 8.2 acres) followed by phased reclamation of each mining segment (Figure 7). Maximum depth of mining will be approximately 70 feet below ground surface (bgs), from elevation 520 to 450 feet MSL. A permanent access road running north-south will be constructed near the center of the pit and will also connect directly to SR 20. A sinuous post mining topography will be constructed during mining operations where slopes will be excavated to no steeper than 2:1 (Figure 8). No backfilling will be required using the cut method; refer to the cross s in Figure 9). The final slope configuration will be created as part of the mini Some minor grading and shaping will be required to finish the pit floor a slopes. The pit floor and reclaimed slopes will join the existing surface mine creating a sinuous and natural looking topography between both operations. materials are required for backfilling or reclaiming the site.

The mining and reclamation plans are designed to adjoin reclamation pl existing surface mine (WSDOT M-106) that borders the northern property bo the completion of mining segment 1, the pit floors will be approximately 30 b foot MSL at the adjoining WSDOT and 3DH property boundaries. The final rec contours will also adjoin in a sinuous topography between the two pits.

4.2 – Topsoil and Subsoil Plan

United States Department of Agriculture Soil Conservation Service *Soil Survey of Skagit County Area, Washington 1989* describes the remaining topsoil onsite as Winston gravely silt loam (158) and Barneston very gravelly sandy loam (6) (Figure 10). Based on ELS field observations, the soil survey is relatively accurate depicting the depth of soils found in the undisturbed areas of the permit boundary. The organic soil profile (E or A horizon) is relatively thin (4-6 inches) overlying the subsoil (B horizon), which is approximately 18-inches thick (both gravelly silt loam). The substratum is extremely gravelly sand. Soil pits revealed that the topsoil and subsoil thickness varied in depth (1-3 feet) with some pockets of sand for both soil series.

All available topsoil and subsoil will be removed (average 2 feet) prior to mining and stockpiled or directly placed on mined areas to assist in reclaiming the mine site. The proposed disturbance boundary is 37.7 acres of which approximately 12.0 acres have been previously disturbed with approximately 14,500 cu. yds. of topsoil/subsoil salvaged and stockpiled. Based on the soil conditions of the site, vegetation appears to adapt very well on the relatively shallow soils. Both the Barneston and the Winston soil have an effective rooting depth of 60 inches or more per the *SCS Soil Survey*. This demonstrates that the native vegetation is rooting well below the E, A and B horizons (approximately 24 inches) into the substratum. Conifer and deciduous trees are observed on-site growing on substrate that has little to no topsoil or organic horizon Due to the shortage of topsoil in mining segment 1, topsoil will be replaced at a depth of 1.2 feet over reclamation phases 1 & 2 to offset the deficit Based on the success of vegetation growing on existing soils and disturbed conditions, topsoil replaced to a depth of 1.2 feet (14.5 inches) over reclaimed slopes, staging areas and roads will be sufficient to promote effective revegetation. A minimum of 1.2 feet of topsoil will be left in place at stockpile locations and ripped prior

to revegetation. The topsoil removed from mining segment 3 & 4 will be replaced on reclaimed areas at the same depth, approximately 1.7 feet (20.0 inches). Refer to Soil Budget (Table 4-1).

Reclaimed sites will be ripped to reduce compaction and promote deep rooting. Topsoil will be replaced evenly over the graded slopes with scrapers or truck dozer operations. Dozers and or backhoes may be used to configure the final slope and prepare the seedbed. Some micro relief in the reclaimed surface, such as shallow depressions and ridges, will be left from ripping and topsoil replacement operations. This micro topography will promote species diversity in the understory of the forest and assist in stormwater runoff sediment capture during the initial years of reclamation. In all cases the final reclaimed surface will be ripped to reduce compaction and promote deep rooting, infiltration of precipitation, moisture-holding capacity, soil mixing and aggregate structure.

Topsoil will be handled only during conditions that are not overly wet or dry. Because the existing topsoil and subsoil is conducive to supporting native vegetation and those species planned for reclamation, no topsoil supplements will be required other than those mentioned above. Topsoil and other reclaimed areas will be revegetated with prescribed species during the first fall or winter after completion of mining to stabilize the site. Topsoil/subsoil stockpiles and temporary cut slopes will be "track walked" perpendicular to the slope and revegetated immediately to prevent erosion and promote stabilization.

4.3 – Setbacks and Buffers

A permanent setback of 10 feet has been established inside the permit boundary, except for a portion of the north boundary where the 3DH Aggregate mine adjoins the WSDOT mine. Reclamation setbacks are not applicable in this case due to the cut technique of mining. The final slope configuration will be created as part of the mining process; no backfilling will be required. No streams, unstable slopes or wildlife habitat are located on-site or adjacent to the project that might require additional buffers.

5 - EROSION CONTROL

5.1 – Existing Stormwater

Regional topography in the vicinity directs drainage west and southwest to the Skagit River, approximately 0.4 miles from the site. Due to the porous nature of the gravely substratum, infiltration is very rapid in the vicinity of the pit. There is no evidence of runoff leaving the site. During heavy storm events or rapid snowmelt, some shallow puddling may occur in the existing pit. It would appear that runoff infiltrates in the disturbed areas and disperses amongst heavy vegetation and infiltrates in the undisturbed areas of the property.

TABLE 4-1

Soil Budget For 3DH Aggregates Revised Reclamation Plan

			ESTIMATED TOPSOIL VOLUME (cy)			ESTIMATED OVERBURDEN VOLUME (cy)			
Mining Segment	Reclamation Phase	Acres	[1] Topsoil Available	Topsoil For Reclamation	[2] Surplus Topsoil	Overburden Available	Overburden For Reclamation	Overburden Surplus	Surplus Overburden
Seg. - 1	Phase 1	12.3	11,378	23,813	(12,435)	-	-	-	-
Seg. - 2	Phase 2	9.2	29,685	17,811	11,874	-	-	-	-
Seg - 3	Phase 3	9.0	24,103	24,103	-	-	-	-	-
Seg- 4	Phase 4	8.6	23,031	23,031	-	-	-	-	-
	Totals	**39.1**	**88,197**	**88,758**	**(561)**	-	-	-	-

[1] Topsoil available in segment 1 limited to 11,378 cubic yards of topsoil previously stockpiled.

[2] Total deficit is the result of rounding off depth to 2 decimal points.

Assumptions:

Maximum Mining Depth: 70 feet below ground surface.
Permit Boundary Acreage: 48.0 acres.
Mining Disturbance Boundary: 39.1 acres
Previous Mining Disturbance Boundary: Approximately 12.3 acres already disturbed; topsoil was salvaged from a portion of this area.
Topsoil Salvage Depth: Typically A&B or E&B soil horizons. Winston soil series ave. 2 feet or 24" (Seg. 1&2) and Barnesston soil series ave. 20" (Seg. 3&4) (SCS 1989).
Overburden Depth: No overburden is available; all material below the topsoil horizons will be extracted as mineral resources.
Topsoil Placement Depth: 1.2 feet (14.5 inches) averaged over segments 1 and 2. Minimum 1.66 feet (20 inches) replaced over segments 3 & 4.
Volumes: Cubic yards based on in situ calculations (no swell factor included).

Calculations Notes:

Topsoil Available: Volume based on 2.0 feet of topsoil salvaged in the previously unmined area (26.8 acres) and includes 11,378 cu. yards of previously stockpiled topsoil.
Topsoil Placement: 1.2 foot averaged placement depth in segments 1 & 2. 1.66-foot placement depth in segments 3 & 4. Includes E, A and B soil horizons.
Overburden Available: No overburden available or required, all overburden will be extracted as product.
Existing Topsoil Stockpile Volume: Stockpile dimensions are 0.75 acre x 43,560 ft/acre x 12 ft/27 = 11,378 cubic yards.

5.2 – Proposed Stormwater and Erosion Control System

Historically, there is no evidence that runoff flows off site. It appears that normal to heavy precipitation and snowmelt infiltrate on-site. Based on the low runoff potential (Hydrologic Soil Group A and B and infiltration rate (>20 inch per hour) for the Winston and Barneston Soil Series as defined by the *Stormwater Management Manual For The Puget Sound Basin,* Washington State Department of Ecology and *SCS Soil Survey*, very little if any runoff is expected to leave the site. No runoff calculations are required for the 25-year 24-hour event based on no field observation of runoff and high infiltration of soils.

6 – REVEGETATION PLAN

6.1 – Upland Forestry

Native upland forested communities consisting of conifer and hardwood with small open space areas will be established to provide a diverse and successful revegetation scheme for the site. Forested communities will consist of conifer and hardwood species being planted (435 trees/acre) on replaced topsoil. Segments within designated phases of mining will be sown annually with the prescribed species to develop contemporaneous reclamation as mining progresses.

Preserving mature, existing vegetation around the edges of the permit boundary will maintain wildlife habitat and allow for natural vegetation propagation to occur. A mixture of grasses, shrubs, and trees remain on-site and border the property. The following revegetation specifications in Table 6-1 and 6-2 identify prescribed species to be installed to enhance vegetative diversity, wildlife habitat, slope protection and erosion control. Bareroot trees will be supplied by a nursery.

TABLE 6-1

Upland Forest Revegetation Specifications

Species Common Name	Scientific Name	Planting Method	Planting Density	Planting Season
Douglas fir	*Pseudotsuga menziesii*	Bareroot	435 per acre	Spring
Red alder	*Alnus rubra*	Bareroot	435 per acre	Spring

6.2 - Open Space

Small open space areas within the uplands will be seeded with a grass legume mix at 20 pounds per acre to promote wildlife forage. These small pockets will be located in areas that will not minimize the function and value of the upland forest. The following seed mix is a combination of native and non-native species recommended to provide effective soil stabilization, soil nutrients, wildlife forage and will be effective in achieving temporary erosion control and long-term reclamation goals for the site. This prescription can be substituted with a comparable mix.

TABLE 6-2

Open Space Revegetation Specifications

Species Common Name	Scientific Name	Planting Method	Planting Density	Planting Season
Big bluegrass	*Poa ampla*	broadcast	4 %	spring/fall
Columbia brome	*bromus vulgaris*	broadcast	20 %	spring/fall
Orchard grass	*Dactylis glomerata*	broadcast	19 %	spring/fall
Timothy	*Phleum pratense*	broadcast	10 %	spring/fall
Tall fescue	*Festuca arundinacea*	broadcast	9 %	spring/fall
NZ White clover	*Trifolium repens*	broadcast	10 %	spring/fall
W. Dutch clover	*Trifolium repens*	broadcast	19 %	spring/fall
Ladak alfalfa	*Medicago sativa*	broadcast	4 %	spring/fall
Burnet	*Sanguisorba*	broadcast	5 %	spring/fall

REFERENCES

3DH Aggregate, Inc. 2000, *Land Technologies – Alternative Cell 1 Phase 2 Reclamation Plan.*

Hong West & Associates, *Monitoring Well Construction Report Gibraltar and Sauk Landfills Skagit County, Washington,* prepared for R.W. Beck and Associates, December 20, 1990.

United States Department of Agriculture Soil Conservation Service, *Soil Survey of Skagit County Area, Washington 1989.*

Washington State Department of Ecology, *Stormwater Management Manual For The Puget Sound Basin (The Technical Manual) February 1992.*

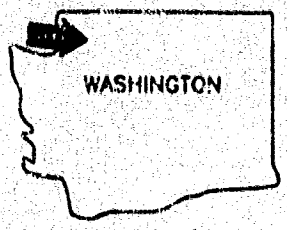
Washington State Department of Transportation, *Standard Specifications For Road, Bridge and Municipal Construction, 2002 M41-10.*

LIMITATIONS

The services described in this report were performed consistent with generally accepted professional consulting principles and practices. There are no other warranties, express or implied. The services preformed were consistent with our agreement with our client. This report is prepared solely for the use of our client and may not be used or relied upon by a third party for any purpose. Any such use or reliance will be at such party's risk.

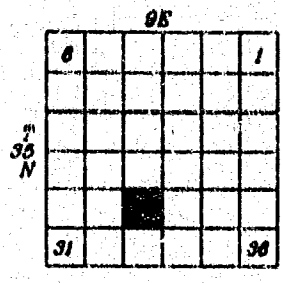
The opinions and recommendations contained in this report apply to conditions existing when services were performed. Ecological Land Services, Inc. (ELS) is not responsible for the impacts of any changes in environmental standards, practices, or regulations after the date of this report. ELS does not warrant the accuracy of supplemental information incorporated in this report that was supplied by others.

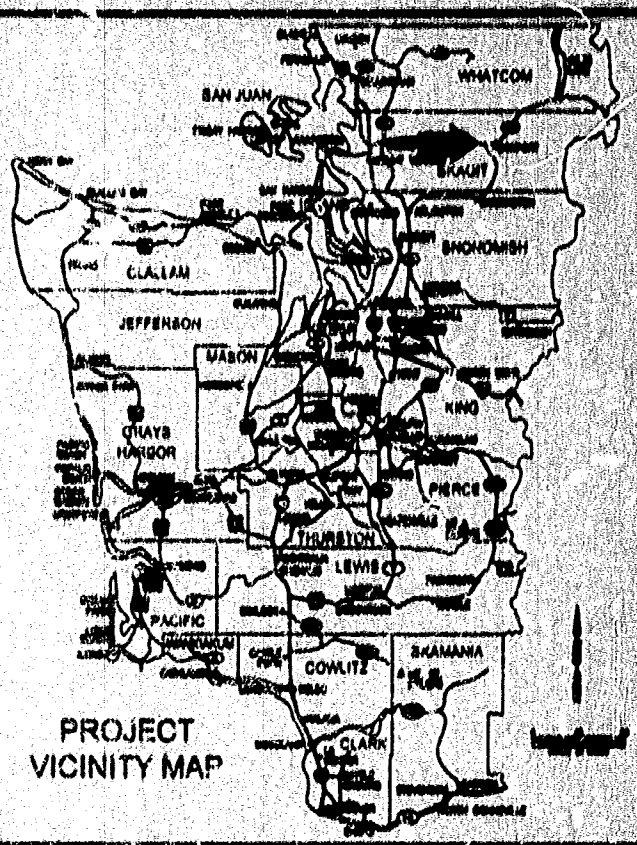
#1



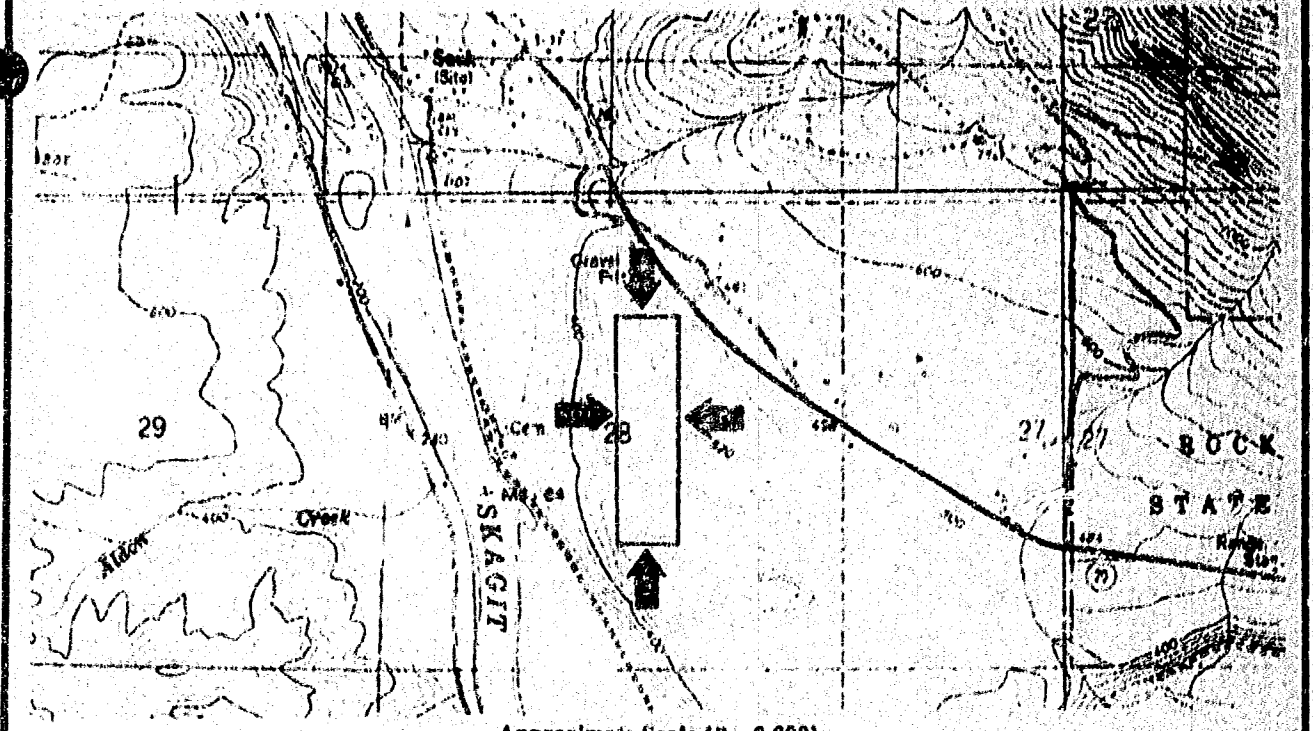
Latitude 48° 29' 43" N
Longitude 121° 36' 47" W

LOCATION MAP





PROJECT VICINITY MAP



Approximate Scale 1" = 2,000'

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FIGURE 1
Site Location Map
3DH AGGREGATES - Revised Reclamation Plan
Rockport, Washington
Portion of S28, T35N, R9E, W.M. Skagit County, WA
DNR Permit #11785

#2



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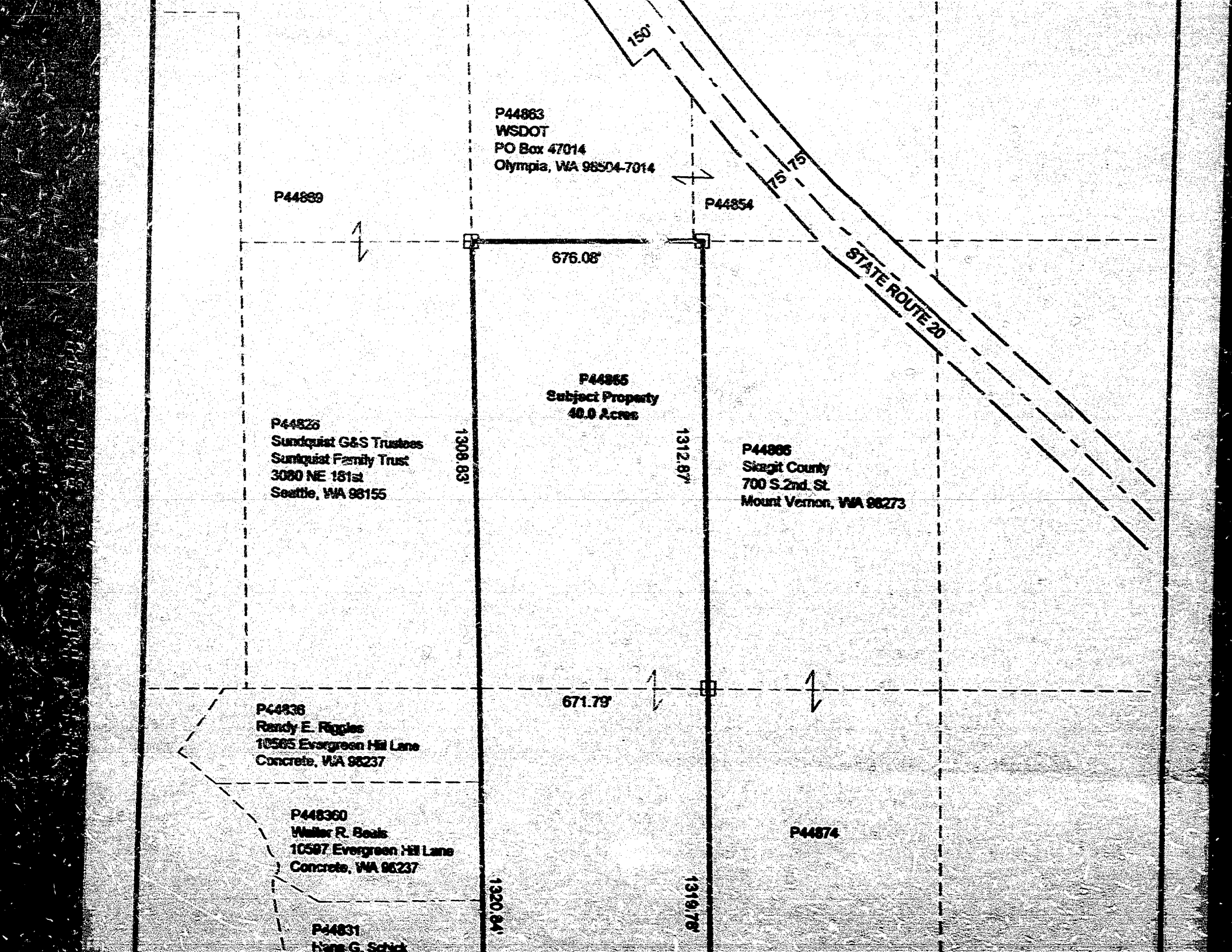
FIGURE 2
1996 Aerial Photograph
3DH Aggregates - Revised Reclamation Plan
Rockport, Washington
Portion of S28,T35N, R9E, W.M. - Skagit County, WA
DNR Permit #11785


150'
75'
75'
STATE ROUTE 20
P44863
WSDOT
PO Box 47014
Olympia, WA 98504-7014
P44889
P44854
676.08'
P44865
Subject Property
40.0 Acres
P44826
Sundquist G&S Trustees
Sundquist Family Trust
3080 NE 151st
Seattle, WA 98155
1308.83'
1312.87'
P44866
Skagit County
700 S.2nd. St.
Mount Vernon, WA 98273
671.79'
P44838
Randy E. Riggles
10565 Evergreen Hill Lane
Concrete, WA 98237
P448360
Walter R. Beals
10597 Evergreen Hill Lane
Concrete, WA 98237
P44874
1320.84'
1319.76'
P44831

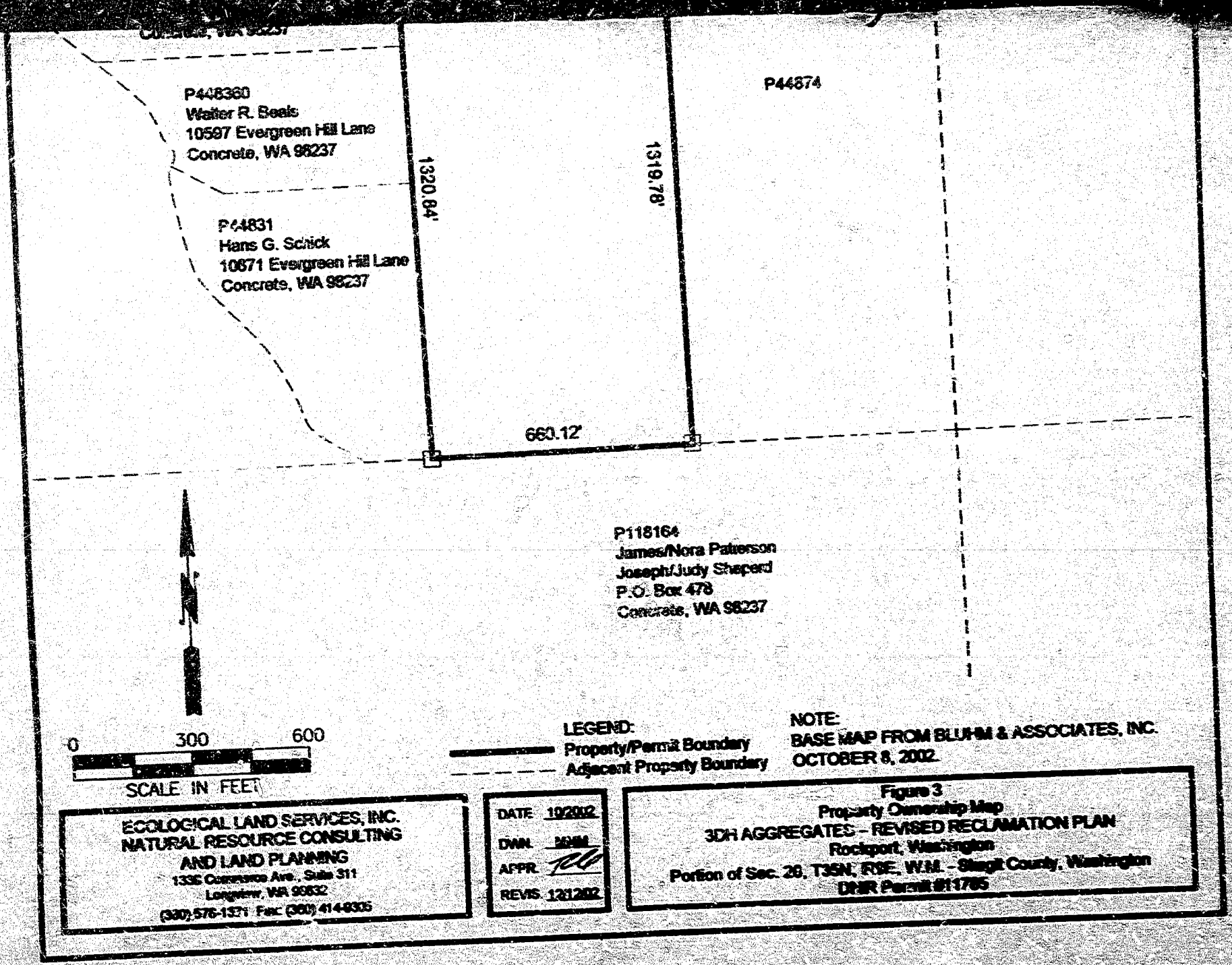


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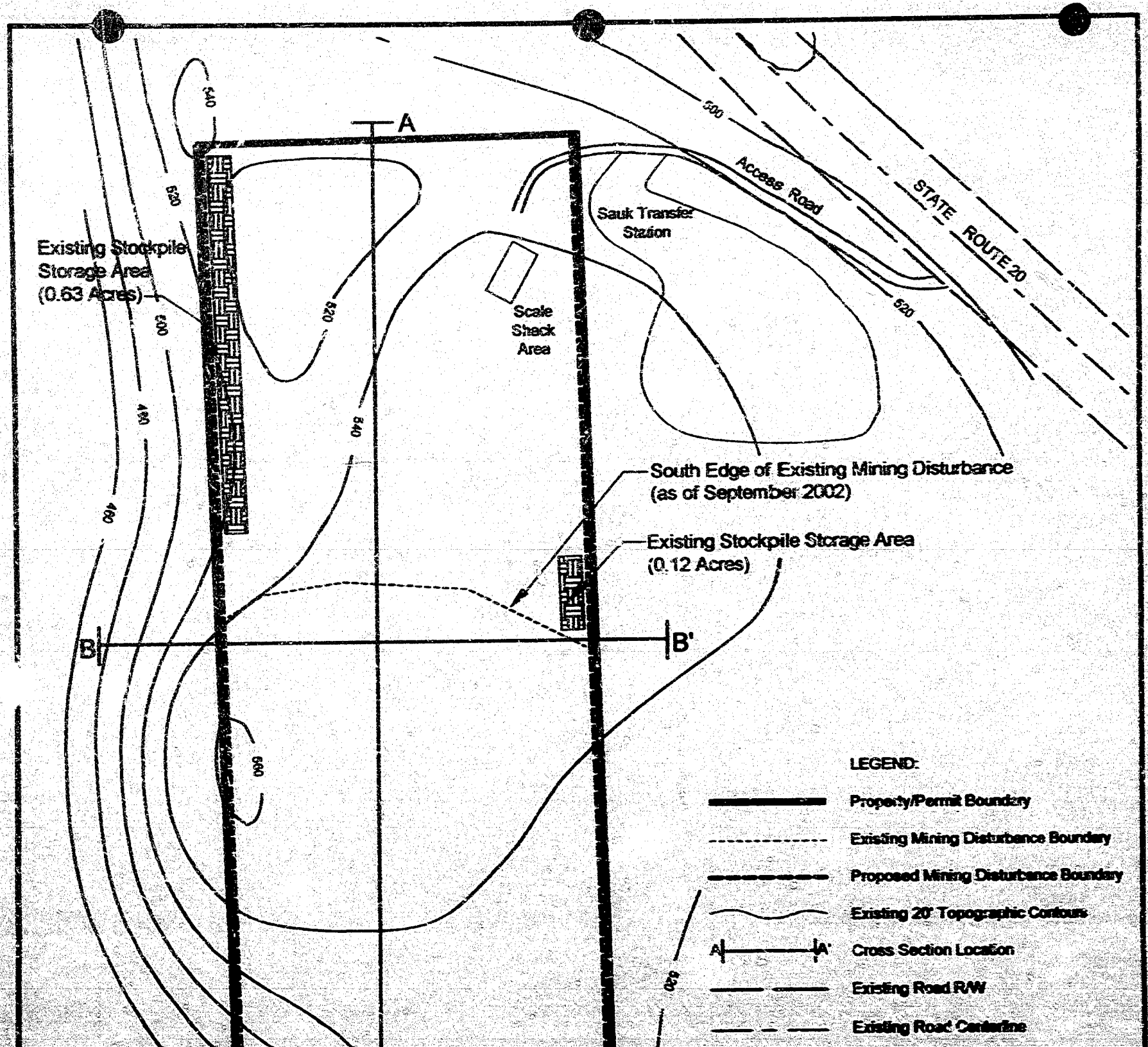
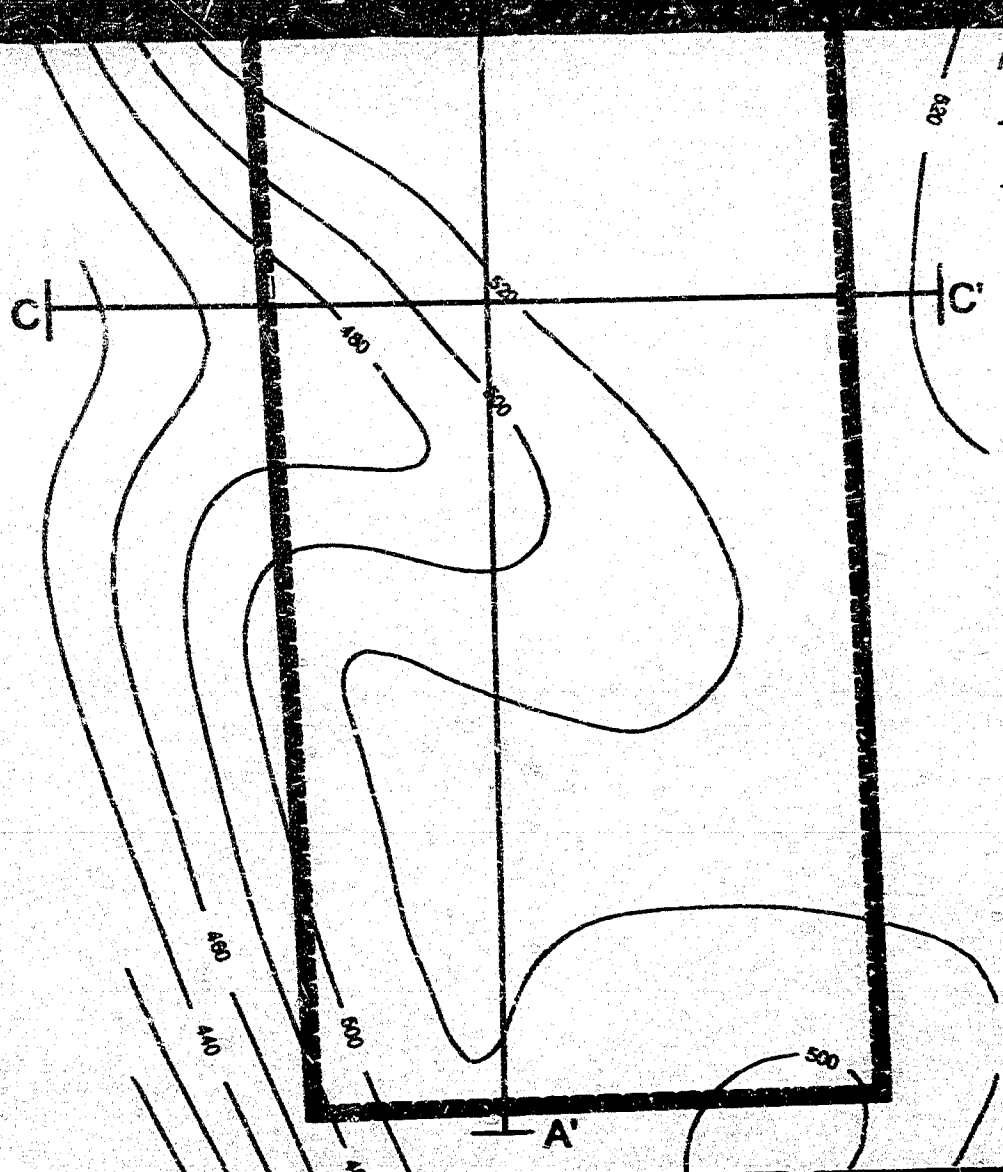
Figure 3
Property Ownership Map
3DH AGGREGATES - REVISED RECLAMATION PLAN
Rockport, Washington
Portion of Sec. 26, T35N, R5E, W.M. - Skagit County, Washington
DNR Permit #21765



A
B
B'
Access Road
STATE ROUTE 20
Sauk Transfer Station
Scale Shack Area
Existing Stockpile Storage Area (0.63 Acres)
South Edge of Existing Mining Disturbance (as of September 2002)
Existing Stockpile Storage Area (0.12 Acres)
540
520
500
480
460
560
LEGEND:
Property/Permit Boundary
Existing Mining Disturbance Boundary
Proposed Mining Disturbance Boundary
Existing 20' Topographic Contours
Cross Section Location
Existing Road R/W
Existing Road Centerline



A — A' Cross Section Location

Existing Road R/W

Existing Road Centerline

0 200 400

SCALE IN FEET

NOTE:
BASE MAP FROM BUJHM & ASSOCIATES, INC.
OCTOBER 8, 2002

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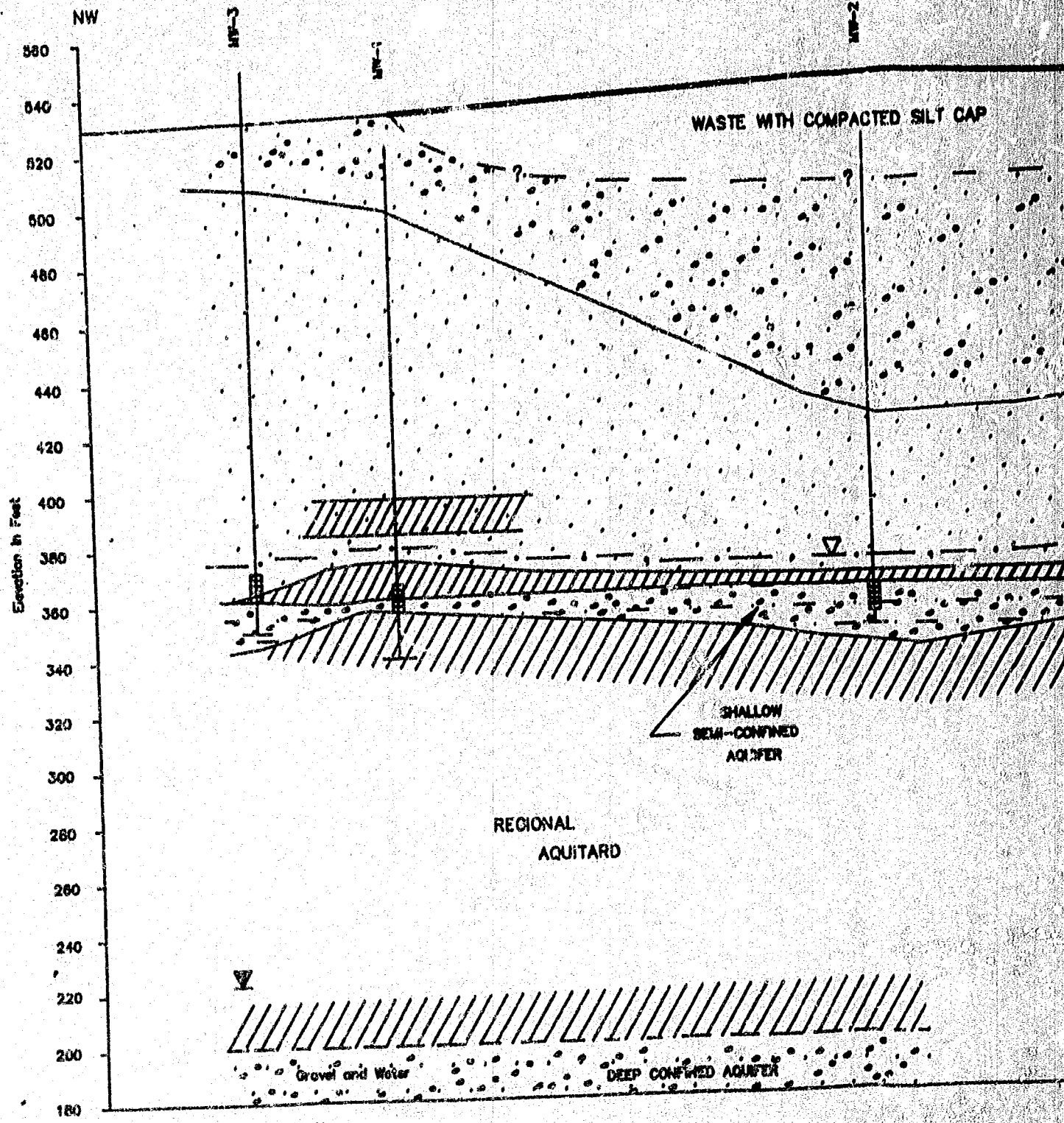
Figure 4
Pre-mining Topography Map
3DH AGGREGATES - REVISED RECLAMATION PLAN
Rockport, Washington
Portion of Sec. 23, T35N, R9E, W.M. - Skagit County, Washington
DNR Permit #1785



NOTE:
Map from MONITORING WELL CONSTRUCTION REPORT GIBRALTAR AND SAUK LANDFILLS SKAGIT COUNTY, WASHINGTON. December, 20, 1990 Project No. 2938. Prepared for: R.W. BECK AND ASSOCIATES 2101 Fourth Avenue, Suite 600 Seattle, Washington 98121-
Prepared by: HONG WEST & ASSOCIATES P.O. BOX 999 Lynnwood, Washington 98046 (206) 774-0106.

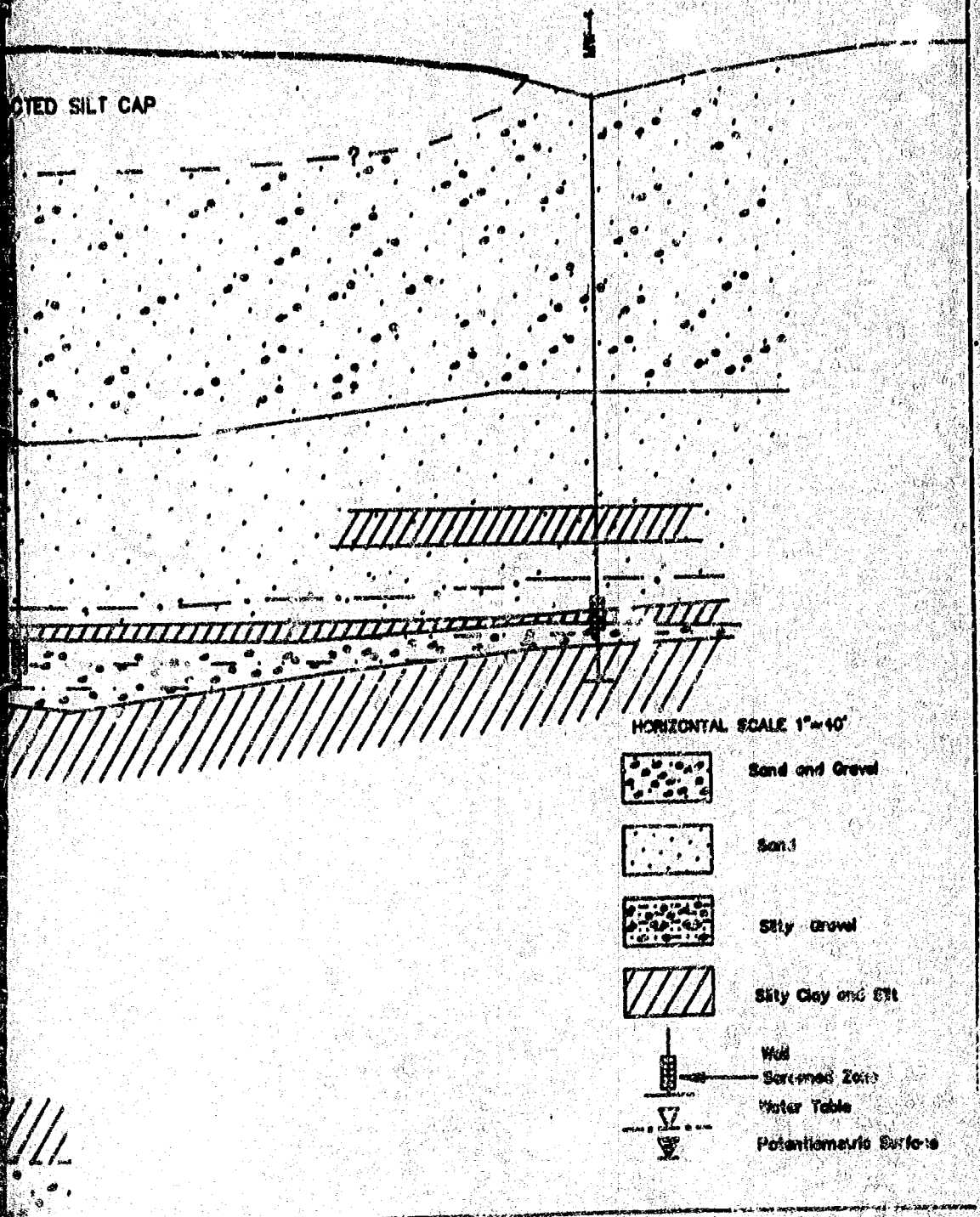


FIGURE 5
Geologic Cross Section of Adjacent Sauk Landfill/Transfer Station
3DH AGGREGATES - REVISED RECLAMATION PLAN
Rockport, Washington
Portion of Sec. 28, T35N, R8E, W.M. - Skagit County, Washington
DNR Permit 011755

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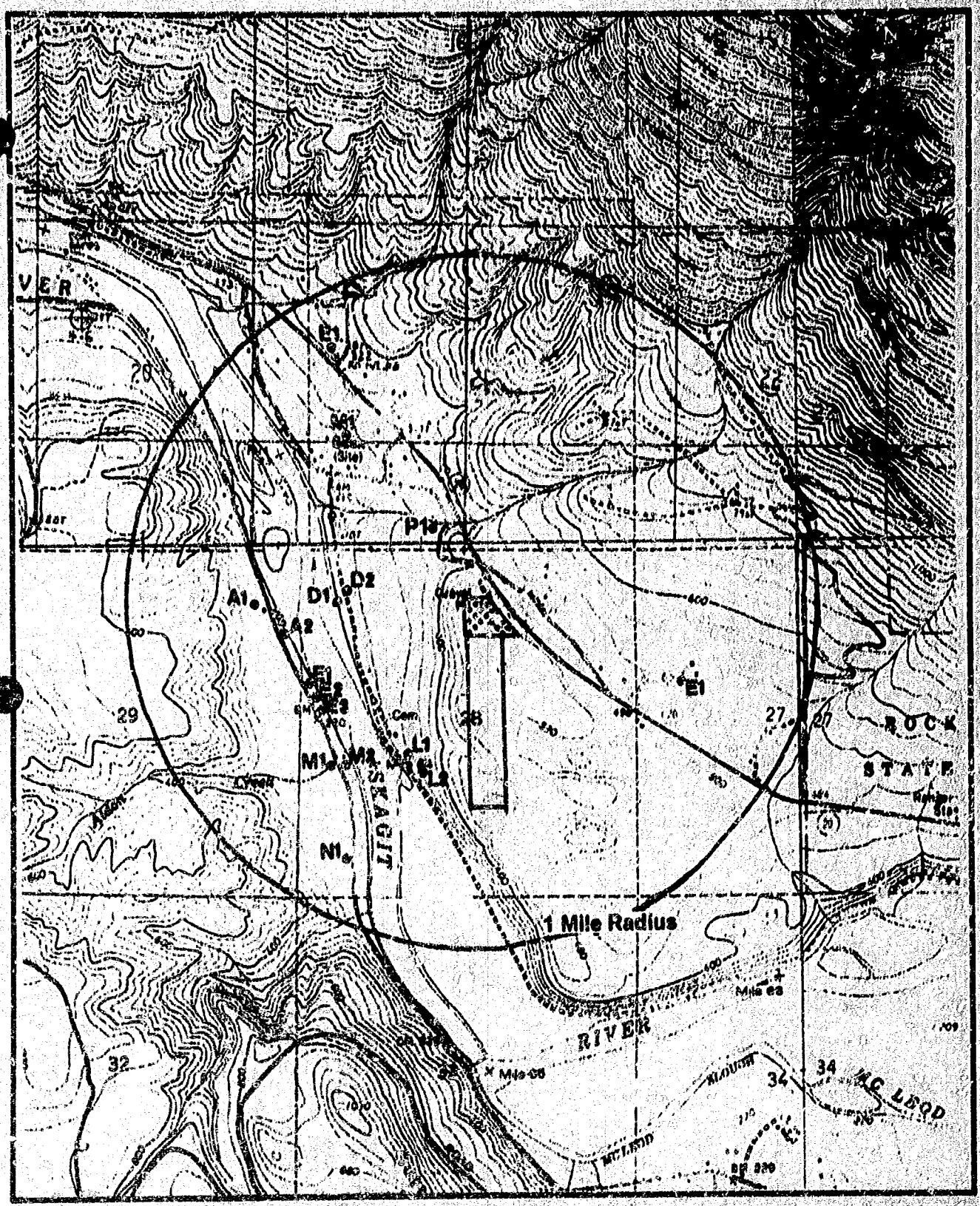

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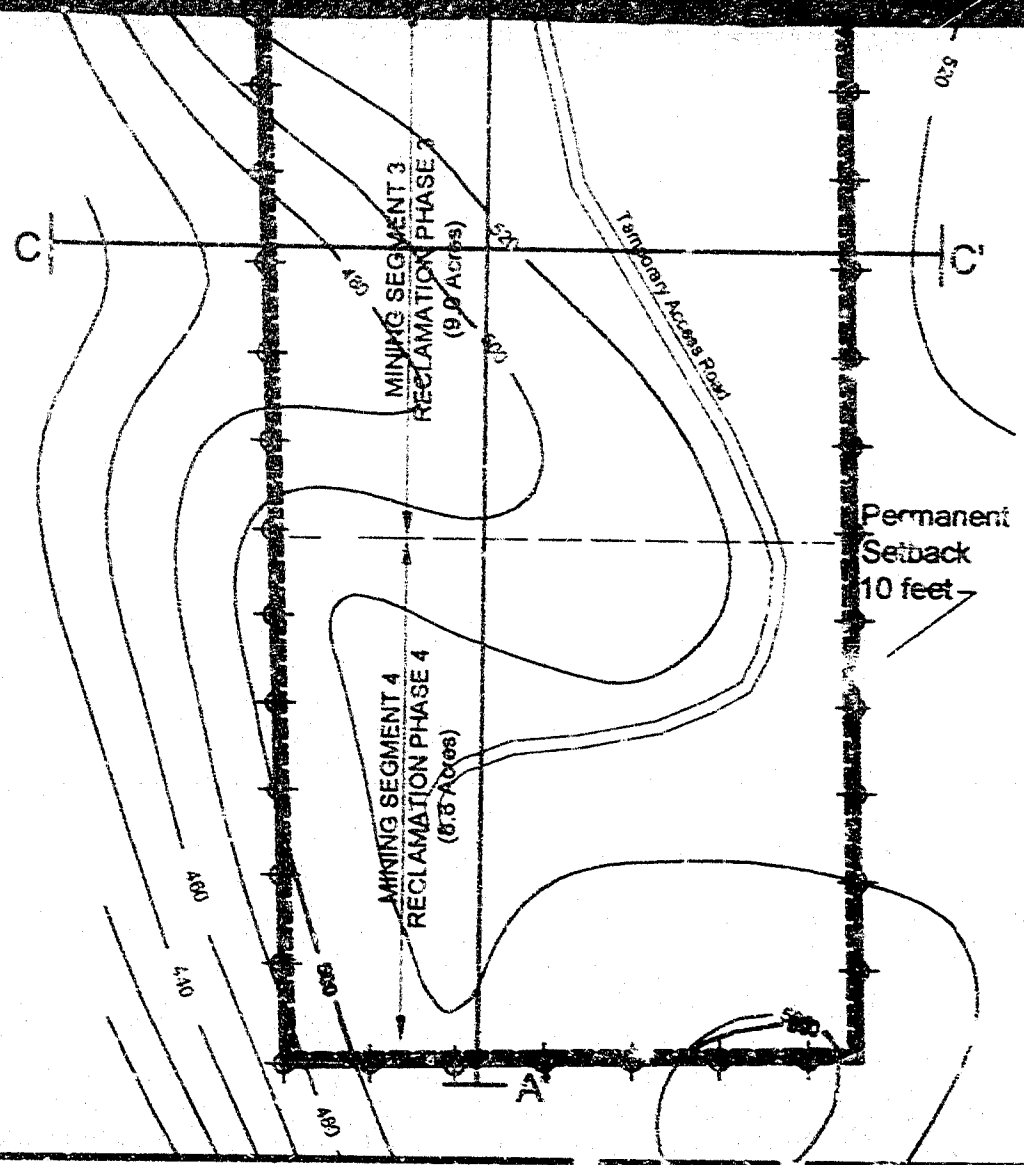
FIGURE 6
Water Supply Well Locations
3DH Aggregates - Revised Reclamation Plan
Rockport, Washington
Portion of S28, T35N, R9E, W.M. - Skagit County, WA
DNR Permit #11785

STATE ROUTE 20
Access Road
Sauk Transfer Station
Scale Shack Area
LEGEND:
Property/Permit Boundary and Permanent Boundary Markers
Existing Mining Disturbance Boundary
Proposed Mining Disturbance Boundary
Existing 20' Topographic Contours
Cross Section Location
Existing Road R/W
Existing Road Centerline
Mining Segments
MINING SEGMENT 1
RECLAMATION PHASE 1
(12.3 Acres)
MINING SEGMENT 2
RECLAMATION PHASE 2
(9.2 Acres)
A
A'
B
B'
C
C'
500
520
540
560
480
460



A — A' Cross Section Location

Existing Road R/W

Existing Road Centerline

Mining Segments

0 200 400

SCALE IN FEET

NOTE:
BASE MAP FROM BLUHM & ASSOCIATES, INC.
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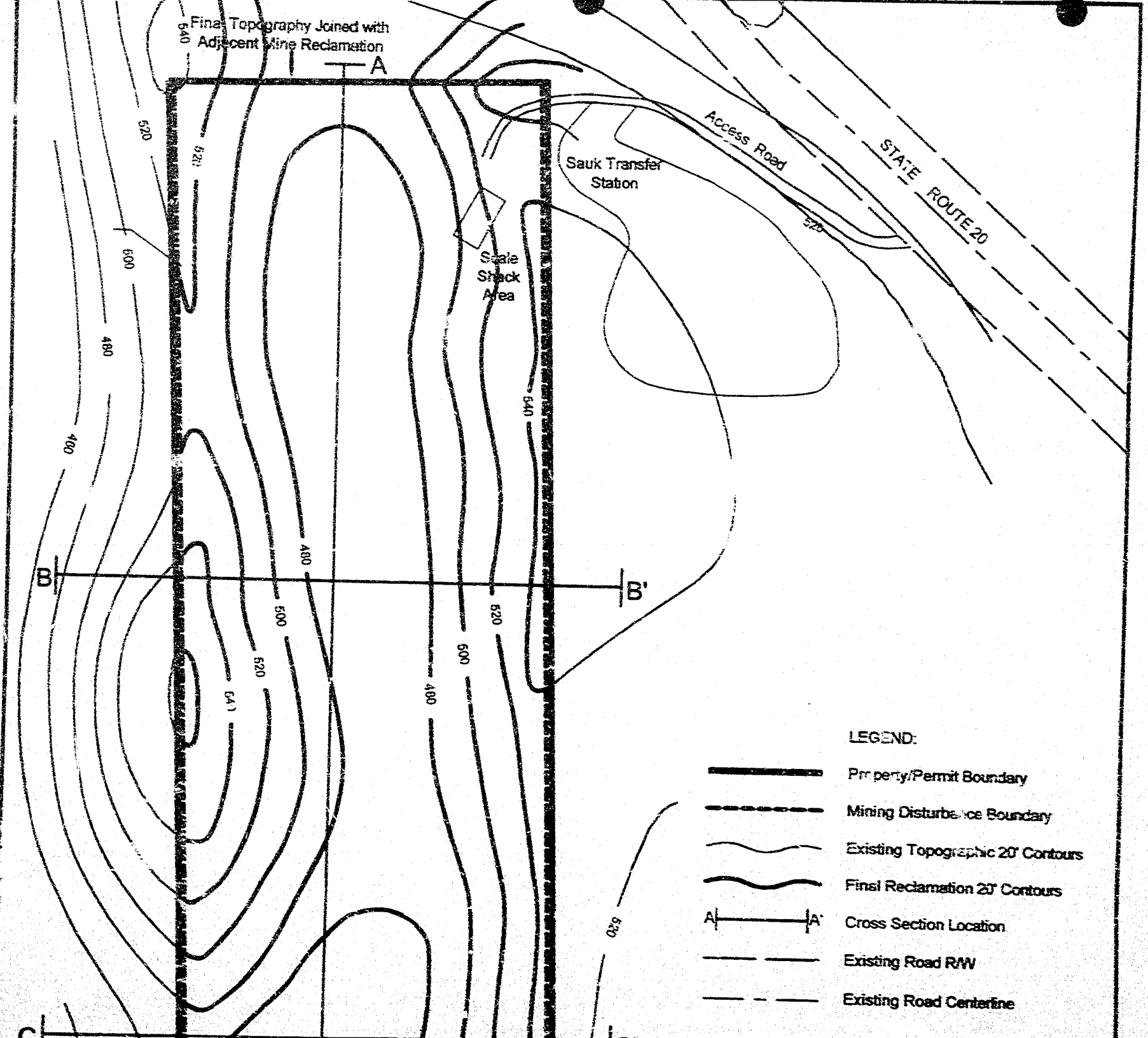
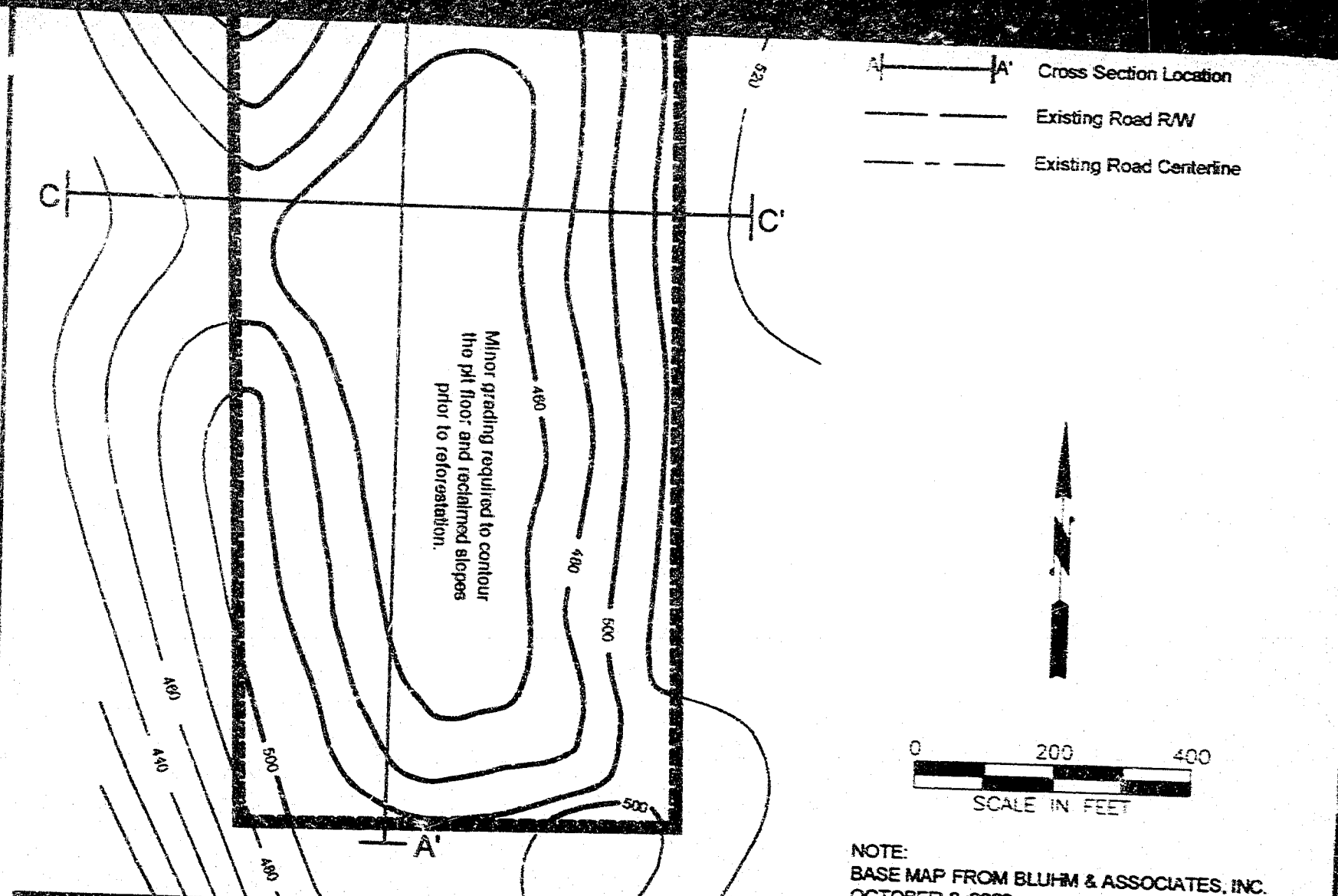
Figure 7
Reclamation Sequence Map
3DH AGGREGATES - REVISED RECLAMATION PLAN
Rockport, Washington
Portion of Sec. 28, T35N, R9E, W.M. - Skagit County, Washington
DNR Permit #70-011785


Final Topography Joined with Adjacent Mine Reclamation
A
A'
B
B'
C
C'
Access Road
STATE ROUTE 20
Sauk Transfer Station
Scale Shack Area
520
540
600
480
500
620
640
LEGEND:
Property/Permit Boundary
Mining Disturbance Boundary
Existing Topographic 20' Contours
Final Reclamation 20' Contours
Cross Section Location
Existing Road R/W
Existing Road Centerline



NOTE:
BASE MAP FROM BLUHM & ASSOCIATES, INC.
OCTOBER 8, 2002.

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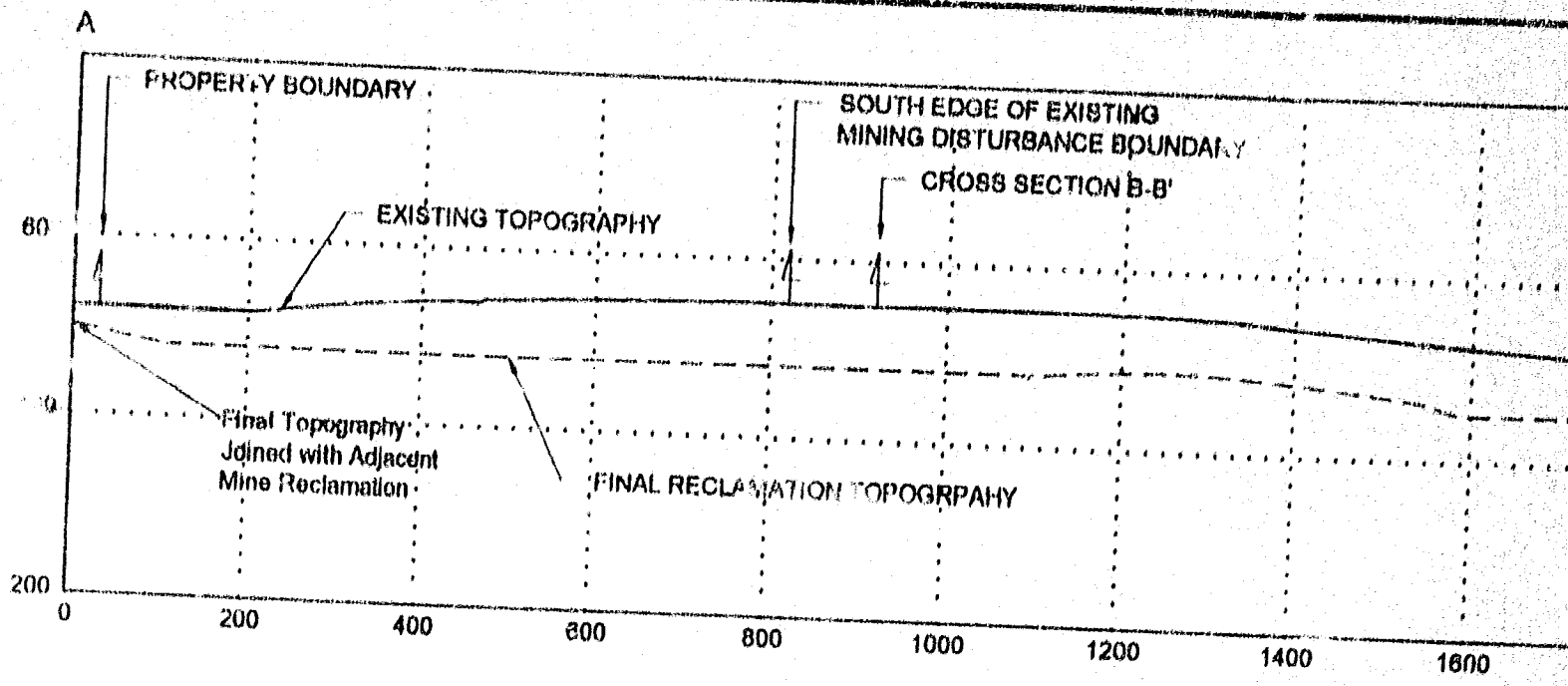
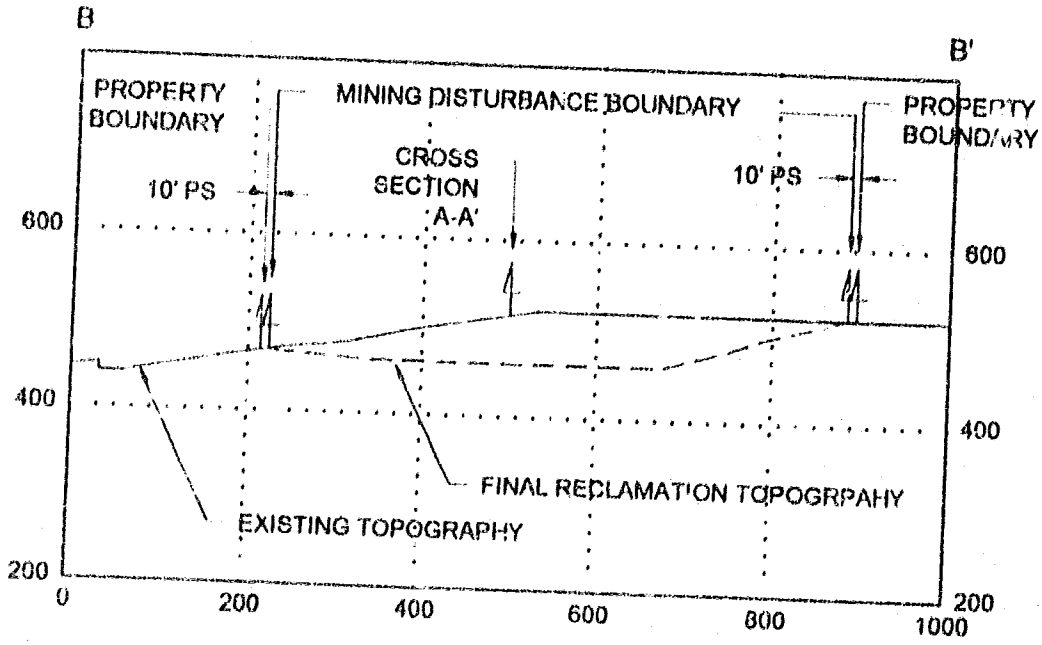
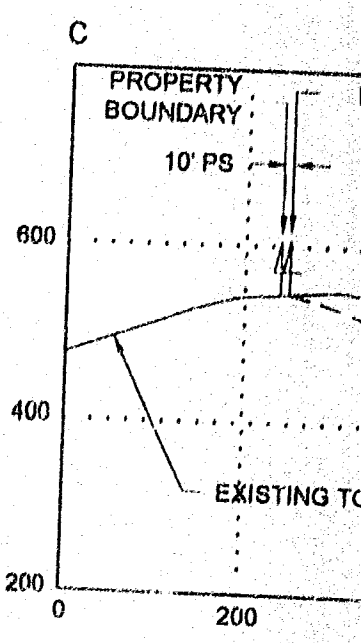
Figure 8
Final Reclamation Map
3DH AGGREGATES - REVISED RECLAMATION PLAN
Rockport, Washington
Portion of Sec. 28, T35N, R9E, W.M. - Skagit County, Washington
DNR Permit #11785







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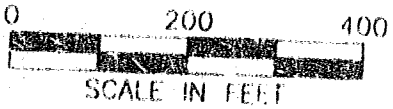

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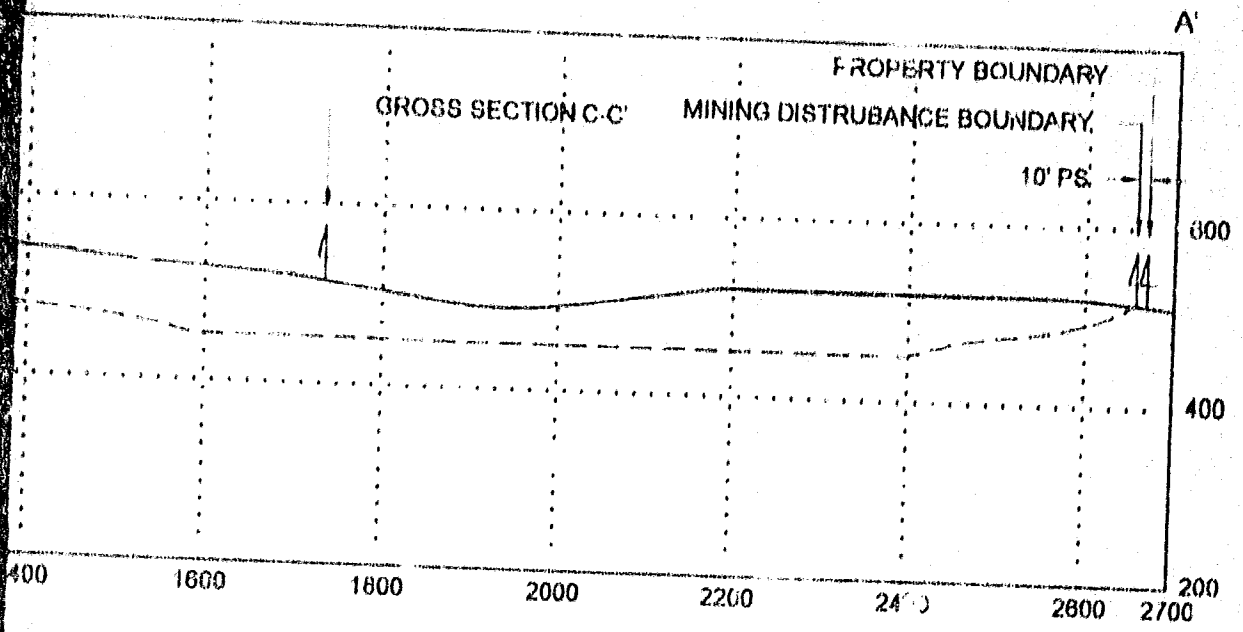
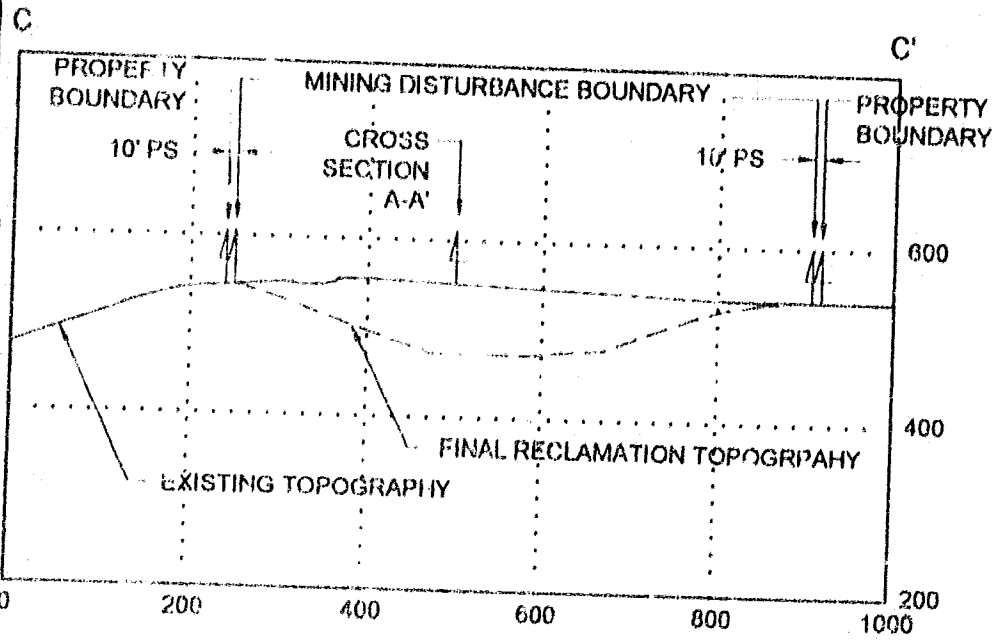
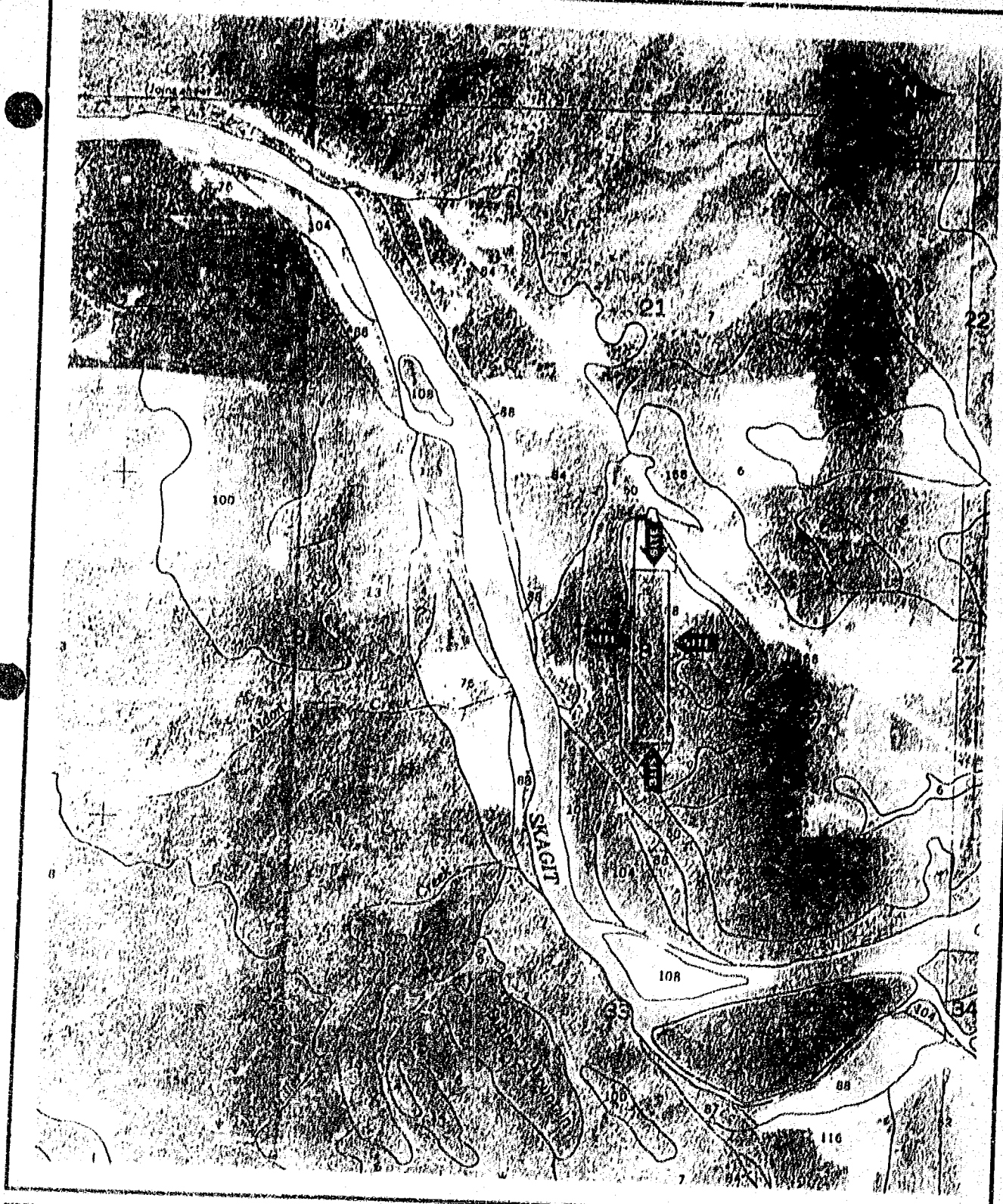




PS = Permanent Setback

DATE	11/2002
DWN	MMM
APPR	
REVIS	12/12/02

Figure 9
Cross Section A-A', B-B', C-C'
3DH AGGREGATES
Rockport, Washington
Portion of Sec. 28, T35N, R9E, W.M. - Skagit County, Washington
DNR Permit #11785



ECOLOGICAL LAND SERVICES, INC. NATURAL RESOURCE CONSULTING AND LAND PLANNING 1157 Commercial Ave., Suite 311 Longview, WA 98632 (360) 578-1371 Fax: (360) 414-9305	DATE DWN AA APPR REVIS 12/12/02

FIGURE 10
Soil Survey Map
3DH Aggregates - Revised Reclamation Plan
Rockport, Washington
Portion of S28, T35N, R9E, W.M. - Skagit County, WA
DNR Permit #11785

1005 2005 0000 2150

SEPA

Checklist

1005 2004 0000 2754

SEPA ENVIRONMENTAL CHECKLIST

0005 2006 0000 5152

SEPA ENVIRONMENTAL CHECKLIST
3DH Aggregates, Rockport, WA

A. BACKGROUND

1. Name of proposed project,if applicable:

3DH Aggregates Revised Reclamation Plan

2. Address and telephone number of applicant and contact person:

3DH Aggregates
P.O. Box 142
Stanwood, WA 98292
Contact: Helen Weber

3. Date checklist prepared:

December 13, 2002

4. Agency requiring checklist:

Washington Department of Natural Resources

5. Proposed timing or schedule (including phasing, if applicable):

Submittal of DNR permit renewal and revised reclamation plan is scheduled for December, 2002.

6. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain:

No.

7. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

DNR surface-mine permit renewal and revised reclamation plan has been prepared by Ecological Land Services (ELS) for this project.

1005 2006 0000 2753

8. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain:

No.

9. List any government approval or permits that will be needed for your proposal, if known.

Washington Department of Natural Resources – Revised Reclamation Plan of Existing Permit Approval.

10. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

The 40.0-acre parcel (#P44865) is currently permitted for mining under DNR reclamation permit #11785. This proposal will upgrade the reclamation plan to meet current standards. Gravel and sand mining is in progress on a 12-acre portion of the permit area. The aggregate being extracted is from a glacio-fluvial deposit that has been utilized for a variety of state road and bridge projects.

11. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a large area, provide the boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available.

The property is located on State Route 20, south of milepost 95 between Concrete and Rockport, WA, and adjacent to the Skagit County Solid Waste Transfer Station. The legal description of the site is: the SW ¼ of the NE ¼, and the NW ¼ of the SE ¼ in Section 28, Township 35 North, Range 9 East of the Willamette Meridian.

1005 2006 9000 294

TO BE COMPLETED BY APPLICANT | **EVALUATION FOR AGENCY USE ONLY**

B. ENVIRONMENTAL ELEMENTS

1. Earth

a) General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other.

The site is partially disturbed from previous mining activity along the northern boundary. Unmined areas of the site contain gently rolling topography with sharply dropping slopes south and west of the site.

b) What is the measurement of the steepest slope on the site (approximate percent slope)?

80% (cut bank in area currently being excavated).

c) What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farm land.

The U.S.D.A. Soil Conservation Service, Soil Survey of Skagit County Area indentifies the soils on site as Winston gravelly silt loam, 0 to 8% slopes, and Barneston very gravelly sandy loam, 8 to 30% slopes.

d) Are there surface indications or history of unstable soils the immediate vicinity? If so, describe.

No.

e) Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

No filling is proposed. All mining will be conducted in accordance with the attached revised reclamation

10-05-2006 0000 2754

plan. Reclaimed slopes will be constructed during mining operations, requiring minimal grading.

f) Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Yes. The gravel/sand extraction will expose soils for sustained periods of time. Erosion will be controlled by implementing the best management practices outlined in the reclamation plan.

g) About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Zero.

h) Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Mining will be conducted in segments and each segment constructed to contain all potential runoff from leaving the site. Reclamation to stabilize and revegetate the site will occur at the completion of mining in each segment.

2. Air

a) What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

Minimal fugitive dust from mining equipment and loading and hauling of material is likely to occur.

b) Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No.

c) **Proposed measures to reduce or control emissions or other impacts to air, if any.**

Equipment will be kept well maintained and in good repair, with appropriate emission systems. The site will be reclaimed in phases to limit the amount of exposed surface at any one time. Haul roads will be watered down as necessary to control fugitive dust.

3. **Water**

a) **Surface:**

1) **Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, salt water, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

None in immediate vicinity. The Skagit River is located over 800 feet southwest of the site.

2) **Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.**

No.

3) **Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands indicate the area of the site which would be affected. Indicate the source of fill material.**

None.

4) **Will the proposal require surface water withdrawals or diversions? Give general**

description, purpose, and approximate quantities if known.

No.

5) **Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**

No.

6) **Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**

No.

b) **<u>Ground</u>:**

1) **Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.**

No. Water to control dust will be hauled to the site and stored in large tanks.

2) **Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

Not Applicable.

c) **<u>Water Runoff</u> (including storm water):**

1) **Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this**

water flow? Will this water flow into other waters? If so, describe.

Stormwater is expected to infiltrate due to the excessive permiability of the soils and substrate (>20 inches/hour). Mining will be conducted in segments and each segment constructed to contain all potential runoff from leaving the site.

2) **Could waste materials enter ground or surface waters? If so, generally describe.**

Utilization of a spill prevention, containment and countermeasures plan will be practiced while operating at this site and should prevent any accidental oil or fuel spills from reaching ground water.

d) **Proposed measures to reduce or control surface, ground and run-off water impacts, if any:**

No impacts are expected.

4. **Plants**

a) **List types of vegetation found on the site:**

deciduous trees: *red alder*

evergreen trees: *western hemlock, Douglas fir*

shrubs: *dogwood, vine maple, huckleberry, bracken fern, bunchberry*

grass: *various species in disturbed areas of the site*

pasture: *none*

crop or grain: *none*

wet soil plants: *none*

water plants: water lily, eelgrass, milfoil, other: *none*

b) What kind and amount of vegetation will be removed or altered?

Young forest and scrub/shrub vegetation will be sequentially removed from areas where active mining will take place.

c) List threatened or endangered species known to be on or near the site.

No known listed plant species are present on or near the site. Refer to the Natural Heritage Program data search findings, (attached).

d) Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

The reclamation plan identifies the species to be replanted following active mining.

5. Animals

a) List any birds and animals which have been observed on or near the site, or are known to be on or near the site:

birds: *songbirds, red-tailed hawk, crows, blackbirds, swallows*

animals: *deer, elk, coyotes, rodents, rabbits*

fish: *none*

b) List any threatened or endangered species known to be on or near the site.

The Skagit River, located approximately 800 feet from the site, contains populations of chinook, coho,

chum, pink and sockeye salmon, sea-run cutthroat trout and steelhead.

Bald eagle: Transient bald eagles (threatened) may use the river within the general vicinity of the project for feeding and roosting. Bald eagle communal roost sites are located along the river over 1.0 miles to the SE of the mine. An osprey nest is located approximately 1.0 mile to the SW on the Skagit River. Searches of agency data bases are attached.

c) Is the site part of a migration route? If so, explain.

The site is within the Pacific flyway for migrating birds.

d) Proposed measures to preserve or enhance wildlife, if any:

At the completion of mining, the site will be reforested to provide forage and shelter for wildlife.

6. Energy and Natural Resources

a) What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Diesel-fueled trucks and loading equipment will be utilized.

b) Would your project affect the potential use of solar energy adjacent properties? If so, generally describe.

No.

c) What kinds of energy conservation features are included in the plans of this proposal? List other

proposed measures to reduce or control energy impacts, if any:

None.

7. Environmental Health

a) Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe:

Risk to environmental health is low. The only potential spills might result from the oil and fuel used to power the equipment. Typical spill prevention, containment and countermeasures will be practiced while operating at this site.

1) Describe special emergency services that might be required.

No special services.

2) Proposed measures to reduce or control environmental health hazards, if any:

Typical spill prevention, containment and countermeasures will be practiced while operating at this site.

b) <u>Noise</u>

1) What types and levels of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

No noise effects to the project anticipated.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic,

construction, operation, other)? Indicate what hours noise would come from the site.

Operation of mining equipment and haul trucks will create sustained, short-term noise.
Typical hours of operation are 7:00 am to 7:00 pm, Monday-Saturday.

3) **Proposed measures to reduce or control noise impacts if any:**

Mining equipment and trucks will be outfitted with muffler systems.

8. **Land and Shoreline Use**

a) **What is the current use of the site and adjacent properties?**

The site includes an existing DNR-permitted sand and gravel operation. Adjacent uses include the Skagit County Solid Waste Transfer Station, WSDOT sand and gravel surface mine, rural residential property and forest lands .

b) **Has the site been used for agriculture? If so, describe:**

No.

c) **Describe any structures on the site.**

Scale shack near entrance.

d) **Will any structures be demolished? If so, what?**

No.

e) **What is the current zoning classification of the site?**

RRv -Rural Reserve

f) What is the current comprehensive plan designation of the site?

RRv-Rural Reserve

g) If applicable, what is the current shoreline master program designation of the site?

Not applicable

h) Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

No.

i) Approximately how many people would reside or work in the completed project?

During active mining phases, 1-4 people would be expected to be working on-site during normal operating hours.

j) Approximately how many people would the completed project displace?

None.

k) Proposed measures to avoid or reduce displacement impacts, if any:

None.

l) Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The revised reclamation plan (included in this submittal package) discusses the compatibility of the mining activity and the proposed site reclamation design with the County's Comprehensive Plan and zoning designations for the subject property and surrounding areas. The reclamation plan satisfies

the pre-existing, non-conforming use per Skagit County Code, Section 14.16.440.

9. Housing

a) Approximately how many units would be provided,if any? Indicate whether high-, middle-, or low- income housing.

None.

b) Approximately how many units would be eliminated,if any? Indicate whether high-, middle-, or low- income housing.

None.

c) Proposed measures to reduce or control housing impacts,if any:

None.

10. Aesthetics

a) What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not applicable.

b) What views in the immediate vicinity would be altered or obstructed?

None.

c) Proposed measures to reduce or control aesthetic impacts, if any:

The phased reclamation plan would reduce the amount of exposed soils visible on-site at any one time. The plan is designed to include sinuous slopes with varied topography that will blend in with the

topography of the surrounding area and the adjacent mine. The reclaimed site will support a diversity of vegetation and wildlife habitat..

11. Light and Glare

a) What type of light or glare will the proposal produce? What time of day would it mainly occur?

None.

b) Could light or glare from the finished project be a safety hazard or interfere with views?

No.

c) What existing off-site sources of light or glare may affect our proposal?

None.

d) Proposed measures to reduce or control light and glare impacts, if any:

Not applicable.

12. Recreation

a) What designated and informal recreational opportunities are in the immediate vicinity?

None.

b) Would the proposed project displace any existing recreational uses? If so,describe.

No.

c) **Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**

None.

13. **Historical and Cultural Preservation**

a) **Are there any places or objects listed on, or proposed for, national, state or local preservation registers known to be on or next to the site? If so, generally describe.**

None known..

b) **Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.**

None known..

c) **Proposed measures to reduce or control impacts, if any:**

None.

14. **Transportation**

a) **Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on-site plans, if any.**

The site is accessed from SR-20 on an access road south of mile post 95 that also serves the Sauk Transfer Station, between Concrete and Rockport, Washington..

b) **Is site currently served by public transit?**

No.

If not, what is the approximate distance to the nearest transit stop?

Rockport, WA, approximately 3 miles east of the site.

c) **How many parking spaces would the completed project have? How many would the project eliminate?**

None.

d) **Will the proposal require any new roads or streets or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).**

No.

e) **Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

No.

f) **How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.**

Current operations are sporadic and vary depending on the amount of material required for specific projects. Because of the inconsistent use and wide variety of projects for which the site will be utilized, traffic and peak volumes are unpredictable.

g) **Proposed measures to reduce or control transportation impacts, if any:**

None.

15. Public Services

a) Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

No.

b) Proposed measures to reduce or control direct impacts on public services, if any.

None.

16. Utilities

a) Identify utilities currently available at the site:

Electricity.

b) Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

None.

SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

Date submitted:

Attachments

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE

FISH AND WILDLIFE ORDER FORM

HABITATS AND SPECIES INFORMATION

Agency/Organization: Ecological Land Services, Inc.

Contact Person: Andrea Aberle

Address: 1339 Commerce Ave, Suite 311
Longview, WA 98632

Phone #: (360) 578-1371 Date of Request: 10/5/01

Does your agency/organization have a Memorandum of Understanding (MOU) on file with the Washington Department of Fish and Wildlife regarding confidentiality of sensitive information? ☒ yes ☐ no ☐ don't know

Identify yourself (or the party you represent if you are a consultant) as one of the following:
☒ owner of land covered by this request ☐ government agency ☐ tribe ☐ researcher with a university ☐ utility
☐ other (please specify)

REQUESTER READ AND SIGN

By receiving fish and wildlife information from the Washington Department of Fish and Wildlife (WDFW), you incur an obligation to use it in a way that does not cause undue harm to our public fish and wildlife resources.

All fish and wildlife species are vulnerable to harm from human activities. Harm can occur directly (e.g., an animal is harvested or injured) or indirectly (e.g., a nest tree is felled or a wetland is drained). Harm can occur unintentionally, even by those who value the fish and wildlife resources (e.g., repeated visits to a heron rookery which flushes birds from the nest and exposes eggs to cold weather and predators). The most serious threats to fish and wildlife, rather than being direct and malicious acts, are indirect human actions where harm to fish and wildlife was unintentional.

The Washington State constitution confers fish and wildlife ownership to all citizens of the state. WDFW is mandated to safeguard this ownership by preserving, protecting and perpetuating fish and wildlife resources. The public has a crucial role in fulfilling the mandate, for two reasons. First, the statewide distribution of fish and wildlife species and habitat is beyond the monitoring capability of any single agency. Second, the state's constitution gives to the people ownership of fish and wildlife but not of the habitat on which fish and wildlife's survival ultimately depends. Property owners are also habitat owners and their collective actions have a profound effect on the state's fish and wildlife.

The WDFW data gives you information on the location of many of Washington's most sensitive and vulnerable fish and wildlife resources. Use of this information must be commensurate with the vulnerability of fish and wildlife resources.

Fish and wildlife species are protected through specific legislation. Regulations most applicable to users of WDFW information include RCW 77.16.120 (taking of protected fish and wildlife), WAC 232-12-292 (Bald Eagle protection rules) and WAC 232-12-064 (live fish and wildlife).

I have read and understand the information above.
I understand that this species and habitats covered by this information are especially sensitive to human disturbance.
I understand human disturbance may be direct or indirect and may occur intentionally or unintentionally.
I understand that I have an obligation to use this information in a way that does not cause undue harm to the fish and wildlife resource.

REQUESTER'S SIGNATURE X Andrea W. Aberle

Use of Data: Update to Mine Reclamation Plan for WSDOT.

Special Requests: label on "site M-1016" & 3 PH

December 1993

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE - HABITATS AND SPECIES REPORT
IN THE VICINITY OF T35R09E SECTION 28
Report Date: June 14, 2001

This map contains the following species and/or habitat locations that are deemed sensitive by the Washington Department of Fish and Wildlife Sensitive Fish and Wildlife Policy.

PHS CODE/ SPPCODE	COMMON NAME	USE CODE	USE DESCRIPTION
HALE	BALD EAGLE	B	BREEDING OCCURRENCE
HALE	BALD EAGLE	CR	COMMUNAL ROOST

PHS POLYGON FORM LIST - CROSS REFERENCE REPORT
IN THE VICINITY OF T35R09E SECTION 28

PHSPOLY#	FORM NUMBER/ PHS CODE*USE CODE
2	900000
	*-
3	902823
	RIPAR*-
4	902823
	RIPAR*-
5	902823-902824
	RIPAR*-WET*-
6	902823
	RIPAR*-
7	902081
	UNOS*-
8	902823
	RIPAR*-
9	902823
	RIPAR*-
10	900000
	*-
11	903637
	HALE*B-
12	902823-903637
	RIPAR*-HALE*B-
13	900026-902759
	HALE*CR-HIHI*B-
14	902759
	HIHI*B-
15	902759-903637
	HIHI*B-HALE*B-
16	900000
	*-
17	902759-903637
	HIHI*B-HALE*B-
18	902759
	HIHI*B-

PHS POLYGON - SPECIES AND HABITAT LIST

PHS FORM#	PRIORITY	PHS CODE	COMMON NAME	USE CODE	USE DESCRIPTION
900,000					
900,026	YES	HALE	BALD EAGLE	CR	COMMUNAL ROOST
902,081	YES	UNOS	URBAN NATURAL OPEN SPACE		
902,759	YES	HIHI	HARLEQUIN DUCK	B	BREEDING OCCURRENCE
902,823	YES	RIPAR	RIPARIAN ZONES		
902,824	YES	WET	WETLANDS		
903,637	YES	HALE	BALD EAGLE	B	BREEDING OCCURRENCE

Form number 900000 indicates presence of PHS is unknown or the area was not mapped. Form numbers 909998, 909997, or 909996 indicate compilation errors.

YES under the 'PRIORITY' column indicates that the species or habitat is considered a priority and is on the Priority Habitats and Species List and/or the Species of Concern List.

WILDLIFE HERITAGE POINT - SPECIES LIST AND REPORT
IN THE VICINITY OF T35R09E SECTION 28

QUADPT	PRIORITY	SPPCODE	COMMON NAME	USE CODE	USE DESCRIPTION
4812145013	YES	HALE	BALD EAGLE	CR	COMMUNAL ROOST
4812145013	YES	HALE	BALD EAGLE	CR	COMMUNAL ROOST
4812146007	YES	HALE	BALD EAGLE	CR	COMMUNAL ROOST
4812146013	NO	PAHA	OSPREY	B	BREEDING OCCURRENCE
4813146014	YES	HALE	BALD EAGLE	B	BREEDING OCCURRENCE

YES under the 'PRIORITY' column indicates that the species or habitat is considered a priority and is on the Priority Habitats and Species List and/or the Species of Concern List.

quadpt: 4812145013 sppcode: HALE use: CR name: BALD EAGLE
year: 1981 class: SA accuracy: C state status: ST fed status: FT
township - range - section: T35N R09E S34 occur#: 733 seqno: 1
general description:
MCLEOD COLONIAL ROOST,NEAR SKAGIT RIVER IN STAND DOMINATED BY BLACK COTTONWOODS.

quadpt: 4812145013 sppcode: HALE use: CR name: BALD EAGLE
year: 1981 class: SA accuracy: C state status: ST fed status: FT
township - range - section: T35N R09E S35 occur#: 733 seqno: 2
general description:
MCLEOD COLONIAL ROOST,NEAR SKAGIT RIVER IN STAND DOMINATED BY BLACK COTTONWOODS.

quadpt: 4812146007 sppcode: HALE use: CR name: BALD EAGLE
year: 1981 class: SA accuracy: C state status: ST fed status: FT
township - range - section: T35N R09E S34 occur#: 733 seqno: 3
general description:
MCLEOD COLONIAL ROOST,NEAR SKAGIT RIVER IN STAND DOMINATED BY BLACK COTTONWOODS.

quadpt: 4812146013 sppcode: PAHA use: B name: OSPREY
year: 1992 class: SA accuracy: C state status: SM fed status:
township - range - section: T35N R09E S33 NWOFNW occur#: 452 seqno: 1
general description:
MCLEOD SLOUGH TERR, OSPREY NEST ON THE WEST BANK OF THE SKAGIT RIVER IMMEDIATELY DOWNSTREAM OF THE RIVERS CONFLUENCE WITH MCLEOD SLOUGH.

quadpt: 4812146014 sppcode: HALE use: B name: BALD EAGLE
year: 1993 class: SA accuracy: C state status: ST fed status: FT
township - range - section: T35N R09E S33 NWOFSE occur#: 483 seqno: 1
general description:
BALD EAGLE NEST, LOCATED IN COTTONWOOD TREE 200 FT SOUTH OF POINT ON NORTH END OF ISLAND IN SKAGIT RIVER & EAST OF SUTTER MOUNTAIN.

Note:
If known occurences of spotted owls and marbled murrelets exist they will be displayed on the accompanying map, however, detailed information for them are not included in this report.

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE - PHS POLYGON REPORT
Report Date: 06/14/2001

form: 900,026 species/habitat: HALE species use: CR season: W accuracy: 1
sitename: MCLEOD
general description:
BALD EAGLE COMMUNAL NIGHT ROOST ON SOUTHSIDE OF THE SKAGIT RIVER IN A STAND DOM
INATED BY BLACK COTTONWORD.

source: KEISTER, G.P. (1981) AN ASSESSMENT OF B.E. COMM. ROOSTING IN NW WASH.
date: 02 01 code: LIT
synopsis:
AREA IDENTIFIED AS A COMMUNAL NIGHT ROOST DURING RESEARCH SUPPORTED BY WDW. UNPU
B REPT NODS #3556

form: 902,081 species/habitat: UNOS species use: season: accuracy: 1
sitename: PARKS IN SKAGIT COUNTY
general description:
ROCKPORT STATE PARK, HEAVILY FORESTED OLD GROWTH

source: USGS QUAD MAP USED FOR BOUNDARY LINES.
date: 82 code: GSMAP
synopsis:

source: DNR ORTHOPHOTOS USED TO DETERMINE COVER TYPES
date: 84 code: ORTHO
synopsis:

form: 902,759 species/habitat: HIHI species use: B season: S accuracy: 1
sitename: LOWER SAUK RIVER RIPARIAN.
general description:
CONIFER MIXED FOREST WITH SHRUB UNDERSTORY RIPARIAN KNOWN CHUM COHO SPAWNING AREA
AND BREEDING HABITAT FOR HARLEQUIN DUCK.

source: MULLER, TED, WDW; PERSONAL OBSERVATION.
date: 90 code: PROF
synopsis:
PERSONAL OBSERVATIONS VIA OVERFLIGHT AND ON THE GROUND.

form: 902,823 species/habitat: RIPAR species use: season: accuracy: 1
sitename: UPPER SKAGIT RIVER RIPARIAN LANDS.
general description:
FORESTED FLOODPLAIN ALONG THE UPPER SKAGIT AND ITS TRIBUTARIES, FROM BAKER RIVER UPSTREAM.

source: MULLER, TED; STENDAL, ART; FOLEY, STEVE, ET, AL; WDW PERSONAL OBSERVAT
date: 91 code: PROF
synopsis:
SITE VISITS, DRIVE-BY VISITS, AND AERIAL SURVEY FLIGHTS.

form: 902,824 species/habitat: WET species use: season: accuracy: 1
sitename: UPPER SKAGIT RIVER WETLANDS
general description:
SKAGIT RIVER WETLANDS. MOSTLY SIDE CHANNEL AREAS. MOST ARE FORESTED.

source: MULLER, TED; STENDAL, ART; FOLEY, STEVE; ET AL; WDW; PERSONAL OBS.
date: 91 code: PROF
synopsis:
SITE VISITS, DRIVE-BY SURVEYS, AND AERIAL FLIGHTS.

form: 903,637 species/habitat: HALE species use: B season: SU accuracy: 1
sitename: SUTTER MOUNTAIN BALD EAGLE TERRITORY
general description:
EAGLE TERRITORY IDENTIFIED IN 1992, ACTIVE

source: WATSON, JIM WDW BALE 1992 SURVEY
date: 04 92 code: NEST
synopsis:

WASHINGTON DEPARTMENT OF FISH AND WI[illegible]FE
PRIORITY ANADROMOUS AND RESIDENT FISH PRESENCE REPORT FROM THE STREAMNET DATABASE
IN THE VICINITY OF T35R09E SECTION 28
Report Date: June 14, 2001

PRIORITY ANADROMOUS FISH PRESENCE

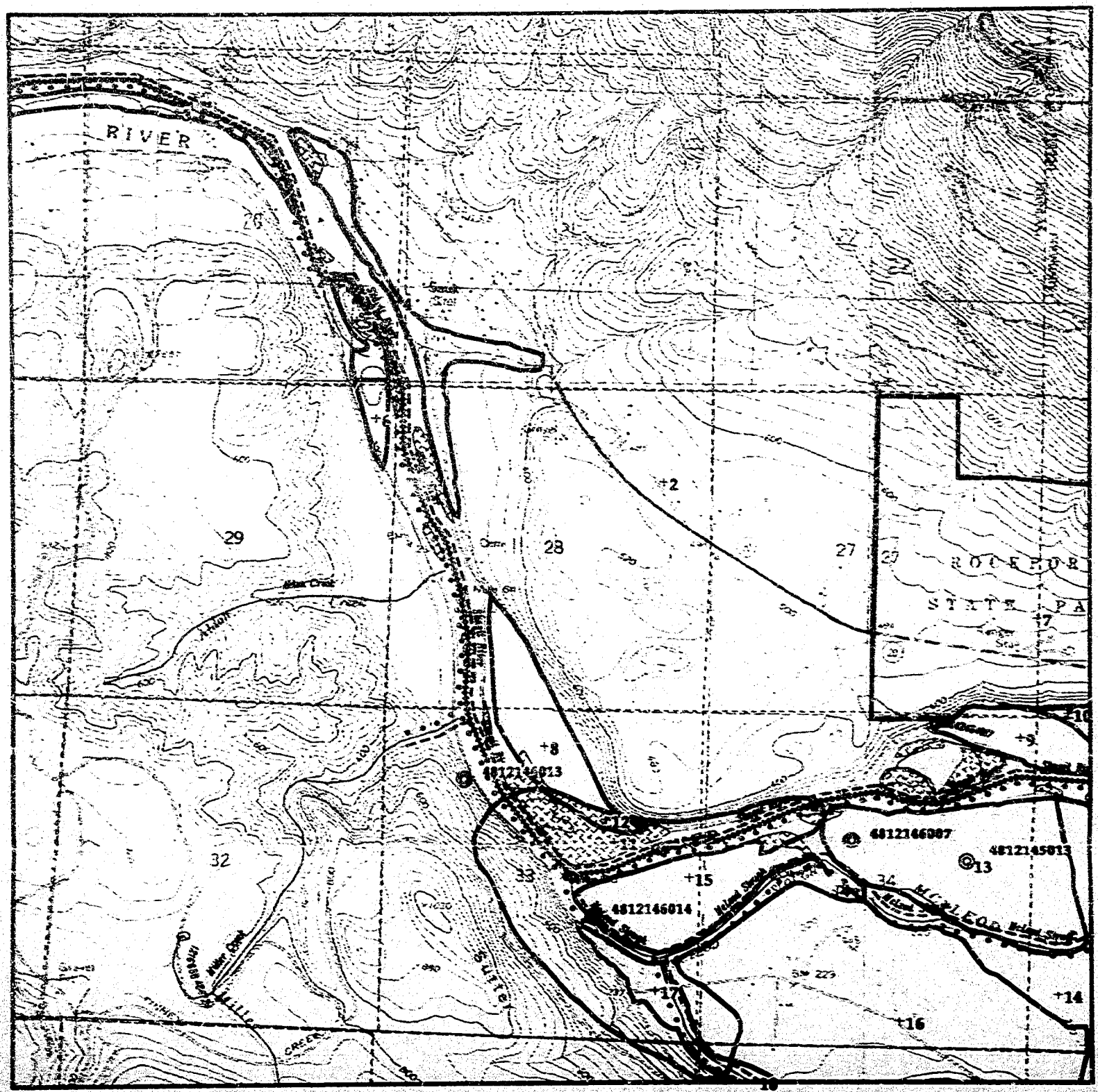
CODE	COMMON NAME	STREAM NAME	STREAM LLID	RECORD DATE	SOURCE
CHFA	Fall Chinook	McLeod Slough	1216446484778	06-17-97	P. Castle, WDFW
CHSP	Spring Chinook	McLeod Slough	1216446484778	06-09-97	P. Castle, WDFW
CHUM	Chum Salmon	McLeod Slough	1216446484778	06-26-97	D. Hendricks, WDFW
COHO	Coho Salmon	McLeod Slough	1216446484778	07-17-97	P. Castle, WDFW
PINK	Pink Salmon	McLeod Slough	1216446484778	06-26-97	D. Hendricks, WDFW
SOCK	Sockeye Salmon	McLeod Slough	1216446484778	06-25-97	D. Hendricks, WDFW
STSU	Summer Steelhead	McLeod Slough	1216446484778	04-15-97	Kurt Krammer, WDFW
STWI	Winter Steelhead	McLeod Slough	1216446484778	04-14-97	Kurt Krammer, WDFW
COHO	Coho Salmon	Miller Creek	1216517484848	07-16-97	P. Castle, WDFW
CHFA	Fall Chinook	Skagit River	1223661483874	06-17-97	P. Castle, WDFW
CHSP	Spring Chinook	Skagit River	1223661483874	06-16-97	P. Castle, WDFW
CHSU	Summer Chinook	Skagit River	1223661483874		
CHUM	Chum Salmon	Skagit River	1223661483874	06-24-97	D. Hendrick, WDFW
COHO	Coho Salmon	Skagit River	1223661483874	07-16-97	P. Castle, WDFW
PINK	Pink Salmon	Skagit River	1223661483874	06-24-97	D. Hendrick, WDFW
SOCK	Sockeye Salmon	Skagit River	1223661483874	06-05-97	D. Hendrick, WDFW
SRCT	Searun Cutthroat	Skagit River	1223661483874	01-01-90	WDFW Staff
STSU	Summer Steelhead	Skagit River	1223661483874	04-15-97	Kurt Krammer, WDFW
STWI	Winter Steelhead	Skagit River	1223661483874	04-14-97	Kurt Krammer, WDFW
COHO	Coho Salmon	Stream name(s) not in database	1216385484741	07-17-97	P. Castle, WDFW

PRIORITY RESIDENT FISH PRESENCE

CODE	COMMON NAME	STREAM NAME	STREAM LLID	RECORD DATE	SOURCE
RBT	Rainbow Trout	Skagit River	1223661483874	11/24/93	WDFW Staff

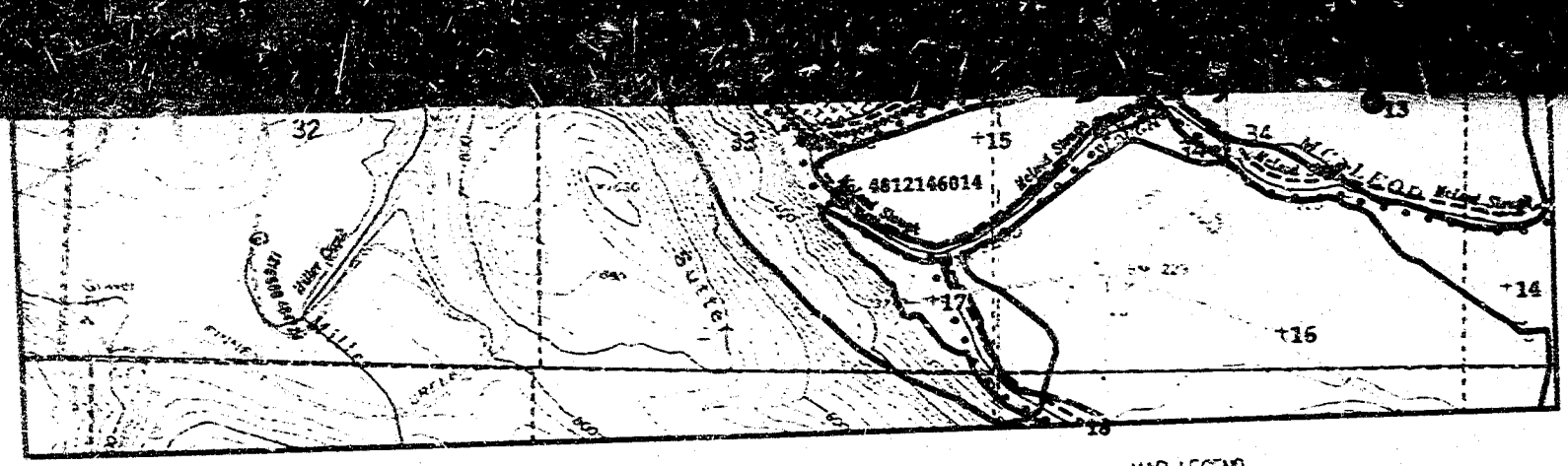
The fish information in this report only includes data that the Washington Department of Fish and Wildlife (WDFW) maintains in a central database. This information only documents the location of important fish resources to the best of our knowledge. It is not a complete inventory of the fish species in the state. Fish are identifed as priority by WDFW if they meet 1 of 3 criterion as listed in the Priority Habitats and Species List.

For questions on the StreamNet Database, please contact Martin Hudson at (360) 902 2487.



DEPARTMENT OF FISH AND WILDLIFE

MAP LEGEND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Miller Creek

UNITED STATES DEPARTMENT OF THE INTERIOR FISH AND WILDLIFE SERVICE

ECOLOGICAL LAND SERVICES, INC.

June 5, 200

ATTN: Gerry A. Jackson, Supervisor
U.S. Dept. of the interior
U.S. Fish and Wildlife Service (SE/HCP)
510 Desmond Dr. SE, Suite. 102
Lacey, WA 98503-1273

RE: Species Request Information for use in WSDOT Mine Reclamation Update for pit M-106 located in Skagit County, Washington.

3DH +

Washington State Department of Transportation is in the process of updating their mining reclamation plans and permits for a site located in Skagit County, Washington within the NW ¼, NE ¼, of Sec. 28, T35N, R9E.

We are requesting information on the presence of any listed and proposed species under ESA priority habitat and species, and rare plants or high quality ecosystems, that may occur within the project area. A map showing the approximate locations of the projects has been included for your use. If you have any questions, please e-mail me at andrea@eco-land.com, or call me at (360) 578-1371.

Sincerely,

Andrea W. Aberle

Andrea W. Aberle
Environmental Technician

Enclosures

1339 Commerce Avenue, Suite 311 • Longview, Washington 98632 • (360) 578-1371 • Fax (360) 414-9305

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Western Washington Office
510 Desmond Drive SE, Suite 102
Lacey, Washington 98503
Phone: (360) 753-9440 Fax: (360) 534-9331

JUL 1 1 2001

Dear Species List Requester:

We are providing the information you requested to assist your determination of possible impacts of a proposed project to species of Federal concern. Attachment A includes the listed threatened and endangered species, species proposed for listing, candidate species, and/or species of concern that may be within the area of your proposed project.

Any Federal agency, currently or in the future, that provides funding, permitting, licensing, or other authorization for this project must assure that its responsibilities section 7(a)(2) of the Endangered Species Act of 1973, as amended (Act), are met. Attachment B outlines the responsibilities of Federal agencies for consulting or conferencing with us (U.S. Fish and Wildlife Service).

If both listed and proposed species occur in the vicinity of a project that meets the requirements of a major Federal action (i.e., "major construction activity"), impacts to both listed and proposed species must be considered in a biological assessment (BA) (section 7(c); see Attachment B). Although the Federal agency is not required, under section 7(c), to address impacts to proposed species if listed species are not known to occur in the project area, it may be in the Federal agency's best interest to address impacts to proposed species. The listing process may be completed within a year, and information gathered on a proposed species could be used to address consultation needs should the species be listed. However, if the proposed action is likely to jeopardize the continued existence of a proposed species, or result in the destruction or adverse modification of proposed critical habitat, a formal conference with us is required by the Act (section 7(a)(4)). The results of the BA will determine if conferencing is required.

The Federal agency is responsible for making a determination of the effects of the project on listed species and/or critical habitat. For a Federal agency determination that a listed species or critical habitat is likely to be affected (adversely or beneficially) by the project, you should request section 7 consultation through this office. For a "not likely to adversely affect" determination, you should request our concurrence through the informal consultation process. For a "no effect" determination, we would appreciate receiving a copy for our information.

Candidate species and species of concern are those species whose conservation status is of concern to us, but for which additional information is needed. Candidate species are included as an advance notice to Federal agencies of species that may be proposed and listed in the future. Conservation measures for candidate species and species of concern are voluntary but recommended. Protection provided to these species now may preclude possible listing in the future.

For other federally listed species that may occur in the vicinity of your project, contact the National Marine Fisheries Service at (360) 753-9530 to request a list of species under their jurisdiction. For wetland permit requirements, contact the Seattle District of the U.S. Army Corps of Engineers for Federal permit requirements and the Washington State Department of Ecology for State permit requirements.

Thank you for your assistance in protecting listed threatened and endangered species and other species of Federal concern. If you have additional questions, please contact Yvonne Dettlaff (360) 753-9582.

Sincerely,

for

Ken S. Berg, Manager
Western Washington Office

Enclosure(s)

ATTACHMENT A **July 6, 2001**

LISTED AND PROPOSED ENDANGERED AND THREATENED SPECIES, CANDIDATE SPECIES AND SPECIES OF CONCERN WHICH MAY OCCUR WITHIN THE VICINITY OF THE PROPOSED MINE RECLAMATION M-106 PROJECT IN SKAGIT COUNTY, WASHINGTON

(T35N R09E S28)

FWS REF: 1-3-01-SP-1780

LISTED

There is one bald eagle (*Haliaeetus leucocephalus*) nesting territory located in the vicinity of the project at T35N R09E S33. Nesting activities occur from January 1 through August 15.

Wintering bald eagles occur in the vicinity of the project. Wintering activities occur from October 31 through March 31.

There is one bald eagle night roost located in the vicinity of the project at T35N R09E S34.

There is one bald eagle winter concentration in the vicinity of the project at T35N R09E S20.

Bull trout (*Salvelinus confluentus*) occur in the vicinity of the project.

Major concerns that should be addressed in your biological assessment of the project impacts to listed species are:

1. Level of use of the project area by listed species.

2. Effect of the project on listed species' primary food stocks, prey species, and foraging areas in all areas influenced by the project.

3. Impacts from project construction (i.e., habitat loss, increased noise levels, increased human activity) which may result in disturbance to listed species and/or their avoidance of the project area.

PROPOSED

None.

CANDIDATE

None.

SPECIES OF CONCERN

The following species of concern may occur in the vicinity of the project:

Long-eared myotis (*Myotis evotis*)
Long-legged myotis (*Myotis volans*)
Olive-sided flycatcher (*Contopus cooperi*)
Pacific lamprey (*Lampetra tridentata*)
River lamprey (*Lampetra ayresi*)
Tailed frog (*Ascaphus truei*)
Western toad (*Bufo boreas*)

ATTACHMENT B

FEDERAL AGENCIES' RESPONSIBILITIES UNDER SECTIONS 7(a) AND 7(c) OF THE ENDANGERED SPECIES ACT OF 1973, AS AMENDED

SECTION 7(a) - Consultation/Conference

Requires:

1. Federal agencies to utilize their authorities to carry out programs to conserve endangered and threatened species;

2. Consultation with FWS when a federal action may affect a listed endangered or threatened species to ensure that any action authorized, funded, or carried out by a federal agency is not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat. The process is initiated by the federal agency after it has determined if its action may affect (adversely or beneficially) a listed species; and

3. Conference with FWS when a federal action is likely to jeopardize the continued existence of a proposed species or result in destruction or an adverse modification of proposed critical habitat.

SECTION 7(c) - Biological Assessment for Construction Projects *

Requires federal agencies or their designees to prepare a Biological Assessment (BA) for construction projects only. The purpose of the BA is to identify any proposed and/or listed species which is/are likely to be affected by a construction project. The process is initiated by a federal agency in requesting a list of proposed and listed threatened and endangered species (list attached). The BA should be completed within 180 days after its initiation (or within such a time period as is mutually agreeable). If the BA is not initiated within 90 days of receipt of the species list, please verify the accuracy of the list with the Service. No irreversible commitment of resources is to be made during the BA process which would result in violation of the requirements under Section 7(a) of the Act. Planning, design, and administrative actions may be taken; however, no construction may begin.

To complete the BA, your agency or its designee should: (1) conduct an onsite inspection of the area to be affected by the proposal, which may include a detailed survey of the area to determine if the species is present and whether suitable habitat exists for either expanding the existing population or potential reintroduction of the species; (2) review literature and scientific data to determine species distribution, habitat needs, and other biological requirements; (3) interview experts including those within the FWS, National Marine Fisheries Service, state conservation department, universities, and others who may have data not yet published in scientific literature; (4) review and analyze the effects of the proposal on the species in terms of individuals and populations, including consideration of cumulative effects of the proposal on the species and its habitat; (5) analyze alternative actions that may provide conservation measures; and (6) prepare a report documenting the results, including a discussion of study methods used, any problems encountered, and other relevant information. Upon completion, the report should be forwarded to our Endangered Species Division, 510 Desmond Drive SE, Suite 102, Lacey, WA 98503-1273.

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* "Construction project" means any major federal action which significantly affects the quality of the human environment (requiring an EIS), designed primarily to result in the building or erection of human-made structures such as dams, buildings, roads, pipelines, channels, and the like. This includes federal action such as permits, grants, licenses, or other forms of federal authorization or approval which may result in construction.

WASHINGTON DEPARTMENT OF NATURAL RESOURCES

WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES
NATURAL HERITAGE ORDER FORM

Instructions:

- Please do not send payment, an invoice will be sent to you.
- Product License Agreement (if required) must be completed and returned before the data is released.
- Response time may vary between one and four weeks. If response time is a concern, please make note of it in the "Special Requests" section of the form. We will try to meet your deadline but cannot guarantee doing so.
- Please provide the information requested below. If you need more information about the ordering process, contact Sandy Swope Moody at (360) 902-1667.

Date of Request: 6/5/01

Organization: Ecological Land Services, Inc.

Contact Person: Andrea Aberle

Address: 1339 Commerce Ave, Suite 311
Longview, WA

Zip: 98632

Phone: (360) 578-1371 Fax: (360) 414-9305

Identify your organization:
[ ] Landowner of the project area
[ ] Government Agency
[ ] Indian Tribe
[X] Private Consultant for WSDOT
[ ] University Researcher
[ ] Other

Use of Data: Update to mine Reclamation plan

Project Description:

Special Requests: label site as "M-106" + 3DH

Standard Products Available (Please check desired products):

[X] **Project Area Report** - Please specify the geographic area covered by your project by providing the legal description and a map. Specify ASCII File (3.5" disks) or paper copy.
NW1/4, NE1/4, SEC. 28, T33N, R9E

[ ] **Rare Plant Species Fact Sheet** - Please specify plant species.

[ ] **Rare Plant Species County List** - Please specify county/counties.

[ ] **Rare Plant Species With Ranks List**

[ ] **WNHP Animal Species With Ranks List***

USGS Quad Overlays - Please specify scale (1:24,000 or 1:100,000), media (paper or mylar) and USGS quad map names.

[ ] **Natural Heritage Spatial Data Set** - Specify: Arc/Info export file version 7.0+ (for workstation Arc/Info users)
[ ] 8 mm Tape - UNIX TAR format
[ ] Anonymous FTP

ArcView Shapefile version 3.0+ (for PC ArcView users)
[ ] Mini Data Cartridge (120 MB)
[ ] 3.5" DOS formatted floppy disks
[ ] Anonymous FTP

WASHINGTON STATE DEPARTMENT OF
Natural Resources

DOUG SUTHERLAND
Commissioner of Public Lands

July 30, 2001

Andrea Aberle
Ecological Land Services Inc
1339 Commerce Ave – Suite 311
Longview WA 98632

SUBJECT: Update to Mine Reclamation Plan – Site M-106 + 3DH
(T35N R09E S28)

We've searched the Natural Heritage Information System for information on rare plants, select rare animal species, and high quality wetland and terrestrial ecosystems in the vicinity of your project. A summary of this information, and corresponding materials, are enclosed. In your planning, please consider protection of these significant natural features. Please contact us for consultation on projects that may have an effect on these rare species or high quality ecosystems.

The information provided by the Washington Natural Heritage Program is based solely on existing information in the database. There may be significant natural features in your study area of which we are not aware. These data are being provided to you for informational and planning purposes only - the Natural Heritage Program has no regulatory authority. This information is for your use only for environmental assessment and is not to be redistributed. Others interested in this information should be directed to contact the Natural Heritage Program.

The Washington Natural Heritage Program is responsible for information on the state's rare plants as well as high quality ecosystems. We have begun to add to our database information on selected groups of animals of conservation concern, such as freshwater mussels, butterflies and bats. However, to ensure that you receive information on all animal species of concern, please contact Priority Habitats and Species, Washington Department of Fish and Wildlife, 600 Capitol Way N, Olympia, WA 98501-1091, or by phone (360) 902-2543.

If you have the opportunity, visit our website at http:// www.wa.gov/dnr and click on *Programs & Topics* to locate the Natural Heritage Program. Please do not hesitate to call me at (360) 902-1667 if you have any questions, or by E-mail: sandra.moody@wadnr.gov.

Sincerely,

Sandy Swope Moody

Sandy Swope Moody, Environmental Coordinator
Washington Natural Heritage Program
PO Box 47014
Olympia WA 98504-7014

Enclosures

WASHINGTON NATURAL HERITAGE INFORMATION SYSTEM
ENDANGERED, THREATENED AND SENSITIVE PLANTS,
SELECT RARE ANIMAL SPECIES,
HIGH QUALITY WETLAND ECOSYSTEMS AND HIGH QUALITY TERRESTRIAL ECOSYSTEMS
IN THE VICINITY OF MINE RECLAMATION SITE M-106
REQUESTED BY ECOLOGICAL LAND SERVICES INC

Data Current as of July 2001

TOWNSHIP, RANGE AND SECTION	ELEMENT NAME	STATE STATUS	FEDERAL STATUS
T35N R09E S26 W2 S27 E2	TSUGA HETEROPHYLLA / POLYSTICHUM MUNITUM FOREST (WESTERN HEMLOCK / SWORDFERN)		

WASHINGTON NATURAL HERITAGE PROGRAM

CRITERIA FOR HIGH-QUALITY WETLAND ECOSYSTEMS

The WNHP does not maintain a comprehensive inventory of all wetlands in the state. The database includes information only on those areas that have been surveyed by the program scientists and found to be relatively undisturbed high-quality wetlands. For wetlands included in the database, the physical characteristics, biota, ecosystem functions, processes and settings are essentially natural. For example, to be included in the WNHP database, a freshwater wetland site must meet these six criteria:

1. A native wetland ecosystem type (element) considered important for preservation within the state.

2. Little or no human-caused changes to wetland topography or soils.

3. No human caused changes to hydrology of the wetland, or the wetland appears to have recovered from any changes.

4. Few or no exotic plant species.

5. Little human-caused disturbance of native vegetation, or vegetation has recovered from past disturbance.

6. No major water quality problems.

Criteria 2-6 are weighted based on the amount of disturbance present in all known examples of a given wetland type. Thus a disturbed wetland may be included in the WNHP Information System if it has one of the highest quality examples remaining of a particular wetland type. On the other hand, an equally disturbed site may not be included in the WNHP Information System if it contains a wetland type which has many other undisturbed examples. A severe degree of disturbance would exclude a site from being entered into the WNHP Information System, even if no better examples of that wetland type exist.

CRITERIA FOR HIGH-QUALITY TERRESTRIAL ECOSYSTEMS

Occurrences of terrestrial ecosystem types are determined by the characteristics of each individual ecosystem type. Ecological quality refers to both the ecological condition and the ecological viability of a particular community.

Condition is determined by relative importance of native versus non-native species, extent and nature of human-caused disturbance, and how well the occurrence represents the ecosystem type definition. Viability is determined by size of the area and landscape setting.

Minimum criteria for an occurrence of a terrestrial ecosystem:

1. Native plants dominate the site: tree layers composed of only native species, at least 80 percent of the shrub and herbaceous layers are composed of native plants. Non-native plants are generally insignificant.

2. Little or insignificant disturbance to vegetation by logging, conversion to agriculture, heavy grazing, residential development, or other recent human extractive activities that alter the ecosystem processes.

3. Large enough for minimal viability and ecological function: at least 100 acres for forests in the montane provinces and at least four average tree heights wide at its narrowest width, at least 20 acres for forest in the Puget Lowlands, and at least 10 acres for native grasslands.

The degree to which these criteria are applied to a site depends on characteristics of the particular ecosystem types present. Some ecosystem types are found almost exclusively as small patches, perhaps in areas smaller than in criterion 3. In this case, meeting criteria 1 and 2 would be sufficient. Large but moderately disturbed ecosystems representative of types that have been altered throughout their range because of various land uses may need only meet criteria 1 and 3.

NATIONAL MARINE FISHERIES SERVICE

Andrea

From: Andrea Aberle [andrea@eco-land.com]
Sent: Wednesday, June 06, 2001 9:16 AM
To: 'Bonnie.Shorin@noaa.gov'
Subject: spp. list request (WSDOT pits)

Hello Bonnie -
I'm told you are our new NMFS contact.

Ecological Land Services, Inc. has been contracted by WSDOT to update the mining reclamation plans and permits for the below pits. Information on listed or proposed species, or designated or proposed critical habitat in the vicinity of the proposed projects are necessary. I am providing the below species list and requesting NMFS concurrence for those species listed under the ESA.

Location of WSDOT Pits:
Pit M-106 (Skagit Co.), NW 1/4, NE 1/4, of Sec. 28, T35N, R9E + 3DH
Pit F-95 (Whatcom Co.), SE 1/4, SE 1/4, of Sec. 35, T41N, R1E
Pit IS-64 (Island Co.), SW 1/4, SE 1/4, SW 1/4, of Sec. 4, T29N, R2E
Pit IS-74 (Island Co.), SE 1/4, NW 1/4, of Sec. 31, T32N, R1E

LISTED SPECIES
Chinook Salmon (O. tshawytscha) Puget Sound ESU (Threatened)

CANDIDATES FOR LISTING
Coho Salmon (O. kisutch) Puget Sound/Straight of Georgia ESU

Thank You-
Andrea Aberle
Ecological Land Services, Inc.
(360)678-1371

Habitat Conservation Division

NOAA Fisheries National Marine Fisheries Service

Northwest Region Species List

Endangered, Threatened, Proposed, and Candidate Species under National Marine Fisheries Service Jurisdiction that Occur in Oregon, Washington, and Idaho

Listed Species

Coho Salmon (*Oncorhynchus kisutch*)

- Southern Oregon/Northern California Coasts Evolutionarily Significant Unit (ESU)
- Oregon Coast ESU

Chinook Salmon (*O. tshawytscha*)

- Snake River Fall-run ESU
- Snake River Spring/Summer-run ESU
- Puget Sound ESU F-95, IS-74, IS-64
- Lower Columbia River ESU
- Upper Willamette River ESU
- Upper Columbia River Spring-run ESU

Chum Salmon (*O. keta*)

- Hood Canal Summer-run ESU
- Columbia River ESU

Sockeye Salmon (*O. nerka*)

- Snake River ESU
- Ozette Lake ESU

Steelhead (*O. mykiss*)[1]

- Upper Columbia River ESU [illegible]
- Snake River Basin ESU [illegible]
- Lower Columbia River ESU [illegible]
- Upper Willamette River ESU [illegible]
- Middle Columbia River ESU [illegible]

Sea-run Cutthroat Trout (*O. clarki clarki*)

- Umpqua River ESU [illegible]

Proposed for Listing

Chinook Salmon

- Southern Oregon/Northern California Coastal ESU [illegible]

Sea-run Cutthroat Trout

- Southwestern Washington/Columbia River ESU [illegible]

Candidates for Listing

Coho Salmon

- Puget Sound/Straight of Georgia ESU F-95, ES-74, ES-64
- Lower Columbia River/Southwest Washington ESU

Steelhead

- Klamath Mountains Province ESU
- Oregon Coast ESU

Sea-run Cutthroat Trout

- Oregon Coast ESU

Andrea

From: John Winton [John.Winton@noaa.gov]
Sent: Friday, June 22, 2001 10:36 AM
To: andrea@eco-land.com
Cc: DeeAnn Kirkpatrick
Subject: Re: [Fwd: spp. list request (WSDOT pits)]

Dear Andrea:

DeeAnn Kirkpatrick has asked that I answer your e-mail request for an updated species list for the four WSDOT pit mines in Skagit, Whatcom, and Island counties. Your list is correct. The present status of salmonids in those areas are:

Threatened - chinook, Puget Sound ESU;
Candidate - coho, Puget Sound/Strait of Georgia ESU.

As a candidate species, coho salmon are not afforded protection under the ESA and need not be addressed in a BA if the project is short-term. However, it may be prudent to address coho in a BA if there is a possibility that the project may be on-going for some period of time (perhaps a year or longer) during which the candidate species could be reclassified as threatened. In addition, these pits would have no affect on endangered marine mammals under NMFS jurisdiction.

If you have any questions don't hesitate to give me a call at 206-526-6121.

Sincerely yours:
John Winton
Fisheries Biologist

> ---
>
> Subject: RE: spp. list request (WSDOT pits)
> Date: Fri, 15 Jun 2001 15:16:43 -0700
> From: "Andrea Aberle" <andrea@eco-land.com>
> To: "'DeeAnn Kirkpatrick'" <Deeann.Kirkpatrick@noaa.gov>
>
> >
> > Andrea Aberle wrote:
> >
> > > Hello DeeAnn~
> > > I'm told you are our new NW WA NMFS contact.
> > >
> > > Ecological Land Services, Inc. has been contracted by WSDOT to update
> the
> > > mining reclamation plans and permits for the below pits. Information on
> > > listed or proposed species, or designated or proposed critical habitat
> in
> > > the vicinity of the proposed projects are necessary. I am providing the
> > > below species list and requesting NMFS concurrence for those species
> > listed under the ESA.
> >
> > >
> > >
> > > Location of WSDOT Pits - nearest/adjacent waterbody:
> > > Pit M-103 (Skagit Co.), NW 1/4, NE 1/4, of Sec. 28, T35N, R9E - Skagit + 3DH
> River
> > > Pit F-05 (Whatcom Co.), SE 1/4, SE 1/4, of Sec. 35, T41N, R1E - Strait
> of Georgia

> > > Pit IS-64 (Island Co.), SW 1/4, SE 1/4, SW 1/4, of Sec. 4, T29N, R2E -
> Puget Sound
> > > Pit IS-74 (Island Co.), SE 1/4, NW 1/4, of Sec. 31, T32N, R1E - Puget
> Sound
> > >
> > > LISTED SPECIES
> > > Chinook Salmon (O. tshawytscha) Puget Sound ESU (Threatened)
> > >
> > > CANDIDATES FOR LISTING
> > > Coho Salmon (O. kisutch) Puget Sound/Straight of Georgia ESU
> > >
> > > Thank You-
> > > Andrea Alcorta
> > > Ecological Land Services, Inc.
> > > (360)678-1371



APPENDIX A

Sauk Landfill Monitoring Well Logs

HONG WEST & ASSOCIATES

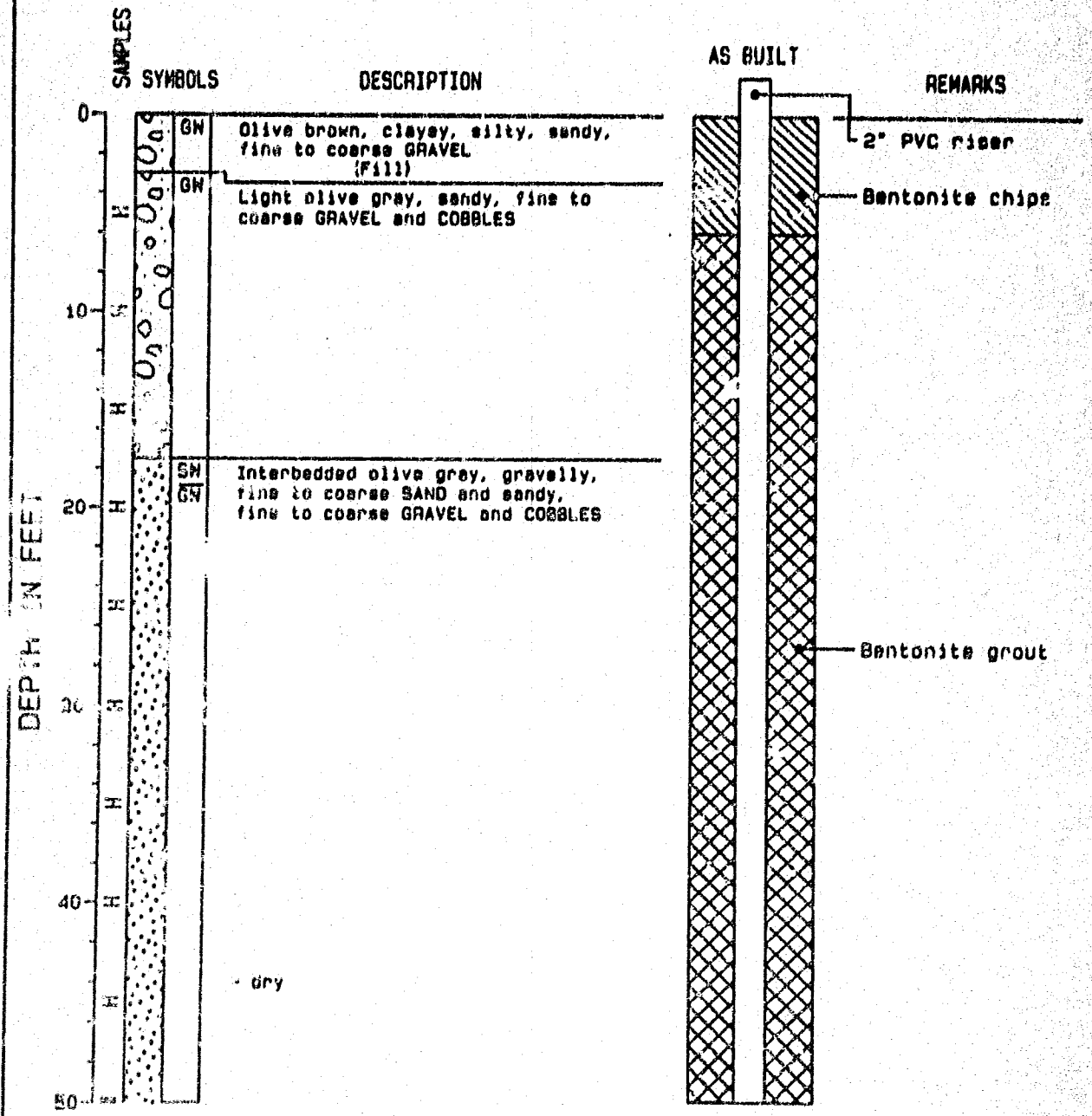
P.O. BOX 598, LYNNWOOD, WASHINGTON 98046, (206) 743-4774

WELL LOG

LOGGED BY: PAUL WHITE

DRILLING COMPANY: Hayes Drilling & Pump
DRILLING METHOD: Air Rotary - Tricone
SAMPLING METHOD: GRAB SAMPLE FROM AIR DISCHARGE TUBE

TOTAL DEPTH: 182 FEET
DATE STARTED: 10/11/89
DATE FINISHED: 10/16/89

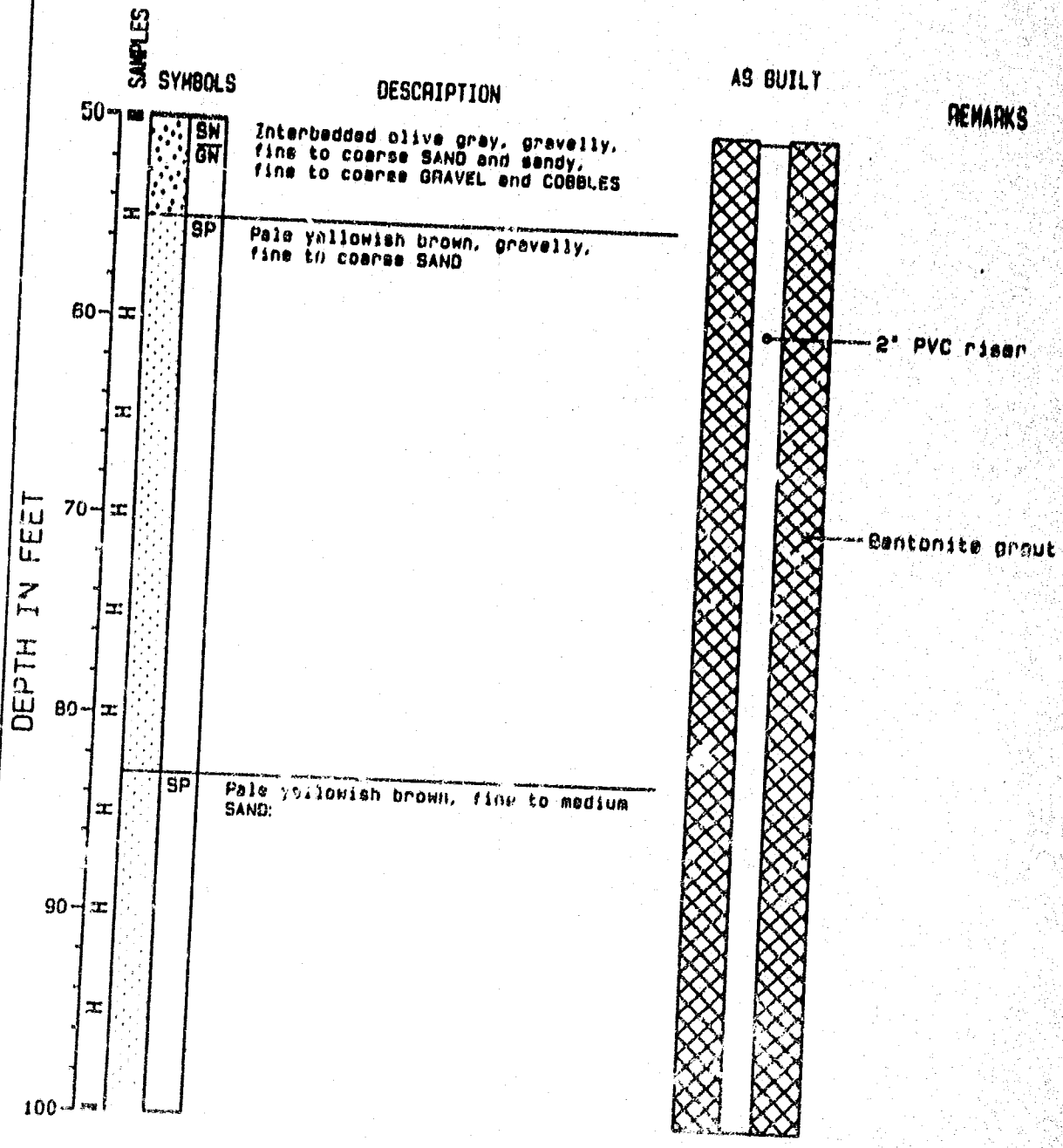


PROJECT: SAUK LANDFILL
LOCATION: SKAGIT COUNTY, WASHINGTON
SURFACE ELEVATION: 522.38 ft

WELL MW-1

PROJECT NUMBER: 8938

HONG WEST & ASSOCIATES
WELL LOG

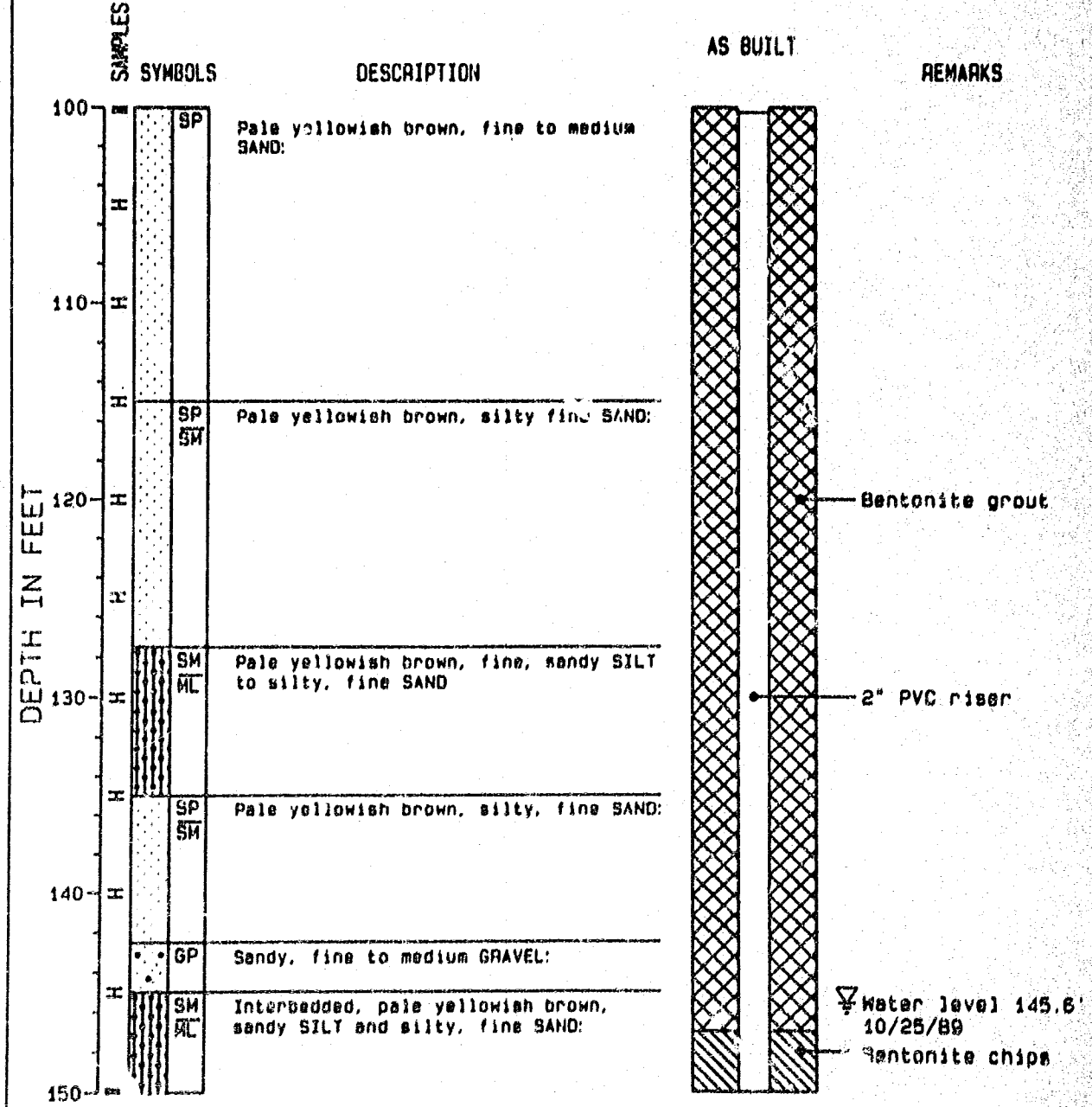


PROJECT: SAUK LANDFILL
LOCATION: SKAGIT COUNTY, WASHINGTON
SURFACE ELEVATION: 522.38 ft

WELL MW-1

PROJECT NUMBER: 8038

HONG WEST & ASSOCIATES
WELL LOG

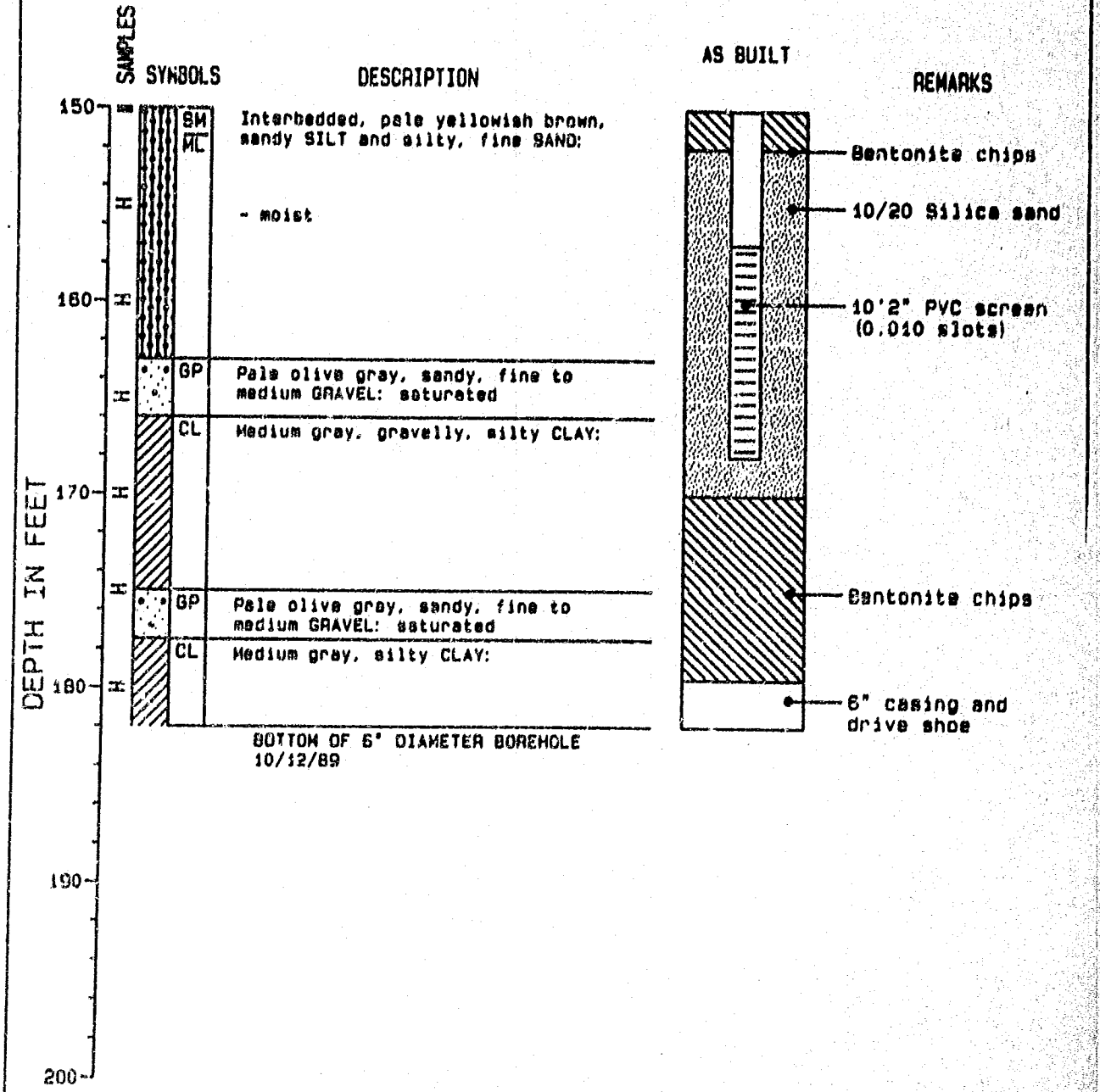


PROJECT: SAUK LANDFILL
LOCATION: SKAGIT COUNTY, WASHINGTON
SURFACE ELEVATION: 522.38 ft.

WELL MW-1

PROJECT NUMBER: 8938

HONG WEST & ASSOCIATES
WELL LOG



PROJECT: SAUK LANDFILL
LOCATION: SKAGIT COUNTY, WASHINGTON

WELL MW-1

PROJECT NUMBER: 8938

HONG WEST & ASSOCIATES

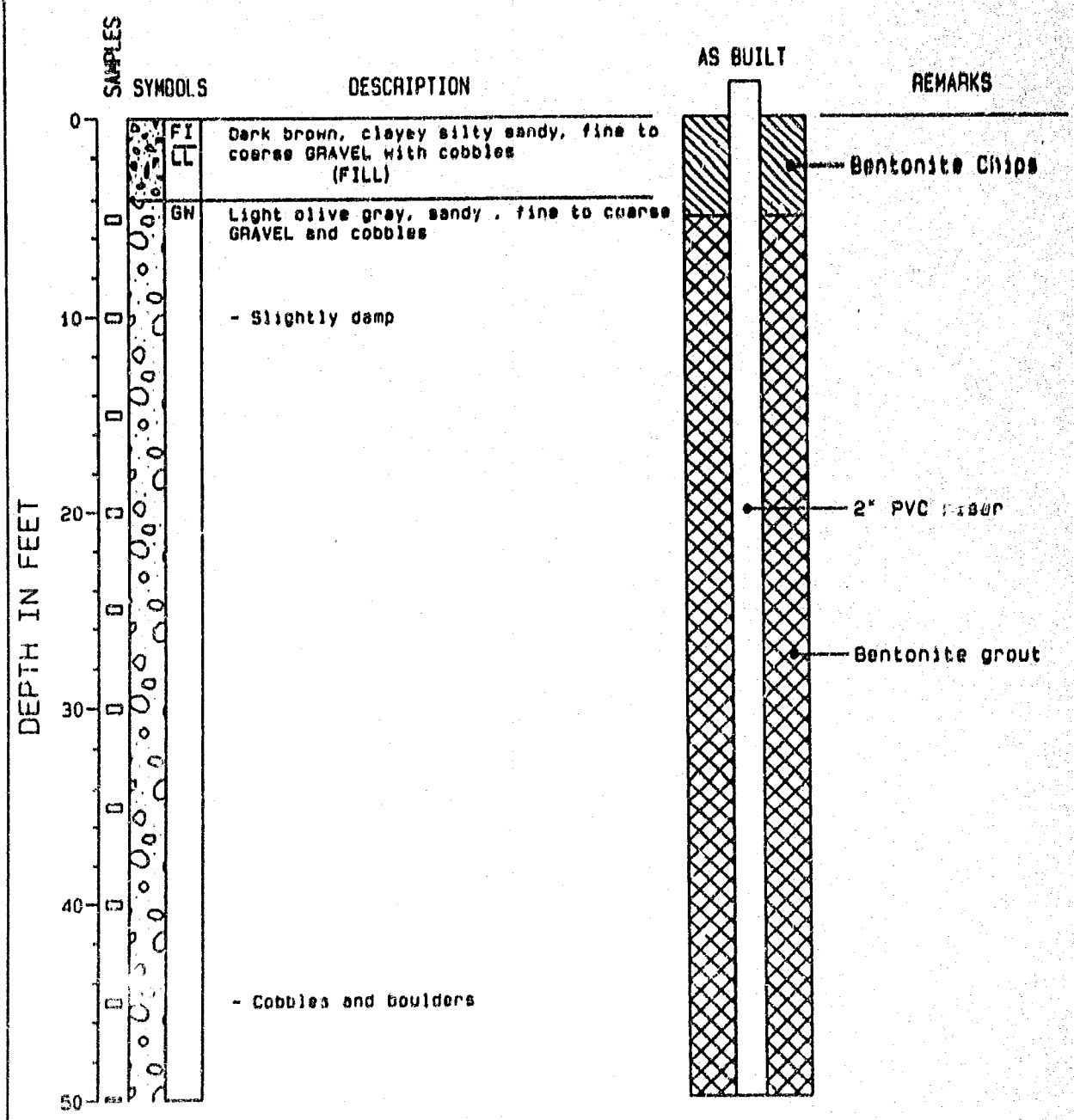
P.O. BOX 598, LYNNWOOD, WASHINGTON 98046, (206) 743-4774

WELL LOG

LOGGED BY: Paul White

DRILLING COMPANY: Hayes Drilling & Pump
DRILLING METHOD: Air Rotary - Tricone
SAMPLING METHOD: Grab Sample From Air Discharge Tube

TOTAL DEPTH: 182 FEET
DATE STARTED: 10/17/89
DATE FINISHED: 10/18/89

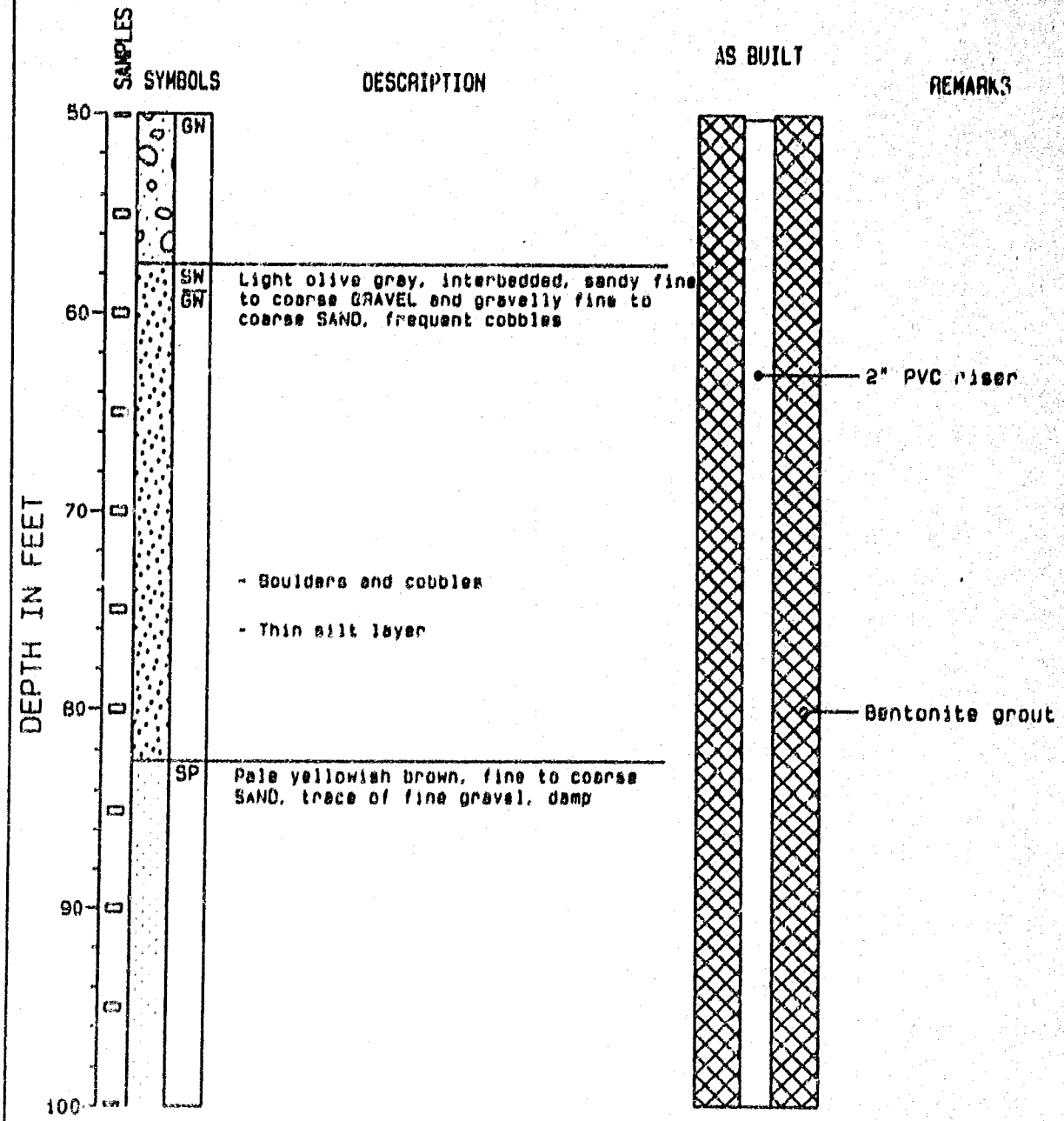


PROJECT: Sauk Landfill
LOCATION: Skagit County, Washington
SURFACE ELEVATION: 524.22 ft.
TOP OF WELL CASING: 526.07 ft.

WELL MW-2

PROJECT NUMBER: 8938

HONG WEST & ASSOCIATES
WELL LOG

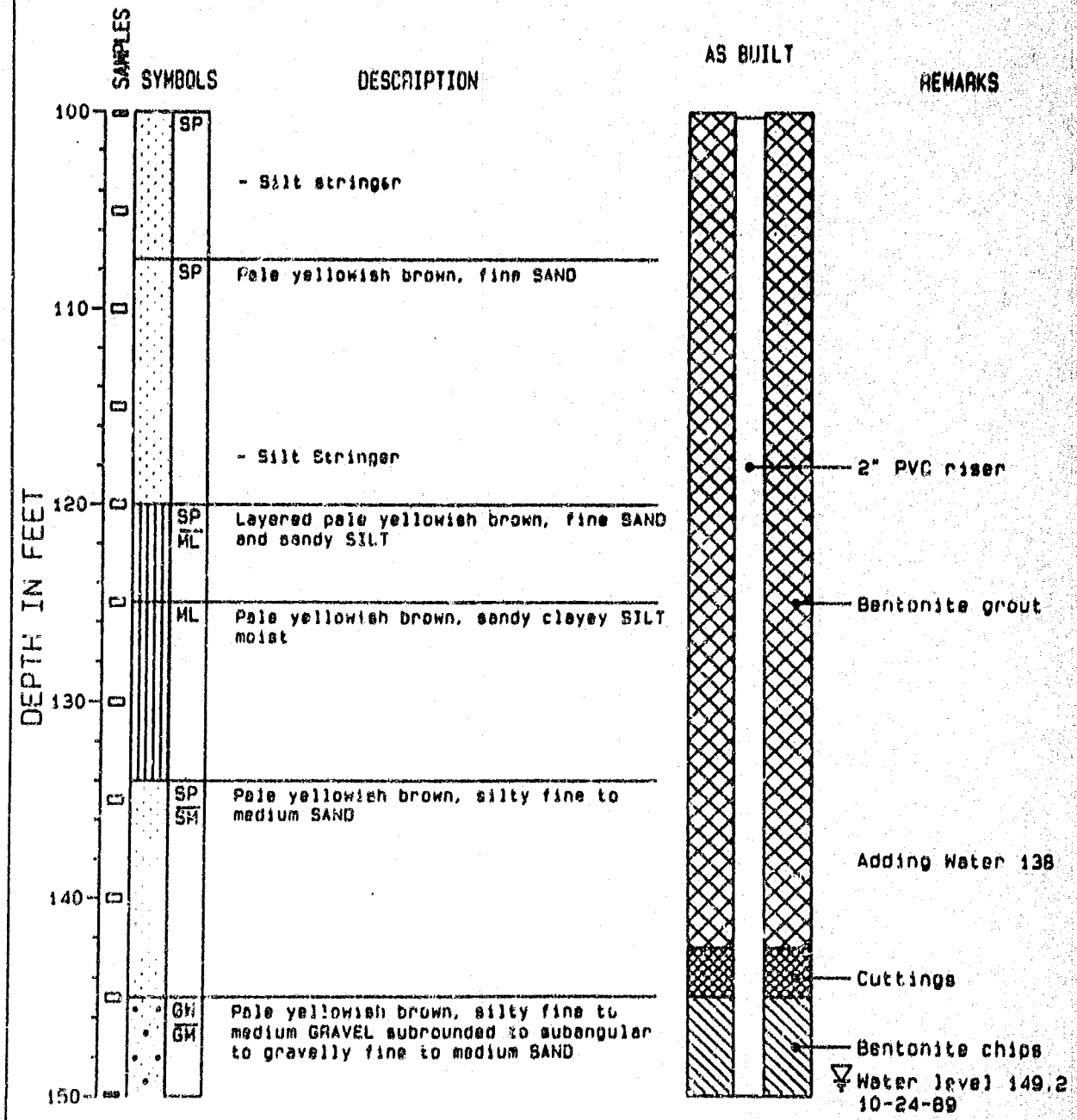


PROJECT: Sauk Landfill
LOCATION: Skagit County, Washington
SURFACE ELEVATION: 524.22 ft.
TOP OF WELL CASING: 526.07 ft.

WELL MW-2

PROJECT NUMBER: 8938

HONG WEST & ASSOCIATES
WELL LOG

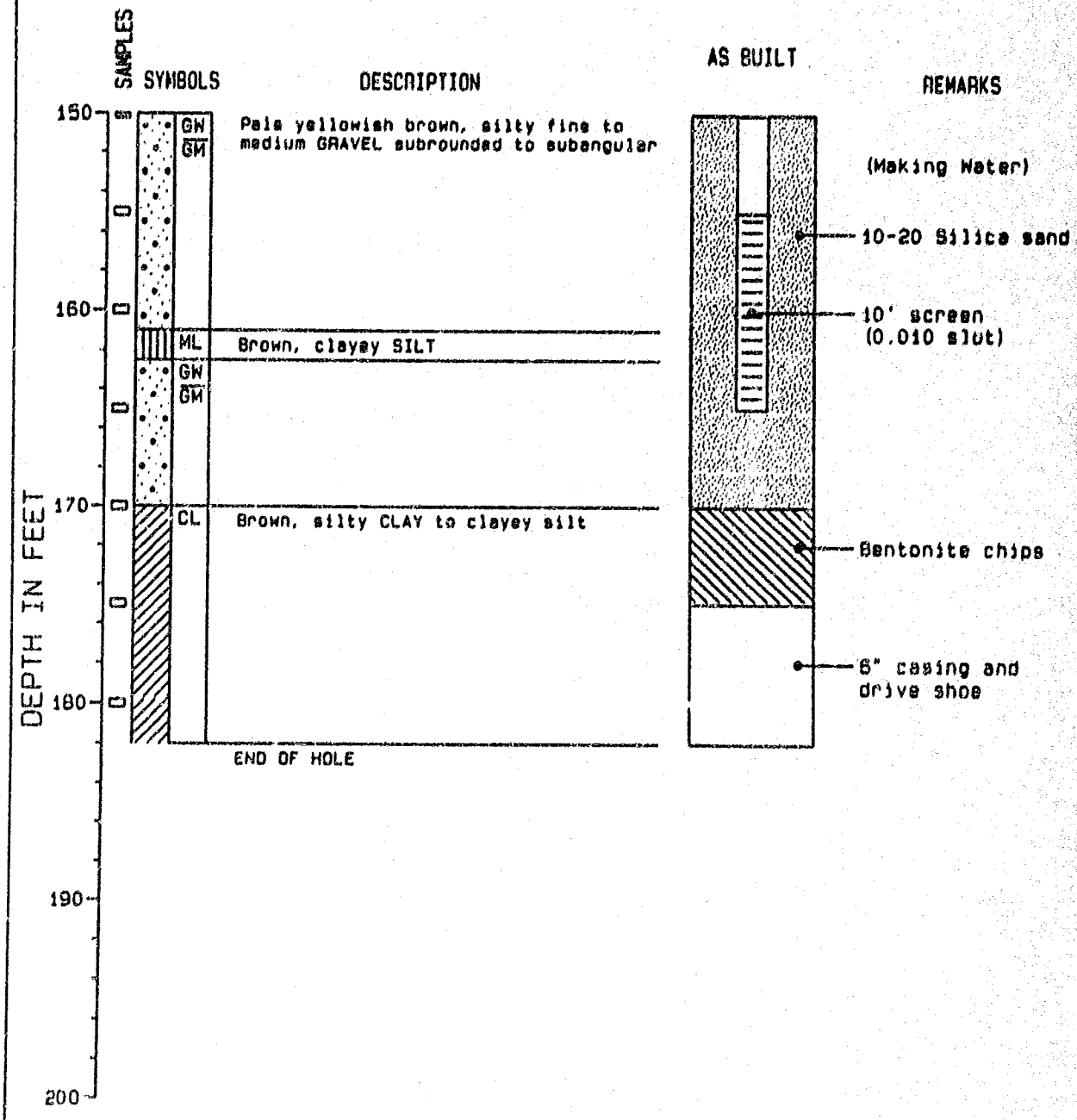


PROJECT: Sauk Landfill
LOCATION: Skagit County, Washington
SURFACE ELEVATION: 524.22 ft.
TOP OF WELL CASING: 526.07 ft.

WELL MW-2

PROJECT NUMBER: 8930

HONG WEST & ASSOCIATES
WELL LOG



PROJECT: Sauk Landfill
LOCATION: Skagit County, Washington
SURFACE ELEVATION: 524.22 ft.
TOP OF WELL CASING: 526.07 ft.

WELL MW-2

PROJECT NUMBER: 8938

HONG WEST & ASSOCIATES

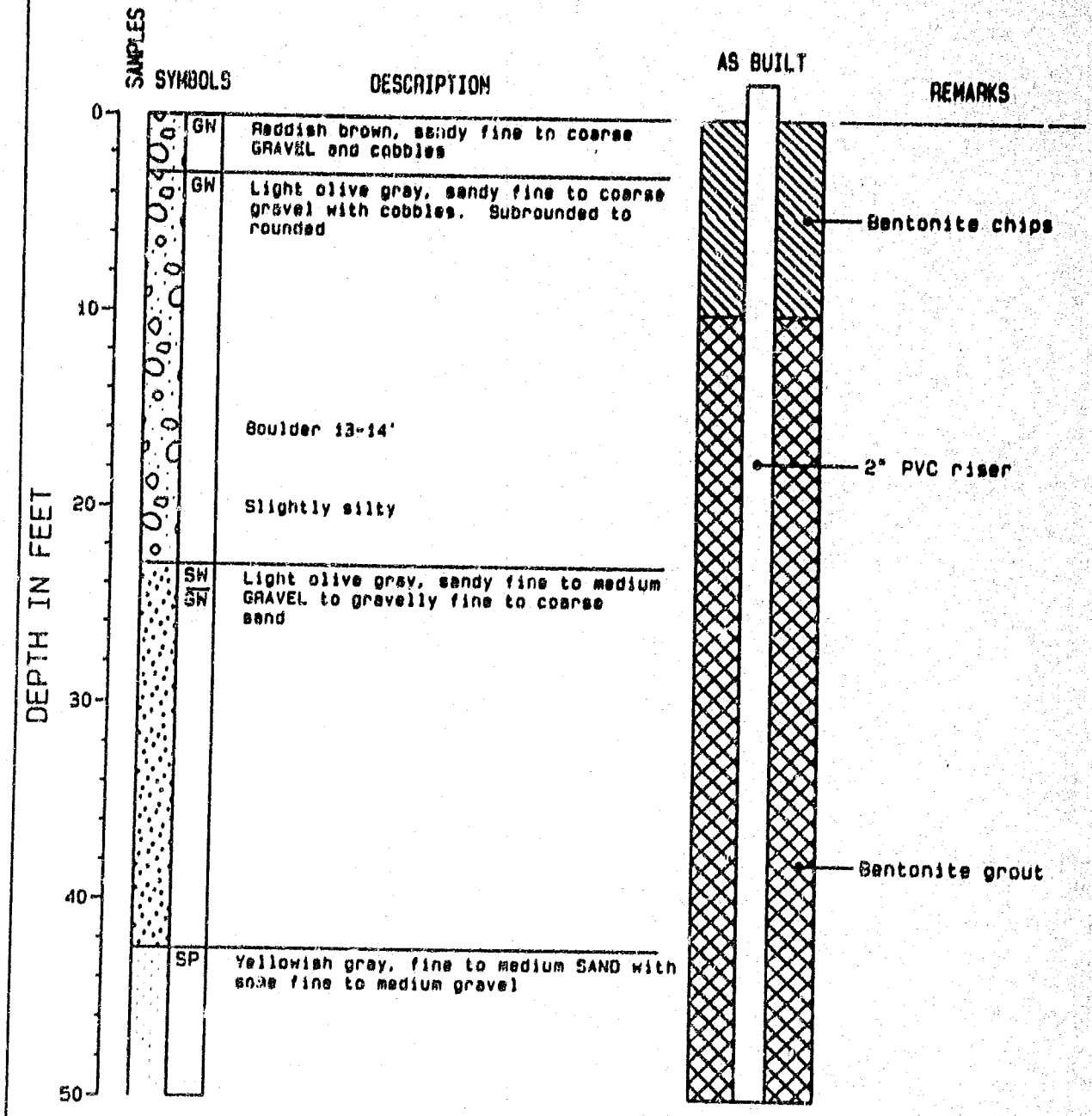
P.O. BOX 598, LYNNWOOD, WASHINGTON 98046, (206) 743-4774

WELL LOG

LOGGED BY: Paul White

DRILLING COMPANY: Hayes Drilling & Pump
DRILLING METHOD: Air Rotary - Tricone
SAMPLING METHOD: Grab Sample From Air Discharge Tube

TOTAL DEPTH: 198 FEET
DATE STARTED: 10/19/89
DATE FINISHED: 10/20/89

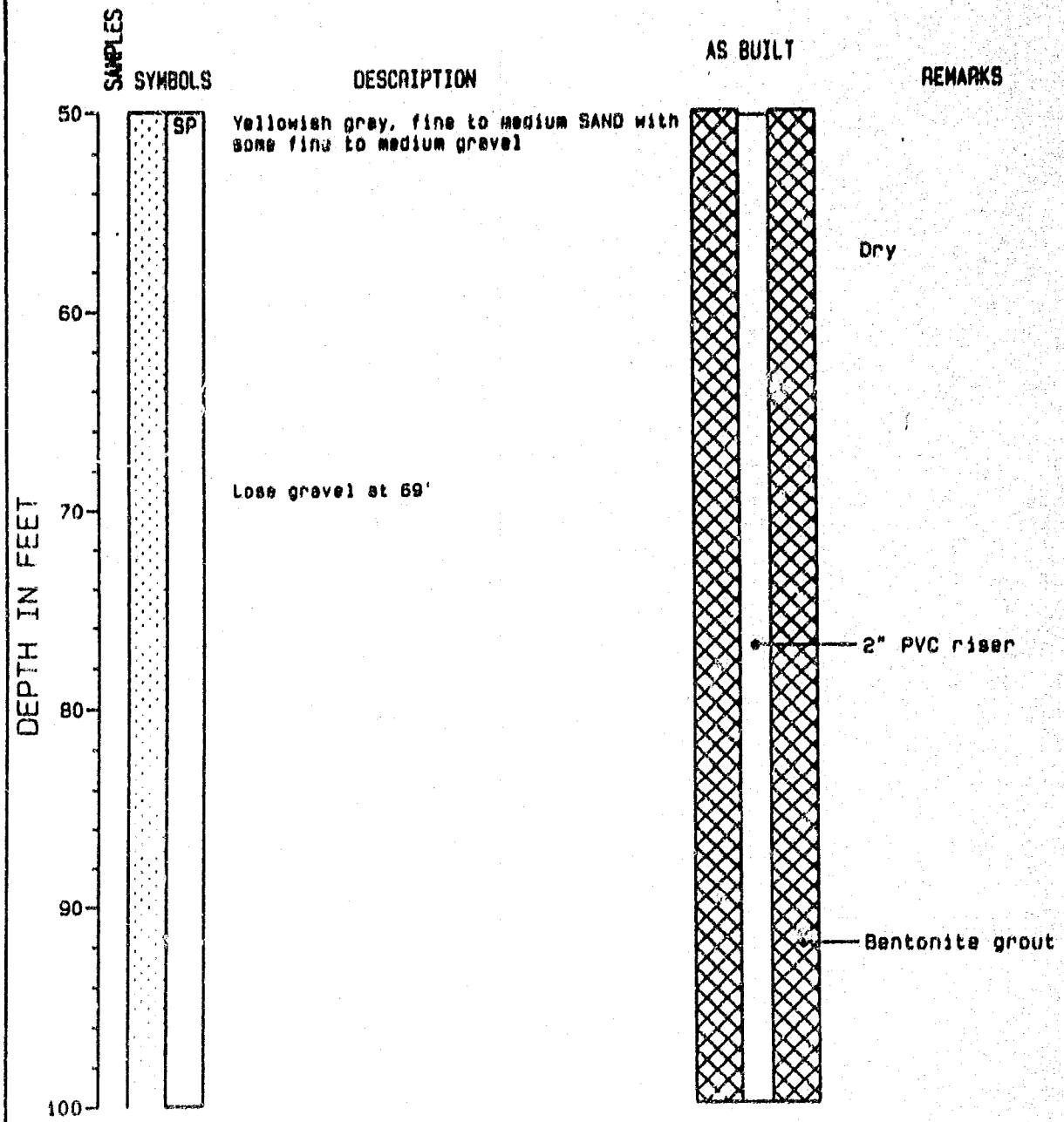


PROJECT: Sauk Landfill
LOCATION: Skagit County, WA
SURFACE ELEVATION: 551.80 ft.
TOP OF WELL CASING: 553.65 ft.

WELL MW-3

PROJECT NUMBER: 8938

HONG WEST & ASSOCIATES
WELL LOG

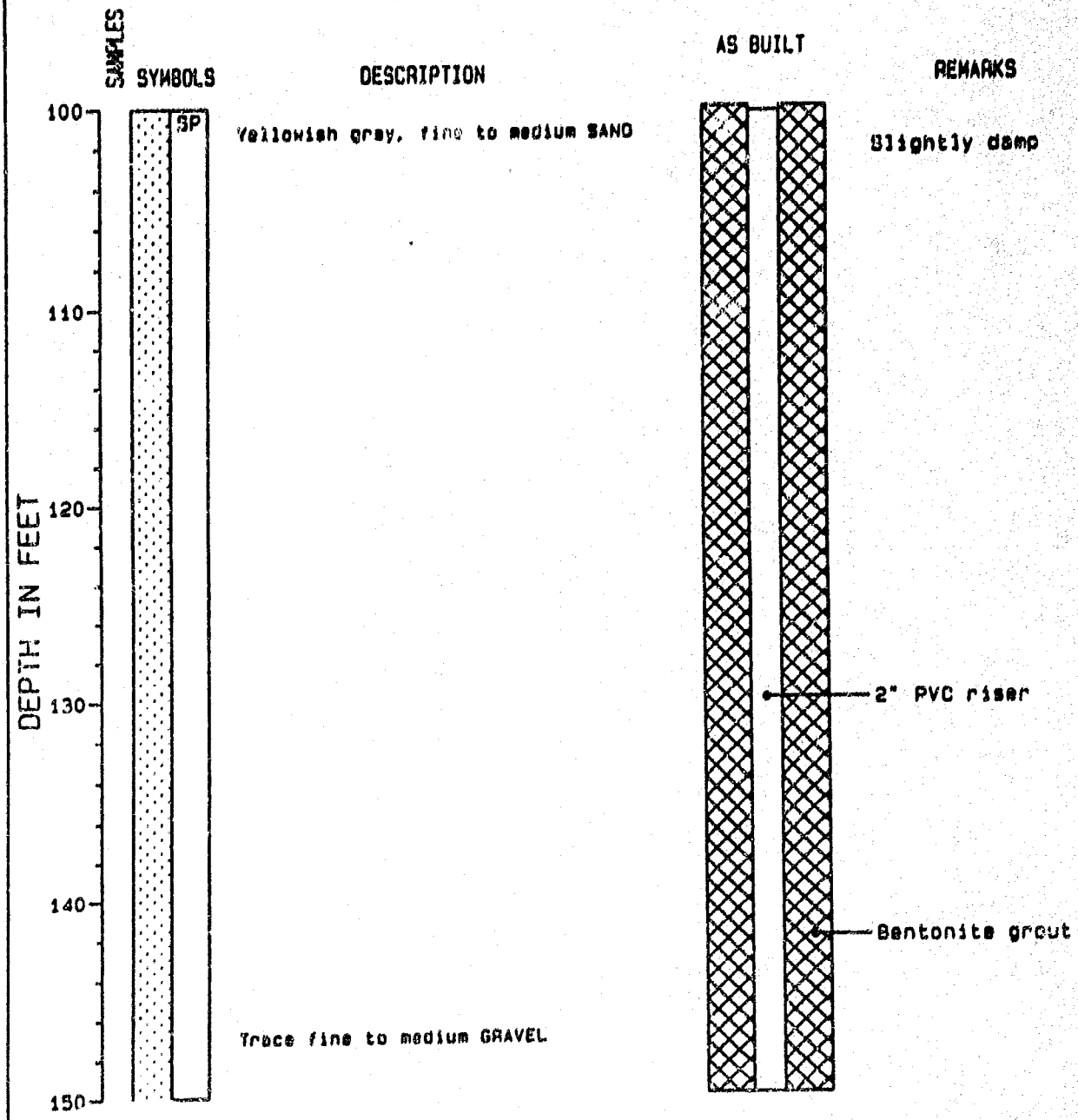


PROJECT: Sauk Landfill
LOCATION: Skagit County, WA
SURFACE ELEVATION: 551.80 ft.
TOP OF WELL CASING: 553.65 ft.

WELL MW-3

PROJECT NUMBER: 6938

HONG WEST & ASSOCIATES
WELL LOG

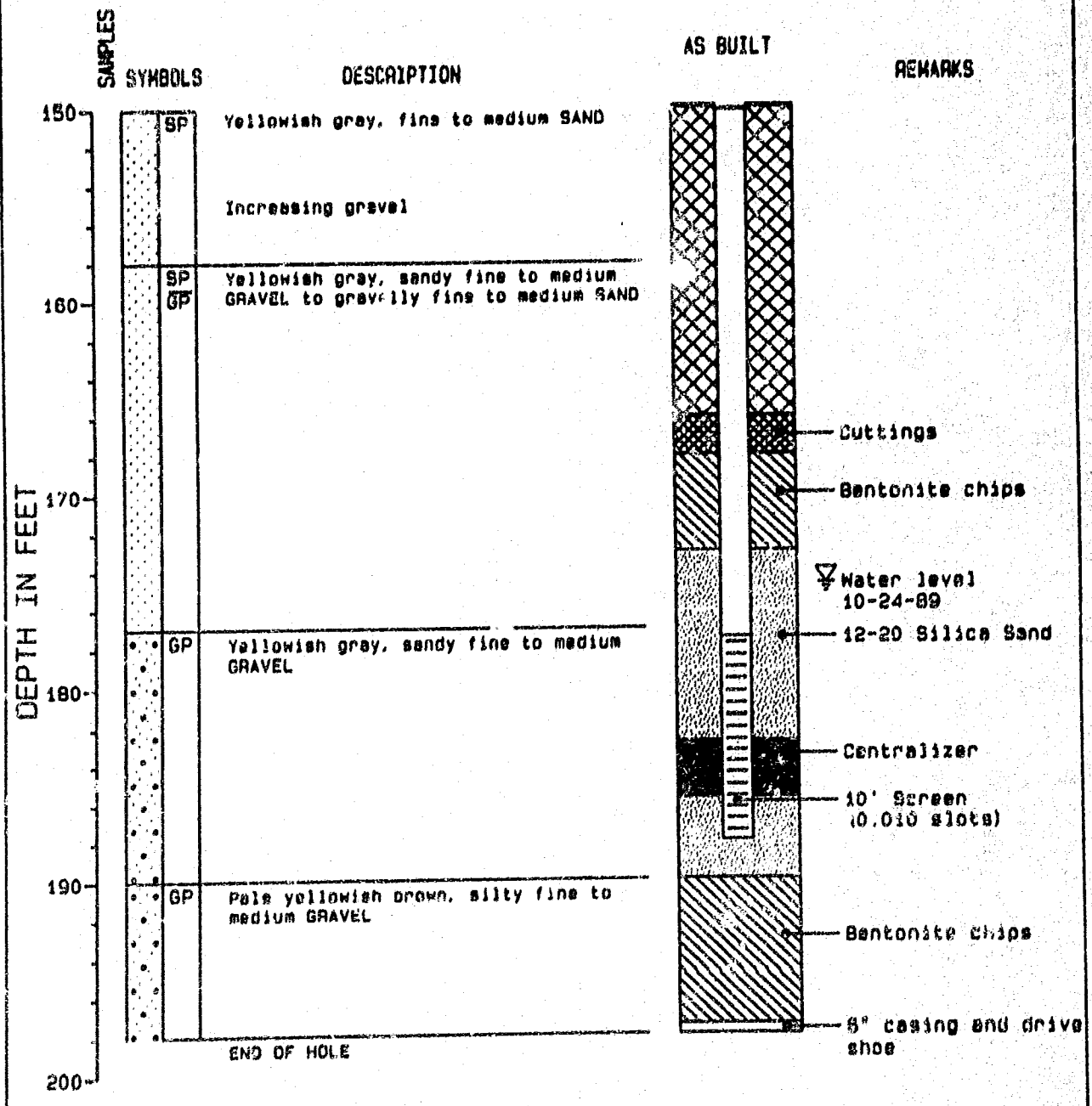


PROJECT: Sauk Landfill
LOCATION: Skagit County, WA
SURFACE ELEVATION: 551.80 ft.
TOP OF WELL CASING: 553.65 ft.

WELL MW-3

PROJECT NUMBER: 8938

HONG WEST & ASSOCIATES
WELL LOG



PROJECT: Sauk Landfill
LOCATION: Skagit County, WA
SURFACE ELEVATION: 551.60 ft.
TOP OF WELL CASING: 553.65 ft.

WELL MW-3

PROJECT NUMBER: 6038

HONG WEST & ASSOCIATES

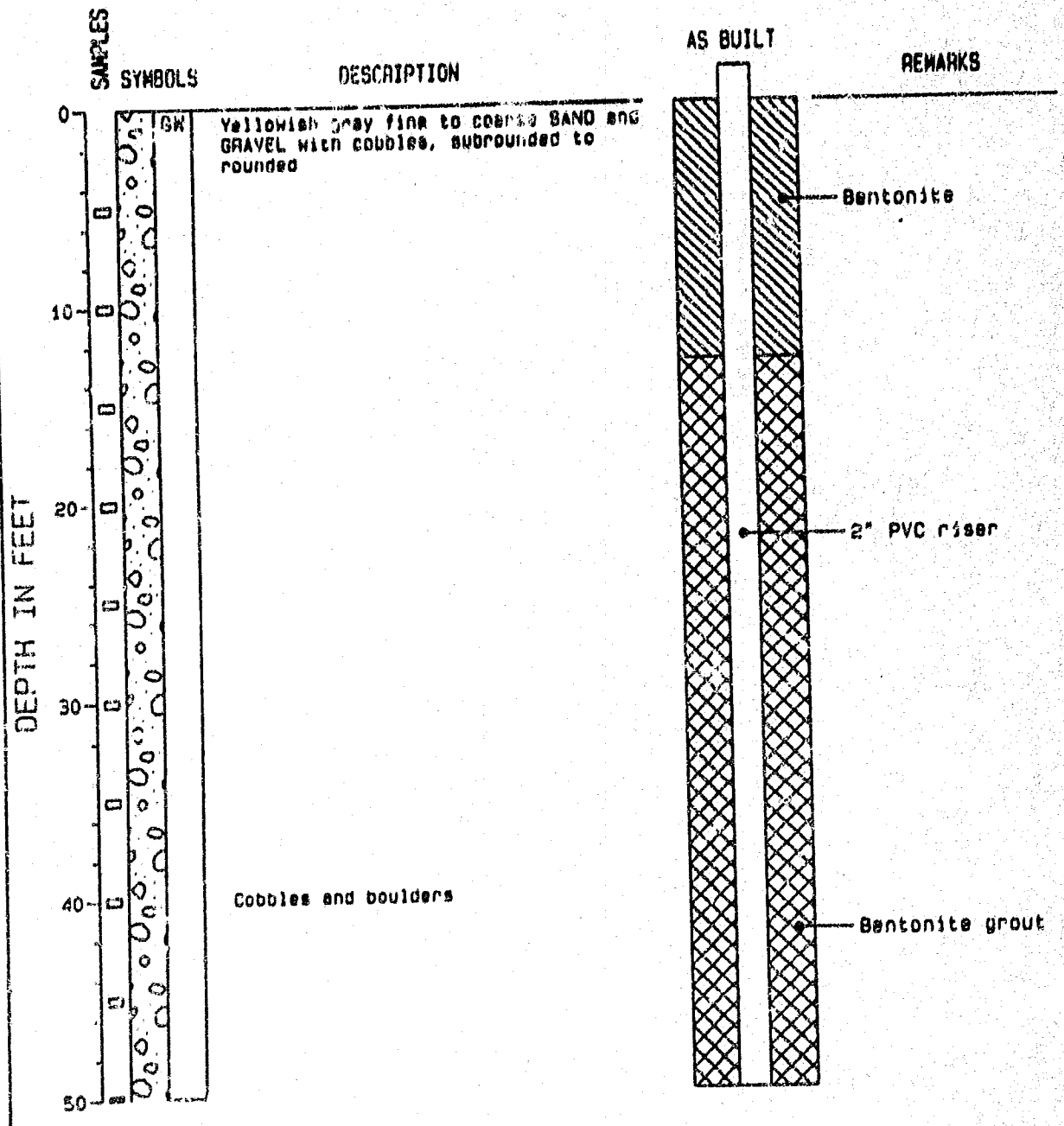
P.O. BOX 598, LYNNWOOD, WASHINGTON 98046, (206) 743-4774

WELL LOG

LOGGED BY: PAUL WHITE

DRILLING COMPANY: Hayes Drilling and Pump
DRILLING METHOD: Air Rotary - Tricone
SAMPLING METHOD: GRAB SAMPLE FROM AIR DISCHARGE TUBE

TOTAL DEPTH: 178 FEET
DATE STARTED: 10-23-89
DATE FINISHED: 10-24-89

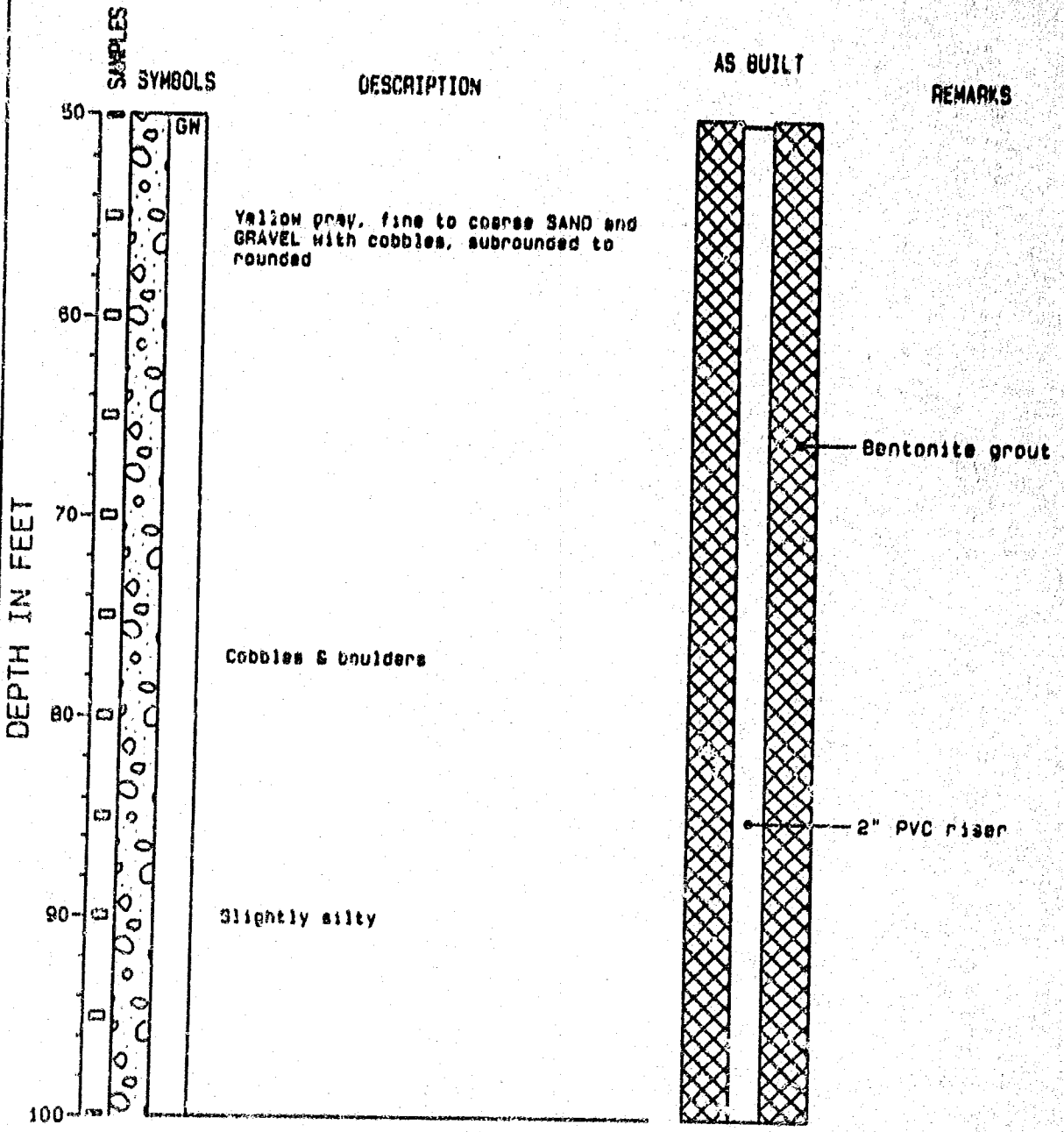


PROJECT: SAUK LANDFILL
LOCATION: SKAGIT COUNTY, WA
SURFACE ELEVATION: 528.14 ft.
TOP OF WELL CASING: 530.04 ft.

WELL MW-4

PROJECT NUMBER: 0938

HONG WEST & ASSOCIATES
WELL LOG

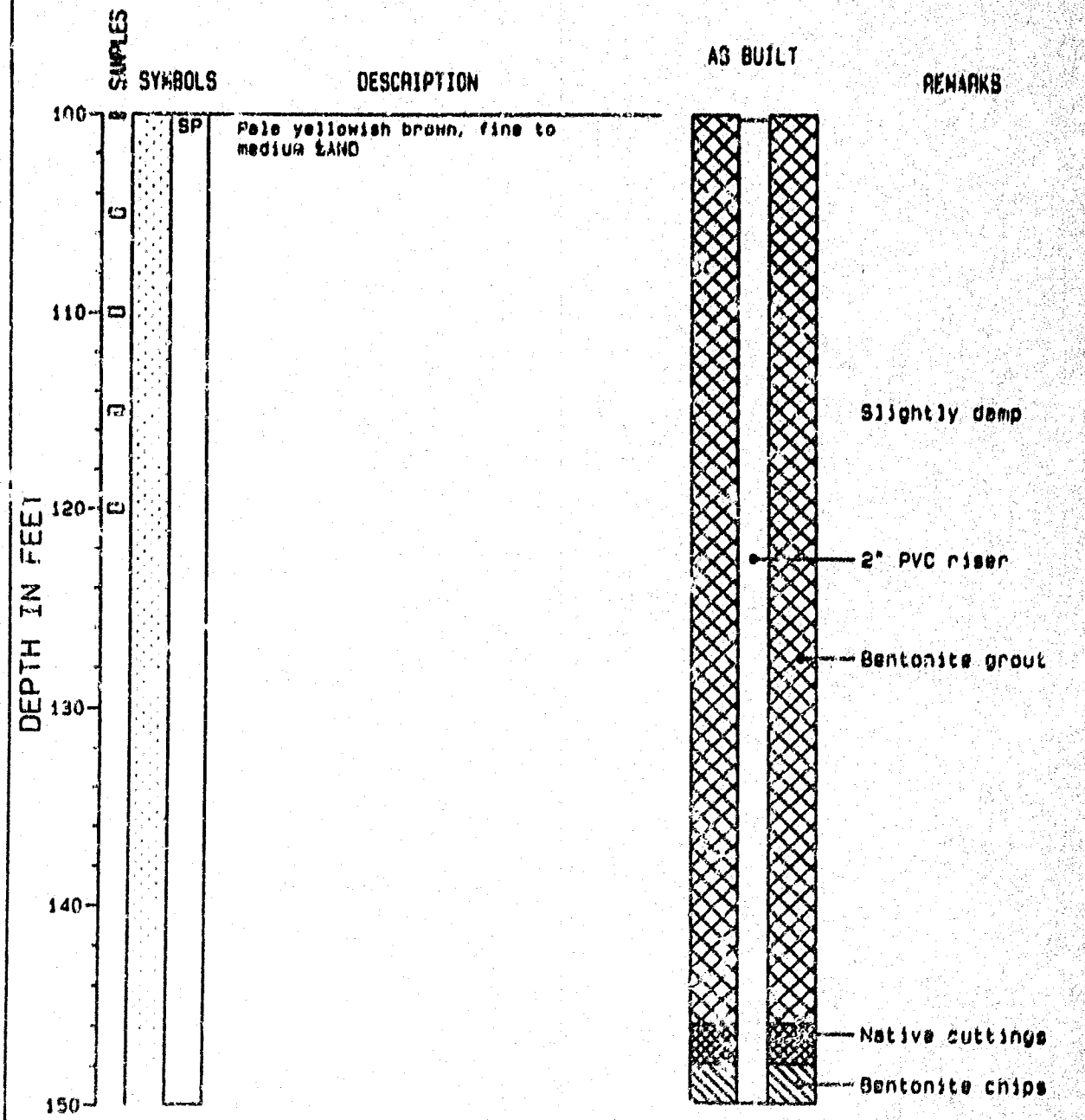


PROJECT: SAUK LANDFILL
LOCATION: SKAGIT COUNTY, WA
SURFACE ELEVATION: 528.14 ft.
TOP OF WELL CASING: 530.04 ft.

WELL MW-4

PROJECT NUMBER: 6038

HONG WEST & ASSOCIATES
WELL LOG

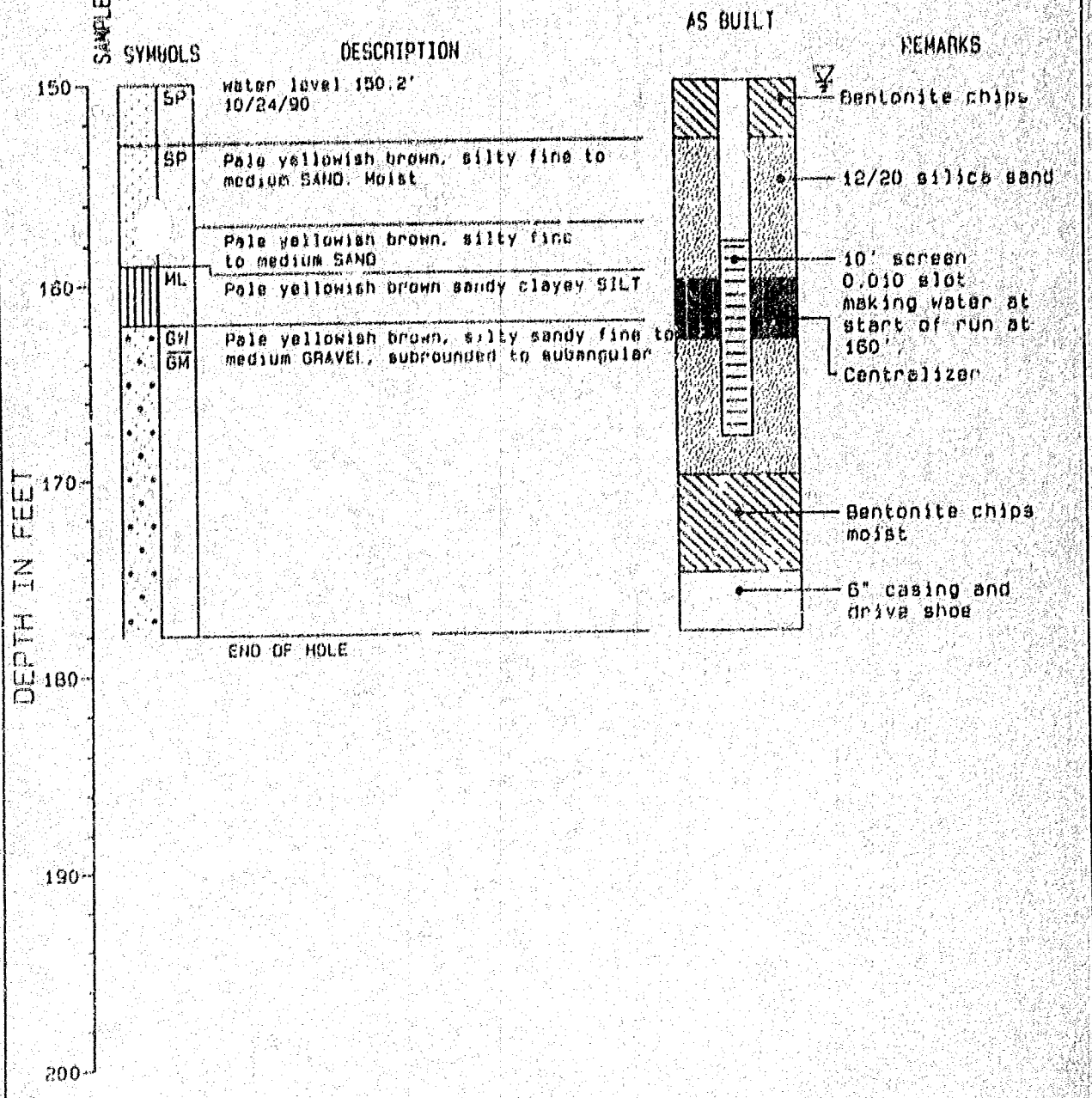


PROJECT: SAUK LANDFILL
LOCATION: SKAGIT COUNTY, WA
SURFACE ELEVATION: 526.14 ft.
TOP OF WELL CASING: 530.04 ft.

WELL MW-4

PROJECT NUMBER: 6938

HONG WEST & ASSOCIATES
WELL LOG



PROJECT: SAUK LANDFILL
LOCATION: SKAGIT COUNTY, WA
SURFACE ELEVATION: 528.14 ft.
TOP OF WELL CASING: 530.04 ft.

WELL MW-4

PROJECT NUMBER: 2930

PAGE: 4 OF 4

B

APPENDIX B –
DOE Waste Supply W.L. Reports

1085 2006 0000 2813

APPENDIX B

DOE Water Supply Well Logs

35/1-21C

The Original and First Copy with Department of Ecology
Second Copy — Owner's Copy
Third Copy — Driller's Copy

WATER WELL REPORT
STATE OF WASHINGTO

Application No. .....
Permit No. .....

(1) OWNER: Name Doan Mallory Address 944 Adams Dr., Concrete Wa. 98237

(2) LOCATION OF WELL: County Skagit SW¼ NW¼ Sec. 21 T. 35N. R. 9 W.M.

Bearing and distance from section or subdivision corner V-SW4-NW4 ARA TR 7 SIT PLT 12-75 AF#3278852

(3) PROPOSED USE: Domestic ☑ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☐

(4) TYPE OF WORK: Owner's number of well (if more than one) .....
New well ☑ Method: Dug ☐ Bored ☐
Deepened ☐ Cable ☐ Driven ☐
Reconditioned ☐ Rotary ☑ Jetted ☐

(5) DIMENSIONS: Diameter of well 6 inches.
Drilled 214 ft. Depth of completed well 214 ft.

(6) CONSTRUCTION DETAILS:
Casing installed: 6 " Diam. from 0 ft. to 214 ft.
Threaded ☐ ..... " Diam. from ..... ft. to ..... ft.
Welded ☐ ..... " Diam. from ..... ft. to ..... ft.

Perforations: Yes ☐ No ☑
Type of perforator used .....
SIZE of perforations ..... in. by ..... in.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.

Screens: Yes ☐ No ☑
Manufacturer's Name .....
Type ..... Model No. .....
Diam ..... Slot size ..... from ..... ft. to ..... ft.
Diam ..... Slot size ..... from ..... ft. to ..... ft.

Gravel packed: Yes ☐ No ☑ Size of gravel: .....
Gravel placed from ..... ft. to ..... ft.

Surface seal: Yes ☑ No ☐ To what depth? 18 ft.
Material used in seal Bentonite
Did any strata contain unusable water? Yes ☐ No ☑
Type of water? ..... Depth of strata .....
Method of sealing strata off .....

(7) PUMP: Manufacturer's Name Jacuzzi
Type: Submersible H.P. 3/4

(8) WATER LEVELS: Land-surface elevation above mean sea level ..... ft.
Static level 150 ft. below top of well Date 9-7-83
Artesian pressure ..... lbs. per square inch Date .....
Artesian water is controlled by ..... (Cap, valve, etc.)

(9) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes ☑ No ☐ If yes, by whom? .....
Yield: ..... gal./min. with ..... ft. drawdown after ..... hrs.
" " " "
" " " "

Recovery data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level	Time	Water Level

Date of test .....
Bailer test 45 gal./min. with 6 ft. drawdown after ..... hrs.
Artesian flow ..... g.p.m. Date 9-8-83
Temperature of water ..... Was a chemical analysis made? Yes ☐ No ☑

(10) WELL LOG:
Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Brown Clay - Gravel	0	150
Gravel	150	164
Blue Clay Gravel	164	180
Blue Clay - Gravel	180	212
Water Gravel	212	214

RECEIVED
OCT 10 1983
DEPARTMENT OF ECOLOGY

Work started 9-6-83 19 Completed 9-7-83 19

WELL DRILLER'S STATEMENT:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME DAHLMAN PUMP & DRILLING INC.
(Person, firm, or corporation) (Type or print)

Address PO. Box 422, BURLINGTON WA. 98233

[Signed] H. Ken Dahlman
(Well Driller)

License No. 1192 Date 9-8- 19 83

(USE ADDITIONAL SHEETS IF NECESSARY)

35/09-21M

Application No. .....

Permit No. .....

le Original and First Copy with
partment of Ecology
cond Copy — Owner's Copy
ird Copy — Driller's Copy

WATER WELL REPORT

STATE OF WASHINGTON

(1) OWNER: Name Robert Taylor Address 4831 Sauk Store Rodd Concrete, 98237

(2) LOCATION OF WELL: County Skagit S1/2 - NE1/4 - SW1/4 1/4 Sec. 21 T. 32 N., R. 9 W.M.

A and distance from section or subdivision corner

(3) PROPOSED USE: Domestic [X] Industrial [ ] Municipal [ ]
Irrigation [ ] Test Well [ ] Other [ ]

(4) TYPE OF WORK: Owner's number of well (if more than one) .....
New well [X] Method: Dug [ ] Bored [ ]
Deepened [ ] Cable [ ] Driven [ ]
Reconditioned [ ] Rotary [X] Jetted [ ]

(5) DIMENSIONS: Diameter of well 6 inches.
Drilled 60 ft. Depth of completed well 60 ft.

(6) CONSTRUCTION DETAILS:

Casing installed: 6" Diam. from 0 ft. to 60 ft.
Threaded [ ] ..." Diam. from ... ft. to ... ft.
Welded [ ] ..." Diam. from ... ft. to ... ft.

Perforations: Yes [ ] No [X]
Type of perforator used .....
SIZE of perforations ... in. by ... in.
... perforations from ... ft. to ... ft.
... perforations from ... ft. to ... ft.
... perforations from ... ft. to ... ft.

Screens: Yes [ ] No [X]
Manufacturer's Name .....
Type ..... Model No. .....
Diam. ... Slot size ... from ... ft. to ... ft.
Diam. ... Slot size ... from ... ft. to ... ft.

Gravel packed: Yes [ ] No [X] Size of gravel .....
Gravel placed from ... ft. to ... ft.

Surface seal: Yes [X] No [ ] To what depth? 18 ft.
Material used in seal Cement
Did any strata contain unusable water? Yes [ ] No [X]
Type of water? ... Depth of strata ...
Method of sealing strata off .....

(7) PUMP: Manufacturer's Name .....
Type: ... H.P. .....

(8) WATER LEVELS: Land-surface elevation above mean sea level ... ft.
Static level 4/4 ft. below top of well Date 1-15-81
Artesian pressure ... lbs. per square inch Date .....
Artesian water is controlled by ... (Cap, valve, etc.)

(9) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes [ ] No [X] If yes, by whom? .....
Yield: ... gal./min. with ... ft. drawdown after ... hrs.
" " " " "
" " " " "

Recovery data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level	Time	Water Level

Date of test .....
Bailer test ... gal./min. with ... ft. drawdown after ... hrs.
Airlift test ... gal./min. with ... ft. drawdown after ... hrs.
Artesian flow ... g.p.m. Date .....
Temperature of water ... Was chemical analysis made? Yes [ ] No [X]

(10) WELL LOG:

Formation. Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Brown clay	0	22
Brown clayand gravel	22	28
Sand and gravel	28	55
Water and gravel	55	60

Work started Nov. 18, 19 81 Completed Nov. 18, 19 81

WELL DRILLER'S STATEMENT:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME DAHLMAN PUMP AND DRILLING
(Person, firm, or corporation) (Type or print)

Address P.O. Box 422 Burlington, 98233

(Signed) R. C. Dahlman
(Well Driller)

License No. 0222 Date Nov 19, 81

(USE ADDITIONAL SHEETS IF NECESSARY)

7005 2086 7000 2865

iginal and First Copy with
ment of Ecology
Copy — Owner's Copy
Copy — Driller's Copy

35/09/2 R 21 .21

WATER WELL REPORT

STATE OF WASHINGTON

Application No.

Permit No.

OWNER: Name Mark Berg Address 4908 Hiway 20 Concrete Wa. 98237

LOCATION OF WELL: County Skagit — NE¼ SE¼ Sec. 24 T. 35 N., R. 9 W.M.

(Give distance from section or subdivision corner) 21

PROPOSED USE: Domestic ☑ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☐

TYPE OF WORK: Owner's number of well (if more than one)
New well ☑ Method: Dug ☐ Bored ☐
Deepened ☐ Cable ☐ Driven ☐
Reconditioned ☐ Rotary ☑ Jetted ☐

DIMENSIONS: Diameter of well 6 inches.
Drilled 312 ft. Depth of completed well 312 ft.

CONSTRUCTION DETAILS:

Casing installed: 6" Diam. from 0 ft. to 312 ft.
Threaded ☐ " Diam. from ft. to ft.
Welded ☑ " Diam. from ft. to ft.

Perforations: Yes ☐ No ☑
Type of perforator used
SIZE of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

Screens: Yes ☐ No ☑
Manufacturer's Name
Type Model No.
Diam. Slot size from ft. to ft.
Diam. Slot size from ft. to ft.

Gravel packed: Yes ☐ No ☑ Size of gravel:
Gravel placed from ft. to ft.

Surface seal: Yes ☑ No ☐ To what depth? 18 ft.
Material used in seal Bentonite
Did any strata contain unusable water? Yes ☐ No ☑
Type of water? Depth of strata
Method of sealing strata off

PUMP: Manufacturer's Name
Type: H.P.

WATER LEVELS: Land-surface elevation above mean sea level
Static level 280 ft. below top of well Date 1-30-86
Artesian pressure lbs. per square inch Date
Artesian water is controlled by (Cap, valve, etc.)

WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes ☐ No ☑ If yes, by whom?
gal./min. with ft. drawdown after hrs.
" " "
" " "

Recovery data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level	Time	Water Level

Artesian flow 10 GPM with 20 ft. drawdown after hrs.
Artesian flow g.p.m. Date
Temperature of water Was a chemical analysis made? Yes ☐ No ☑

(10) WELL LOG:

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Dirty Sand-Gravel	0	93
Brown Clay-Sand	93	97
Blue Clay	97	110
Brown Clay-Gravel	110	120
Blue Clay	120	187
Brown Clay	187	225
Brown Clay-Gravel	225	298
Blu. Clay	298	306
Brown Clay-Gravel Water	306	312

RECEIVED
FEB 14 1986
DEPARTMENT OF ECOLOGY
NORTHWEST REGION

Work started 1-28- 19 86 Completed 1-30- 19 86

WELL DRILLER'S STATEMENT:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME DAHLMAN PUMP & WELL DRILLING INC.
(Person, firm, or corporation) (Type or print)

Address P. O. BOX 422 Burlington Wa. 98233

(Signed) H. Kim Fowler
(Well Driller)

License No. 110 Date 1-31- 19 86

(USE ADDITIONAL SHEETS IF NECESSARY)

1005 2006 0000 285

riginal and First Copy with
tment of Ecology
d Copy — Owner's Copy
Copy — Driller's Copy

WATER WELL REPORT
STATE OF WASHINGTON

Application No. .....
Permit No. .....

OWNER: Name Von Forcke, Otto Address Route 1, Box 299, Concrete 98237

LOCATION OF WELL: County Skagit SW ¼ NW ¼ Sec. 27 T. 35 N. R. 9E W.M.

Distance from section or subdivision corner

PROPOSED USE: Domestic ☒ Industrial ☐ Municipal ☐ Irrigation ☐ Test Well ☐ Other ☐

TYPE OF WORK: Owner's number of well (if more than one) ....
New well ☒ Method: Dug ☐ Bored ☐
Deepened ☐ Cable ☐ Driven ☐
Reconditioned ☐ Rotary ☒ Jetted ☐

DIMENSIONS: Diameter of well 6 inches.
Drilled 155 ft. Depth of completed well 155 ft.

CONSTRUCTION DETAILS:

Casing installed: 6" Diam. from 0 ft. to 155 ft.
Threaded ☐ ....." Diam. from ..... ft. to ..... ft.
Welded ☒ ....." Diam. from ..... ft. to ..... ft.

Perforations: Yes ☐ No ☒
Type of perforator used .....
SIZE of perforations ..... in. by ..... in.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.

Screens: Yes ☐ No ☒
Manufacturer's Name .....
Type ..... Model No. .....
Diam. ..... Slot size ..... from ..... ft. to ..... ft.
Diam. ..... Slot size ..... from ..... ft. to ..... ft.

Gravel packed: Yes ☐ No ☒ Size of gravel: .....
Gravel placed from ..... ft. to ..... ft.

Surface seal: Yes ☒ No ☐ To what depth? 18' ft.
Material used in seal Clay & Bentonite
Did any strata contain unusable water? Yes ☐ No ☒
Type of water? ..... Depth of strata .....
Method of sealing strata off .....

PUMP: Manufacturer's Name Jacuzzi Bro
Type: Submersible H.P. ½

WATER LEVELS: Land-surface elevation above mean sea level .... ft.
level 68' ft. below top of well Date 1-28-77
ian pressure ..... lbs. per square inch Date .....
Artesian water is controlled by ..... (Cap, valve, etc.)

WELL TESTS: Drawdown is amount water level is lowered below static level
a pump test made? Yes ☐ No ☐ If yes, by whom? .....
gal./min. with ..... ft. drawdown after ..... hrs.
" " "
" " "

very data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level	Time	Water Level

t test 32 gal./min. with 75 ft. drawdown after ..... hrs.
dan flow ..... g.p.m. Date .....
perature of water ..... chemical analysis made? Yes ☐ No ☒

(10) WELL LOG:

Formation: *Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.*

MATERIAL	FROM	TO
Top soil		1"
Dirty Sand & Gravel	[illegible]	60"
Clay & Gravel	60	62
Dirty Sand & Gravel	62	115
Brown Clay & Gravel	115	130
Sand & Gravel	130	149
Sand & Gravel	149	155

Work started 1-24-77, 19..... Completed 1-28-77, 19.....

WELL DRILLER'S STATEMENT:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME [illegible] & DRILLING, INC. (Person, firm, or corporation) (Type or print)

Address Burlington 98233

(Signed) R. C. Johnson (Well Driller)

License No. 223-02-7[illegible] Date 2-[illegible]-77, 19.....

(USE ADDITIONAL SHEETS IF NECESSARY)

No. [illegible]

1009 2006 0009 2822

File Original and First Copy with Department of Ecology
Second Copy — Owner's Copy
Third Copy — Driller's Copy

WATER WELL REPORT

STATE OF WASHINGTON

Application No. ..... Permit No. ..... Loc 4799-3 Sauk Valley Hwy Concrete Wa.

(1) OWNER: Name Bill Groth Address P O Box 159 Oak Harbor

(2) LOCATION OF WELL: County Skagit NW ¼ NW ¼ Sec. 28 T. 35 N., R. 9 W.M.

Bearing and distance from section or subdivision corner 4012-002-002-006

(3) PROPOSED USE: Domestic ☑ Industrial ☐ Municipal ☐ Irrigation ☐ Test Well ☐ Other ☐

(4) TYPE OF WORK: Owner's number of well (if more than one) .....
New well ☑ Method: Dug ☐ Bored ☐
Deepened ☐ Cable ☐ Driven ☐
Reconditioned ☐ Rotary ☐ Jetted ☐

(5) DIMENSIONS: Diameter of well 6 inches.
Drilled 10 ft. Depth of completed well 60 ft.

(6) CONSTRUCTION DETAILS:

Casing installed: 6" Diam. from 0 ft. to 60 ft.
Threaded ☐ ....." Diam. from ..... ft. to ..... ft.
Welded ☑ ....." Diam. from ..... ft. to ..... ft.

Perforations: Yes ☐ No ☑
Type of perforator used .....
SIZE of perforations ..... in. by ..... in.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.

Screens: Yes ☐ No ☑
Manufacturer's Name .....
Type ..... Model No. .....
Diam. ..... Slot size ..... from ..... ft. to ..... ft.
Diam. ..... Slot size ..... from ..... ft. to ..... ft.

Gravel packed: Yes ☐ No ☑ Size of gravel .....
Gravel placed from ..... ft. to ..... ft.

Surface seal: Yes ☑ No ☐ To what depth? 18 ft.
Material used in seal Bentonite
Did any strata contain unusable water? Yes ☐ No ☑
Type of water? ..... Depth of strata .....
Method of sealing strata off .....

(7) PUMP: Manufacturer's Name .....
Type: ..... H.P. .....

(8) WATER LEVELS: Land-surface elevation above mean sea level ..... ft.
Static level 32 ft. below top of well Date 1-27-86
Artesian pressure ..... lbs. per square inch Date .....
Artesian water is controlled by ..... (Cap, valve, etc.)

(9) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes ☐ No ☑ If yes, by whom? .....
Yield: ..... gal./min with ..... ft. drawdown after ..... hrs.
" " " "
" " " "

Recovery data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level	Time	Water Level

Date of test .....
Bailer test 30 gpm gal./min with 8 ft. drawdown after ..... hrs.
Pump ..... g.p.m. Date .....
Type of water ..... Was a chemical analysis made? Yes ☐ No ☑

(10) WELL LOG:

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Brown Clay - Gravel	0	50
Gravel - Water	50	60

RECEIVED
FEB 7 1986
DEPARTMENT OF ECOLOGY
NORTHWEST REGION

Work started 1-28- 1986 Completed 1-28 1985

WELL DRILLER'S STATEMENT:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME DAHLMAN PUMP & WELL DRILLING INC (Person, firm, or corporation) (Type or print)

P.O Box 422 Burlington Wa. 98233

[Signed] H Ken Fowler (Well Driller)

License No. 1192 Date 1-29- 1986

(USE ADDITIONAL SHEETS IF NECESSARY)

1005 2006 0080 2823

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WATER WELL REPORT

STATE OF WASHINGTON

Application No. .....

Permit No. .....

(1) OWNER: Name George Theodoratus Address 3593 Hiway 20 Concrete, WA. 982

(2) LOCATION OF WELL: County Skagit NE¼ NW¼ Sec. 28 Twp. 35 N. R. 9 W.M.

Bearing and distance from section or subdivision corner Sauk City Road

(3) PROPOSED USE: Domestic [X] Industrial [ ] Municipal [ ]
Irrigation [ ] Test Well [ ] Other [ ]

(4) TYPE OF WORK: Owner's number of well (if more than one) .....
New well [X] Method: Dug [ ] Bored [ ]
Deepened [ ] Cable [ ] Driven [ ]
Reconditioned [ ] Rotary [X] Jetted [ ]

(5) DIMENSIONS: Diameter of well 6 inches.
Drilled 46 ft. Depth of completed well 46 ft.

(6) CONSTRUCTION DETAILS:

Casing installed: 6 " Diam. from 0 ft. to 46 ft.
Threaded [ ] ..... " Diam. from ..... ft. to ..... ft.
Welded [X] ..... " Diam. from ..... ft. to ..... ft.

Perforations: Yes [ ] No [X]
Type of perforator used .....
SIZE of perforations ..... in. by ..... in.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.

Screens: Yes [ ] No [X]
Manufacturer's Name .....
Type ..... Model No. .....
Diam. ..... Slot size ..... from ..... ft. to ..... ft.
Diam. ..... Slot size ..... from ..... ft. to ..... ft.

Gravel packed: Yes [ ] No [X] Size of gravel: .....
Gravel placed from ..... ft. to ..... ft.

Surface seal: Yes [X] No [ ] To what depth? 18 ft.
Material used in seal Bentonite
Did any strata contain unusable water? Yes [ ] No [X]
Type of water? ..... Depth of strata .....
Method of sealing strata off .....

(7) PUMP: Manufacturer's Name .....
Type: ..... H.P. .....

(8) WATER LEVELS: Land-surface elevation above mean sea level .....
Static level 20 ft. below top of well Date 12-23-86
Artesian pressure ..... lbs. per square inch Date .....
Artesian water is controlled by ..... (Cap, valve, etc.)

(9) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes [ ] No [X] If yes, by whom? .....
..... gal./min. with ..... ft. drawdown after ..... hrs.
" " " "
" " " "
Recovery data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level	Time	Water Level

Test 30 gal./min. with 35 ft. drawdown after ..... hrs.
..... g.p.m. Date .....
..... Water ..... Was a chemical analysis made? Yes [ ] No [X]

(10) WELL LOG:

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Dirty Sand & Brown Clay and gravel	0	37
Gravel & Water	37	46

Work started 12-23-86 19 Completed 12-23-86

WELL DRILLER'S STATEMENT:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME DAHLMAN PUMP & WELL DRILLING, INC.
(Person, firm, or corporation) (Type or print)

Address Box 422, Burlington, WA. 98233

(Signed) ..... (Well Driller)

License No. 0623 Date 12-23-86 19.....

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WATER WELL REPORT

STATE OF WASHINGTON

Application No. .....

Permit No. .....

) OWNER: Name Les Bridges Mail: 3417 36th W., Seattle 98199 Address

) LOCATION OF WELL: County Skagit ¼ ¼ Sec 28 T 35 N. R 9E W.M.

and distance from section or subdivision corner Tract 17 - Skagit Steelhead Tracts

) PROPOSED USE: Domestic ☒ Industrial ☐ Municipal ☐ Irrigation ☐ Test Well ☐ Other ☐

) TYPE OF WORK: Owner's number of well (if more than one) .....
New well ☒ Method: Dug ☐ Bored ☐
Deepened ☐ Cable ☐ Driven ☐
Reconditioned ☐ Rotary ☒ Jetted ☐

) DIMENSIONS: Diameter of well 6 inches.
Drilled 40 ft. Depth of completed well 40 ft.

) CONSTRUCTION DETAILS:

Casing installed: 6 " Diam. from 0 ft. to 40 ft.
Threaded ☐ ..... " Diam. from ..... ft. to ..... ft.
Welded ☒ ..... " Diam. from ..... ft. to ..... ft.

Perforations: Yes ☐ No ☒
Type of perforator used .....
SIZE of perforations ..... in. by ..... in.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.

Screens: Yes ☐ No ☒
Manufacturer's Name .....
Type ..... Model No. .....
Diam. ..... Slot size ..... from ..... ft. to ..... ft.
Diam. ..... Slot size ..... from ..... ft. to ..... ft.

Gravel packed: Yes ☐ No ☒ Size of gravel: .....
Gravel placed from ..... ft. to ..... ft.

Surface seal: Yes ☒ No ☐ To what depth? 18 ft.
Material used in seal Cement
Did any strata contain unusable water? Yes ☐ No ☐
Type of water? ..... Depth of strata .....
Method of sealing strata off .....

7) PUMP: Manufacturer's Name .....
Type: ..... H.P. .....

8) WATER LEVELS: Land-surface elevation above mean sea level ..... ft.
atic level 20 ft. below top of well Date 7-31-79
rtesian pressure ..... lbs. per square inch Date .....
Artesian water is controlled by ..... (Cap, valve, etc.)

9) WELL TESTS: Drawdown is amount water level is lowered below static level
as a pump test made? Yes ☐ No ☒ If yes, by whom? .....
ield: ..... gal./min. with ..... ft. drawdown after ..... hrs.
" " " "
" " " "

ecovery data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level	Time	Water Level

ate of test .....
aller test 15 gal./min. with 13 ft. drawdown after ..... hrs.
rtesian flow ..... g.p.m. Date 7-31-79
emperature of water ..... Was a chemical analysis made? Yes ☐ No ☒

(10) WELL LOG:

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Sand	0	10
Clay & Gravel	10	35
Water & Gravel	35	40

NOV 1 1979
DEPT. OF ECOLOGY

Work started July 31 19 ..... Completed July 31 19 79

WELL DRILLER'S STATEMENT:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME DAHLMAN PUMP & DRILLING, INC. (Person, firm, or corporation) (Type or print)

Address Burlington 98233

[Signed] T. C. Johnson (Well Driller)

License No. ..... Date 8-2-79 19 ....

(USE ADDITIONAL SHEETS IF NE...

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WATER WELL REPORT

STATE OF WASHINGTON

Application No. .....

Permit No. .....

OWNER: Name Lester B. Thistle Mail: 1031 Raymond Bellingham, 98225 Address Old Steelhead Tracts Concrete, 98237

LOCATION OF WELL: County Skagit ¼ ¼ Sec 28 T. 35 N., R. 9E W.M.

distance from section or subdivision corner Lot 19 Steelhead Tracts

PROPOSED USE: Domestic ☒ Industrial ☐ Municipal ☐ Irrigation ☐ Test Well ☐ Other ☐

TYPE OF WORK: Owner's number of well (if more than one) .....
New well ☒ Method: Dug ☐ Bored ☐
Deepened ☐ Cable ☐ Driven ☐
Reconditioned ☐ Rotary ☐ Jetted ☐

DIMENSIONS: Diameter of well 6 inches.
Drilled 40 ft. Depth of completed well 40 ft.

CONSTRUCTION DETAILS:

Casing installed: 6 " Diam. from 0 ft. to 40 ft.
Threaded ☐ ..... " Diam. from ..... ft. to ..... ft.
Welded ☐ ..... " Diam. from ..... ft. to ..... ft.

Perforations: Yes ☐ No ☒
Type of perforator used .....
SIZE of perforations ..... in. by ..... in.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.

Screens: Yes ☐ No ☒
Manufacturer's Name .....
Type ..... Model No. .....
Diam. ..... Slot size ..... from ..... ft. to ..... ft.
Diam. ..... Slot size ..... from ..... ft. to ..... ft.

Gravel packed: Yes ☐ No ☒ Size of gravel: .....
Gravel placed from ..... ft. to ..... ft.

Surface seal: Yes ☒ No ☐ To what depth? 18 ft.
Material used in seal Cement
Did any strata contain unusable water? Yes ☐ No ☒
Type of water? ..... Depth of strata .....
Method of sealing strata off .....

PUMP: Manufacturer's Name .....
Type: ..... H.P. .....

WATER LEVELS: Land-surface elevation above mean sea level ..... ft.
c level 23 ft. below top of well Date 7-31-79
sian pressure ..... lbs. per square inch Date .....
Artesian water is controlled by ..... (Cap, valve, etc.)

WELL TESTS: Drawdown is amount water level is lowered below static level
a pump test made? Yes ☐ No ☐ ☒ yes, by whom? .....
d: ..... gal./min. with ..... ft. drawdown after ..... hrs.
" " "
" " "

overy data (time taken as zero when pump turned off) (water level measured from well top to water level)

me	Water Level	Time	Water Level	Time	Water Level

or test .....
er test 15 gal./min. with 13 ft. drawdown after ..... hrs.
sian flow ..... g.p.m. Date .....
perature of water ..... Was a chemical analysis made? Yes

(10) WELL LOG:

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Sand	0	10
Clay and gravel	10	35
Water and gravel	35	40

RECEIVED

Work started July 31, 19 79. Completed July 31, 19 79

WELL DRILLER'S STATEMENT:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME DAHLMAN PUMP AND DRILLING (Person, firm, or corporation) (Type or print)

Address P.O. Box 422 Burlington, Wa. 98233

[Signed] R. C. Johnson (Well Driller)

License No. 0222 Date Aug. 7, 19 79

(USE ADDIT SHEETS IF NECESSARY)

950-1-20

1005 2006 10000 2826

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WATER WELL REPORT

STATE OF WASHINGTON

Application No. .....

Permit No. .....

) OWNER: Name Walter Mangini Mail: 1231 Madison Way Alderwood Manor, 98036 Address

) LOCATION OF WELL: County Skagit ¼ ¼ Sec. 28 T. 35 N., R. 9E W.M.

d distance from section or subdivision corner Skagit Steelhead Tracts #26 & 27

) PROPOSED USE: Domestic ☒ Industrial ☐ Municipal ☐ Irrigation ☐ Test Well ☐ Other ☐

) TYPE OF WORK: Owner's number of well (if more than one) ....

New well ☒ Method: Dug ☐ Bored ☐
Deepened ☐ Cable ☐ Driven ☐
Reconditioned ☐ Rotary ☒ Jetted ☐

) DIMENSIONS: Diameter of well 6 inches.
Drilled 40 ft. Depth of completed well 40 ft.

) CONSTRUCTION DETAILS:

Casing installed: 6" Diam. from 0 ft. to 40 ft.
Threaded ☐ ....." Diam. from ..... ft. to ..... ft.
Welded ☐ ....." Diam. from ..... ft. to ..... ft.

Perforations: Yes ☐ No ☒
Type of perforator used .....
SIZE of perforations ..... in. by ..... in.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.

Screens: Yes ☐ No ☒
Manufacturer's Name .....
Type ..... Model No. .....
Diam. ..... Slot size ..... from ..... ft. to ..... ft.
Diam. ..... Slot size ..... from ..... ft. to ..... ft.

Gravel packed: Yes ☐ No ☒ Size of gravel: .....
Gravel placed from ..... ft. to ..... ft.

Surface seal: Yes ☒ No ☐ To what depth? 18 ft.
Material used in seal Cement
Did any strata contain unusable water? Yes ☐ No ☒
Type of water? ..... Depth of strata .....
Method of sealing strata off .....

) PUMP: Manufacturer's Name .....
Type: ..... H.P. .....

) WATER LEVELS: Land-surface elevation above mean sea level ..... ft.
tic level 23 ft. below top of well Date 8-1-79
lesian pressure ..... lbs. per square inch Date .....
Artesian water is controlled by ..... (Cap, valve, etc.)

) WELL TESTS: Drawdown is amount water level is lowered below static level
s a pump test made? Yes ☐ No ☒ If yes, by whom? .....
ld: ..... gal./min. with ..... ft. drawdown after ..... hrs.
" " "
" " "

covery data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level	Time	Water Level

of test 8-1-79
ler test 75 gal./min. with 10 ft. drawdown after ..... hrs.
esian flow ..... g.p.m. Date .....
mperature of water ..... Was a chemical analysis made? Yes ☐ No ☒

(10) WELL LOG.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Sand	0	10
Clay and gravel	10	35
Water and gravel	35	40

NOV 1 1979
DEPT. OF ECOLOGY

Work started Aug. 1 1979 Completed Aug. 1 1979

WELL DRILLER'S STATEMENT:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME DAHLMAN PUMP AND DRILLING (Person, firm, or corporation) (Type or print)

Address P.O. Box 422 Burlington, 98233

(Signed) R.C. Johnson (Well Driller)

License No. 0222 Date Aug. 2, 1979

(USE ADDITIONAL SHEETS IF NECESSARY)

1 050-1-20

1005 2006 0000 2821

File Original and First Copy with Department of Ecology
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WATER WELL REPORT

STATE OF WASHINGTON

Application No.

Permit No.

(1) OWNER: Name Jack Albrecht Address Mail: 126 W. Miller, Concrete, WA 98237

(2) LOCATION OF WELL: County Skagit Gov. Lot 4 ¼ NE¼ SW¼ Sec. 28 T. 35 N., R. 9 W.M.

and distance from section or subdivision corner

(3) PROPOSED USE: Domestic [X] Industrial [ ] Municipal [ ] Irrigation [ ] Test Well [ ] Other [ ]

(4) TYPE OF WORK: Owner's number of well (if more than one)
New well [X] Method: Dug [ ] Bored [ ]
Deepened [ ] Cable [ ] Driven [ ]
Reconditioned [ ] Rotary [X] Jetted [ ]

(5) DIMENSIONS: Diameter of well 6 inches.
Drilled 260 ft. Depth of completed well 260 ft.

(6) CONSTRUCTION DETAILS:
Casing installed: 6 " Diam. from 0 ft. to 240 ft.
Threaded [ ] " Diam. from ft. to ft.
Welded [ ] " Diam. from ft. to ft.

Perforations: Yes [ ] No [X]
Type of perforator used
SIZE of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

Screens: Yes [ ] No [X]
Manufacturer's Name
Type Model No.
Diam. Slot size from ft. to ft.
Diam. Slot size from ft. to ft.

Gravel packed: Yes [ ] No [X] Size of gravel:
Gravel placed from ft. to ft.

Surface seal: Yes [X] No [ ] To what depth? 18 ft.
Material used in seal Bentonite
Did any strata contain unusable water? Yes [ ] No [X]
Type of water? Depth of strata
Method of sealing strata off

(7) PUMP: Manufacturer's Name Goulds Bros.
Type: Submersible HP 1½

(8) WATER LEVELS: Land-surface elevation above mean sea level ft.
Static level 210 ft. below top of well Date 11-16-78
Artesian pressure lbs. per square inch Date
Artesian water is controlled by (Cap, valve, etc.)

(9) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes [ ] No [X] If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
" " " "
" " " "

Recovery data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level	Time	Water Level

Date of test
Bailer test gal./min. with 50 ft. drawdown after hrs.
Airlift g.p.m. Date
Artesian flow g.p.m. Was a chemical analysis made? Yes [ ] No [X]

(10) WELL LOG:
Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Sand	0	25
Gravel and Sand	25	105
Blue clay	105	115
Brown clay	115	125
Blue clay	125	170
Gravel and Clay	170	240
Water and Gravel	240	260

Work started Nov. 13 19 78 Completed Nov. 16 19 78

WELL DRILLER'S STATEMENT:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Dahlman Pump and Drilling (Person, firm, or corporation) (Type or print)

Address Box 422 Burlington, Washington 98233

[Signed] R C Dahlman (Well Driller)

License No. 0222 Date Nov. 21 19 78

(USE ADDITIONAL SHEETS IF NECESSARY)

1005 2006 0000 2828

File Original and First Copy with Department of Ecology
Second Copy — Owner's Copy
Third Copy — Driller's Copy

3509-28 L

WATER WELL REPORT

STATE OF WASHINGTON

Application No. .....

Permit No. .....

(1) OWNER: Name Steve Hylen Address Mail To Box 622 Concrete 98237

(2) LOCATION OF WELL: County Skagit Ptn. Gv. Lt. 4 ¼ ¼ Sec. 28 T. 35 N., R. 09 W.M.

Bearing and distance from section or subdivision corner NE¼, SW¼

(3) PROPOSED USE: Domestic [X] Industrial [ ] Municipal [ ]
Irrigation [ ] Test Well [ ] Other [ ]

(4) TYPE OF WORK: Owner's number of well (if more than one) .....
New well [X] Method: Dug [ ] Bored [ ]
Deepened [ ] Cable [ ] Driven [ ]
Reconditioned [ ] Rotary [X] Jetted [ ]

(5) DIMENSIONS: Diameter of well 6 inches.
Drilled 140 ft. Depth of completed well 140 ft.

(6) CONSTRUCTION DETAILS:

Casing installed: 6 " Diam. from 0 ft. to 140 ft.
Threaded [ ] " Diam. from ft. to ft.
Welded [ ] " Diam. from ft. to ft.

Perforations: Yes [ ] No [X]
Type of perforator used .....
SIZE of perforations ..... in. by ..... in.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.

Screens: Yes [ ] No [X]
Manufacturer's Name .....
Type ..... Model No. .....
Diam ..... Slot size ..... from ..... ft. to ..... ft.
Diam ..... Slot size ..... from ..... ft. to ..... ft.

Gravel packed: Yes [ ] No [X] Size of gravel: .....
Gravel placed from ..... ft. to ..... ft.

Surface seal: Yes [X] No [ ] To what depth? 18 ft.
Material used in seal cement
Did any strata contain unusable water? Yes [ ] No [X]
Type of water? ..... Depth of strata .....
Method of sealing strata off .....

(7) PUMP: Manufacturer's Name .....
Type: ..... H.P. .....

(8) WATER LEVELS: Land-surface elevation above mean sea level .... ft.
Static level 53 ft. below top of well Date 3-25-80
Artesian pressure ..... lbs. per square inch Date .....
Artesian water is controlled by ..... (Cap, valve, etc.)

(9) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes [ ] No [X] If yes, by whom? .....
Yield: ..... gal./min. with ..... ft. drawdown after ..... hrs.
" " "
" " "
Recovery data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level	Time	Water Level

Date of test .....
Bailer test 30 gal./min. with ..... drawdown after ..... hrs.
Airlift test ..... gal./min. with ..... drawdown after ..... hrs.
Artesian flow ..... G.P.M. Date .....
Temperature of water ..... Was a chemical analysis made? Yes [ ] No [X]

(10) WELL LOG:

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of information.

MATERIAL	FROM	TO
Dirty sand and gravel	0	15
Silty sand	15	42
Brown clay and gravel	42	102
Gravel and water	102	140

Work started March 21, 19 80 Completed March 21, 19 80

WELL DRILLER'S STATEMENT:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME HAHLMAN PUMP AND DRILLING (Person, firm, or corporation) (Type or print)

Address P.O. Box 422 Burlington, 98233

(Signed) [signature] (Well Driller)

License No. 0222 Date March 25, 19 80

(USE ADDITIONAL SHEETS IF NECESSARY)

1005 2006 0080 2829

File Original and First Copy with Department of Ecology
Second Copy — Owner's Copy
Third Copy — Driller's Copy

WATER WELL REPORT
STATE OF WASHINGTON

Application No. .....
Permit No. .....

(1) OWNER: Name James Fratello Address Route 1, Box 237, Concrete 98237

(2) LOCATION OF WELL: County ~~Snohomish Co.~~ SKAGIT — SW ¼ SW ¼ Sec 28 T 35 N, R 9 W.M.
and distance from section or subdivision corner N330' of Lot 6 W of Road

(3) PROPOSED USE: Domestic ☒ Industrial ☐ Municipal ☐ Irrigation ☐ Test Well ☐ Other ☐

(4) TYPE OF WORK: Owner's number of well (if more than one) .....
New well ☒ Method: Dug ☐ Bored ☐
Deepened ☐ Cable ☒ Driven ☐
Reconditioned ☐ Rotary ☐ Jetted ☐

(5) DIMENSIONS: Diameter of well 6 inches.
Drilled 56 ft. Depth of completed well 56 ft.

(6) CONSTRUCTION DETAILS:
Casing installed: 6" Diam. from 0 ft. to 56 ft.
Threaded ☐ ....." Diam. from ..... ft. to ..... ft.
Welded ☐ ....." Diam. from ..... ft. to ..... ft.

Perforations: Yes ☐ No ☒
Type of perforator used .....
SIZE of perforations ..... in. by ..... in.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.

Screens: Yes ☐ No ☒
Manufacturer's Name .....
Type ..... Model No. .....
Diam. ..... Slot size ..... from ..... ft. to ..... ft.
Diam. ..... Slot size ..... from ..... ft. to ..... ft.

Gravel packed: Yes ☐ No ☒ Size of gravel: .....
Gravel placed from ..... ft. to ..... ft.

Surface seal: Yes ☒ No ☐ To what depth? 18 ft.
Material used in seal Cement
Did any strata contain unusable water? Yes ☐ No ☒
Type of water? ..... Depth of strata .....
Method of sealing strata off .....

(7) PUMP: Manufacturer's Name .....
Type: ..... H.P. .....

(8) WATER LEVELS: Land-surface elevation above mean sea level ..... ft.
Static level 28 ft. below top of well Date 7-16-76
Artesian pressure ..... lbs. per square inch Date .....
Artesian water is controlled by ..... (Cap, valve, etc.)

(9) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes ☐ No ☐ If yes, by whom? .....
Yield: ..... gal./min. with ..... ft. drawdown after ..... hrs.
" " " "
" " " "

Recovery data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level	Time	Water Level

Date of test .....
Bailer test 20 gal./min. with 10 ft. drawdown after — hrs.
Airtest flow ..... g.p.m. Date .....
Temperature of water ..... Was a chemical analysis made? Yes ☐ No ☒

(10) WELL LOG:
Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Topsoil	0	1
Dirty Sand & Gravel	1	22
Rocks	22	24
Sand & Gravel	24	28
Clay & Gravel	28	43
Clean Sand & Water	43	56

Work started 7-12-76, 19..... Completed 7-16-76, 19.....

WELL DRILLER'S STATEMENT:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME DAHLMAN PUMP & DRILLING, INC.
(Person, firm, or corporation) (Type or print)

Address Burlington 98233

[Signed] [signature]
(Well Driller)

License No. [illegible] Date 7-12-76, 19.....

(USE ADDITIONAL SHEETS IF NECESSARY)

No. 7156—OS — Rev. 4-71.

1005 2006 0000 2830

File Original and First Copy with Department of Ecology
Second Copy — Owner's Copy
Third Copy — Driller's Copy 35/9E/28/M

WATER WELL REPORT
STATE OF WASHINGTON

Application No. 35/07-28M
Permit No.

(1) OWNER: Name Bill Blunt Address Route 1, Concrete 98237

(2) LOCATION OF WELL: County Skagit Lot 5 — NW¼ SW¼ Sec. 28 T35 N., R09 W.M.
Bearing and distance from section or subdivision corner Less ptn. lying btw Co Rd & Skagit River & Skagit Steelhead Trks

(3) PROPOSED USE: Domestic ☒ Industrial ☐ Municipal ☐ Irrigation ☐ Test Well ☐ Other ☐

(4) TYPE OF WORK: Owner's number of well (if more than one)
New well ☒ Method: Dug ☐ Bored ☐
Deepened ☐ Cable ☒ Driven ☐
Reconditioned ☐ Rotary ☐ Jetted ☐

(5) DIMENSIONS: Diameter of well 6 inches.
Drilled 60 ft. Depth of completed well 59 ft.

(6) CONSTRUCTION DETAILS:
Casing installed: 6" Diam from 0 ft. to 59 ft.
Threaded ☐ " Diam. from ft. to ft.
Welded ☒ " Diam. from ft. to ft.

Perforations: Yes ☐ No ☒
Type of perforator used
SIZE of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

Screens: Yes ☐ No ☒
Manufacturer's Name
Type Model No.
Diam. Slot size from ft. to ft.
Diam. Slot size from ft. to ft.

Gravel packed: Yes ☐ No ☒ Size of gravel:
Gravel placed from ft. to ft.

Surface seal: Yes ☒ No ☐ To what depth? 10 ft.
Material used in seal Bentonite
Did any strata contain unusable water? Yes ☐ No ☐
Type of water? Depth of strata
Method of sealing strata off

(7) PUMP: Manufacturer's Name
Type: H.P.

(8) WATER LEVELS: Land-surface elevation above mean sea level ft.
Static level 40 ft. below top of well Date 10-7-75
Artesian pressure lbs. per square inch Date
Artesian water is controlled by (Cap, valve, etc.)

(9) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes ☐ No ☐ If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
" " " "
" " " "

Recovery data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level	Time	Water Level

Date of test
Bailer test [illegible] gal./min. with 10 ft. drawdown after hrs.
Artesian flow g.p.m. Date
Temperature of Was a chemical analysis made? Yes ☐ No ☒

(10) WELL LOG:
Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Top soil	0	5
Sand & Gravel	5	11
Boulders	11	14
Dirty Sand & Gravel	14	49
Sand & Gravel	49	60

Work started 10-2-75, 19 Completed 10-7-75, 19

WELL DRILLER'S STATEMENT:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME DAHLMAN PUMP & DRILLING, INC. (Person, firm, or corporation) (Type or print)
Address Burlington 98233
[Signed] [signature] (Well Driller)
License No. 223-02-7387 Date 10-13-75, 19

(USE ADDITIONAL SHEETS IF NECESSARY)

1. No. 7250— 1-711.

File Original and First Copy with Department of Ecology
Second Copy — Owner's Copy
Third Copy — Driller's Copy 35/4E/28/M

WUC 42307

WATER WELL REPORT

STATE OF WASHINGTON

Application No. 35107-28M

Permit No. .....

(1) OWNER: Name Kay Miller Address 2210 22nd St. Everett (MN) 4[illegible]

(2) LOCATION OF WELL: County SKAGIT ..... ¼ ..... ¼ Sec. 28 T. 35 N., R. 4E W.M.

and distance from section or subdivision corner Govt Lot 5 Sec. 27

(3) PROPOSED USE: Domestic ☒ Industrial ☐ Municipal ☐ Irrigation ☐ Test Well ☐ Other ☐

(4) TYPE OF WORK: Owner's number of well (if more than one) .....
New well ☒ Method: Dug ☐ Bored ☐
Deepened ☐ Cable ☒ Driven ☐
Reconditioned ☐ Rotary ☐ Jetted ☐

(5) DIMENSIONS: Diameter of well 6 inches.
Drilled 37 ft. Depth of completed well 37 ft.

(6) CONSTRUCTION DETAILS:

Casing installed: 6 " Diam. from 0 ft. to 37 ft.
Threaded ☐ ..... " Diam. from ..... ft. to ..... ft.
Welded ☒ ..... " Diam. from ..... ft. to ..... ft.

Perforations: Yes ☐ No ☒
Type of perforator used .....
SIZE of perforations ..... in. by ..... in.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.

Screens: Yes ☐ No ☒
Manufacturer's Name .....
Type ..... Model No. .....
Diam. ..... Slot size ..... from ..... ft. to ..... ft.
Diam. ..... Slot size ..... from ..... ft. to ..... ft.

Gravel packed: Yes ☐ No ☒ Size of gravel: .....
Gravel placed from ..... ft. to ..... ft.

Surface seal: Yes ☐ No ☒ To what depth? ..... ft.
Material used in seal .....
Did any strata contain unusable water? Yes ☐ No ☐
Type of water? ..... Depth of strata .....
Method of sealing strata off .....

(7) PUMP: Manufacturer's Name Jacuzzi
Type: Jet H.P. ½

(8) WATER LEVELS: Land-surface elevation above [illegible] level ..... ft.
Static level 23 ft. below top of well Date .....
Artesian pressure ..... lbs per square inch Date .....
Artesian water is controlled by ..... (Cap, valve, etc.)

(9) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes ☐ No ☐ If yes, by whom? .....
..... gal./min. with ..... ft. drawdown after ..... hrs.
..... " ..... " ..... "
..... " ..... " ..... "

Recovery data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level	Time	Water Level

Date of test .....
Bailer test ..... gal./min. with 5 ft. drawdown after ..... hrs.
Artesian flow ..... g.p.m. Date .....
Temperature of water ..... Was a chemical analysis made? Yes ☐ No ☒

(10) WELL LOG:

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Topsoil	0	10
Clay & Gravel	10	32
Gravel	32	37

Work started 4-11 1973 Completed 4-12 1973

WELL DRILLER'S STATEMENT:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Dahlman Pump & Drilling (Person, firm, or corporation) (Type or print)

Address Burlington 9823

[Signed] R. C. Johnson (Well Driller)

License No. 223-02-7387 Date 4 1973

(USE ADDITIONAL SHEETS IF NECESSARY)

1358—OS—(Rev. 4-71)

35/07-21 A

File Original and First Copy with Department of Ecology
Second Copy — Owner's Copy
Third Copy — Driller's Copy

WATER WELL REPORT

STATE OF WASHINGTON

Application No. .....
Mail: 953 W. Aultfield Rd - Oak Harbor, 98277
Permit No. .....
~~Mail: 5899 50th N.W. Oak Harbor, WA 98277~~

1) OWNER: Name Nottingham, Jan Address Prop: 4779-1 Sauk Valley Rd. Concrete, WA

2) LOCATION OF WELL: County Skagit — NE ¼ NE ¼ Sec. 29 T. 35 N., R. 9 W.M.
and distance from section or subdivision corner Lots 9310 Skagit Steel Land Trusts

3) PROPOSED USE: Domestic ☒ Industrial ☐ Municipal ☐ Irrigation ☐ Test Well ☐ Other ☐

4) TYPE OF WORK: Owner's number of well (if more than one) .....
New well ☒ Method: Dug ☐ Bored ☐
Deepened ☐ Cable ☐ Driven ☐
Reconditioned ☐ Rotary ☒ Jetted ☐

5) DIMENSIONS: Diameter of well 6" inches.
Drilled 60 ft. Depth of completed well 60 ft.

6) CONSTRUCTION DETAILS:

Casing installed: 6" Diam. from 0 ft. to 60 ft.
Threaded ☐ ....." Diam. from ..... ft. to ..... ft.
Welded ☒ ....." Diam. from ..... ft. to ..... ft.

Perforations: Yes ☐ No ☒
Type of perforator used .....
SIZE of perforations ..... in. by ..... in.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.
..... perforations from ..... ft. to ..... ft.

Screens: Yes ☐ No ☒
Manufacturer's Name .....
Type ..... Model No. .....
Diam. ..... Slot size ..... from ..... ft. to ..... ft.
Diam. ..... Slot size ..... from ..... ft. to ..... ft.

Gravel packed: Yes ☐ No ☒ Size of gravel: .....
Gravel placed from ..... ft. to ..... ft.

Surface seal: Yes ☒ No ☐ To what depth? 18 ft.
Material used in seal Bentonite
Did any strata contain unusable water? Yes ☐ No ☐
Type of water? ..... Depth of strata .....
Method of sealing strata off .....

(7) PUMP: Manufacturer's Name .....
Type: ..... H.P. .....

(8) WATER LEVELS: Land-surface elevation above mean sea level ..... ft.
Static level 30' ft. below top of well Date 4-9-81
Artesian pressure ..... lbs. per square inch Date .....
Artesian water is controlled by ..... (Cap, valve, etc.)

(9) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes ☐ No ☒ If yes, by whom? .....
Yield: ..... gal./min. with ..... ft. drawdown after ..... hrs.
" " " "
" " " "

Recovery data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level	Time	Water Level

Date of test .....
Water test 50 gal./min. with 10' ft. drawdown after ..... hrs.
Artesian flow ..... g.p.m. Date .....
Temperature of water ..... Was a chemical analysis made? Yes ☐ No ☐

(10) WELL LOG:

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Sand	0	25
Gravel & Brown Clay	25	54
Gravel & Water	54	60

Work started 4-9, 1981 Completed 4-9, 1981

WELL DRILLER'S STATEMENT:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME DAHLMAN PUMP & DRILLING (Person, firm, or corporation) (Type or print)

Address Box 422 Burlington, WA 98233

[Signed] P. C. Johnson (Well Driller)

License No. 3222 Date 4-13-81, 19....

(USE ADDITIONAL SHEETS IF NECESSARY)

0005 2006 0000 2833

nal and First Copy with
nt of Ecology
opy — Owner's Copy
py — Driller's Copy

Ross J.

WELL LOG

STATE OF WASHINGTON

Permit No. [illegible]

WNER: Name James H. Crouch Address 1211 - 16th Anacortes

OCATION OF WELL: County SKAGIT NE ¼ NE ¼ Sect. 29 35 N., R. 9E W.M.

Lot 35 Stratford Tract

and distance from section or subdivision corner

POSED USE: Domestic ☒ Industrial ☐ Municipal ☐ Irrigation ☐ Test Well ☐ Other ☐

YPE OF WORK: Owner's number of well (if more than one)

New well ☒ Method: Dug ☐ Bored ☐ Deepened ☐ Cable ☒ Driven ☐ Reconditioned ☐ Rotary ☐ Jetted ☐

DIMENSIONS: Diameter of well 6 inches.

Drilled 36½ ft. Depth of completed well 36½ ft.

CONSTRUCTION DETAILS:

Casing installed: 6 " Diam. from 0 ft. to 36½ ft.

Threaded ☐ " Diam. from ft. to ft.

Welded ☐ " Diam. from ft. to ft.

Perforations: Yes ☐ No ☒

Type of perforator used

SIZE of perforations in. by in.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

Screens: Yes ☐ No ☒

Manufacturer's Name Model No.

Type

Diam. Slot size from ft. to ft.

Diam. Slot size from ft. to ft.

el packed: Yes ☐ No ☒ Size of gravel:

Gravel placed from ft. to ft.

Surface seal: Yes ☒ No ☐ To what depth? 18 ft.

Material used in seal Bentonite & Cement

Did any strata contain unusable water? Yes ☐ No ☒

Type of water? Depth of strata

Method of sealing strata off

7) PUMP: Manufacturer's Name Jacuzzi Bro.

Type: Jet H.P. ½

8) WATER LEVELS: Land-surface elevation above mean sea level ft.

tatic level 21 ft. below top of well Date

rtesian pressure lbs. per square inch Date

Artesian water is controlled by (Cap, valve, etc.)

9) WELL TESTS: Drawdown is amount water level is lowered below static level

Was a pump test made? Yes ☐ No ☐ If yes, by whom?

Yield: gal./min. with ft. drawdown after hrs.

" " " "

" " " "

Recovery data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level	Time	Water Level

of test

Test 13 gal./min. with 15 ft. drawdown after hrs.

Artesian flow g.p.m. Date

Temperature of water Was a chemical analysis made? Yes ☐ No ☒

(10) WELL LOG:

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Sand Clay & Gravel	0	18
Gravel & Clay	18	35
Gravel	35	37

Work started 8-14 1973 Completed 8-14 1973

WELL DRILLER'S STATEMENT:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Dahlman Pump & Drilling (Person, firm, or corporation) (Type or print)

Address Burlington 98233 757-5556

[Signed] R. C. Johnson (Well Driller)

License No. 223-02-7787 Date 8-16 1973

— 0222 —

(USE ADDITIONAL SHEETS IF NECESSARY)

S. F. No. 7336—OS—(Rev. 4-71)

Planning & Permit Center Fact Sheet
Community Development Division

PL#: 01-0435

Date Received

- ☐ Administrative Decision
- ☐ Agricultural Variance
- ☐ Binding Site Plan
- ☐ Boundary Line Adjustment
- ☐ Final Plat
- ☐ Long CaRD
- ☐ Lot Certification
- ☐ Modification
- ☐ Open Space
- ☐ Pre-application Review
- ☐ Preliminary Plat
- ☐ Shoreline Exemption
- ☐ Shoreline Substantial Use Permit
- ☐ Short CaRD
- ☐ Short Plat
- ☐ Special Use Permit Level I
- ☑ Special Use Permit Level II
- ☐ Variance Level I
- ☐ Variance Level II
- ☐ Other _____

SKAGIT COUNTY
PERMIT CNTR.
OCT 24 2003
RECEIVED

Other Related Permits or Approvals: Conditional Use Perm. + #77-031

Parcel ID#: P44865 Assessor Tax #: 350928 - 1 - 005 - 0001

Parcel ID#: _____ Assessor Tax #: _____ - _____ - _____ - _____

Section 28 Township 35 Range 9 Comprehensive Plan/Zoning Designation: _____

Site Address: 50598 SR 20, Concrete 98237

Lot of Record: ☐ Yes ☐ No Urban Growth Area: ☐ Yes ☑ No If yes, city: _____

Comp Plan/Zoning within 200 feet: RURAL RESERVE

Mineral Resource Overlay within ¼ mile: ☐ Yes ☑ No Critical Area/Water within 200 feet: ☐ Yes ☒ No

Pre-application meeting required? ☐ Yes ☐ No PL01-0435 ? Meeting verification form enclosed? ☐ Yes ☐ No

Acreage / Lot Dimensions: 660' x 2640'

Flood Zone: N/A FIRM Map Panel #: N/A Map Date: N/A

Road access: ☑ Private ☐ County – Permit #: _____ ☐ State – Permit #: _____

Water Source: ☐ Drilled well - Permit #: N/A ☐ Community Well ☐ Public ___PUD #1 ___Anacortes

Sewage Disposal: ☐ Septic – Permit #: N/A ☐ Public Sewer: _____

Legal Description: SEE ATTACHED

(Attach additional sheet if necessary.)

Exhibit A

the West 1/2 of the Southwest 1/4 of the Northeast 1/4 and the West 1/2 of the Northwest 1/4 of the Southeast 1/4 in Section 28, Township 35 North, Range 9 East, W.M.

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over and across a 60 foot right of way located on the Northerly portion of the East 1/2 of the Southwest 1/4 of the Northeast 1/4 of said Section 28, as said easement was reserved in deed recorded June 21, 1977, under Auditor's File No. 858854.

Situate in the County of Skagit, State of Washington.

Planning & Permit Center Fact Sheet
Community Development Division

PL#: 01-0435
SKAGIT COUNTY
PLANNING CNTR.
OCT 24 2003
RECEIVED

Applicant

3D-H Aggregates
Name

P.O. Box 607, Stanwood WA 98292
Address

(360) 629-4633 _____ _____
Phone Fax e-mail address

Signature _____

Owner

David/Helen Weber & Dave/Darcy Harvin
Name

809 Rakdal Rd, Camano Island 98292
Address

_____ _____ _____
Phone Fax e-mail address

Contact

David Hough ALSO DAVE HARVIN P.O. Box 607, Stanwood 98292
Name

17483 W. Big Lake Blvd, Mt Vernon, WA 98274
Address

422-5103 (Same) houghda@aol.com
Phone Fax e-mail address

Contractor *(When applicable. If owner, write owner-builder)*

_____
Name

_____
Address

_____ _____ _____
Phone Fax e-mail address

_____ _____
Contractors License # Expiration Date

1005 2006 00000 2833

OWNERSHIP CERTIFICATION

I, DAVE GARVIN, hereby certify that I am the major property owner or officer of the corporation owning property described in the attached application, and I have familiarized myself with the rules and regulations of Skagit County with respect to filing this application, and that the statements, answers and information submitted presents the argument on behalf of this application and are in all respects true and correct to the best of my knowledge and belief.

Street Address: 5230 - 332ND ST. N.W.

City, State, Zip: STANWOOD, WA. 98292

Phone: (360)629-9243 Signature(s): X Dave Garvin

for: 2&L ENTERPRISES INC.
(corporation or company name if applicable)

ACKNOWLEDGMENT

STATE OF WASHINGTON)
ss.)
COUNTY OF SKAGIT)

On this day personally appeared before me GREGG EATON known to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the 4TH day of MAY, 2000.

NOTARY PUBLIC in and for the State of Washington, residing at STANWOOD

My Commission Expires: 6/30/2000

GREGG T. EATON NOTARY PUBLIC COMMISSION EXPIRES JUNE 30, 2000 STATE OF WASHINGTON

1005 2005 0000 2038

Planning & Permit Center PL 01-0435

Pre-application Verification Form

Pursuant to 14.06.080 (2) **Date Issued:** _____

- ☐ Binding Site Plan
- ☐ Commercial Building Permit
- ☐ Bldg Permits Triggering SEPA
- ☐ Fill & Grade Permit w/a SEPA
- ☐ Forest Practice Waiver – HE
- ☐ Level II, III and IV Applications
- ☐ Long CaRD ☐ Pre ☐ Final
- ☐ Plat or SPU Modification
- ☐ Rezone
- ☐ Shoreline Substantial Use Permit
- ☐ Short CaRD
- ☐ Short Plat
- ☒ Special Use Permit Level II
- ☐ Variance Level II
- ☐ Other _____

Please submit this form with the formal application.

Pre-application meeting held on: 6/21/01

Persons in attendance: Linda Miller, John Cooper, Alison Mohns, Dave Sheridan, Dan Cain

Other Related Permits or Approvals: _____

Parcel ID#: 44865 Assessor Tax #: 350928 . 1 . 005 . 0001

Parcel ID#: _____ Assessor Tax #: _____ . _____ . _____ . _____

Section 28 Township 35 Range 9 Comprehensive Plan/Zoning Designation: RRV

Issues identified in Meeting: (1) Access location (preferred access through WDOT property). (2) ~~[illegible]~~. (3) fuel containment. (4) Noise regulations.

(Attach additional sheet if necessary.)

Follow-up by Staff: _____



Planning & Permit Center

200 West Washington Street • Mount Vernon, Washington 98273
Phone: (360) 336-9410 • Fax: (360) 336-9416

ENVIRONMENTAL CHECKLIST

Purpose of checklist: The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts on the quality of the environment. The purpose of this checklist is to also provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposals, if it can be done) and to help the agency decide whether an EIS is required.

Instructions to the applicant: This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring the preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

Answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or a questions does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline and landward designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. This checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impacts. Attach any additional information that will help your submittal

Use of checklist for non-project proposals: Complete this checklist for non-project proposals, even though the questions may be answered "does not apply". In addition, complete the Supplemental Sheet for non-project actions (Part D).

For non-project actions, the references in the checklist to the words "project", "applicant" and "property or site" should be read as "proposal", "proposer" and "affected geographic area", respectively.

Fee: There is a $200.00 fee required for each environmental checklist submitted. All costs associated with the preparation of any required environmental impact statements shall be borne by the applicant.

Planning & Permit Center
200 West Washington Street • Mount Vernon, Washington 98273
Phone: (360) 336-9410 • Fax: (360) 336-9416

ENVIRONMENTAL CHECKLIST

A. BACKGROUND INFORMATION

1. Name of proposed project, if applicable: 3D-H Aggregates

2. Name of applicant: 3D-H Aggregates

3. Address and phone number of applicant and contact person:
   P.O. Box 142, Stanwood, WA 98292

   Contact: Helen Weber

4. Date checklist prepared March 2002
5. Agency requesting checklist Skagit County Planning and Permit Center
6. Proposed project timing or schedule *(including phasing, if applicable)* Annual crushing in conjunction with existing gravel operation.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
   Possible temporary Asphalt Plant depending on if any major road resurface projects are proposed in the area.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
   An environmental checklist and a DNS was issued for the original conditional use permit application in 1977.

9. Do you know of pending applications for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
   No

10. List any government approvals or permits that will be needed for your proposals, if known:
    Special Use permit

11. Give a complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist which ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

PROJECT NARRATIVE - 3D-H Aggregates

This is a request for a modification of CU #77-031 for the addition of a crusher and asphalt plant and concrete ready mix in an existing permitted gravel pit. This request is made pursuant to Condition #7, Written Order #CU 77-031.

The Skagit County Board of Adjustment granted a Conditional Use Permit #77-031 on December 8, 1977 for a gravel pit on a 30 acre parcel. Initial operation was limited to the northerly 10 acres until the project was reviewed by the Board of Adjustment. Condition #7 of the Written Order states:

7. Additional permits shall be obtained for each new operation of the rock crusher and asphalt plant.

On May 10, 1999, Tom Karsh, Director of the Planning and Permit Center, determined that the conditional use permit was valid with all the original conditions.

We are requesting approval for concrete ready mix and annual crushing and asphalt production which would also include recycling of concrete and asphalt. Crushing and asphalt production would normally occur March through October. Only an emergency situation would require crushing during other times of the year. We would expect that normal crushing and asphalt production would be for a period of 6 to 12 weeks annually. Crushed material would be stockpiled and sold throughout the year. We would anticipate an average daily traffic increase of 5 to 7 vehicles per day.

12. Location of the proposal. Please give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any. If a proposal should occur over a range of area, please provide the range or boundaries of the site(s). Please provide a legal description, site plan, vicinity map, and topographic map if possible. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. *(Indicate if maps or plans have been submitted as part of a permit application.)*

Proposal is located at 50598 State Route 20 between Concrete and Rockport. It is adjacent to the County Solid Waste Transfer Station.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site *(circle one)*: flat, rolling, hilly, steep, slopes, mountainous, other *(describe)*:

b. What is the steepest slope on the site *(approximate % slope)*? 8%

c. What general types of soils are found on the site *(i.e. clay, sand, gravel, peat, muck)* ? If you know the classification of agricultural soils, please specify and note any prime farmland.
Winston gravelly silt loam

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe: No

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill None proposed

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. No. A reclamation plan has been approved by WSDNR.

g. About what percent of the site will be covered with impervious surfaces after project construction *(for example, asphalt or buildings)* None

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Reclamation plan provides operational requirements. The crusher would be located within the active pit.

2. Air

a. What types of emissions to the air would result from the proposal *(i.e. dust, automobile, odors, industrial wood smoke)* during construction, and when the project is completed? If any, generally describe and give approximate quantities if known.

Air emissions would be from the diesel engines powering the crusher and additional truck traffic. Little dust is expected due to the type of material.

b. Are there any off-site sources of emissions or odor which may affect your proposal? If so, generally describe.

No.

c. What are the proposed measures to reduce or control emissions or other impacts, if any:

All trucks and equipment will be equipped with required air pollution control equipment.

3. Water

a. Surface:

1) Is there any surface water on or in the immediate vicinity of the site *(including year-round and seasonal stream, saltwater, lakes, ponds, associated wetlands)*? If yes, describe type, provide names, and, if known, state what stream or river it flows into.

No.

2) Will the project require any work over or adjacent to *(within 200 feet)* the described waters? If yes, please describe and attach available plans.

No.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the are of the site that would be affected. Indicate the source of fill material.

None.

4) Will surface water withdrawals or diversions be required by the proposal? Give general description, purpose, and approximate quantities if known.

No

5) Does the proposal lie with a 100-year flood plain? Note location on the site plan, if any.

No.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No.

b. Ground:

1) Will ground water be withdrawn or recharged? Give general description, purpose, and approximate quantities if known.

~~No~~. YES, A well will be drilled to provide water for concrete production

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any *(for example: domestic sewage; industrial, containing the following chemicals . . .; agricultural; etc.)*. Describe the general size of the system, the number of such systems, the number of houses to be served *(if applicable)*, or the number of animals or humans the system(s) are expected to serve.

None.

c. Water runoff *(including storm water)*:

1) Describe the source of runoff and storm water and method of collection and disposal, if any *(including quantities, if known)*. Where will this water flow? Will this water flow into other waters? If so, please describe.

Onsite drainage infiltrates through the natural soils.

2) Could waste materials enter ground or surface waters? If so, generally describe.

Only fuel spills.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

Fuel spill containment facility is provided onsite.

4. Plants

a. Check "X" or circle "O" types of vegetation found on the site:

__/__ deciduous tree: alder, maple, aspen, other
__X__ evergreen tree: fir, cedar, pine, other
___ shrubs
___ grass
___ pasture
___ crop or grain
___ wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
___ water plants: water lily, eelgrass, milfoil, other
___ other types of vegetation.

b. What kind and amount of vegetation will be removed or altered?

None

c. List threatened or endangered species known to be on or near the site.

Bald eagles winter in the upper valley.

d. List proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:
Buffer areas will be maintained as required by C.U. Permit #77-031.

5. Animals

a. Circle "O" any birds and animals which have been observed on or known to be on or near the site:

birds: hawk, heron, eagle, songbirds, other: O
mammals: deer, bear, elk, beaver, other: O
fish: bass, salmon, trout, shellfish, other: _____

b. List any threatened or endangered species known to be on or near the site:

None.

c. Is the site part of a migration route? If so, explain.

Not to our knowledge.

d. Proposed measures to preserve or enhance wildlife, if any:

Buffer area to be maintained. Reclamation plan will provide re-vegetation of the site.

6. Energy and Natural Resources

a. What kinds of energy *(electric, natural gas, oil, wood stove, solar)* will be used to meet the completed project's needs? Describe whether it will be used for heating, manufacturing, etc.

Diesel fuel.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

c. What kinds of energy conservation features are included in the plans of this proposal?

None.

d. What are the proposed measures to reduce or con ... gy impacts, if any?

Crusher will be maintained in accordance with manufacturer's recommendations.

7. Environmental Health

a. Are there any environmental health hazards, exposure to toxic chemicals, including risk of fire and explosion, spill, or hazardous waste, that occur as a result of this proposal? If so, describe.

The crusher will generate noise. Operation must meet Federal and State work requirements. Due to the location of the crusher in the active gravel pit, noise beyond on the site boundaries are not expected to exceed County and State required noise limitations.

b. Describe special emergency services that might be required.

None.

c. What are the proposed measures to reduce or control environmental health hazards, if any?

See above.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties?

The site includes an existed permitted gravel pit. Adjacent uses include the County's Solid Waste Transfer Station, WSDOT gravel pit and forest lands.

b. Has the site been used for agricultural purposes? If so, describe.

No.

c. Describe any structures on the site.

None.

d. Will any structures be demolished? If so, what.

No.

e. What is the current zoning classification of the site?

Rural Reserve.

f. What is the current comprehensive plan designation of the site?

Rural Reserve.

g. If applicable, what is the current shoreline master program environment designation of the site?

Not applicable.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

No.

i. What are proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Normal crushing will only occur 6 to 12 weeks a year. Crusher is to be located in the pit which is 25 to 35 feet below grade.

j. Approximately how many people would reside or work in the completed project?

2 to 3 additional workers.

k. Approximately how many people would the completed project displace?

None.

l. What are proposed measures to avoid or reduce displacement or other impacts, if any?

Not applicable.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Not applicable.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Not applicable.

c. What are proposed measures to reduce or control housing impacts, if any?

Not applicable.

10. Noise

a. What types of noise exist in the area which may affect your project *(for example: traffic, equipment, operation, other)*?

None.

b. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis *(for example: traffic, construction, operation, other)*?

The crusher will generate noise during the 6 to 12 weeks of a normal annual operation. It is estimated that the crushing operation will increase truck traffic by 5 to 7 vehicles per day.

c. What are the proposed measures to reduce or control noise impacts, if any?

The location of the crusher on the gravel pit floor will assist in reducing the noise levels beyond the site boundaries.

11. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

None.

b. What views in the immediate vicinity would be altered or obstructed?

None.

c. What are the proposed measures to reduce or control aesthetic impacts, if any?

None.

12. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

No.

c. What existing off-site sources of light or glare may affect your proposal?

None.

d. What are the proposed measures to reduce or control light and glare impacts, if any:

None needed.

13. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

Skagit River.

b. Would the proposed project displace any existing recreational uses? If so, describe.

No.

c. What are the proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any?

None needed.

14. Historic and Cultural Preservation

a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

No.

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on the site.

None.

c. What are the proposed measures to reduce or control impacts, if any?

None needed.

15. Transportation

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

Site access utilizes the access into the County's Solid Waste Transfer Station which accesses State Route 20.

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

NO.

c. How many parking spaces would the completed project have? How many would the project eliminate?

More than adequate parking is available on site and on problems are anticipated during crushing.

d. Will the proposal require any new roads or streets, or improvements to any existing roads or streets, not including driveways? If so, generally describe *(Indicate whether public or private)*

No.

e. Will the project use or occur in the immediate vicinity of water, rail, or air transportation? If so, generally describe.

No.

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

As noted earlier, the crushing operation is expected to increase traffic 5 to 7 vehicles a day.

g. What are proposed measures to reduce or control transportation impacts, if any?

None.

16. Public Services

a. Would the project result in an increased need for public services *(for example: fire protection, police protection, health care, schools, other)*? If so, generally describe.

No. In fact, the availability of crushed rock in the area would assist public services.

b. What are proposed measures to reduce or control direct impacts on public services, if any?

None.

17. Utilities

a. Circle "O" utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other *(describe)*.

_____

_____

b. Describe the utilities which are proposed for the project, the utility providing the service, and the general construction activities of the site or in the immediate vicinity which might be needed.

None.

C. SIGNATURE

The above answers are true to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:_____

Date Submitted:_____

LAND TECHNOLOGIES, INC.

MAKING A WAY OUT OF "NO WAY"

May 15, 2001

Skagit County

Project File Number: Conditional Use Permit #77-031
Re: Pre-Application Data Sheet

Summary of Request

The proponent has an existing Conditional Use (CU) to extract gravel from 10-acres of a forty-acre parcel. This CU is to be reviewed after two years of operation and if operations are acceptable, the Department of Natural Resource (DNR) form SM-6 is to be signed so as to bring the gravel extraction area allowed by the county to match that of the DNR, which has permitted the whole forty-acres. Wilder Construction obtained the original CU for the purpose of providing a gravel resource site and a site to temporally produce asphalt for work along this remote portion of the Cascade Highway. Existing permitted sites would have to truck asphalt from north of Burlington for repair and maintenance to the Highway. Two specific asphalt overlay projects are scheduled for this area this summer. An estimated 120,000 tons of asphalt is projected for use on these two projects. That will require an estimated 9400 truck hours along 30 miles of the North Cascade Highway through Sedro Wooley and Concrete during the height of the tourist season.

We are requesting a job specific permit to operate a portable asphalt plant and crushing plant on the gravel pit site for the duration of the two specific jobs. One project crosses our access point to the Highway and the other project is twenty minutes east of our pit site. Estimated trucking time would be reduced to 1100 hours and no traffic would be routed through Concrete or Sedro Wooley. Hauling from this site reduces the impacts to only a few miles of the North Cascade Highway.

Information Requested for Emergency/Suspended Zoning Code

Fairness to Other Contractors: The Owners of the Rockport Gravel Pit are not paving Contractors and will not be bidding this work. 3DH Aggregates will supply material and the site to every Contractor bidding this work. Materials and the site will be available for standard pricing to all bidders.

Hours of Operation: Talks with WSDOT say that the only the restrictions from their side is that work has to be suspended on Fridays at noon. Expected work periods desired by bidders will be daylight hours from Monday morning to Friday at noon. There are no immediate neighbors that will be affected by the in pit work. The nearest resident is 1500 feet away and screened by terrain and trees. The plant will set in a hole surrounded by earth berms. The two jobs of concern are to be completed in the summer of 2001.

Sanitation: Sani-cans with full services will provide for on-site sanitation. Numbers of units installed will be appropriate to the size of crews working at the site.

Location of Batch Plant: The plant will be located in the middle of the existing pit as shown on the attached maps. The Skagit County Transfer Station borders the location on the east side. An old WSDOT

18820 3rd Ave NE - Arlington, WA. 98223 (360) 652-9727 Fax (360) 652-5374

borrow site borders the site to the North and vacant land borders the site to the west. Two thousand feet of the operator's property borders the site to the south. The nearest existing resident is 1500 feet from the proposed location of the batch plant.

Site Description

Soils: The site soils are deep deposits of sand and gravel. The sand and gravel deposit is of commercial quality and meets Washington State Department of Transportation (WSDOT) standards for Gravel Backfill Sections 9-03.12(1), (1)B, (2), (3), (4), & (5); Gravel Borrow Sections 9-03.14(1), (2), (3). Screening may be required to meet some specifications due to oversize material. The fines contents, portion less than the 200-screen, is less than five percent. This is an excellent Gravel Aggregate Resource.

The Department of Agricultures Soil Conservation Service (SCS) has mapped this soil as Winston Gravelly Silt Loam and describes it as very deep, well-drained soil on terraces and is underlain by glacial outwash. Permeability is moderate from the surface to the substratum and very rapid in the substratum.

Drainage: As described from the SCS book, this soil type is very well drained in the substratum. There is virtually no surface runoff, stormwater moves vertically through the well-drained soils.

Topography: The forty-acre site itself sets up on a small plateau and is fairly level with a slight slope the south. To the east of the property, the slope drops fairly rapidly in terraces to the Skagit River. Some slopes, between terraces, approach thirty-three percent. The River is a thousand feet west of the property. To the north is WSDOT gravel pit that slopes back to the North Cascade Highway. From the northeast corner of the property to the Cascade Highway is about 250 feet with a 30-foot drop in elevation.

Wetlands and Streams: The rapid permeability of the soils does not provide hydrology that is conducive to the formation of wetlands and streams. Neither exists on site, there appears to be no surface water or drainage on or within 200 feet of the site.

Vegetation and Wildlife: The site had been clear-cut within the last 10 years and is in the shrub dominant successional stage in areas that have not been re-cleared for gravel extraction. Native plants and wildlife is typical of this North Cascade Region.

Surrounding Land Use: North of the site is a WSDOT gravel pit, between this site and the North Cascade Highway, along the east boundary is an old Skagit County landfill and the current transfer station. To the south and west are large parcels with some use as rural residential.

Traffic Patterns: The North Cascade Highway through an easement accesses the gravel pit across the Skagit County Transfer Station Property.

Project Description

Gravel mining is currently in progress on a 10-acre portion of the DNR permitted 40-acre site. The temporary 10-acre limit was imposed by Skagit County through the Conditional Use permit #77-031. After two years the county is to review the mining activities to consider expansion into the additional 30 acres as permitted by DNR.

The gravel resource site is remote from general use and was originally permitted by Wilder Construction in anticipation of supplying materials for road repairs and maintenance along the North Cascade Highway. Wilder Construction had never found further reason to actually start mining the site and the site have since been purchased by 3DH Aggregates. 3DH Aggregates has been mining the site for the last 2-years. The site is remote and has had no problems with neighbors. Neighbors to the north and east are a WSDOT gravel pit and a Skagit County Transfer Station. The mining area is invisible from any neighboring properties or the Highway.

Along the North Cascade Highway, WSDOT has scheduled two repair and asphalt overlay projects that are to begin in early summer of 2001. The first project is about a 20,000-ton asphalt job that starts three miles west of the [redacted] pit and passes right in front of the driveway to the pit. The second job is from Marble Mount to Diablo Road and will take an estimate 100,000-tons of asphalt. The Marble Mount job is 20 minutes east of the gravel pit. The nearest sites actually permitted for gravel extraction and an asphalt plant are north of Burlington and are 30 miles of tourist highway from the first job location.

These jobs will begin in about two months and we are requesting a job specific permit to bring in a portable asphalt plant and crusher to supply pavement to these two specific jobs. The asphalt/crusher plant would be onsite for approximately 4 months.

Project Issues

Timing and Benefits: Time is of the essence as these projects are schedule to begin in early summer. Permits for the onsite use of the portable plant would be required in June of 2001. There is significant benefit to the community for expediting this permit process. Thirty six hundred and fifty truck trips and over 9400 hours of truck time on the North Cascade Highway will cause a tourist season traffic nightmare from Sedro Wooley to Diablo Road for approximately 3 months of the summer. Ninety four hundred hours of trucking will cost taxpayers $705,000 for the asphalt haul alone. Asphalt hauls from the Rockport pit would only cost $265,000, which is a $440,000 savings for the asphalt haul alone. Other benefits would add up to at least a half million-dollar savings to the taxpayers for this roadwork. This is just the cash benefit to cost of government; there are un-measurable benefits to the frustration levels of thousands of tourists and locals using the North Cascade Highway. The highway through Sedro Wooley and Concrete would be literally choked off for a large portion of the summer.

Asphalt Haul Impact Table

[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	120,000	120,000	Combined work scheduled
[redacted]	3,350	3,350	Based on 33 tons per T&T
[redacted]	30	0	
[redacted]	52	22	
[redacted]	9400	3500	Not considering time lost to traffic jams
[redacted]	$705,000	$265,000	Haul costs at $75 per hour, no delay time costs
[redacted]	XXXXXX	X	Impact based on road haul time
[redacted]	XXXXXX	x	No traffic in Sedro or Concrete.

Planning & Permit Center

200 West Washington Street • Mount Vernon, Washington 98273
Phone: (360) 336-9410 • Fax: (360) 336-9416

ENVIRONMENTAL CHECKLIST

Purpose of checklist: The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts on the quality of the environment. The purpose of this checklist is to also provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposals, if it can be done) and to help the agency decide whether an EIS is required.

Instructions to the applicant: This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring the preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

Answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or a questions does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline and landward designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. This checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impacts. Attach any additional information that will help your submittal

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   Contact: Helen Weber

4. Date checklist prepared March 2002
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7. Additional permits shall be obtained for each new operation of the rock crusher and asphalt plant.

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We are requesting approval for concrete ready mix and annual crushing and asphalt production which would also include recycling of concrete and asphalt. Crushing and asphalt production would normally occur March through October. Only an emergency situation would require crushing during other times of the year. We would expect that normal crushing and asphalt production would be for a period of 6 to 12 weeks annually. Crushed material would be stockpiled and sold throughout the year. We would anticipate an average daily traffic increase of 5 to 7 vehicles per day.

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Proposal is located at 50598 State Route 20 between Concrete and Rockport. It is adjacent to the County Solid Waste Transfer Station.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site *(circle one)*: flat, rolling, hilly, steep, slopes, mountainous, other *(describe)*:

b. What is the steepest slope on the site *(approximate % slope)*? 8%

c. What general types of soils are found on the site *(i.e. clay, sand, gravel, peat, muck)* ? If you know the classification of agricultural soils, please specify and note any prime farmland.
Winston gravelly silt loam

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe: No

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill None proposed

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. No. A reclamation plan has been approved by WSDNR.

g. About what percent of the site will be covered with impervious surfaces after project construction *(for example, asphalt or buildings)* None

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Reclamation plan provides operational requirements. The crusher would be located within the active pit.

2. Air

a. What types of emissions to the air would result from the proposal *(i.e. dust, automobile, odors, industrial wood smoke)* during construction, and when the project is completed? If any, generally describe and give approximate quantities if known.

Air emissions would be from the diesel engines powering the crusher and additional truck traffic. Little dust is expected due to the type of material.

b. Are there any off-site sources of emissions or odor which may affect your proposal? If so, generally describe.

No.

c. What are the proposed measures to reduce or control emissions or other impacts, if any:

All trucks and equipment will be equipped with required air pollution control equipment.

3. Water

a. Surface:

1) Is there any surface water on or in the immediate vicinity of the site *(including year-round and seasonal stream, saltwater, lakes, ponds, associated wetlands)*? If yes, describe type, provide names, and, if known, state what stream or river it flows into.

No.

2) Will the project require any work over or adjacent to *(within 200 feet)* the described waters? If yes, please describe and attach available plans.

No.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the are of the site that would be affected. Indicate the source of fill material.

None.

4) Will surface water withdrawals or diversions be required by the proposal? Give general description, purpose, and approximate quantities if known.

No

5) Does the proposal lie with a 100-year flood plain? Note location on the site plan, if any.

No.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No.

b. Ground:

1) Will ground water be withdrawn or recharged? Give general description, purpose, and approximate quantities if known.

Yes. A well will be drilled to provide water for concrete production

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any *(for example: domestic sewage; industrial, containing the following chemicals . . .; agricultural; etc.)*. Describe the general size of the system, the number of such systems, the number of houses to be served *(if applicable)*, or the number of animals or humans the system(s) are expected to serve.

None.

c. Water runoff *(including storm water)*:

1) Describe the source of runoff and storm water and method of collection and disposal, if any *(including quantities, if known)*. Where will this water flow? Will this water flow into other waters? If so, please describe.

Onsite drainage infiltrates through the natural soils.

2) Could waste materials enter ground or surface waters? If so, generally describe.

Only fuel spills.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

Fuel spill containment facility is provided onsite.

4. Plants

a. Check "X" or circle "O" types of vegetation found on the site:

_/_ deciduous tree: alder, maple, aspen, other
_X_ evergreen tree: fir, cedar, pine, other
___ shrubs
___ grass
___ pasture
___ crop or grain
___ wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
___ water plants: water lily, eelgrass, milfoil, other
___ other types of vegetation.

b. What kind and amount of vegetation will be removed or altered?

None

c. List threatened or endangered species known to be on or near the site.

Bald eagles winter in the upper valley.

d. List proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:
Buffer areas will be maintained as required by C.U. Permit #77-031.

5. Animals

a. Circle "O" any birds and animals which have been observed on or known to be on or near the site:

birds: hawk, heron, eagle, songbirds, other: O
mammals: deer, bear, elk, beaver, other: O
fish: bass, salmon, trout, shellfish, other: _____

b. List any threatened or endangered species known to be on or near the site:

None.

c. Is the site part of a migration route? If so, explain.

Not to our knowledge.

d. Proposed measures to preserve or enhance wildlife, if any:

Buffer area to be maintained. Reclamation plan will provide re-vegetation of the site.

6. Energy and Natural Resources

a. What kinds of energy *(electric, natural gas, oil, wood stove, solar)* will be used to meet the completed project's needs? Describe whether it will be used for heating, manufacturing, etc.

Diesel fuel.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

c. What kinds of energy conservation features are included in the plans of this proposal?

None.

d. What are the proposed measures to reduce or control energy impacts, if any?

Crusher will be maintained in accordance with manufacturer's recommendations.

7. Environmental Health

a. Are there any environmental health hazards, exposure to toxic chemicals, including risk of fire and explosion, spill, or hazardous waste, that occur as a result of this proposal? If so, describe.

The crusher will generate noise. Operation must meet Federal and State work requirements. Due to the location of the crusher in the active gravel pit, noise beyond on the site boundaries are not expected to exceed County and State required noise limitations.

b. Describe special emergency services that might be required.

None.

c. What are the proposed measures to reduce or control environmental health hazards, if any?

See above.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties?

The site includes an existed permitted gravel pit. Adjacent uses include the County's Solid Waste Transfer Station, WSDOT gravel pit and forest lands.

b. Has the site been used for agricultural purposes? If so, describe.

No.

c. Describe any structures on the site.

None.

d. Will any structures be demolished? If so, what.

No.

e. What is the current zoning classification of the site?

Rural Reserve.

f. What is the current comprehensive plan designation of the site?

Rural Reserve.

g. If applicable, what is the current shoreline master program environment designation of the site?

Not applicable.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

No.

i. What are proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Normal crushing will only occur 6 to 12 weeks a year. Crusher is to be located in the pit which is 25 to 35 feet below grade.

j. Approximately how many people would reside or work in the completed project?

2 to 3 additional workers.

k. Approximately how many people would the completed project displace?

None.

l. What are proposed measures to avoid or reduce displacement or other impacts, if any?

Not applicable.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Not applicable.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Not applicable.

c. What are proposed measures to reduce or control housing impacts, if any?

Not applicable.

10. Noise

a. What types of noise exist in the area which may affect your project *(for example: traffic, equipment, operation, other)*?

None.

b. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis *(for example: traffic, construction, operation, other)*?

The crusher will generate noise during the 6 to 12 weeks of a normal annual operation. It is estimated that the crushing operation will increase truck traffic by 5 to 7 vehicles per day.

c. What are the proposed measures to reduce or control noise impacts, if any?

The location of the crusher on the gravel pit floor will assist in reducing the noise levels beyond the site boundaries.

11. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

None.

b. What views in the immediate vicinity would be altered or obstructed?

None.

c. What are the proposed measures to reduce or control aesthetic impacts, if any?

None.

12. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

No.

c. What existing off-site sources of light or glare may affect your proposal?

None.

d. What are the proposed measures to reduce or control light and glare impacts, if any:

None needed.

13. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

Skagit River.

b. Would the proposed project displace any existing recreational uses? If so, describe.

No.

c. What are the proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any?

None needed.

14. Historic and Cultural Preservation

a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

No.

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on the site.

None.

c. What are the proposed measures to reduce or control impacts, if any?

None needed.

15. Transportation

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

Site access utilizes the access into the County's Solid Waste Transfer Station which accesses State Route 20.

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

NO.

c. How many parking spaces would the completed project have? How many would the project eliminate?

More than adequate parking is available on site and on problems are anticipated during crushing.

d. Will the proposal require any new roads or streets, or improvements to any existing roads or streets, not including driveways? If so, generally describe *(indicate whether public or private)*

No.

e. Will the project use or occur in the immediate vicinity of water, rail, or air transportation? If so, generally describe.

No.

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

As noted earlier, the crushing operation is expected to increase traffic 5 to 7 vehicles a day.

g. What are proposed measures to reduce or control transportation impacts, if any?

None.

16. Public Services

a. Would the project result in an increased need for public services *(for example: fire protection, police protection, health care, schools, other)*? If so, generally describe.

No. In fact, the availability of crushed rock in the area would assist public services.

b. What are proposed m[illegible] to reduce or control direct impacts on public services, if any?

None.

17. Utilities

a. Circle "O" utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other *(describe)*.

_____

_____

b. Describe the utilities which are proposed for the project, the utility providing the service, and the general construction activities of the site or in the immediate vicinity which might be needed.

None.

C. SIGNATURE

The above answers are true to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Date Submitted: _____

ACTIVITY LOG

6/21/03	Pre-App Meeting	
11-21-03	Routed, prelim-review, logged in	30 min
12-17-03	wrote Notice of Development, Comment & File Review	45 min
12-16-03	sent NOD to patti, mailed out, posted etc.	1 hr
12-30-03	spoke w/ Dayna Barton regarding project	15 min
	worked on LOIC	15 min
1-7-04	worked on letter requesting Add'l info & mailed review of comment letter received	30 min
1-13-04	Spoke w/ Dave Haugh regarding Letter	15 min
1-16-04	" " Dave Sheridan	15
4-19-04	Add'l info received - prelim review (not routed yet)	15 min
4-21-04	Spoke w/ John Cooper - John will prepare a memo regarding Hydro Geo Report. Routed traffic impact ~~Analysis~~ Analysis & easement deed to P.W.	30 min
5-20-04	Like Review	30 min
5-24-04	Started SEPA T.D. - Applicant has not supplied all requested information to date - staff determined that remaining issues can be conditioned & required prior to P.H.	30 min
5-26-04	Packets, posting, Mail out	45 min
6-7-04	Letter received from WSDOT - Routed to Applicant	15 min
6-10-04	Called Dayna Barton Back & left message	15 min

6 45

INDEX

Summary of Request

Pre-Application Request

Correspondence

Drawings

SKAGIT COUNTY Planning and Permit Center

Inter-Office Comment Routing Form

TO: P.W. CAO H2O Septic
Fire Marshal

FROM: Brandon Black DATE: 11-21-03

Date Stamp (Received)

This Department would like your comments on the following: PL01-0435
SPU

Your comments on this application, if any, should be returned to our office no later than: 12-5-03

PLEASE RETURN THE ATTACHED MATERIALS WHETHER OR NOT YOUR DEPARTMENT HAS ANY COMMENTS ON THIS PROPOSAL.

Thank you.

Comments: well - concrete usage
fuel spills
crushing, asphault
Temporary jab shack ok w/ sanicans, permanent bldg = ON
no low flow
Noise

BritP asphault recycling, non inert
asphault storage & [illegible] talk
w/ BritP.

SKAGIT COUNTY
PUBLIC WORKS DEPARTMENT

1000 Continental Place, Mount Vernon, WA 98273-5625 (360) 336-9400
FAX (360) 336-9478

MEMORANDUM

TO: Brandon Black, Planning and Permit Center

FROM: David J. Sheridan, Development Review Engineer

RE: PL01-0435, SPU, 3D-H Aggregates

DATE: December 1, 2003

Skagit County Public Works has reviewed the above referenced Special Use Permit application and offer the following comments:

1. The applicant will need to provide documentation showing legal access to S.R. 20 (copy of AF No. 858854). If this is a shared access the document will need to address usage and maintenance of the roadway. The access road will need to be in compliance with Skagit County Road Standards.

2. A Traffic Analysis, in accordance with Section 4 of Skagit County Road Standards, will be required.

3. Stormwater Management must be in compliance with Skagit County Code 14.32 addressing water quantity and quality. Both an Erosion and Sedimentation Control Plan and Stormwater Pollution Prevention Plan will be required.

4. All wells must be no closer than 1000 feet from Skagit County landfill property lines.

If you have any questions please feel free to contact me at 336-9400 or e-mail daves@co.skagit.wa.us.

Cc: File

memo.frm

TO: Brandon Black
FROM: Alison P. Mohns APM
Ron Palmer
RE: PL01-0435, 3DH Aggregates- SEPA
DATE: December 8, 2003

Please address the below items for PL01-0435:

1. Operation of equipment/construction and daily operations shall comply with Maximum Environmental Noise Levels Chapter 173-60 WAC and address noise and vibration limitations, and Skagit County Code 14.16.840 for light and noise conditions.

2. Washington State WAC's 173-201A and 173-200 shall be complied with, as required to address surface water quality issues and ground water issues. Best management practices shall be utilized to prevent interference and/or degradation from point, non-point pollution or conditions which could lead to degradation of water quality.

3. Drilling of a well for the concrete operations, as mentioned in the SEPA report, may require a water right from Washington State Department of Ecology (ECY). Please contact ECY, Dan Swenson: 425.649.7270 for requirements.

4. Contact SCHD (Britt Pfaff) as to disposal and storage methods for the operations. This includes any stockpiling or operations that concern non-inert asphalt operations. Operations as described in the SEPA may be required to have a permit from SCHD.

5. Water review time fees were added to the PL01-0435 file. (12-8-03apm)
50$ ✓ added No BP to attach it to -APM

Copy file sent to Britt P @ SCHD. 12/8/03

BrandonBlack

From: Britt Pfaff-Dunton
Sent: Wednesday, December 10, 2003 10:19 AM
To: BrandonBlack
Cc: AllsonMohns; RonPalmer
Subject: PL01-0435, 3DH Aggregates- SEPA

Hi Brandon,

The following comments need to be addressed for PL01-0435:

- The water well must be drilled greater than 1,000 feet from the property boundary of P44866, which contains the Sauk Landfill. (WAC 1734-160-171) The Health Department must be notified before the well is drilled.
- The facility must obtain a general storm water permit from Department of Ecology.
- The facility must comply with WAC 173-350-320. The operator of the concrete and asphalt inert wastes storage piles must adhere to the piles standards which require that at least 50% of the material stored in the pile must be used within one year and all of the material is used within three years.
- Inert waste can not be landfilled unless the facility obtains an inert waste landfill permit. (WAC 173-350)

Britt Pfaff-Dunton
Skagit County Health Department
360-336-9380, ext. 5476
360-336-9401 (fax)
brittp@co.skagit.wa.us
Public Health - Always working for a safer and healthier Skagit County

SKAGIT COUNTY Planning and Permit Center

Inter-Office Comment Routing Form

TO: P.W. CAO H2O Septic
Fire Marshal

FROM: Brandon Black DATE: 11-21-03

Date Stamp (Received)

This Department would like your comments on the following: PL01-0435
SPA

Your comments on this application, if any, should be returned to our office no later than: 12-5-03

PLEASE RETURN THE ATTACHED MATERIALS WHETHER OR NOT YOUR DEPARTMENT HAS ANY COMMENTS ON THIS PROPOSAL.

Thank you.

Comments: It appears that no septic system will be required. If so, a permit would be required.

Greg Gillespie
11-24-03

SKAGIT COUNTY Planning and Permit Center

Inter-Office Comment Routing Form

TO: P.W. CAO H_2O Septic
Fire Marshal

FROM: Brandon Black DATE: 11-21-03

Date Stamp (Received)

This Department would like your comments on the following: PL01-0435
SPU

Your comments on this application, if any, should be returned to our office no later than: 12-5-03

PLEASE RETURN THE ATTACHED MATERIALS WHETHER OR NOT YOUR DEPARTMENT HAS ANY COMMENTS O[illegible] PROPOSAL.

Thank you.

Comments: "Activity does not appear closer than 200 feet from steep slopes. No critical areas observed on subject site, except steep slopes.

Not located in MRO.

However 14.16.440 (8)(b) requires the applicant to submit a Hydrogeological Report including items i-iii).

Skagit County Critical Areas Review Form

#: PL01-0435
Date: 12-4-03
Map Review by: JTC
Field Date: 12-9-03
Field Staff: JTC

Applicant's Name: 3 D-H Aggregate

Site Address: _____ **City/Area:** _____

Section: 28 **Township:** 35 **Range:** 9 **P#:** 44865

Comp Plan Designation: _____

Field Indicator Review

Wetlands:

	Yes	No
Hydrophytic Vegetation Present?	☐	☑
Hydric Soils Present?	☐	☑
Hydrology Present:		
Inundated?	☐	☑
Depth of Standing Water:		
Saturated Soils?	☐	☑
Depth of Saturated Soil:		
Wetland Site Assessment Required?	☐	☑

Fish & Wildlife Habitat:

Stream Type Present: ☐1 ☐2 ☐3 ☐4 ☐5

Priority Species Present: ☐Yes ☑No

Species Present: _____

F&W Biological Assessment Required? ☐Yes ☑No

Geo Hazard:

Alluvial Fan Present? ☐Yes ☑No

Slope Characteristics:
Slope Height: < 10 feet 10-100 feet > 100feet

Slope Angle: 20 %

Slope Vegetation:
- ☐ bare soil areas
- ☐ vegetation cut, removed or cleared
- ☑ Mature vegetation (trees, shrubs, and groundcover)
- ☐ water loving plants (horsetail, skunk cabbage, willow, salmonberry, etc.)

Landslide Indicators:
- ☐ recent slide
- ☐ bowl-shaped slope configuration
- ☐ hummocky ground
- ☐ leaning trees or bowed trunks
- ☐ areas of low brush (blackberry)/bare areas
- ☐ springs or groundwater seepage present

Geotechnical Report Required? ☐Yes ☑No

Comments:

Map Review

WETLAND AND FISH AND WILDLIFE INDICATORS:

1. Does the National Wetland Inventory indicate the presence of wetlands on or within 200 feet of the project area? YES NO
2. Does the Soil Survey of Skagit County *(USDA, 1989)* indicate the presence of hydric soils on or within 200 feet of the project area *(see Appendix A for list of soils)*? YES NO

3. Are there any streams or bodies of water, year-round or seasonal, shown on the County's stream type map which have a Type 1 through Type 6 classification on or within 200 feet of the project area? (Type_____) YES (NO)

4. Are there endangered, threatened or sensitive species with a primary association and/or their habitat indicated on the Priority Habitats and Species Programs maps on or within 200 feet of the project area? YES (NO)

5. Are there County designated habitats and/or species areas of local importance as noted on the Priority Habitats and Species Program maps on or within 200 feet of the project area? YES (NO)

6. Are there any public or private tidelands available for shellfish harvest, kelp or eel grass beds, herring or smelt spawning areas as indicated on the Priority Habitats and Species Program maps on or within 200 feet of the project area? YES (NO)

7. Does the Department of Ecology's, Coastal Zone Atlas indicate the presence of a Critical Biological Area on or within 200 feet of the project area? YES (NO)

GEOLOGICALLY HAZARDOUS AREA INDICATORS:

1. Is the project area on or within 500 feet of coastal bluffs or slopes or from areas indicated as Unstable, Unstable Bluff, Unstable Recent Slide or Unstable Old Slide on the Coastal Zone Atlas for Skagit County? YES (NO)

2. Does the project area fall on or within 200 feet of slopes having gradients 15% or greater as shown on the Slope Stability Map? (YES) NO

3. Is the area on or within 200 feet of an alluvial fan as indicated on the Skagit County Alluvial Fan Study Maps? YES (NO)

4. Is the project area on or within 200 feet of a mine hazard as indicated on the Department of Natural Resources Map: Coal Measures of Skagit County *(1924)*? YES (NO)

5. Does the Soil Survey of Skagit County *(USDA, 1989)* indicate soil types #51 *(Dystic Xerorthents)*, #99 *(Mundt)* or #117 *(Saxon)* as being present on the property? YES (NO)

6. Is the site on or within 200 feet of potential soil liquefaction areas as identified on the Relative Slope Stability map *(USGS Port Townsend Quadrangle)*? YES (NO)

7. Are areas of historic geologic failures such as quaternary slumps, earthflows, mudflows, lahars, or landslides indicated on maps or technical reports published by the United States Geological Survey or the Geology and Earth Sciences Division of the Department of Natural Resources which the County has on file? YES NO

FREQUENTLY FLOODED AREA INDICATORS:

1. Is the proposed activity located in a designated Flood Hazard Area as identified on Skagit County Flood Insurance Rate Maps? YES (NO)

AQUIFER RECHARGE AREAS:

1. Is the proposal for a single-family building permit on a pre-existing legal lot of record created prior to June 13, 1996? YES (NO)

   1a. Is the proposal on or within 200 feet of a Wellhead Protection Area? YES (NO)

2. Is the project area within ½ mile of a Department of Ecology designated "closed" or "low-flow" stream? Or is the proposal on or within 200 feet of a Sensitive or Sole Source Aquifer Area? YES (NO)

Roy Zipp
PO Box 826
Marblemount, WA 98267

SKAGIT COUNTY
PERMIT CNTR.
JAN 05 2004
RECEIVED

January 2, 2004

Brandon Black, Associate Planner
Skagit County Planning and Permit Center
200 West Washington Street
Mount Vernon, WA 98273

Subject: Notice of Development Application, Special Use File#PL01-0435,

Dear Mr. Black:

As a neighbor to the area in question, I am writing to express my concerns with the proposed changes to the property. Specifically, I am concerned that the proposed industrial operations are no longer within the scope of land use activities that are compatible with Rural Reserve Designation.

The current use of the property is a gravel pit. I understand that rural land uses such as gravel pits are considered to be compatible with land use values associated with rural areas. However, changing the proposed land use to include recycling of concrete and asphalt in my mind significantly changes the nature of the land use. It turns it into an industrial operation in which materials are imported to the site and processed. This is very different from a simple gravel pit.

Please note that the area lies at the base of Sauk Mountain and is less than one mile from Rockport State Park. I would hope that you consider the close proximity of these natural areas, including potential impacts to the Sauk Mountain viewshed (it will be clearly visible from the parking lot on Sauk mountain) and the potential impacts associated with having an industrial operation in such close proximity. I would also like you to consider the potential noise and light pollution emitted from the area.

Thank you for listening to my concerns. Please place my name on your mailing list so that I can remain up to date on the status of the permit.

Sincerely,

Roy Zipp

Roy Epp
PO Box 826
Marblemount, WA
98267



Brandon Black
Skagit ~~County~~ County Planning
200 West Washington St.
Mount Vernon, WA 98273

PLANNING AND PERMIT CENTER

GARY R. CHRISTENSEN, AICP
Administrative Official &
Assistant Director of Planning

KENDRA SMITH, ASLA, AICP
Assistant Director
Community Development

BILL DOWN, CBO
Building Official
Permit Center

January 7, 2004

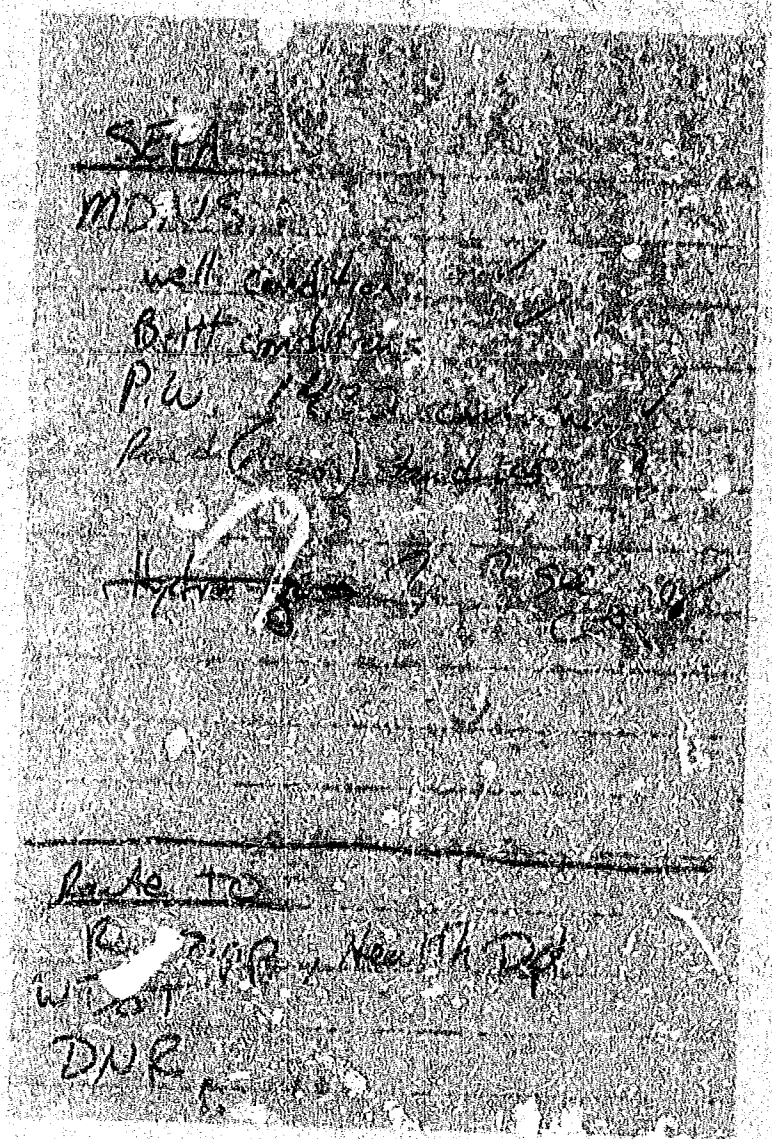
3D – H Aggregates
Attn: Dave Harvin
P.O. Box 607
Stanwood, WA 98292

RE: Special Use permit application #PL01-0435.

Dear Mr. Harvin:

The Skagit County Planning and Permit Center has reviewed the above referenced application and had determined the application complete. However, based on comments received during the review of this application, our department will need some additional information to be submitted before our review can continue. At this time our department would like to request that you submit the following information to our office:

- Please provide documentation showing legal access to S.R. 20 (copy of AF No. 858654). If this is a shared access the document will need to address usage and maintenance of the roadway. The access road will need to be in compliance with Skagit County Road Standards.
- A Traffic Analysis, in accordance with Section 4 of Skagit County Road Standards, will be required.
- Stormwater Management must be in compliance with Skagit County Code 14.32 addressing water quantity and quality. Both an Erosion and Sedimentation Control Plan and Stormwater Pollution Prevention Plan will be required.
- **Note:** All wells must be no closer than 1000 feet from Skagit County landfill property lines.
- SCC 14.16.440(8)(b) requires the submittal of a Hydrogeological report (including items i – iii).
- **Note:** It appears that there is not a proposal for a septic system. If a septic system is proposed, a permit will be required.



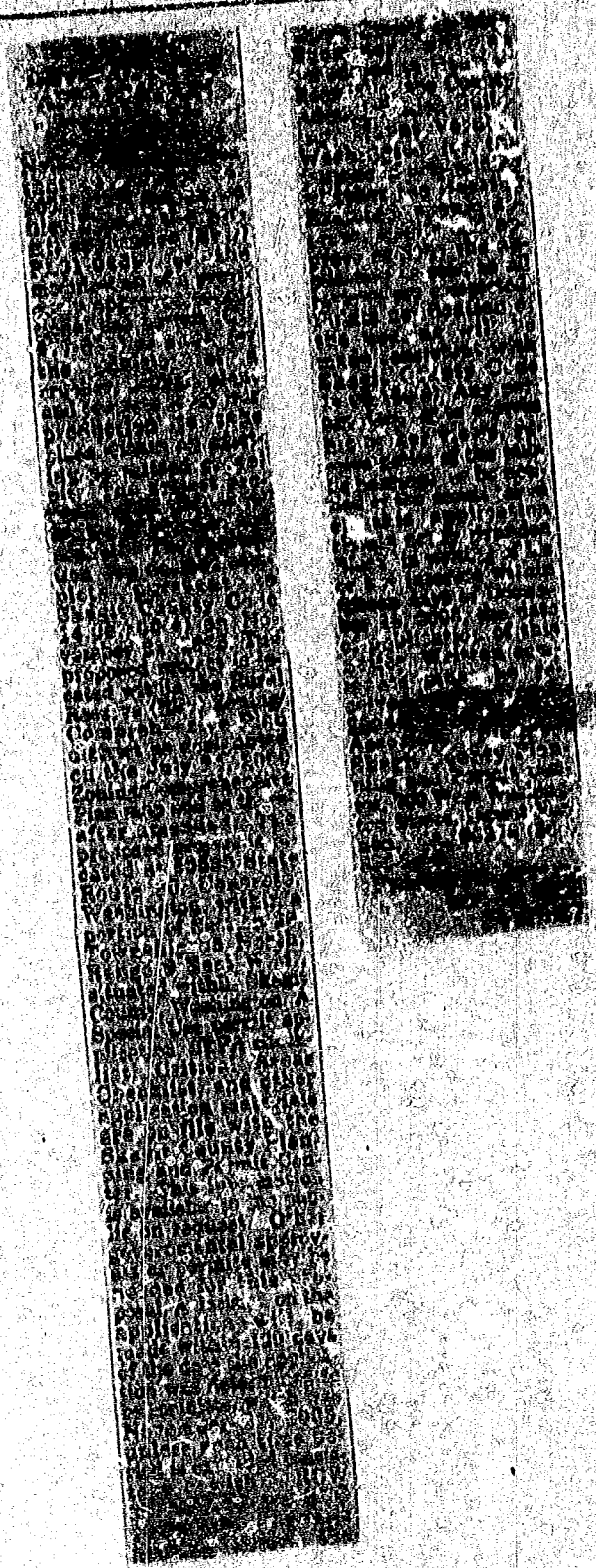
The requested information needs to be received by our department within 180 days of the date of this letter as required by Skagit County Code 14.06.100. Once our department receives the above referenced information review of this project will continue. If you have any questions regarding this letter, please feel free to call my office at 336-9410.

Sincerely,

Brandon Black,
Associate Planner

Also, attached you will find comments submitted during review of the proposal. Some of these comments have been listed above and some will become conditions placed on the final decision. One public comment letter was received and is also attached.

CC: David Heugh
Dave and Helen Weber



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DEC 29 2003

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Skagit Valley Herald

1000 East College Way, P.O. Box 578, Mount Vernon, WA 98273-0578

Affidavit of Publication in the matter of SVH -7087

In the Superior Court of the State of Washington In and For Skagit County

STATE OF WASHINGTON
County of Skagit *ss*

The undersigned, being first duly sworn on oath deposes that he/she is principal clerk of the Skagit Valley Herald, a daily newspaper. That said newspaper has been approved as a legal newspaper by the Superior Court of Skagit County and it is now and has been for more than six months prior of the publication hereinafter referred to, published in the English language continually as a daily newspaper in Skagit County, Washington, and it is now and during all of said time was printed on an office maintained at the aforesaid place of publication of said newspaper.

That the annexed is a true copy of an advertisement, with publication dates, as it was published in regular issues (and not in supplemental form) of said newspaper commencing with the issue
of December 18, 2003
and ending with the issue
of December 18, 2003

That such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing in the sum of $47.52

clerk

Subscribed and sworn to before me this
23rd day of December 2003
Notary Public and for the State of Washington
Clerk's filing stamp

CAROL BURNISON-KHALEF
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
2-19-05

SKAGIT COUNTY PLANNING & PERMIT CENTER

LAND USE COMMENTS/REVISIONS

To: P.W.

Please comment on the following:

Application Number: PL01-0435 Application Type SPU

Applicant: 3D-H Aggregates

Date Distributed 4-21-04 **Return Date** 5-5-04

Staff Contact Brandon Black

COMMENTS *(PLEASE RETURN THIS FORM WHETHER OR NOT YOU HAVE COMMENTS ON THIS PROPOSAL)*

Revisions/Additional Info received.

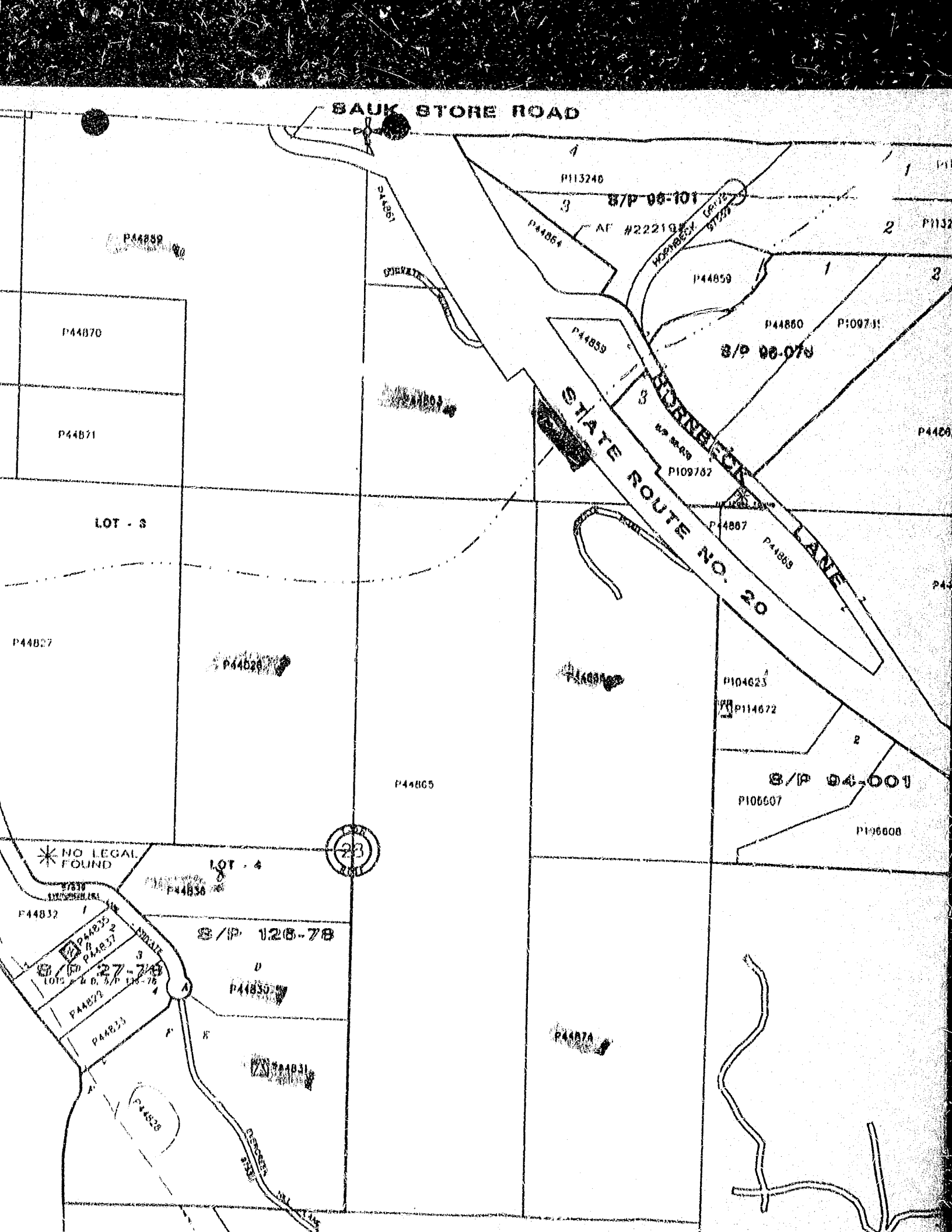
_____ **NO COMMENTS**

_____ **Approved**

_____ **Approved as noted**

_____ **Revised and Resubmit**

Signature _____ **DATE** _____


SAUK STORE ROAD
P113246
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P44864
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S/P 96-070
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P44871
P44859
STATE ROUTE NO. 20
HORNBECK LANE
P109782
P44867
P44868
LOT - 3
P44827
P44826
P104623
P114672
S/P 94-001
P106607
P106608
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NO LEGAL FOUND
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P44832
S/P 126-78
S/P 27-78
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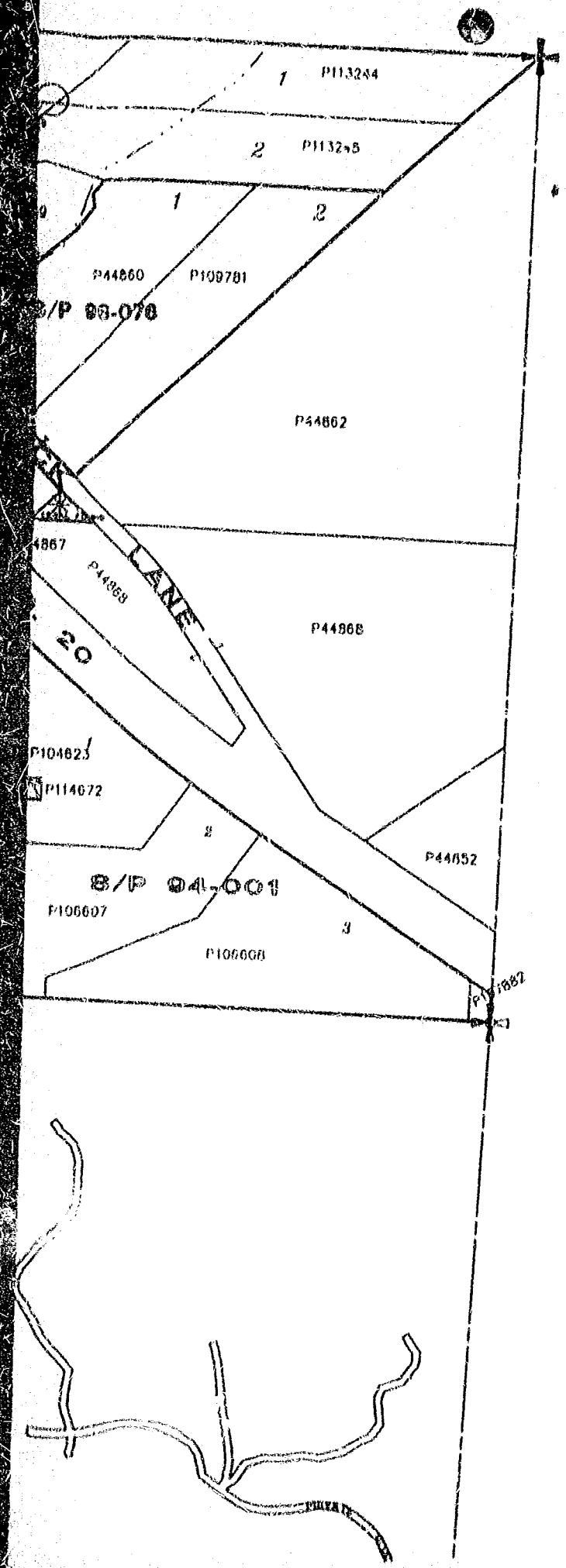

SKAGIT COUNTY

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7	8	9	10	11	12
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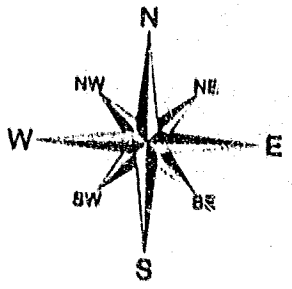
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

T 35 N R 09 E

ATTENTION

THIS MAP CONTAINS A PARCEL ACCOUNT THAT HAS BEEN PLACED WITH THE BEST AVAILABLE INFORMATION. THE EXACT LOCATION OF THIS PARCEL IS UNKNOWN.



0 400

Scale in feet

These maps were created from available public records and existing map sources, not from field surveys. Map features from all sources have been adjusted to achieve a "best fit" registration to the Ownership Parcels map. While great care was taken in this process, maps from different sources rarely agree as to the precise location of geographic features. The relative positioning of map features to one another results from combining different map sources without field "ground truthing".

• THIS MAP IS NOT A SUBSTITUTE FOR FIELD SURVEY

NOTICE OF DEVELOPMENT APPLICATION

Special Use File # PL01-0435

Notice is hereby given that on October 24, 2003, 3D 1 Aggregate filed Special Use permit application (SPU) PL01-0435 for the modification of a previously approved conditional use permit (CU #77-031) to allow for the addition of a crusher, asphalt plant and concrete ready mix production to take place within an existing permitted gravel pit. The project proposal would include recycling of concrete and asphalt. The application was deemed complete pursuant to Skagit County Code 14.06.100(4) on November 21, 2003.

The proposed project is located within the Rural Reserve (RRv) Zoning/Comprehensive Plan district as designated on the July 24, 2000 Zoning/Comprehensive Plan map and as thereafter amended. The proposed project is located at 50598 State Route 20, Concrete, Washington, within a portion of Section 28, Township 35 North, Range 9 East W.M., situated within Skagit County, Washington.

A Special Use permit application, SEPA checklist, Critical Areas Checklist, and other application materials are on file with the Skagit County Planning and Permit Center. This information is available to the public on request. Other governmental approvals or permits may be needed for this proposal.

A decision on the application will be made within 120 days of the date the application was determined to be complete, which was November 21, 2003, unless such time period is extended consistent with RCW 36.70B.090 and SCC 14.06.210. A public hearing before the Skagit County Hearing Examiner will be scheduled in Hearing Room C of the County Administration Building, Mount Vernon, Washington for the purpose of determining whether the Hearing Examiner should approve, modify and approve or deny the application as soon as all reviews are completed. Public notification of the hearing will be made consistent with Skagit County Code 14.06.150(3).

Any person desiring to express his or her views, receive notice of the public hearings or be notified of the action taken on this application should notify Brandon Black in writing of his or her interest within fifteen days of December 18, 2003, the date of publication of this notice.

Written comments must be received by January 2, 2004.

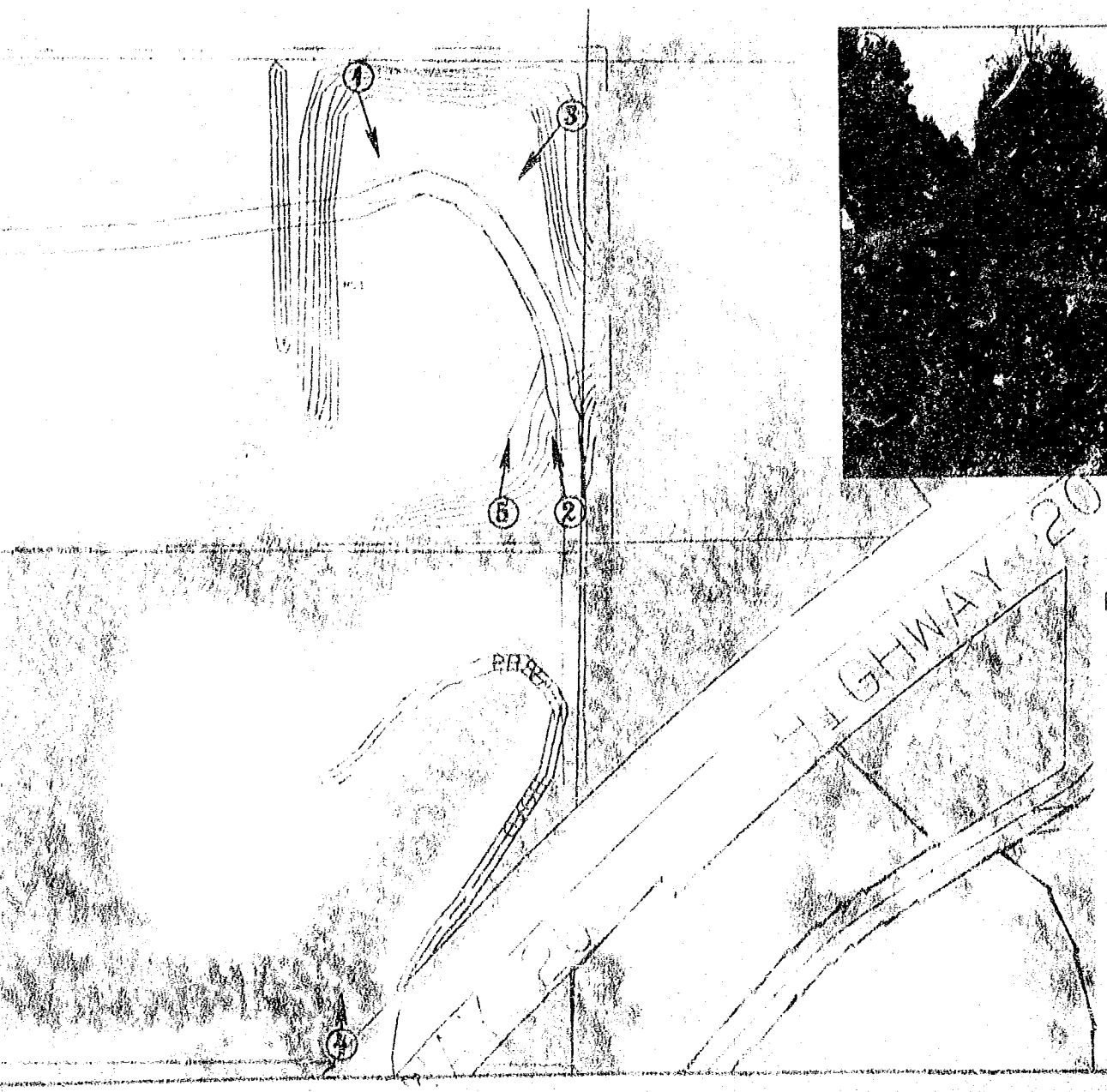
Brandon Black, Associate Planner
Skagit County Planning and Permit Center
200 West Washington Street
Mount Vernon, WA. 98273
(360) 336-9410

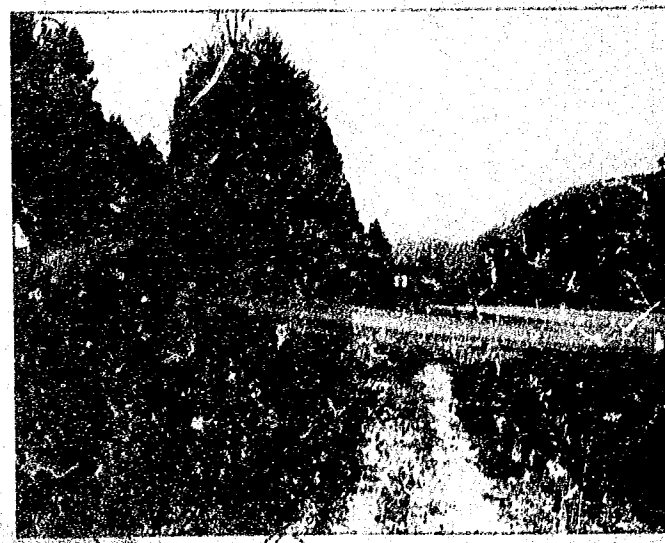
Transmitted to the Skagit Valley Herald 12-16-03

Please publish 12-18-03









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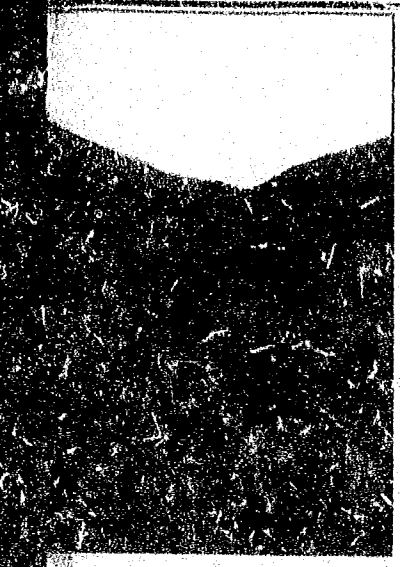
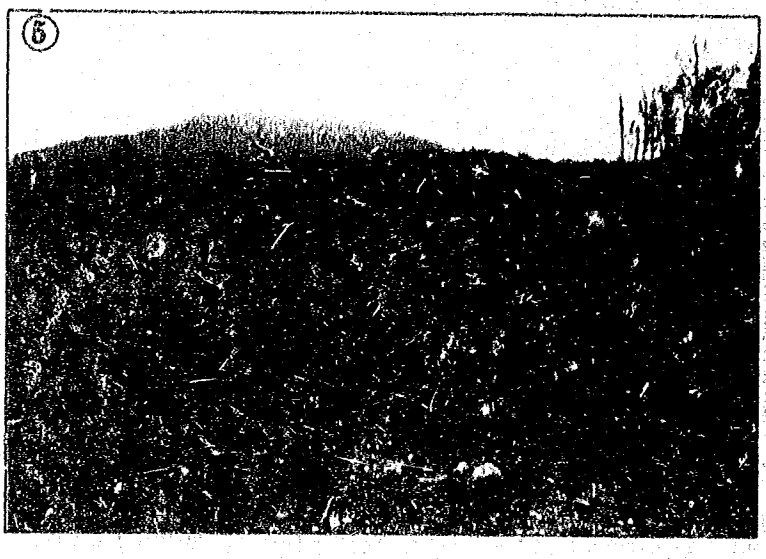
Section 28, Township 35 North, Range 9 East, W.M.









otos Show Remoteness and Seclusion of Site

.Looking north across existing gravel excavation. Pit entry
rom trees in middle of picture. Skagit County transfer station
ehind trees on right half of picture. WSDOT pit behind trees on
eft half of picture.
.Looking southeast a point of entry to gravel pit.
.Looking northeast across pit. Trees provide heavy screening
o Skagit County property.
.Access point to highway 20.
.Looking south from point of entry along west boundary with
SDOT pit. The south boundary is vacant land that drops rapidly
o Skagit River Valley.

LAND TECHNOLOGIES

3DH AGGREGATE INC. | Rockport Gravel Pit | Existing Photographs

SHEET
3 of 3

Rockport Gravel Pit - 5 | use permit.pro

1085 2006 0000 2840

SKAGIT COUNTY
PUBLIC WORKS DEPARTMENT

1800 Continental Place, Mount Vernon, WA 98273-5625 (360) 336-9400
FAX (360) 336-9478

MEMORANDUM

TO: *Brandon Black, Planning and Permit Center*

FROM: *David J. Sheridan, Development Review Engineer*

RE: *PL01-0435, SPU, 3D-H Aggregates*

DATE: ~~*December 1, 2003*~~ *April 27, 2004*

Skagit County Public Works has reviewed the above referenced Special Use Permit application and offer the following comments:

1. *The applicant will need to provide documentation showing legal access to S.R. 20 (copy of AF No. 650854). If this is a shared access the document will need to address usage and maintenance of the roadway. The access road will need to be in compliance with Skagit County Road Standards.*

2. *A Traffic Analysis, in accordance with Section 4 of Skagit County Road Standards, will be required.* NEW COMMENT 4/27/04: Section C, page 3 of the Traffic Impact Analysis, dated April 3, 2004, references sight distance for access on Farm to Market Road. Section VI, page 5 of TIA references the project access/SR-20 intersection. If this intersection does not meet current County or WSDOT standards, then the TIA needs to include proposed mitigation.

3. *Stormwater Management must be in compliance with Skagit County Code 14.32 addressing water quantity and quality. Both an Erosion and Sedimentation Control Plan and Stormwater Pollution Prevention Plan will be required.*

4. *All wells must be no closer than 1000 feet from Skagit County landfill property lines.*

Highlighted items have been completed.

If you have any questions please feel free to contact me at 336-9400 or e-mail davem@co.skagit.wa.us.

Cc: File

memo.frm

SKAGIT COUNTY PLANNING & PERMIT CENTER

LAND USE COMMENTS/REVISIONS

To: P.W.

Please comment on the following:

Application Number: PL01-0435 Application Type SPU

Applicant 3D-H Aggregates

Date Distributed 4-21-04 **Return Date** 5-5-04

Staff Contact Brandon Black

COMMENTS *(PLEASE RETURN THIS FORM WHETHER OR NOT YOU HAVE COMMENTS ON THIS PROPOSAL)*

Revisions/Additional Info received.

_____ **NO COMMENTS**

_____ **Approved**

_____ **Approved as noted**

_____ **Revised and Resubmit**

Signature _____ **DATE** _____

PLANNING AND PERMIT CENTER

SKAGIT COUNTY
serving with pride

GARY R. CHRISTENSEN, AICP
Administrative Official &
Assistant Director of Planning

KENDRA SMITH, ASLA, AICP
Assistant Director
Community Development

BILL DOWE, CBO
Building Official
Permit Center

January 7, 2004

3D – H Aggregates
Attn: Dave Harvin
P.O. Box 607
Stanwood, WA 98292

RE: Special Use permit application #PL01-0435.

Dear Mr. Harvin:

The Skagit County Planning and Permit Center has reviewed the above referenced application and had determined the application complete. However, based on comments received during the review of this application, our department will need some additional information to be submitted before our review can continue. At this time our department would like to request that you submit the following information to our office:

- Please provide documentation showing legal access to S.R. 20 (copy of AF No. 858854). If this is a shared access the document will need to address usage and maintenance of the roadway. The access road will need to be in compliance with Skagit County Road Standards.
- A Traffic Analysis, in accordance with Section 4 of Skagit County Road Standards, will be required.
- Stormwater Management must be in compliance with Skagit County Code 14.32 addressing water quantity and quality. Both an Erosion and Sedimentation Control Plan and Stormwater Pollution Prevention Plan will be required.
- **Note:** All wells must be no closer than 1000 feet from Skagit County landfill property lines.
- SCC 14.16.440(8)(b) requires the submittal of a Hydrogeological report (including items i – iii).
- **Note:** It appears that there is not a proposal for a septic system. If a septic system is proposed, a permit will be required.

The requested information needs to be received by our department within 180 days of the date of this letter as required by Skagit County Code 14.06.100. Once our department receives the above referenced information review of this project will continue. If you have any questions regarding this letter, please feel free to call my office at 336-9410.

Sincerely,

Brandon Black,
Associate Planner

Also, attached you will find comments submitted during review of the proposal. Some of these comments have been listed above and some will become conditions placed on the final decision. One public comment letter was received and is also attached.

CC: David Hough
Dave and Helen Weber

2.00

858854

First American Title
INSURANCE COMPANY

Filed for Record at Request of SKAGIT COUNTY TITLE CO.

THIS SPACE RESERVED FOR RECORDER'S USE:
LUELLA PERRY
SKAGIT COUNTY AUDITOR
'77 JUN 21 PM 3:41

Name County of Skagit
c/o County Commissioner
Address Skagit County Courthouse
City and State Mount Vernon WA 98273
ATTENTION: Howard Miller

8226

858854 **Statutory Warranty Deed**

THE GRANTOR HERMAN L. JONES, as his separate property

for and in consideration of THIRTY THOUSAND AND NO/100 - [illegible]OLLARS ($30,000.00)

in hand paid, conveys and warrants to COUNTY OF SKAGIT, a municipal corporation

the following described real estate, situated in the County of Skagit, State of Washington:

That portion of the East ½ of the Southwest ¼ of the Northeast ¼ and the East ½ of the Northwest ¼ of the Southeast ¼ of Section 28, Township 35 North, Range 9 East, W. M., lying Southerly of Highway 17-A, as conveyed to the State of Washington by Deed recorded August 23, 1957, as Auditor's File No. 555350.

The grantee herein, as part of the consideration for this conveyance agrees, within 30 days, to reopen the old Thompson Hill Road over and across Government Lots 4 and 7 in said Section 28 and to put the same into a condition to allow vehicle traffic and futher, the grantee herein also agrees, within six months of the date hereof, to construct a two-lane gravel road on a 60 foot right of way over the Northerly portion of the East ½ of the Southwest ¼ of the Northeast ¼ of said Section 28, terminating at the West line of said East ½ of the South west ¼ of the Northeast ¼, and the grantor herein does hereby reserve from this conveyance a non-exclusive easement for ingress, egress and utilities over and across said 60 foot right of way as the same shall be built pursuant to this agreement.

30.00

Dated this 21st day of June, 1977

Herman L. Jones (SEAL)

(SEAL)

STATE OF WASHINGTON, } ss.
County of

On this day personally appeared before me Herman L. Jones SCT

to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 21st day of June, 1977

Notary Public in and for the State of Washington, residing at

Official Records

858854

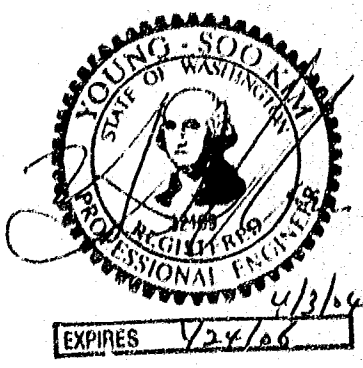
Preliminary/Permit Use

RECEIVED
Skagit County
APR 16 2004
Community Development

3D-H Aggregates

Skagit County, Washington

Traffic Impact Analysis



Prepared For: David C. Hough & Associates
David Hough
17483 W. Big Lake Blvd.
Mount Vernon, WA 98274
(360) 422-5103

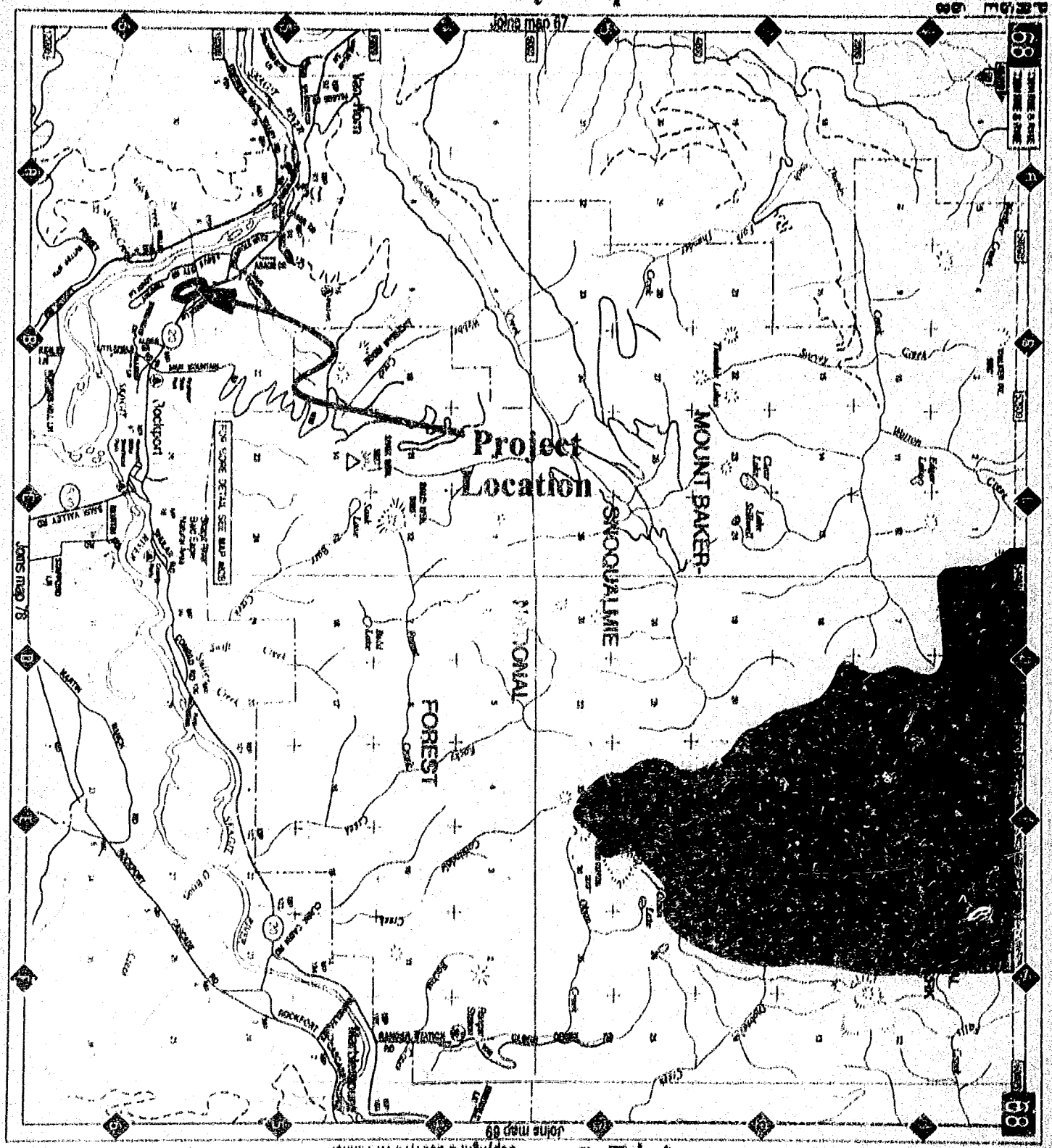
Prepared By: *Summit Engineers & Surveyors, Inc.*
2218 Old Highway 99 So.
Mount Vernon, WA 98273
(360) 416-4999

Date: April 3, 2004

SUMMIT
ENGINEERS & SURVEYORS, INC.

1005 2006 0000 3965

Vicinity Map



Copyright © 2001, A. W. Tanner

Figure 1

Skagit County Assessor's Map

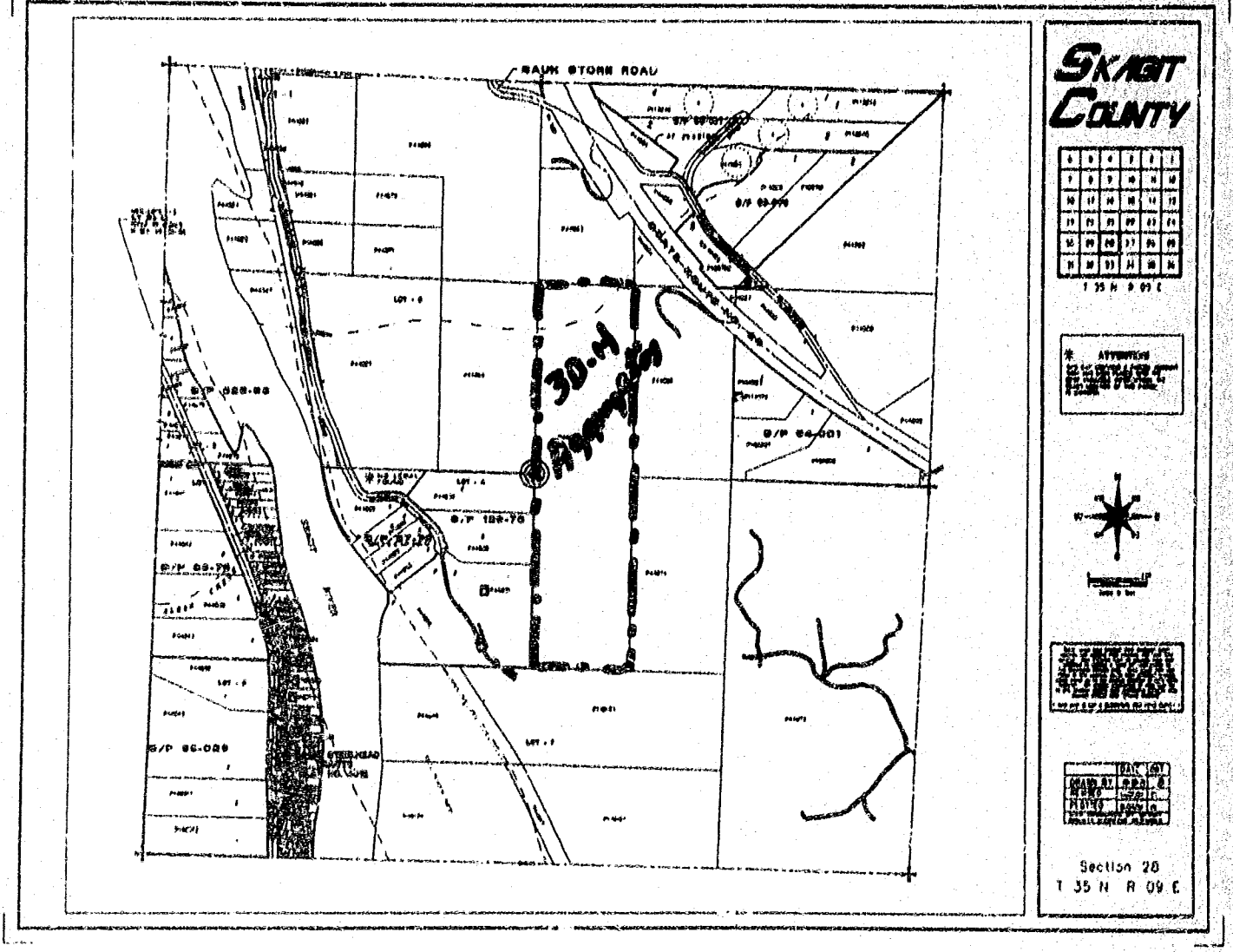
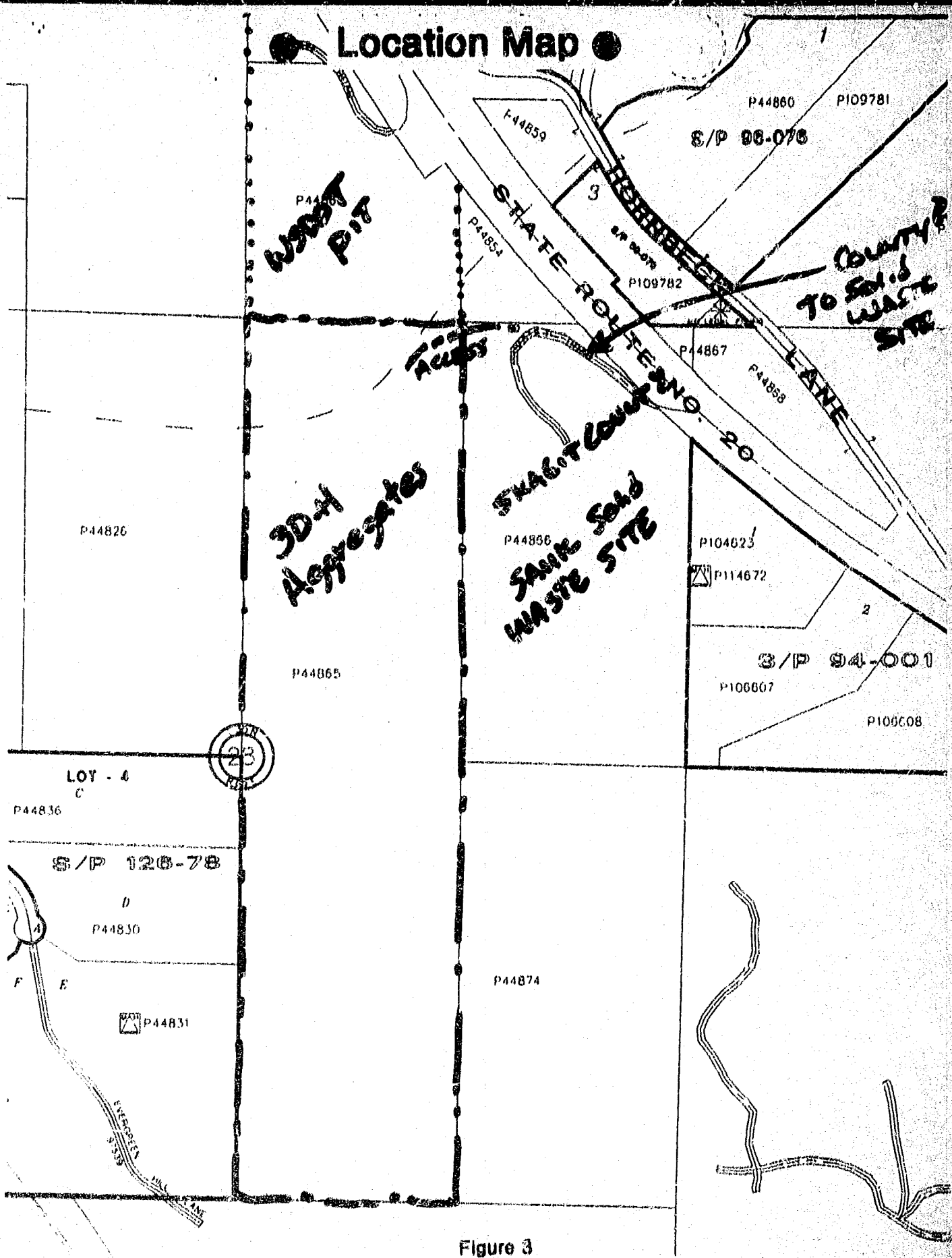


Figure 2


Location Map
P44860
P109781
S/P 96-076
P44859
P44854
STATE ROUTE NO. 20
P109782
P44867
P44868
LANE
COUNTY TO SOLID WASTE SITE
ACCESS
SKAGIT COUNTY
3D-H Aggregates
SANK SOLID WASTE SITE
P44826
P44866
P104623
P114672
S/P 94-001
P44865
P106607
P106608
23
LOT - 4
C
P44836
S/P 126-78
D
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A
F
E
P44831
P44874
EVERGREEN
HILL LANE

Figure 3

AERIAL SITE PHOTOGRAPH

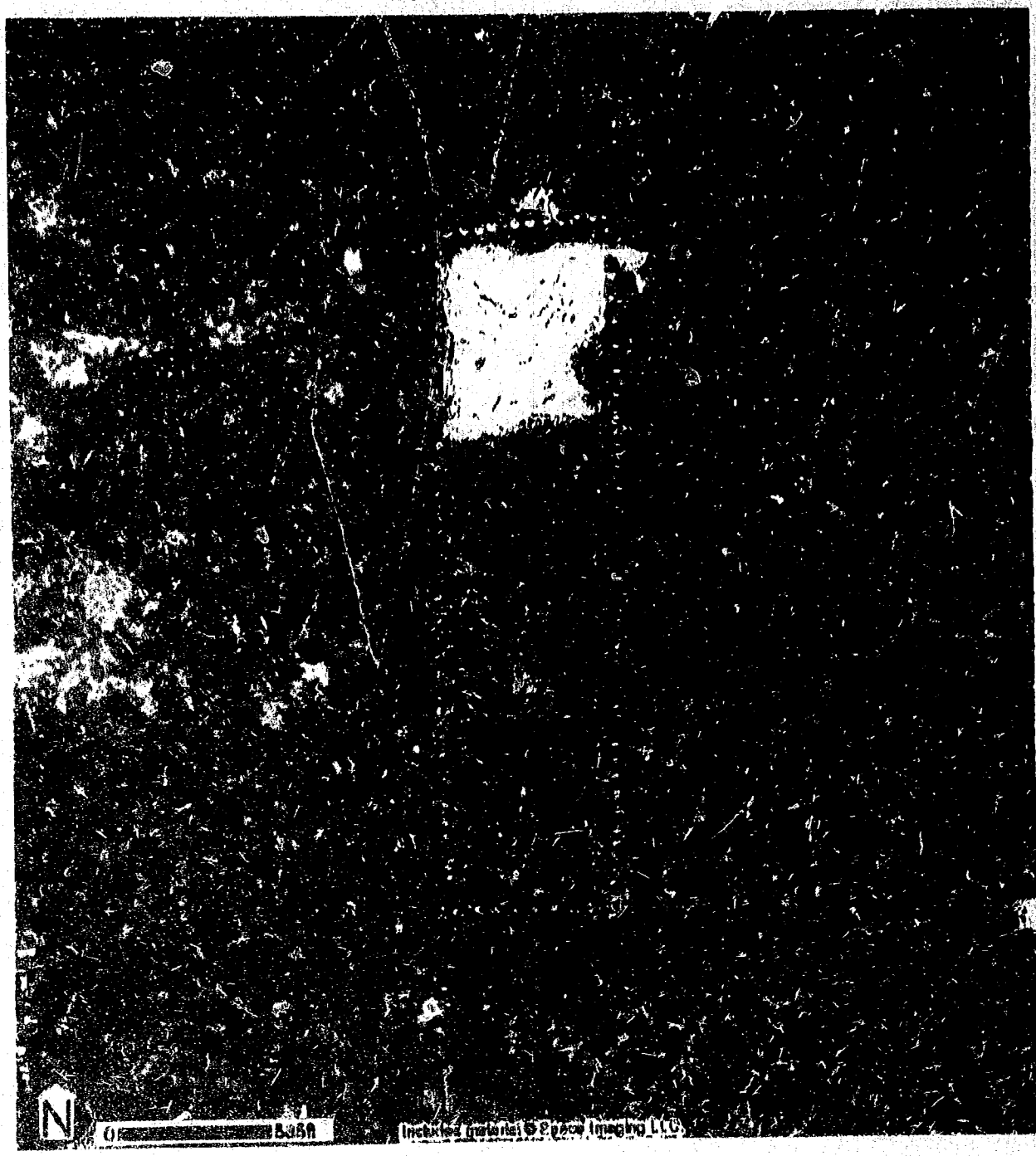
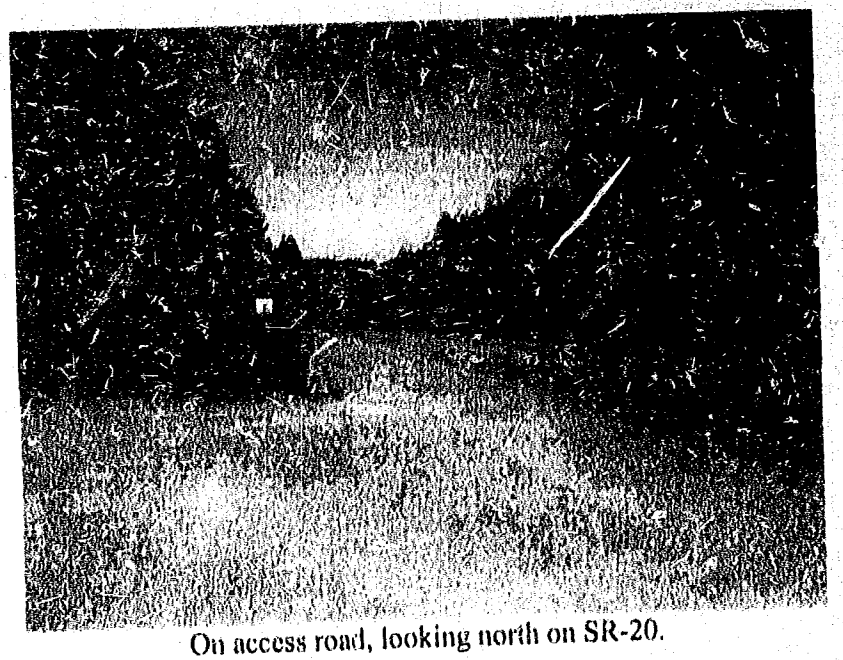


Figure 4

Site/Access Photographs



On access road, looking south on SR-20.



On access road, looking north on SR-20.

Figure 5

I. INTRODUCTION

3D-H Aggregates is seeking approval for the addition of ready mix concrete and asphalt processing in their existing gravel pit located in the Rockport area. The Skagit County Public Works has requested the preparation of a traffic study for their review and for WSDOT for the proposed facility traffic impact on SR-20.

II. PROJECT DESCRIPTION

Summit Engineers & Surveyor, Inc. (SES) reviewed the requested project for the concrete ready mix and annual crushing and asphalt production which would also include recycling of concrete and asphalt. Crushing and asphalt production would normally occur March through October. Only an emergency situation would require crushing during other times of the year. 3D-H would expect that normal crushing and asphalt production would be for a period of 6 to 12 weeks annually. Crushed material would be stock piled and sold throughout the year. 3D-H would anticipate an average daily traffic of 5 to 7 vehicles per day. Also, based on 3D-H capacity and information from WSDOT, SES assumed the asphalt plant would produce 200 ton/hour with 30 tons per truck. In extreme case, the project would generate 10 trips (7 from asphalt traffic, 3 from other) during P.M. peak hour.

III. EXISTING CONDITIONS

A. Surrounding Roadway System

State Route 20 is a two lane, north/south Principal Arterial and serves as the primary highway connecting east and west cascade. The posted speed limit near the project vicinity is 55 mph. However, due to the higher sight distance, the operating speed is greater than the posted speed limit.

B. Level of Service (LOS) Analysis

Peak hour information and geometric intersection data collected in the field were used to perform Level of Service capacity computations in accordance with the 2000 *Highway Capacity Manual*. Capacity analysis is used to determine level of service, which is an established measure of congestion for transportation facilities. The LOS concept was pioneered in the 1950's by the Bureau of Public Roads (now the FHWA). LOS is defined for a variety of facilities including intersections, freeways, arterials, two-lane highways, etc.

The operation of the surrounding intersections and proposed roadways were measured by conducting an LOS analysis using Synchro Software (signalized and non-signalized) utilizing the principles of the 2000 Highway Capacity Manual. The concept of the LOS is

to rate intersections operationally based on the average stopped delay per vehicle traveling through the intersection. The LOS of an unsignalized intersection is ranked from A (delay less than 5 seconds per vehicle) to F (delay exceeding 45 seconds per vehicle). The LOS of a signalized intersection is ranked from A (delay less than 10 seconds per vehicle) to F (delay exceeding 80 seconds per vehicle).

Table 1

Level Of Service (LOS) Criteria for Signalized, Unsignalized & All-way Stop Intersections

Level Of Service	Expected Delay	Signalized Stopped Delay Sec./Vehicle	Unsignalized & All-Way Stop Stopped Delay Sec./Vehicle
A	Little/No Delay	<= 10.0	< 5.0
B	Short Delays	10.1 to 20.0	5.1 to 10.0
C	Average Delay	20.1 to 35.0	10.1 to 20.0
D	Long Delays	35.1 to 55.0	20.1 to 30.0
E	Very Long Delays	55.1 to 80.0	30.1 to 45.0
F	*	> 80.0	> 45.0

* When demand volume exceeds the capacity of the lane, extreme delays will be encountered with queuing which may cause severe congestion affecting other traffic movements in the intersection.

Source: 2000 Highway Capacity Manual

LOS A: free-flow traffic conditions, with minimal delay to stopped vehicles (no vehicle is delayed longer than one cycle at signalized intersection).
LOS B: generally stable traffic flow conditions.
LOS C: occasional back-ups may develop, but delay to vehicles is short term and still tolerable.
LOS D: during short periods of the peak hour, delays to approaching vehicles may be substantial but are tolerable during times of less demand (i.e.) vehicles delayed one cycle or less at signal).
LOS E: intersections operate at or near capacity, with long queues developing on all approaches and long delays.
LOS F: jammed conditions on all approaches with excessively long delays and vehicles unable to move at times.

According to the Skagit County Concurrency Ordinance the threshold level of service for approaches to unsignalized intersections is Level C and the threshold level of service for signalized intersections is Level D.

The methodology for determining the LOS at unsignalized intersections strives to determine the potential capacities for the various vehicle movements and ultimately determines the average total delay for each specific vehicle movement. *Potential Capacity* represents the number of additional vehicles that could effectively utilize a particular movement, which is essentially the equivalent of the difference between the movement capacity and the existing movement volume. *Total delay* is described as the elapsed time from when a vehicle stops at the end of a queue until the vehicle departs from the stop line. *Average total delay* is simply the mean total delay over the entire traffic stream. Several

factors influence potential capacity and total delay, ranging from the availability of gaps in the traffic stream, the usefulness of gaps, the priority ranking of movements, bus presence, pedestrian influences, and several others.

C. Sight Distance at Access Driveway

Preliminary examinations of the access driveway on Farm to Market Road was made to determine whether or not adequate entering and stopping sight distance is being provided for inbound and outbound project traffic. In accordance with established WSDOT standards, a minimum entering sight distance of 860 feet is typically required for a 50 mph speed limit. This standard would apply for the entrance off Farm to Market Road, with adequate sight distance required by WSDOT. Based on the analysis to date, the proposed access onto Farm to Market Road is expected to operate within the threshold and have adequate sight distance.

Table 2

Access/Sight Distance

		WSDOT Design Manual	
	Provided	**50 mph**	**60mph**
Farm to Market Road			
To North	1320 feet	860	1150
To South	3700 feet	860	1150

D. Level of Service @ new Access Location

Intersection	*Control*	*By Lane*	*2004 Current*		*2004 w/ Project*	
			LOS	*Delay*	*LOS*	*Delay*
SR-20/Project Access	Unsignalized	Northbound R	A	0.0	A	0.0
		Northbound T	A	0.0	A	0.0
		Southbound T	A	0.1	A	0.1
		Southbound L	A	0.3	A	0.9
		Westbound L	A	2.7	A	3.2
		Westbound R	A	0.3	A	2.6

V. *IMPACTS*

A. Safety Impacts

The existing access onto SR-20 appears to be substandard to the current County and WSDOT code. The radii is smaller than the minimum requirement for a truck & trailer. The access road slope is greater than the maximum allowed at the landing.

B. Traffic Flow Impacts

The impact to the traffic on the adjacent roadways will be minimal, based on our analysis of the key intersection and the trips generated by this project.

Based on the LOS analysis of the affected intersection, resulting from the proposed development, the project is not directly affecting the reviewed intersection.

VI. *RECOMMENDATIONS AND MITIGATION*

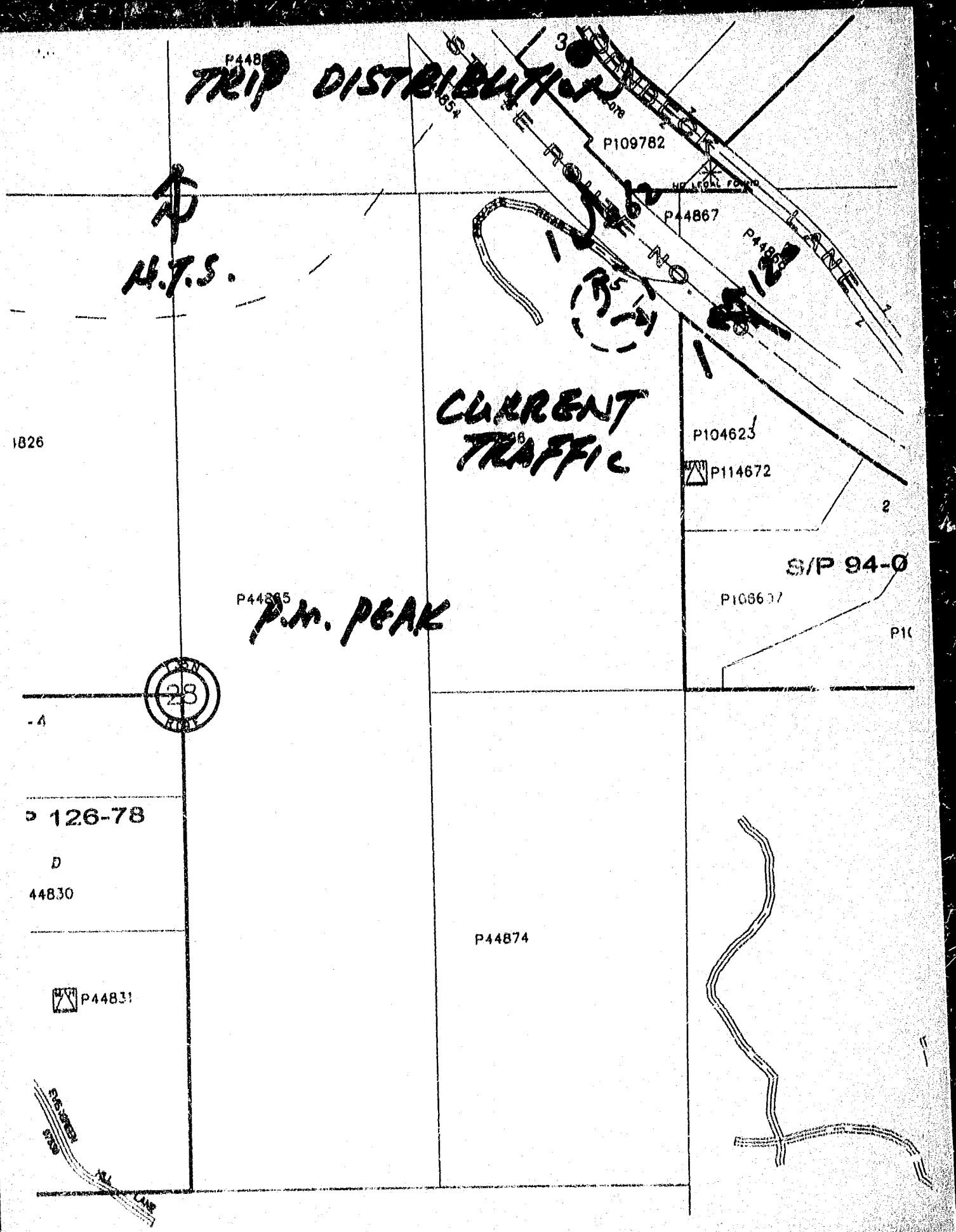
A. Motor Vehicle Impact Mitigation

1. During the field traffic reconnaissance, the motorists along SR-20 tend to speed above the comfort zone due to the higher sight distance. However, even if the operating speed is 60 mph, the provided sight distance is above the required distance. Therefore, no mitigation is needed.

2. The project access/SR-20 intersection should be review to meet the current County and WSDOT standards.

Technical Appendix

Summit Engineers & Surveyors, Inc.
2218 Old Highway 99 South Road
Mount Vernon, WA 98273
(360) 416-4999 Fax (360) 416-4949


TRIP DISTRIBUTION
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TRIP DISTRIBUTION
N.T.S.
SITE GENERATED (MAXIMUM)
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STATE ROUTE NO. 20
LANE
P4486
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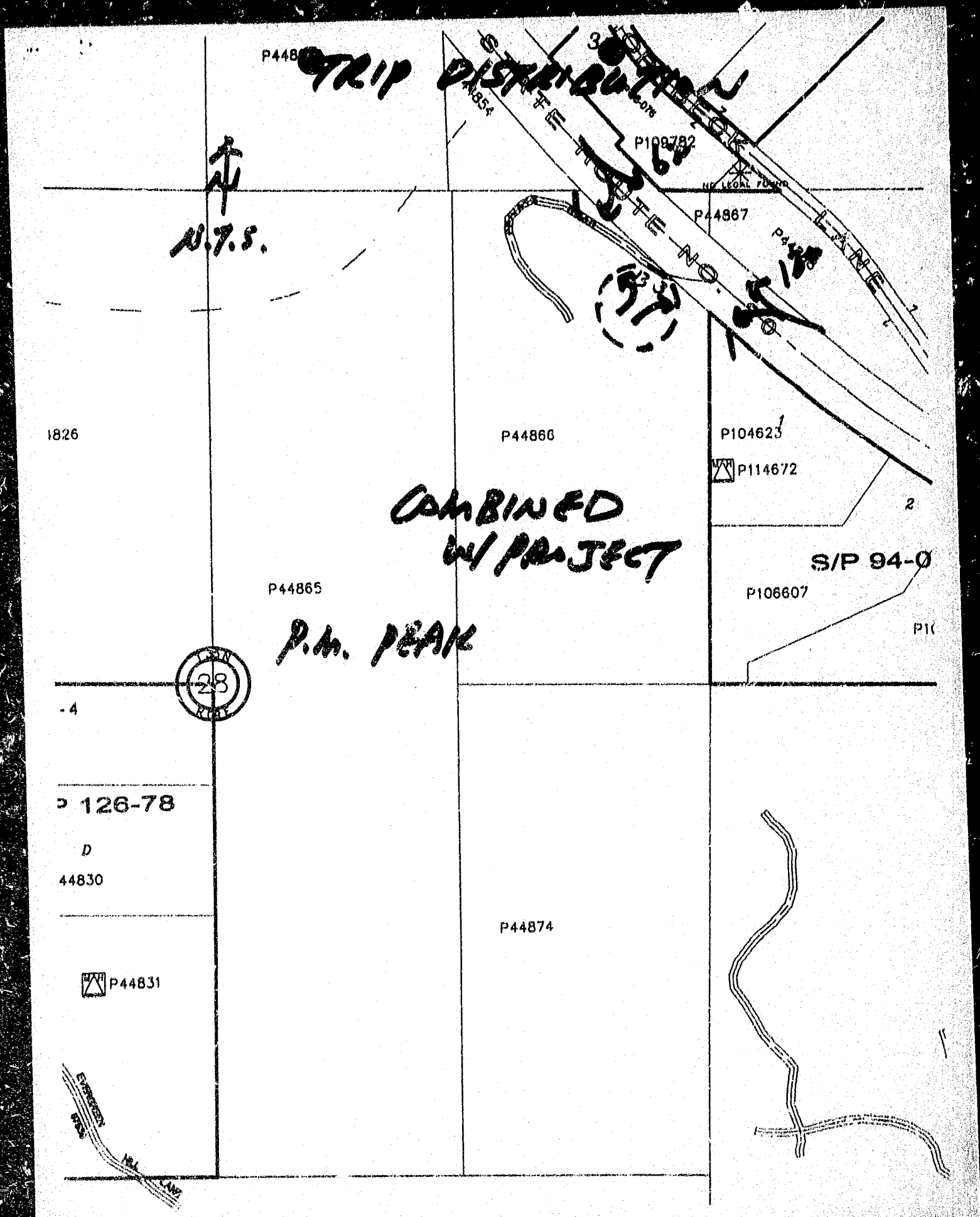
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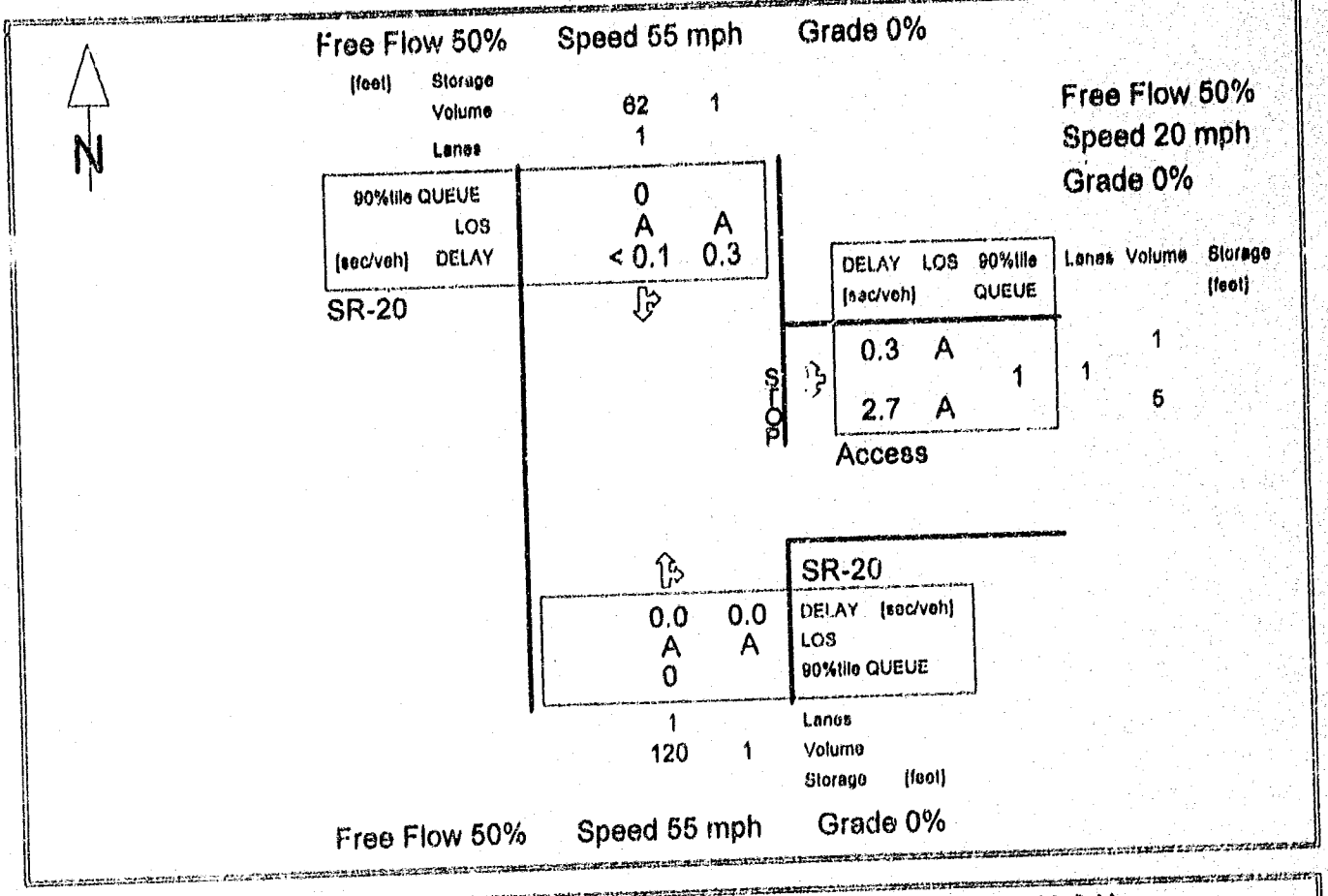
W/ PROJECT
S/P 94-0
P44865
P106607
P.M. PEAK
28
P 126-78
D
44830
P44874
P44831

UNSIGNALIZED INTERSECTION SIMULATION

Location: SR-20
Project: 3D-H Aggregates
Date and Time: April 1, 2004
Alternative: 2004 w/o Project - current traffic



Analysis Period: 60 Minutes Number of Runs: 10 Total Simulation Time: 10.0 Hours

WARNINGS:

Bay Overflowed			Bay Blocked		
Quantity	Duration	Percentage	Quantity	Duration	Percentage

UNSIGNALIZED INTERSECTION SIMULATION

North Bound Approach

	Vehicles	Length
Thru Lane(s)		
50% of simulation time, queues are:	<= 0	<= 0 feet
67% of simulation time, queues are:	<= 0	<= 0 feet
75% of simulation time, queues are:	<= 0	<= 0 feet
85% of simulation time, queues are:	<= 0	<= 0 feet
90% of simulation time, queues are:	<= 0	<= 0 feet
95% of simulation time, queues are:	<= 0	<= 0 feet
Maximum queue was:	0	

South Bound Approach

	Vehicles	Length
Thru Lane(s)		
50% of simulation time, queues are:	<= 0	<= 0 feet
67% of simulation time, queues are:	<= 0	<= 0 feet
75% of simulation time, queues are:	<= 0	<= 0 feet
85% of simulation time, queues are:	<= 0	<= 0 feet
90% of simulation time, queues are:	<= 0	<= 0 feet
95% of simulation time, queues are:	<= 0	<= 0 feet
Maximum queue was:	0	

East Bound Approach

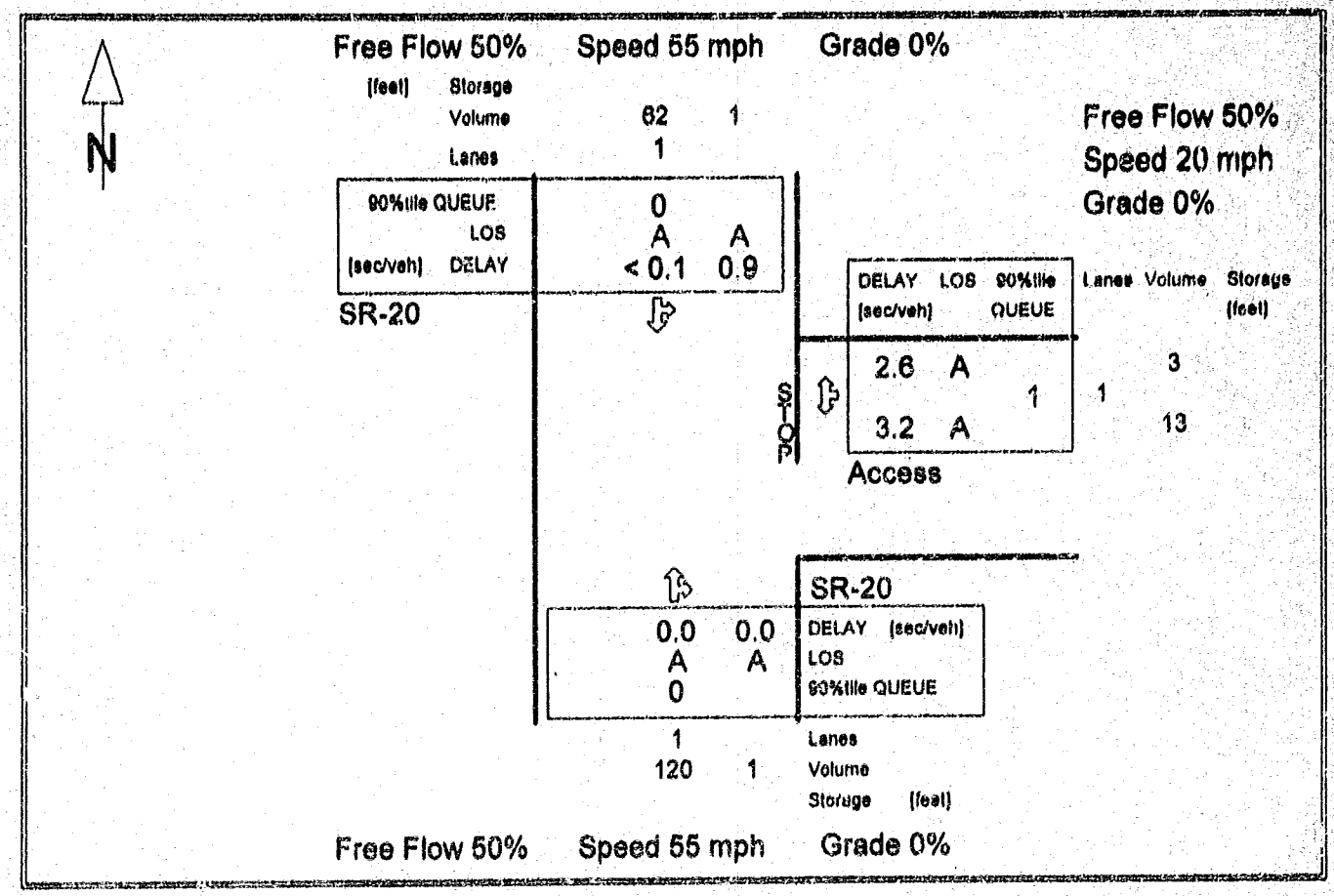
	Vehicles	Length

West Bound Approach

	Vehicles	Length
Thru Lane(s)		
50% of simulation time, queues are:	<= 0	<= 0 feet
67% of simulation time, queues are:	<= 1	<= 18 feet
75% of simulation time, queues are:	<= 1	<= 18 feet
85% of simulation time, queues are:	<= 1	<= 18 feet
90% of simulation time, queues are:	<= 1	<= 65 feet
95% of simulation time, queues are:	<= 1	<= 65 feet
Maximum queue was:	2	

UNSIGNALIZED INTERSECTION SIMULATION

Location:	SR-20
Project:	3D-H Aggregates
Date and Time:	April 1, 2004
Alternative:	2004 w/ Project



Analysis Period: 60 Minutes Number of Runs: 10 Total Simulation Time: 10.0 Hours

WARNINGS:

Bay Overflowed			Bay Blocked		
Quantity	Duration	Percentage	Quantity	Duration	Percentage

UNSIGNALIZED INTERSECTION SIMULATION

North Bound Approach

Thru Lane(s)	Vehicles	Length
50% of simulation time, queues are:	<= 0	<= 0 feet
67% of simulation time, queues are:	<= 0	<= 0 feet
75% of simulation time, queues are:	<= 0	<= 0 feet
85% of simulation time, queues are:	<= 0	<= 0 feet
90% of simulation time, queues are:	<= 0	<= 0 feet
95% of simulation time, queues are:	<= 0	<= 0 feet
Maximum queue was:	0	

South Bound Approach

Thru Lane(s)	Vehicles	Length
50% of simulation time, queues are:	<= 0	<= 0 feet
67% of simulation time, queues are:	<= 0	<= 0 feet
75% of simulation time, queues are:	<= 0	<= 0 feet
85% of simulation time, queues are:	<= 0	<= 0 feet
90% of simulation time, queues are:	<= 0	<= 0 feet
95% of simulation time, queues are:	<= 1	<= 18 feet
Maximum queue was:	1	

East Bound Approach

	Vehicles	Length

West Bound Approach

Thru Lane(s)	Vehicles	Length
50% of simulation time, queues are:	<= 0	<= 0 feet
67% of simulation time, queues are:	<= 1	<= 18 feet
75% of simulation time, queues are:	<= 1	<= 18 feet
85% of simulation time, queues are:	<= 1	<= 18 feet
90% of simulation time, queues are:	<= 1	<= 18 feet
95% of simulation time, queues are:	<= 1	<= 18 feet
Maximum queue was:	2	

SKAGIT COUNTY PLANNING & PERMIT CENTER
200 W WASHINGTON ST
MOUNT VERNON WA 98273-3877

US POSTAGE
2.07
METER 527165

David and Helen Weber
Darcy Harvin
809 Rakdal Road
Camano

WEBE809 982822010 1303 12 05/29/04
FORWARD TIME EXP RTN TO SEND
WEBER
1304 SILVER SPRINGS WAY
STANWOOD WA 98292-8109

RETURN TO SENDER

[illegible]

MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)
PL01-0435

PROJECT DESCRIPTION: Special Use permit application (SPU) PL01-0435 for the modification of a previously approved conditional use permit (CU #77-031) to allow for the addition of a crusher, asphalt plant and concrete ready mix production to take place within an existing permitted gravel pit. The project proposal would include recycling of concrete and asphalt. The proposed project is located within the Rural Reserve (RRv) Zoning/Comprehensive Plan district as designated on the July 24, 2000 Zoning/Comprehensive Plan map and as thereafter amended.

PROPONENT: 3D – II Aggregates, P.O. Box 607, Stanwood, WA 98292. David and Helen Weber and Darcy Harvin, 809 Rakdal Road, Camano Island, WA 98292. Contact Person: David Heugh, 17483 W. Big Lake Blvd., Mount Vernon, WA 98274.

PROJECT LOCATION: The proposed project is located at 50598 State Route 20, Concrete, Washington, within a portion of Section 28, Township 35 North, Range 9 East W.M., situated within Skagit County, Washington.

LEAD AGENCY: Skagit County Planning and Permit Center.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. This determination is subject to the mitigated measures as identified below and shall be deemed conditions of approval of the land use and/or permit pursuant to Skagit County Code 14.12. Such conditions are considered binding and may not be altered by subsequent decisions unless a threshold determination is re-issued.

1. The water well must be drilled greater than 1,000 feet from the Skagit County landfill property boundary. The Skagit County Health Department must be notified before the well is drilled.
2. The facility must obtain comply with WAC 173-350-320. The operator of the concrete and asphalt inert wastes storage piles must adhere to the piles standards which require that at least 50% of the material stored in the pile must be used within one year and all of the material is used within three years.
3. Inert waste can not be landfilled unless the facility obtains an inert waste landfill permit (WAC 173-350).
4. Temporary erosion/sedimentation control measures, as approved by the Skagit County Department of Public Works, shall be in place prior to the start of operation. The applicant shall maintain all temporary erosion/sedimentation control measures in accordance with the Skagit County Drainage Ordinance 14.32. Said measures shall remain in place until completion of the project.
5. The applicant shall comply with Northwest Air Pollution Authority requirements.
6. The applicant shall comply with the provisions of Chapter 14.32 of the Skagit County Code, the Skagit County Drainage Ordinance, as it relates to increased runoff resulting from additional impervious surfaces.
7. The applicant shall comply with Fire Code Standards.
8. The applicant shall comply with all relevant provisions of 14.24 (Skagit County Critical Areas Ordinance).

This MDNS is issued under WAC 197-11-350(2). The lead agency will not act on this proposal for fifteen (15) days from the date of publication below.

Comments must be submitted by 6-11-04.

You May appeal this threshold determination in accordance with Skagit County Code 14.12 and 14.06 and then by filing such with the Skagit County Planning and Permit Center for service to the SEPA responsible official within fourteen (14) calendar days after the date of the threshold determination comment period.

Appeals must be submitted no later than 6-25-04.

RESPONSIBLE OFFICIAL: Planning and Permit Center Administrative Official
CONTACT PERSON: Brandon Black, Associate Planner
ADDRESS: 200 West Washington Street, Mount Vernon, WA 98273.
PHONE: (360) 336-9410

Date 5-25-04 Signature Brandon Black
On behalf of Gary Christensen
AICP, Administrative Official

cc: WDOE, Public Works, Chal Martin, NWAPA, Fire Marshal, WSDF&W, Skagit Systems Coop, WSDOT, WSDNR, Skagit County Health Department, Roy Zipp, Applicant

Please publish: 5-27-04

Washington State Department of Transportation
Douglas B. MacDonald
Secretary of Transportation

Northwest Region
Mount Baker Area
1043 Goldenrod Rd, Suite 101
Burlington, WA 98233-3403
360-757-5999
TTY: 1-800-833-6388
www.wsdot.wa.gov

June 3, 2004

Mr. Brandon Black
Associate Planner
Skagit County Planning and Permit Center
200 West Washington Street
Mount Vernon, Washington 98273

SKAGIT COUNTY
PERMIT CNTR.

JUN 0 4 2004

RECEIVED

SUBJECT: SR 20 MP 95 Vic., CS 2932
3D-H Aggregates
Mitigated Determination of Nonsignificance (PL01-0435)

Dear Mr. Black:

Thank you for giving us the opportunity to comment on the Mitigated Determination of Nonsignificance, Environmental Checklist, and Traffic Study for the subject project. This project proposes the addition of crushing, asphalt, and concrete ready mix production to an existing permitted gravel pit. The proposed project is located at 50598, State Route 20, Concrete, Washington. Access to this project will remain in its current location, shared with the Skagit County Transfer Station.

As WSDOT has determined that the additional activities associated with this proposal constitute a change in use, it will be necessary for the applicant to obtain a new access connection permit for this project. To meet current standards, the applicant may be required to re-construct the current access to SR 20.

If you have any questions, please contact Ms. Rebecca Rosencrans of our Development Services section at (360) 757-5964.

Sincerely,

Lee Conrad
Operations Manager
Northwest Region/Mount Baker Area

LC:rs

Washington State
Department of Transportation
NORTHWEST REGION / MOUNT BAKER AREA
SKAGIT, ISLAND, SAN JUAN, WHATCOM COUNTIES
1043 GOLDENROD ROAD SUITE 101
BURLINGTON, WA 98233-3415



Mr. Brandon Black
Associate Planner
Skagit County Planning and Permit Center
200 West Washington Street
Mount Vernon, Washington 98273

98273+3856

PRINTED ON RECYCLED PAPER

BrandonBlack

From: DanCain
Sent: Thursday, June 17, 2004 2:68 PM
To: BrandonBlack
Subject: RE: PL01-0435 #D -H Aggregates

Sorry,typo

-----Original Message-----
From: BrandonBlack
Sent: Monday, June 07, 2004 1:53 PM
To: DanCain
Subject: RE: PL01-0435 #D -H Aggregates

Anything specific?

From: DanCain
Sent: Monday, June 07, 2004 11:39 AM
To: BrandonBlack
Subject: PL01-0435 #D -H Aggregates

Brandon, The Fire Marshals Office has no further comments on this MDNS.

MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS) PL01-0435

PROJECT DESCRIPTION: Special Use permit application (SPU) PL01-0435 for the modification of a previously approved conditional use permit (CU #77-031) to allow for the addition of a crusher, asphalt plant and concrete ready mix production to take place within an existing permitted gravel pit. The project proposal would include recycling of concrete and asphalt. The proposed project is located within the Rural Reserve (RRv) Zoning/Comprehensive Plan district as designated on the July 24, 2000 Zoning/Comprehensive Plan map and as thereafter amended.

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PROJECT LOCATION: The proposed project is located at 50598 State Route 20, Concrete, Washington, within a portion of Section 28, Township 35 North, Range 9 East W.M., situated within Skagit County, Washington.

LEAD AGENCY: Skagit County Planning and Permit Center.

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Appeals must be submitted no later than 6-25-04.

RESPONSIBLE OFFICIAL: Planning and Permit Center Administrative Official
CONTACT PERSON: Brandon Black, Associate Planner
ADDRESS: 300 West Washington Street, Mount Vernon, WA 98273.
PHONE: (360) 336-9410

Date [illegible]
Signature: [illegible]
Brandon Black

On behalf of Gary Christensen

AICP, Administrative Official

Published [illegible]
[illegible]

SKAGIT COUNTY
PERMIT CNTR.

JUN 08 2004

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SKAGIT COUNTY
PERMIT CNTR.

JUN 0 8 2004

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Skagit Valley
Publishing Co.

1000 E. College Way • Post Office Box 578 • Mount Vernon, Washington State 98273-0578
(360) 424-3251 • FAX: (360) 424-5300

L. Stedem Woodruff, Editor

Affidavit of Publication in the matter of H-7638

In the Superior Court of the State of Washington In and For Skagit County

STATE OF WASHINGTON
County of Skagit *ss*

The undersigned, being first duly sworn on oath deposes that he/she is principal clerk of the Skagit Valley Herald, a daily newspaper. That said newspaper has been approved as a legal newspaper by the Superior Court of Skagit County and it is now and has been for more than six months prior of the publication hereinafter referred to, published in the English language continually as a daily newspaper in Skagit County, Washington, and it is now and during all of said time was printed on an office maintained at the aforesaid place of publication of said newspaper.

That the annexed is a true copy of an advertisement, with publication dates, as it was published in regular issues (and not in supplemental form) of said newspaper commencing with the issue

of May 27 2004

and ending with the issue

of May 27 2004

That such newspaper was regularly distributed to its subscribers during all of said period.

That the full amount of the fee charged for the foregoing in the sum of $ 20.64.

clerk

Julia W. Toomey

Subscribed and sworn to before me this 4th day of June 2004

Notary Public and for the State of Washington

Clerk's filing stamp

JULIA W. TOOMEY
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
JULY 3 2006

MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)
PL01-0435

PROJECT DESCRIPTION: Special Use permit application (SPU) PL01-0435 for the modification of a previously approved conditional use permit (CU #77-031) to allow for the addition of a crusher, asphalt plant and concrete ready mix production to take place within an existing permitted gravel pit. The project proposal would include recycling of concrete and asphalt. The proposed project is located within the Rural Reserve (RRv) Zoning/Comprehensive Plan district as designated on the July 24, 2000 Zoning/Comprehensive Plan map and as the same is amended.

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LEAD AGENCY: Skagit County Planning and Permit Center.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. This determination is subject to the mitigated measures as identified below and shall be deemed conditions of approval of the land use and/or permit pursuant to Skagit County Code 14.12. Such conditions are considered binding and may not be altered by subsequent decisions unless a threshold determination is re-issued.

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Comments must be submitted by 6-11-04.

You May appeal this threshold determination in accordance with Skagit County Code 14.12 and 14.06 and then by filing such with the Skagit County Planning and Permit Center for service to the SEPA responsible official within fourteen (14) calendar days after the date of the threshold determination comment period.

Appeals must be submitted no later than 6-25-04.

RESPONSIBLE OFFICIAL: Planning and Permit Center Administrative Official
CONTACT PERSON: Brandon Black, Associate Planner
ADDRESS: 200 West Washington Street, Mount Vernon, WA 98273.
PHONE: (360) 336-9410

Date 5-25-04 Signature Brandon Black
On behalf of Gary Christensen
AICP, Administrative Official

cc: WDOE, Public Works, Chal Martin, NWAPA, Fire Marshal, WSDF&W, Skagit Systems Coop, WSDOT, WSDNR, Skagit County Health Department, Roy Zipp, Applicant

Please publish: 5-27-04

BrandonBlack

From: Planning & Permits
Sent: Friday, June 11, 2004 2:59 PM
To: BrandonBlack
Subject: FW: To Brandon Black re PL01-0435. Public comment.

-----Original Message-----
From: Dana Lynn Barton [mailto:danab@fidalgo.net]
Sent: Friday, June 11, 2004 1:56 PM
To: Planning & Permits
Subject: To Brandon Black re PL01-0435. Public comment.

6/11/04

Brandon Black, Associate Planner
Skagit County Planning and Permit Ctr
Mount Vernon, WA

Dear Brandon Black,

Please add my name to your mailing list and keep me informed of 3D-H Aggregate's proposal for operation of a crusher and an asphalt and concrete recycling/production plant in. Living within earshot of this proposed operation, I have several questions and concerns:

Have noise levels been addressed in the planning process and in the environmental checklist? What level of noise will Skagit County permit for this operation? Can we assume that since the property is in Rural Reserve, noise levels will not exceed 55dBH? How will Skagit County measure and monitor noise levels? Can such a proposed plant and crusher operate at all hours of the day or night?

Will night lighting be introduced to the site and illuminate surrounding sky and area beyond/above the property?

Thank you for addressing these concerns. Please keep me posted of the planning process for this proposed activity which is located in Rural Reserve and in close proximity to neighborhoods (Hornbeck Lane, Alder Drive, Littlefield Road, Sauk Store Road, Sauk City Road), and in close proximity to Public Open Space Areas of Regional and State Importance (Rockport State Park camping and trails and USNF Sauk Mtn recreation).

Thank you for keeping us informed,

Dana Barton
PO Box 301
Concrete, WA 98237

BrandonBlack

From: Planning & Permits
Sent: Friday, June 11, 2004 2:59 PM
To: BrandonBlack
Subject: FW: 3D-H Aggregate

-----Original Message-----
From: Dana Lynn Barton [mailto:danab@fidalgo.net]
Sent: Friday, June 11, 2004 2:03 PM
To: Planning & Permits
Subject: 3D-H Aggregate

Mr Black
Skagit County Planning and Permit Center

Dear Mr Black,
We live in the Rockport area on Sauk City Road . We would like to be informed about 3D-H Aggregate's proposal for operation of a crusher, asphalt and concrete plant. Our domestic water well is below the Skagit County transfer station and 3D-H Aggregates proposed asphalt plant.

Thank you,

Hank and Diana Young
PO Box 655
Concrete WA 98237

Roy Zipp
PO Box 826
Marblemount, WA 98267

RECEIVED
Skagit County
JUN 2004
Planning/Permit Ctr.

June 11, 2004

Brandon Black, Associate Planner
Skagit County Planning and Permit Center
200 West Washington Street
Mount Vernon, WA 98273

Dear Mr Black,

Thank you for the opportunity to comment on 3D-H Aggregates proposal for the addition of a crusher, asphalt plant, and concrete ready mix operation. This proposed operation is located close to my neighborhood.
I have several fundamental concerns:

1. Noise.
It is my understanding that operations such as those proposed by 3D-H Aggregates are extremely loud. Sound travels far in this local topography (flat w/ valley wall to the north). What level of noise would be allowed from this proposed operation? Will Skagit County permit noise that exceeds Class A environmental designation for noise as established by Department of Ecology?

2. Hours of operation
Would operation hours extend around the clock or beyond 9am to 5pm? Would operation occur on weekends?

3. Light pollution.
Is artificial night lighting proposed at the site? If lighting at night is necessary, I would support the use of down focused, low height, low intensity lights that would not illuminate the black night sky above the site and not be noticeable from the surrounding neighborhoods, State Park, County Park, and Federal Forest Service Recreation Lands. Will illumination of the site comply with Performance Standards 14.16.840 requiring that no more than 1-foot candles of illumination leave the property?

4. Size of operation
The proposed operation would include importing quantities of material to the site for asphalt and concrete recycling. What volume of asphalt and concrete recycling is proposed?

5. Traffic
What is the anticipated volume of truck traffic to the site?

Thank you for addressing these concerns.
Sincerely,

Roy Zipp

Mailed Agend & Report to:

3D-H

Dave Waugh

WSDOT

Harrell

Berg

Zipp

Young

Burton

CERTIFICATE OF POSTING

I, Paul Ingalls, hereby certify under penalty of perjury that on Sept 2, 2004, I did post for the following land use application:

_____ SEPA
__X__ SPECIAL USE
_____ VARIANCE
_____ SHORELINE DEVELOPMENT
_____ REZONE
_____ PRELIMINARY PLAT
_____ OPEN SPACE

PL01-0435

FILE # PL04-0435
STAFF CONTACT Brandon Black

THREE NOTICES WERE PLACED ON OR NEAR THE SUBJECT PROPERTY LOCATE WITHIN: Located at 50598 Highway 20, Concrete

SECTION 28 TOWNSHIP 35 RANGE 9

SIGNATURE Paul Ingalls

SKAGIT COUN
PERMIT CNTR
SEP 08 2004
RECEIVED

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Skagit County Hearing Examiner will hold a public hearing on **Wednesday, September 22, 2004** in Hearing Room C of the County Administration Building, Mount Vernon, Washington, at the hour of 9:00 a.m., or soon thereafter for the purpose of determining whether the Hearing Examiner should approve, modify and approve or deny the following requests:

AGENDA

A. Shoreline Substantial Development Application PL#04-0253 by De Vries Dairy to allow the construction of a new 300' X 300' waste storage pond adjacent to an existing waste storage pond. The proposed pond will be located 100 feet landward of the Ordinary High Water Mark (OHWM) of Nookachamps Creek. The proposed project is located at 12797 Thillbery Road, within a portion of Section 4, Township 34 North, Range 4 East, W.M., Skagit County. Parcel #23618. Contact: Daniel Downs

B. Current Use application (transfer) C/U TTR#3-2004. Submitted by Kevin Williamson and Charlotte Remick. Subject property is located off Chuckanut Road in the area of Chuckanut Mountain. Assessor's account number is P47673. Legal description: A portion of Tracts P-4 and P-5 in Section 8, Township 36, Range 3. Additional information can be obtained through Linda S. White, Current Use Specialist, Skagit County Assessor, 700 S. 2nd Street, Administration Building, Room 204, Mount Vernon, WA. 98273.

C. Current Use application (transfer) C/U TTR#4-2004. Submitted by George and Maria Steinmetz. Subject property is located off of Old Highway 99 North of Alger area. Assessor's account number is P49062. Legal description: A portion of the N1/2 NE1/4 NW1/4 lying East of Old Highway 99 in Section 7, Township 36, Range 4. Additional information can be obtained through Linda S. White, Current Use Specialist, Skagit County Assessor, 700 S. 2nd, Administration Building, Room 204, Mount Vernon, WA. 98273.

D. Shoreline Substantial Development Application PL#04-0139, Administrative Setback Reduction request PL#04-0589, and Special Use Permit application PL#04-0242 by the Skagit County Department of Public Works to permit the following development: 1) The existing parking area is to be paved and sloped towards a new oil/water separator. 2) A new 10' X 22' waiting room will be installed. 3) A new 35' pole with a Reader Board with a countdown clock attached. The improvements are proposed in order to provide additional safety for walking pedestrians when boarding and leaving the ferry. The area is within the Rural Residential shoreline designation. The proposed project is located at the Guemes Island Ferry Terminal, within a portion of Section 12, Township 35 North, Range 1 East, W.M., Skagit County. P#31381 & P#31411. Contact: Daniel Downs.

E. Special Use Permit application #PL04-0498 by Sedro-Woolley School District #101, c/o Mike Riddle, for Clear Lake Elementary to add a 28' x 64' (1,792 square foot) portable classroom unit along the east side of the existing school building. SCC section 14.16.310 (4)(l) lists "Major Public Uses" as a use allowed with an approved Hearing Examiner special use permit. The proposed project is located within a Rural Village Residential (RVR) zoning/comprehensive plan designated area as indicated in the Skagit County Comprehensive Plan and associated maps adopted July 24, 2000, and as thereafter amended. Located at 23631 Lake Street, Clear Lake, Sedro-Woolley, within a portion of Section 1, Township 34N, Range 4E W.M., situated within Skagit County, Washington. P#23300. Staff Contact Person: Brandon Black

F. Special Use Permit application #PL01-0425 by 3D-H Aggregates for the modification of a previously approved conditional use permit (CU #77-031) to allow for the addition of a crusher, asphalt plant and concrete ready mix production to take place within an existing permitted gravel pit. The project proposal would include recycling of concrete and asphalt. The proposed project is located within the Rural Reserve (RRv) Zoning/Comprehensive Plan district as designated on the July 24, 2000 Zoning/Comprehensive Plan map and as thereafter amended. Located at 50598, State Route 20, Concrete, Washington, within a portion of Section 28, Township 35 North, Range 9 East W.M., situated within Skagit County, Washington. P#44866. Staff Contact Person: Brandon Black

G. Variance Request PL04-0145 by Ferdi Businger to allow for the creation of a 4.7 acre parcel as part of a three (3) lot short plat in the Rural Reserve Zone instead of the required 10 acre minimum. The subject project is located on Jackson Road, approximately 1300 feet west of Munnings Road, on Sinclair Island within a portion of Sections 9 & 16, Township 36 North, Range 01 East, W.M. Skagit County.

SKAGIT COUNTY
PERMIT CNTR
SEP 08 2004
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Washington. P946425 & P[illegible]. Staff Contact: Marge Swint

H. Variance Request PL03-0966 by Max Taubert to keep a newly constructed porch addition on a pre-existing, non-conforming structure on P72999. The subject property is located in a Rural Rural Village Residential zoning/comprehensive plan designated area. The subject project is located 5847 Main Ave. in Edison within a portion of Section 33, Township 36 North, Range 3 East, W.M. Skagit County, Washington. Staff Contact: Carly Ruacho

I. Appeal of Administrative Decision PL04-0569 Charles Scheid is appealing an Administrative Decision for a reduction in setbacks (PL03-0732) which was denied by the Administrative Official on July 13, 2004. The reduction request was to allow a new single family residence and attached garage 10' from the front property line abutting North Shore Drive near Lake Cavanaugh on P66388. The subject property is approximately .5 acres in size and is located in a Rural Rural Village Residential zoning/comprehensive plan designated area. The subject project is addressed at 34208 North Shore Drive, Mount Vernon, within a portion of Section 26, Township 33 North, Range 6 East, W.M. Skagit County, Washington. Staff Contact: Carly Ruacho

For citizens with special needs, the Public Hearing Room is accessible. Persons with special needs or disabilities are asked to call the Commissioners' Office at (360) 336-9300 at least 96 hours before the hearing to discuss and arrange for any needed accommodation. Further information is available in the Skagit County Planning & Permit Center, 200 West Washington Street, Mount Vernon, WA. (360) 336-9410. Your views for or against the request are invited either by attendance, representation or letter. Comments and/or facsimiles must be received by this office no later than 4:30 p.m. Tuesday September 21, 2004 or be presented at the public hearing.

Published September 2, 2004
SVH8052

SKAGIT COUNTY
PERMIT CNTR
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Skagit Valley
Publishing Co.
1000 E. College Way • Post Office Box 576 • Mount Vernon, Washington State 98273-0576
(360) 424-3251 • FAX: (360) 424-5300

L. Stedem Wo**Affidavit of Publication in the matter of H-8052**

In the Superior Court of the State of Washington In and For Skagit County

STATE OF WASHINGTON
County of Skagit *ss*

The undersigned, being first duly sworn on oath deposes that he/she is principal clerk of the Skagit Valley Herald, a daily newspaper. That said newspaper has been approved as a legal newspaper by the Superior Court of Skagit County and it is now and has been for more than six months prior of the publication hereinafter referred to, published in the English language continually as a daily newspaper in Skagit County, Washington, and it is now and during all of said time was printed on an office maintained at the aforesaid place of publication of said newspaper.

That the annexed is a true copy of an advertisement, with publication dates, as it was published in regular issues (and not in supplemental form) of said newspaper commencing with the Issue of September 02 2004 and ending with the issue of September 02 2004

That such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing in the sum of $ 141.55 .

clerk

Subscribed and sworn to before me this 7th day of September 2004

Notary Public and for the State of Washington

Clerk's filing stamp

JULIA W. TOOMEY
NOTARY PUBLIC
STATE OF WASHINGTON
MY COMMISSION EXPIRES
JULY 3 2006

NOTICE OF PUBLIC HEARING

THE SKAGIT COUNTY HEARING EXAMINER WILL HOLD A PUBLIC HEARING ON **WEDNESDAY, September 22, 2004**, IN HEARING ROOM C OF THE SKAGIT COUNTY ADMINISTRATION BUILDING, 700 SOUTH SECOND STREET, MOUNT VERNON, WASHINGTON, AT THE HOUR OF 9:00 A.M. OR SOON THEREAFTER FOR THE FOLLOWING:

TYPE OF HEARING:

Special Use Permit application #PL01-0435 by 3D-H Aggregates for the modification of a previously approved conditional use permit (CU #77-031) to allow for the addition of a crusher, asphalt plant and concrete ready mix production to take place within an existing permitted gravel pit. The project proposal would include recycling of concrete and asphalt. The proposed project is located within the Rural Reserve (RRv) Zoning/Comprehensive Plan district as designated on the July 24, 2000 Zoning/Comprehensive Plan map and as thereafter amended.

NAME OF APPLICANT:

3D – H Aggregates, C/O David and Helen Weber, 809 Rakdal Road, Camano Island, WA 98292. Dave and Darcy Harvin, P.O. Box 607, Stanwood, WA, 98292.

Contact Person: Dave Hough, 17483 W. Big Lake Blvd., Mount Vernon, WA. 98274.

LOCATION OF SUBJECT PROPERTY:

Located at 50598, State Route 20, Concrete, Washington, within a portion of Section 28, Township 35 North, Range 9 East W.M., situated within Skagit County, Washington. P#44865

Your views for or against the request are invited either by attendance, representation or letter. Comments and/or facsimiles must be received by this office no later than 4:30 p.m. **Tuesday, September 21, 2004,** or be presented at the public hearing.

SKAGIT COUNTY PLANNING AND PERMIT CENTER
200 WEST WASHINGTON ST
MOUNT VERNON, WASHINGTON 98273
360-336-9410

Contact: Brandon Black, Associate Planner

Summit Engineers & Surveyors, Inc.
2218 Old Highway 99 So., Mount Vernon, WA. 98273 Phone: (360) 416-4949 Fax: (360) 416-4949 Cell: 360-661-2373
Civil, Land Surveying, Structural, Traffic, Environmental, Water System, Septic System, Project Planning, Project Management, Geo Hazard Analysis.

September 8, 2004

Brandon Black
Associate Planner
Skagit County Planning & Permit Center
200 West Washington Street
Mount Vernon, WA 98273

RE: 3D-H Aggregates
'Traffic Impact Analysis – Typos

Dear Mr. Black:

I was informed that the above referenced Traffic Impact Analysis(TIA) contains mis-spelled words.

I have reviewed the TIA and corrected the mis-spelled words. The revised sheet is attached with this letter.

If you have any concerns on this matter, please let me know.

Sincerely,

Young-Soo Kim, P.E., P.L.S.
Project Engineer

factors influence potential capacity and total delay, ranging from the availability of gaps in the traffic stream, the usefulness of gaps, the priority ranking of movements, bus presence, pedestrian influences, and several others.

C. Sight Distance at Access Driveway

Preliminary examinations of the access driveway on SR-20 was made to determine whether or not adequate entering and stopping sight distance is being provided for inbound and outbound project traffic. In accordance with established WSDOT standards, a minimum entering sight distance of 860 feet is typically required for a 50 mph speed limit. This standard would apply for the entrance off SR-20, with adequate sight distance required by WSDOT. Based on the analysis to date, the proposed access onto SR-20 is expected to operate within the threshold and have adequate sight distance.

Table 2

Access/Sight Distance

	WSDOT Design Manual		
	Provided	50 mph	60mph
SR-20			
To North	1320 feet	860	1150
To South	3700 feet	860	1150

D. Level of Service @ new Access Location

			2004 Current		2004 w/ Project	
Intersection	*Control*	*By Lane*	*LOS*	*Delay*	*LOS*	*Delay*
SR-20/Project Access	Unsignalized	Northbound R	A	0.0	A	0.0
		Northbound T	A	0.0	A	0.0
		Southbound T	A	0.1	A	0.1
		Southbound L	A	0.3	A	0.9
		Westbound L	A	2.7	A	3.2
		Westbound R	A	0.3	A	2.6

Preliminary/Permit Use

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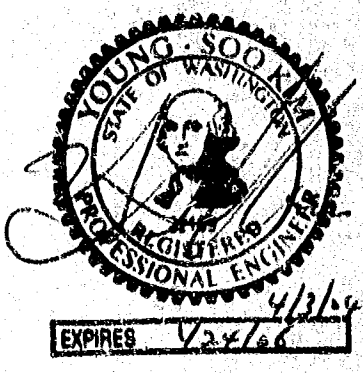
Skagit County
APR 16 2004
Community Development

3D-H Aggregates

Skagit County, Washington

Traffic Impact Analysis



Prepared For: David C. Hough & Associates
David Hough
17483 W. Big Lake Blvd.
Mount Vernon, WA 98274
(360) 422-5103

Prepared By: *Summit Engineers & Surveyors, Inc.*
2218 Old Highway 99 So.
Mount Vernon, WA 98273
(360) 416-4999

Date: April 3, 2004

SUMMIT
ENGINEERS & SURVEYORS, INC.

Vicinity Map

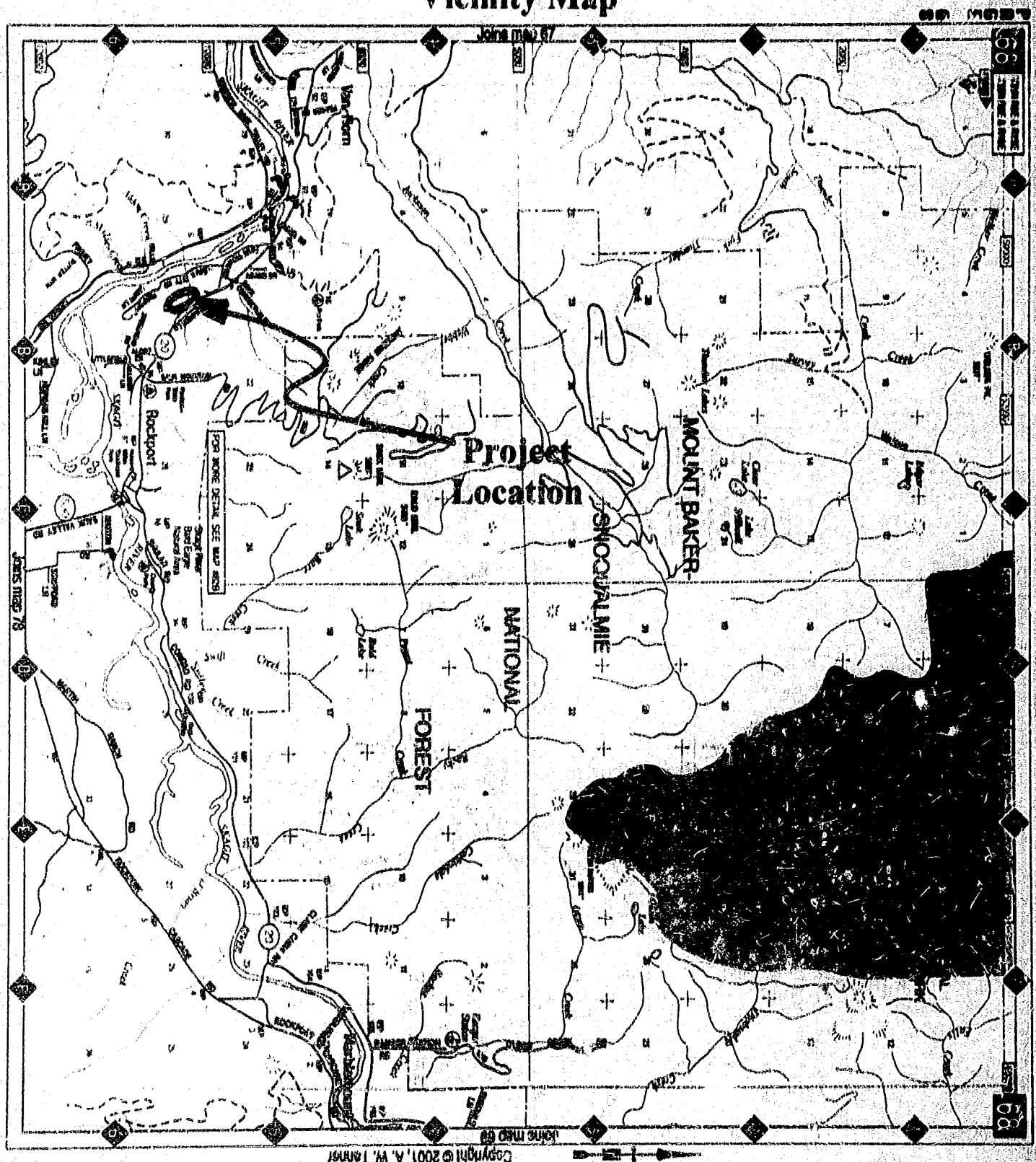


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Figure 1

Skagit County Assessor's Map

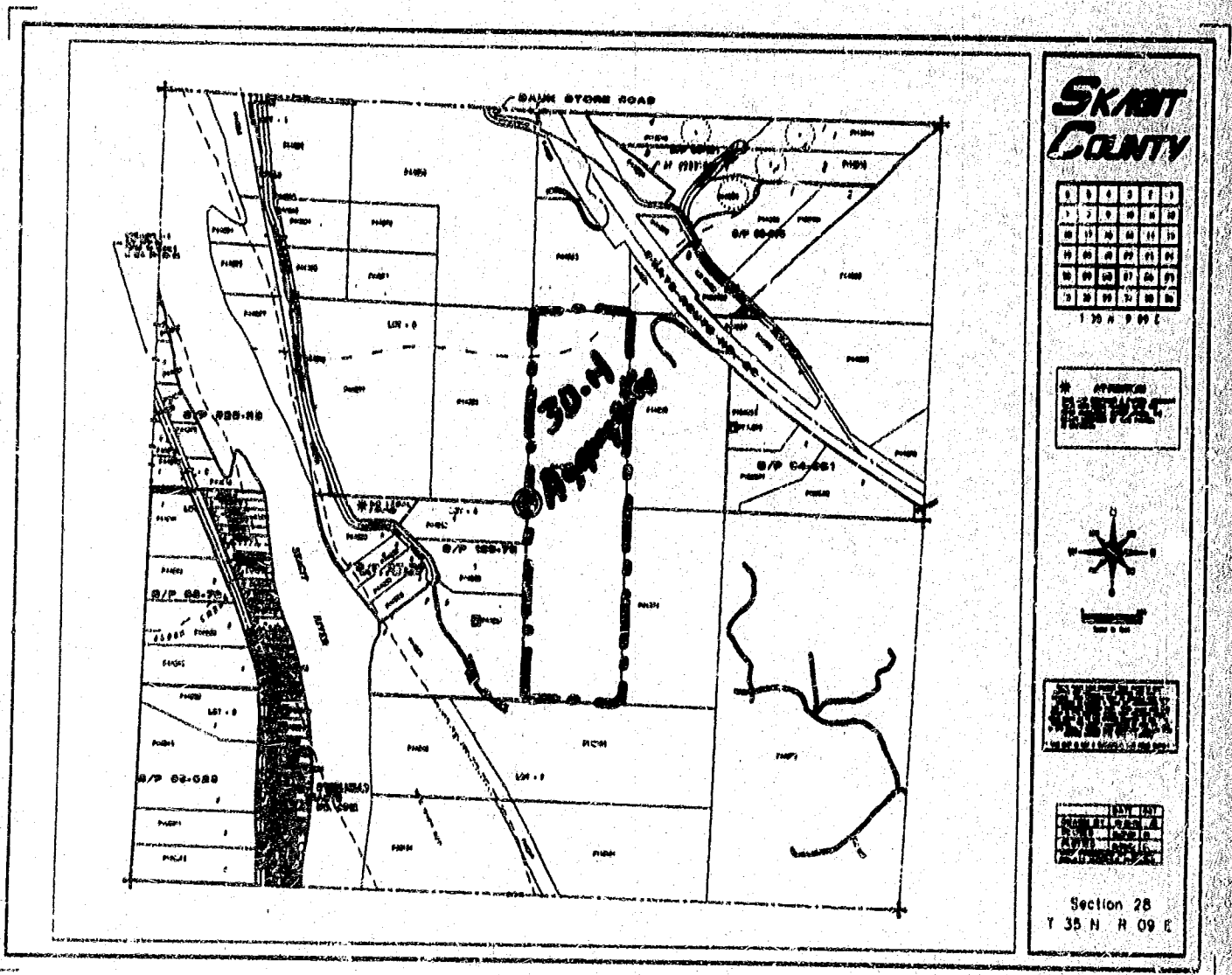
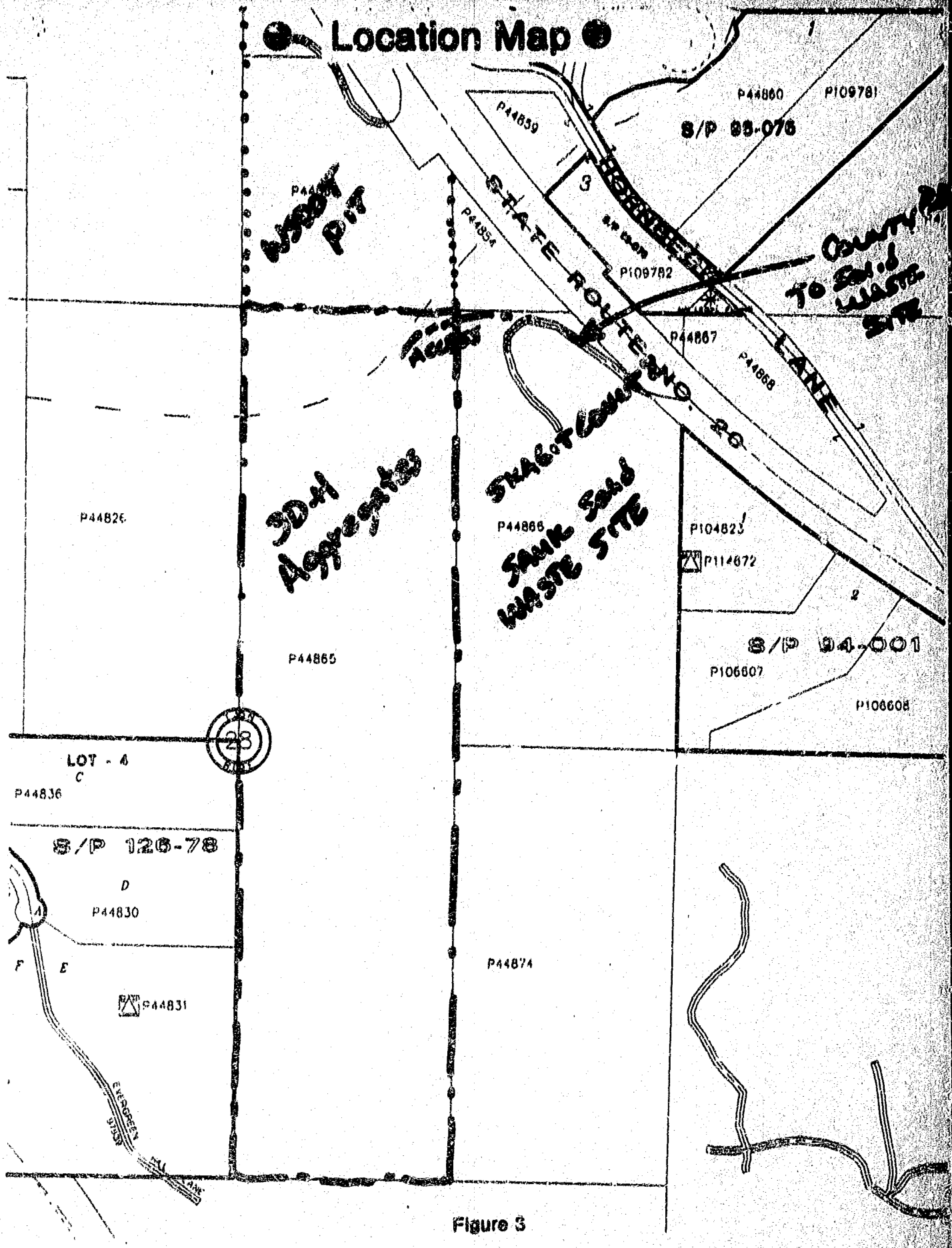


Figure 2


Location Map
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P109781
S/P 93-076
P44859
3
P44854
STATE ROUTE NO. 20
P109782
P44867
P44868
LANE
P44826
3D-H Aggregates
P44866
SANK Sand WASTE SITE
P104823
P114672
2
S/P 94-001
P106607
P106608
P44865
28
LOT - 4
C
P44836
S/P 126-78
D
P44830
A
F
E
P44831
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EVERGREEN

Figure 3

AERIAL SITE PHOTOGRAPH

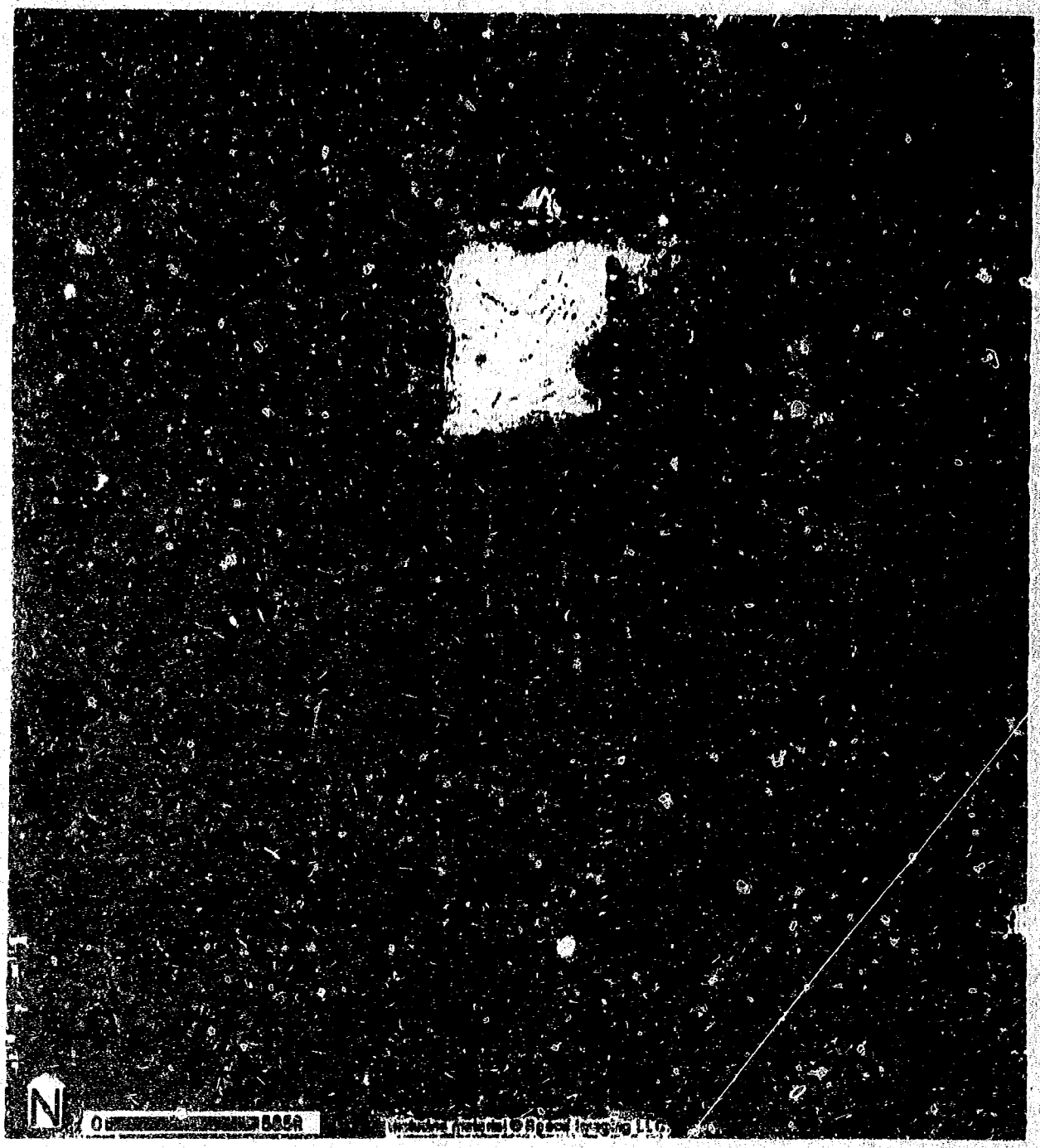

Figure 4

Site/Access Photographs



On access road, looking south on SR-20.



On access road, looking north on SR-20.

Figure 5

I. INTRODUCTION

3D-H Aggregates is seeking approval for the addition of ready mix concrete and asphalt processing in their existing gravel pit located in the Rockport area. The Skagit County Public Works has requested the preparation of a traffic study for their review and for WSDOT for the proposed facility traffic impact on SR-20.

II. PROJECT DESCRIPTION

Summit Engineers & Surveyor, Inc. (SES) reviewed the requested project for the concrete ready mix and annual crushing and asphalt production which would also include recycling of concrete and asphalt. Crushing and asphalt production would normally occur March through October. Only an emergency situation would require crushing during other times of the year. 3D-H would expect that normal crushing and asphalt production would be for a period of 6 to 12 weeks annually. Crushed material would be stock piled and sold throughout the year. 3D-H would anticipate an average daily traffic of 5 to 7 vehicles per day. Also, based on 3D-H capacity and information from WSDOT, SES assumed the asphalt plant would produce 200 ton/hour with 30 tons per truck. In extreme case, the project would generate 10 trips (7 from asphalt traffic, 3 from other) during P.M. peak hour.

III. EXISTING CONDITIONS

A. Surrounding Roadway System

State Route 20 is a two lane, north/south Principal Arterial and serves as the primary highway connecting east and west cascade. The posted speed limit near the project vicinity is 55 mph. However, due to the higher sight distance, the operating speed is greater than the posted speed limit.

B. Level of Service (LOS) Analysis

Peak hour information and geometric intersection data collected in the field were used to perform Level of Service capacity computations in accordance with the 2000 *Highway Capacity Manual*. Capacity analysis is used to determine level of service, which is an established measure of congestion for transportation facilities. The LOS concept was pioneered in the 1950's by the Bureau of Public Roads (now the FHWA). LOS is defined for a variety of facilities including intersections, freeways, arterials, two-lane highways, etc.

The operation of the surrounding intersections and proposed roadways were measured by conducting an LOS analysis using Synchro Software (signalized and non-signalized) utilizing the principles of the 2000 Highway Capacity Manual. The concept of the LOS is

to rate intersections operationally based on the average stopped delay per vehicle traveling through the intersection. The LOS of an unsignalized intersection is ranked from A (delay less than 5 seconds per vehicle) to F (delay exceeding 45 seconds per vehicle). The LOS of a signalized intersection is ranked from A (delay less than 10 seconds per vehicle) to F (delay exceeding 80 seconds per vehicle).

Table 1

Level Of Service (LOS) Criteria for Signalized, Unsignalized & All-way Stop Intersections

Level Of Service	Expected Delay	Signalized Stopped Delay Sec./Vehicle	Unsignalized & All-Way Stop Stopped Delay Sec./Vehicle
A	Little/No Delay	< = 10.0	< 5.0
B	Short Delays	10.1 to 20.0	5.1 to 10.0
C	Average Delay	20.1 to 35.0	10.1 to 20.0
D	Long Delays	35.1 to 55.0	20.1 to 30.0
E	Very Long Delays	55.1 to 80.0	30.1 to 45.0
F	*	> 80.0	> 45.0

* When demand volume exceeds the capacity of the lane, extreme delays will be encountered with queuing which may cause severe congestion affecting other traffic movements in the intersection.

Source: 2000 Highway Capacity Manual

LOS A: free-flow traffic conditions, with minimal delay to stopped vehicles (no vehicle is delayed longer than one cycle at signalized intersection).
LOS B: generally stable traffic flow conditions.
LOS C: occasional back-ups may develop, but delay to vehicles is short term and still tolerable.
LOS D: during short periods of the peak hour, delays to approaching vehicles may be substantial but are tolerable during times of less demand (i.e.) vehicles delayed one cycle or less at signal).
LOS E: intersections operate at or near capacity, with long queues developing on all approaches and long delays.
LOS F: jammed conditions on all approaches with excessively long delays and vehicles unable to move at times.

According to the Skagit County Concurrency Ordinance the threshold level of service for approaches to unsignalized intersections is Level C and the threshold level of service for signalized intersections is Level D.

The methodology for determining the LOS at unsignalized intersections strives to determine the potential capacities for the various vehicle movements and ultimately determines the average total delay for each specific vehicle movement. *Potential Capacity* represents the number of additional vehicles that could effectively utilize a particular movement, which is essentially the equivalent of the difference between the movement capacity and the existing movement volume. *Total delay* is described as the elapsed time from when a vehicle stops at the end of a queue until the vehicle departs from the stop line. *Average total delay* is simply the mean total delay over the entire traffic stream. Several

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Table 1

Level Of Service (LOS) Criteria for Signalized, Unsignalized & All-way Stop Intersections

Level Of Service	Expected Delay	Signalized Stopped Delay Sec./Vehicle	Unsignalized & All-Way Stop Stopped Delay Sec./Vehicle
A	Little/No Delay	<= 10.0	< 5.0
B	Short Delays	10.1 to 20.0	5.1 to 10.0
C	Average Delay	20.1 to 35.0	10.1 to 20.0
D	Long Delays	35.1 to 55.0	20.1 to 30.0
E	Very Long Delays	55.1 to 80.0	30.1 to 45.0
F	*	> 80.0	> 45.0

* When demand volume exceeds the capacity of the lane, extreme delays will be encountered with queuing which may cause severe congestion affecting other traffic movements in the intersection.

Source: 2000 Highway Capacity Manual

LOS A: free-flow traffic conditions, with minimal delay to stopped vehicles (no vehicle is delayed longer than one cycle at signalized intersection).
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factors influence potential capacity and total delay, ranging from the availability of gaps in the traffic stream, the usefulness of gaps, the priority ranking of movements, bus presence, pedestrian influences, and several others.

C. Sight Distance at Access Driveway

Preliminary examinations of the access driveway on Farm to Market Road was made to determine whether or not adequate entering and stopping sight distance is being provided for inbound and outbound project traffic. In accordance with established WSDOT standards, a minimum entering sight distance of 860 feet is typically required for a 50 mph speed limit. This standard would apply for the entrance off Farm to Market Road, with adequate sight distance required by WSDOT. Based on the analysis to date, the proposed access onto Farm to Market Road is expected to operate within the threshold and have adequate sight distance.

Table 2
Access/Sight Distance

		WSDOT Design Manual	
	Provided	**50 mph**	**60mph**
Farm to Market Road			
To North	1320 feet	860	1150
To South	3700 feet	860	1150

D. Level of Service @ new Access Location

			2004 Current		*2004 w/ Project*	
Intersection	*Control*	*By Lane*	*LOS*	*Delay*	*LOS*	*Delay*
SR-20/Project Access	Unsignalized	Northbound R	A	0.0	A	0.0
		Northbound T	A	0.0	A	0.0
		Southbound T	A	0.1	A	0.1
		Southbound L	A	0.3	A	0.9
		Westbound L	A	2.7	A	3.2
		Westbound R	A	0.3	A	2.6

This Page is Void. Has been Replaced w/ New page 3, Sept. 8, 2004 9-9-04

V. *IMPACTS*

A. Safety Impacts

The existing access onto SR-20 appears to be substandard to the current County and WSDOT code. The radii is smaller than the minimum requirement for a truck & trailer. The access road slope is greater than the maximum allowed at the landing.

B. Traffic Flow Impacts

The impact to the traffic on the adjacent roadways will be minimal, based on our analysis of the key intersection and the trips generated by this project.

Based on the LOS analysis of the affected intersection, resulting from the proposed development, the project is not directly affecting the reviewed intersection.

VI. *RECOMMENDATIONS AND MITIGATION*

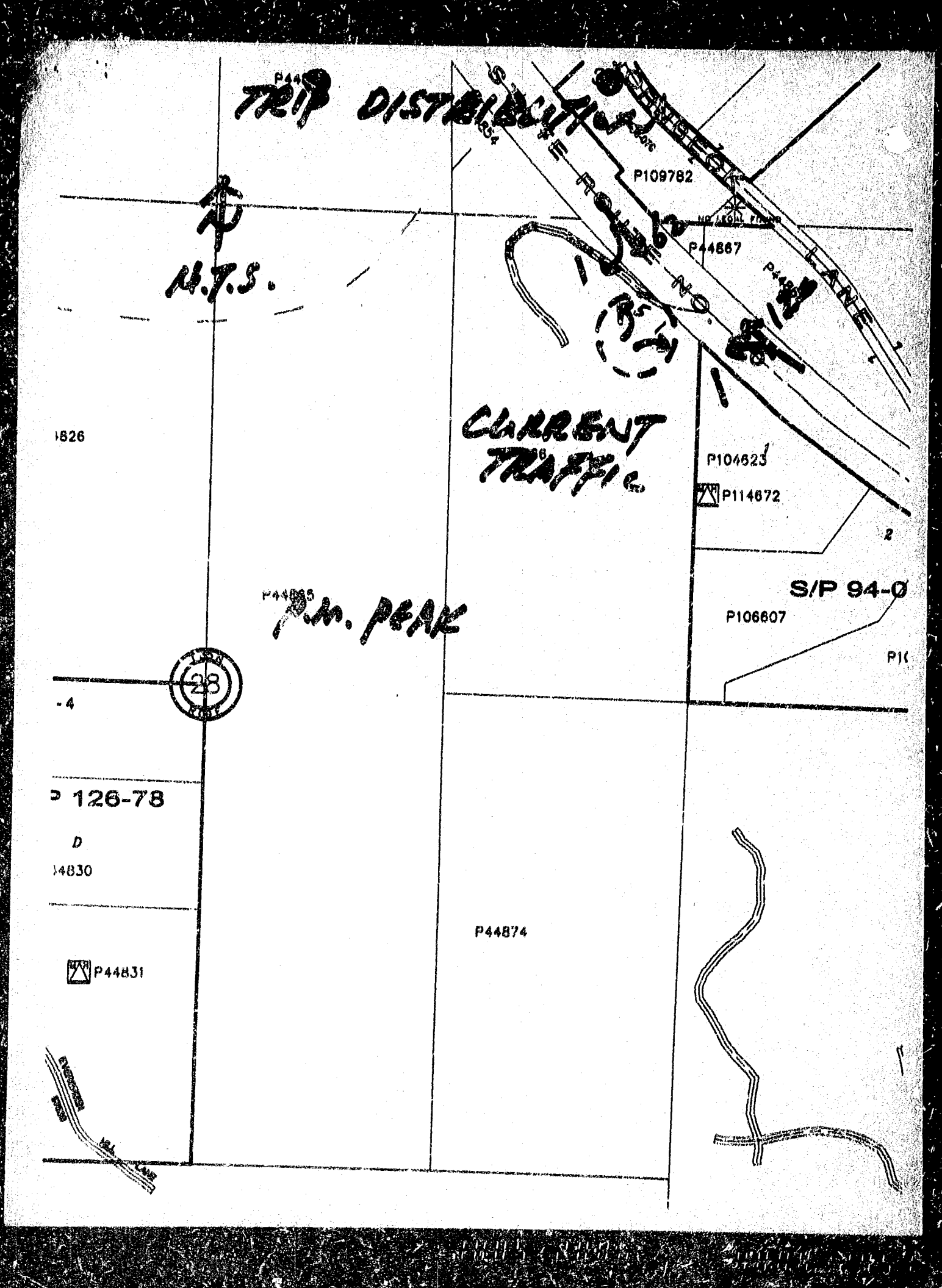
A. Motor Vehicle Impact Mitigation

1. During the field traffic reconnaissance, the motorists along SR-20 tend to speed above the comfort zone due to the higher sight distance. However, even if the operating speed is 60 mph, the provided sight distance is above the required distance. Therefore, no mitigation is needed.

2. The project access/SR-20 intersection should be review to meet the current County and WSDOT standards.

Technical Appendix

Summit Engineers & Surveyors, Inc.
2218 Old Highway 99 South Road
Mount Vernon, WA 98273
(360) 416-4999 Fax (360) 416-4949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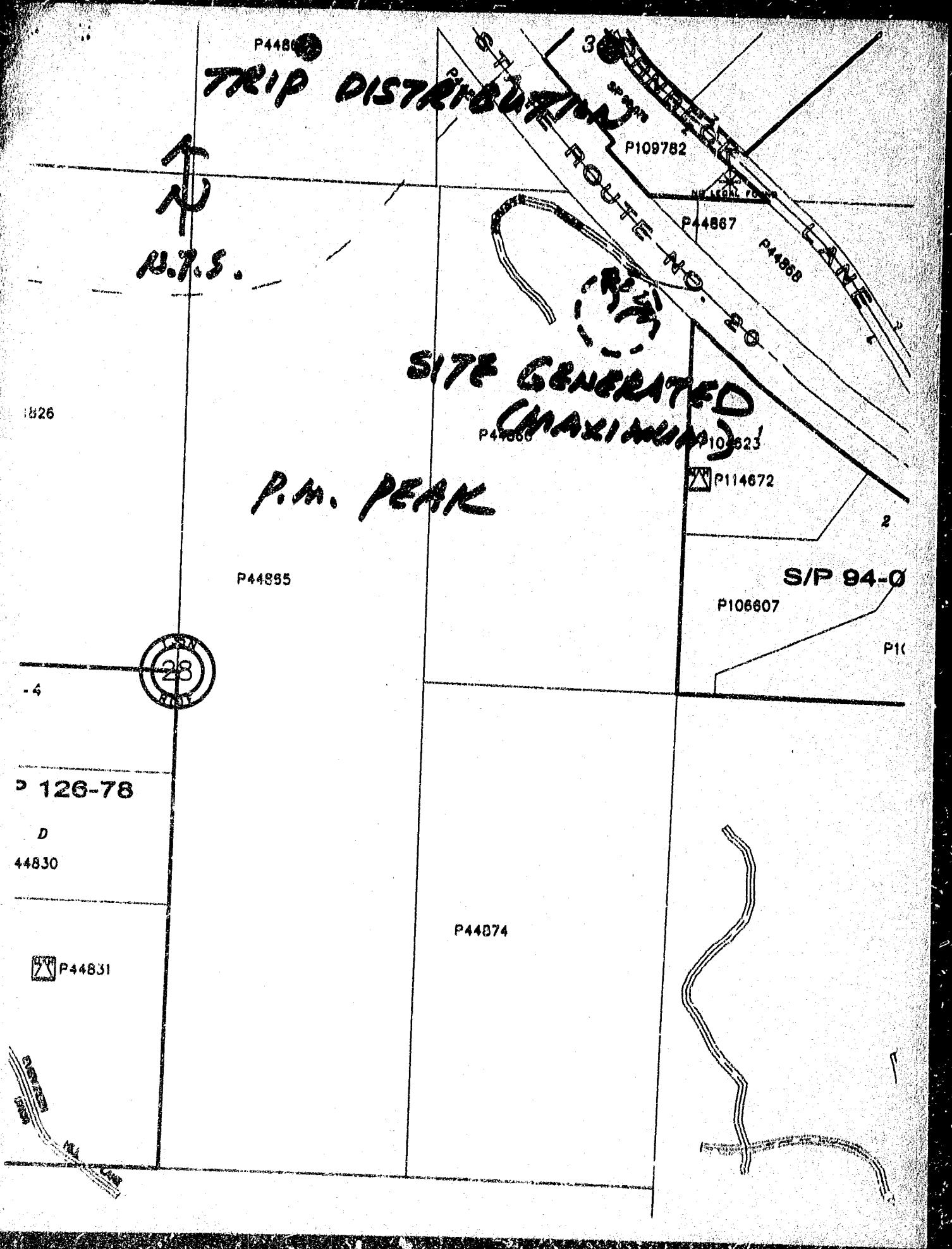
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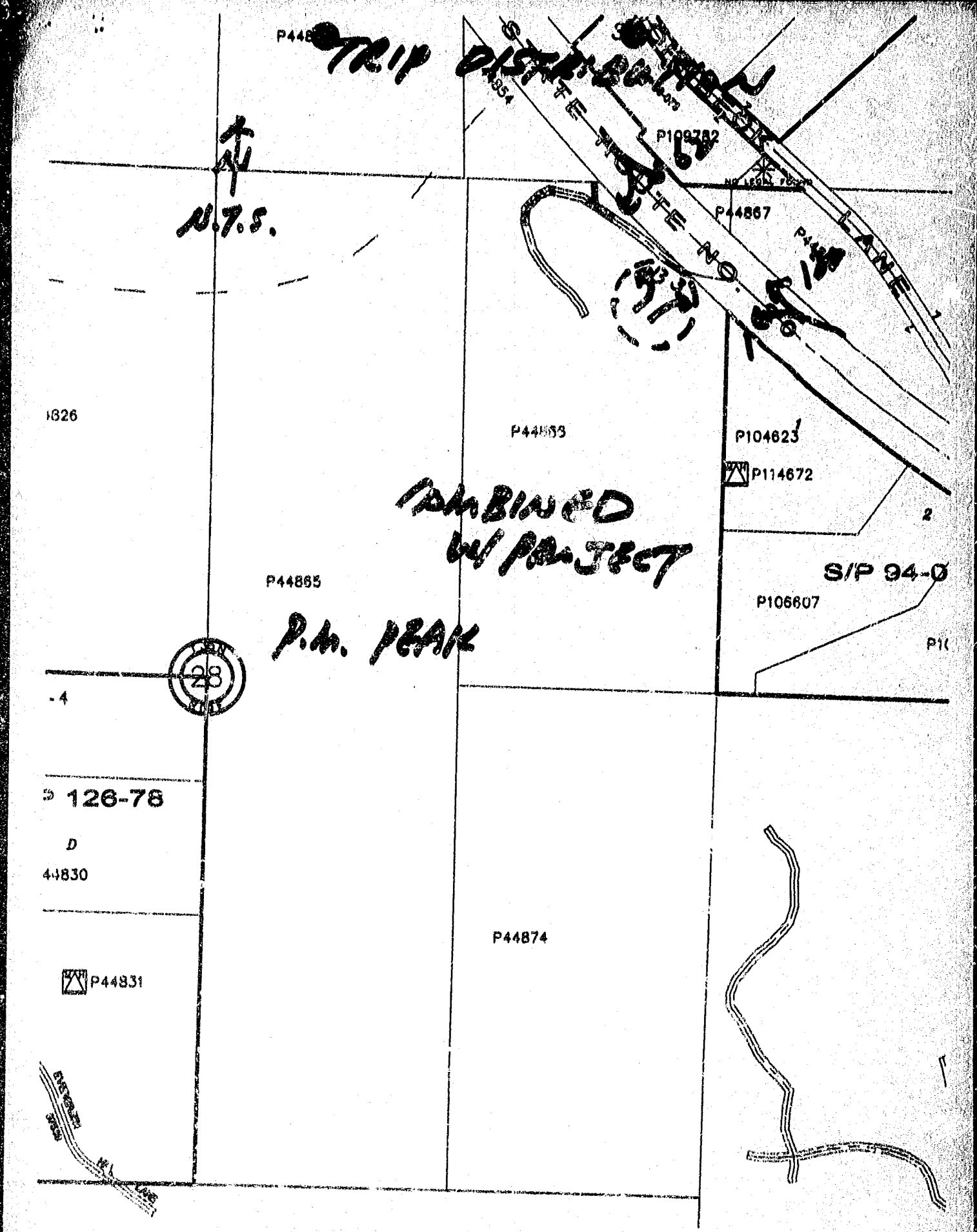
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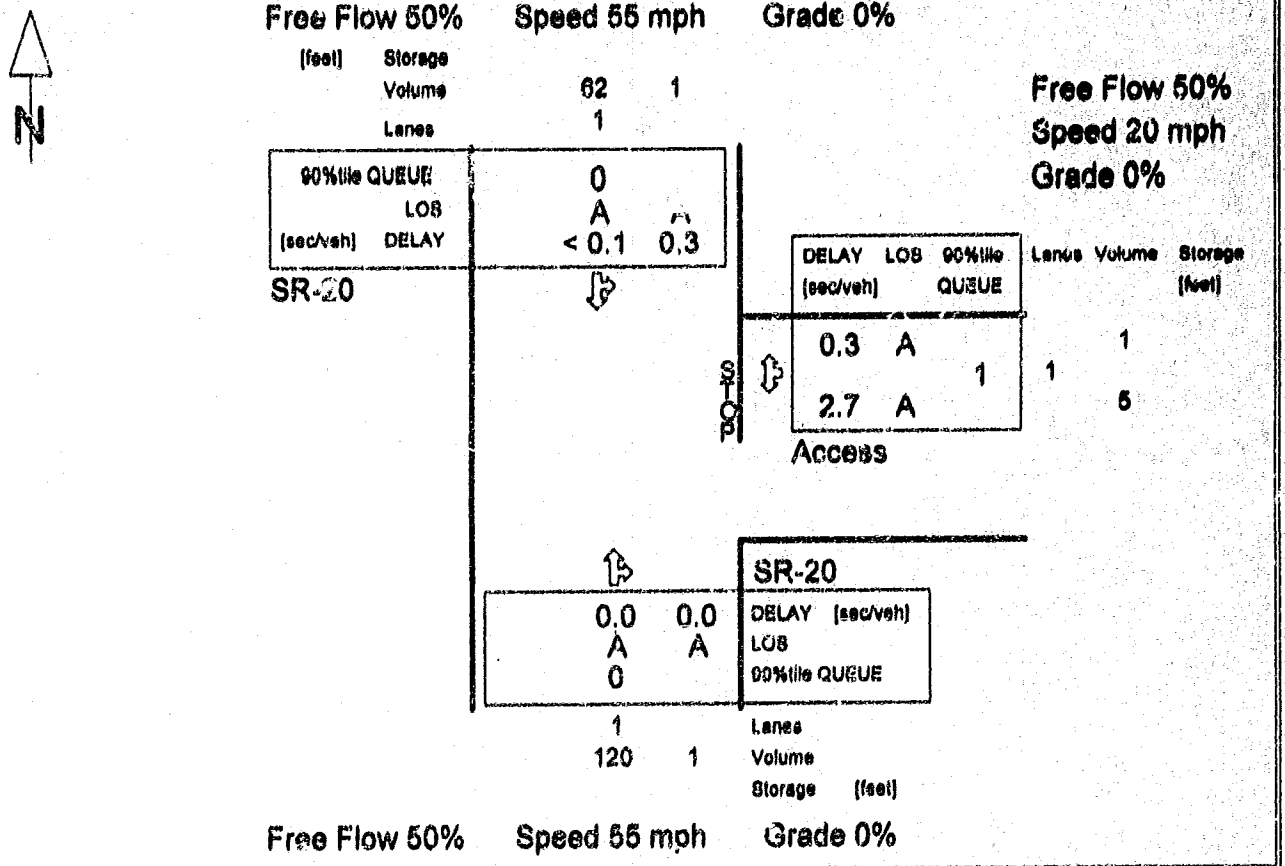
P44831

UNSIGNALIZED INTERSECTION SIMULATION

Location:	SR-20
Project:	3D-H Aggregates
Date and Time:	April 1, 2004
Alternative:	2004 w/o Project - current traffic



Analysis Period: 60 Minutes Number of Runs: 10 Total Simulation Time: 10.0 Hours

WARNINGS:

Bay Overflowed			Bay Blocked		
Quantity	Duration	Percentage	Quantity	Duration	Percentage

UNSIGNALIZED INTERSECTION SIMULATION

North Bound Approach

Thru Lane(s)	Vehicles	Length
50% of simulation time, queues are:	<= 0	<= 0 feet
67% of simulation time, queues are:	<= 0	<= 0 feet
75% of simulation time, queues are:	<= 0	<= 0 feet
85% of simulation time, queues are:	<= 0	<= 0 feet
90% of simulation time, queues are:	<= 0	<= 0 feet
95% of simulation time, queues are:	<= 0	<= 0 feet
Maximum queue was:	0	

South Bound Approach

Thru Lane(s)	Vehicles	Length
50% of simulation time, queues are:	<= 0	<= 0 feet
67% of simulation time, queues are:	<= 0	<= 0 feet
75% of simulation time, queues are:	<= 0	<= 0 feet
85% of simulation time, queues are:	<= 0	<= 0 feet
90% of simulation time, queues are:	<= 0	<= 0 feet
95% of simulation time, queues are:	<= 0	<= 0 feet
Maximum queue was:	0	

East Bound Approach

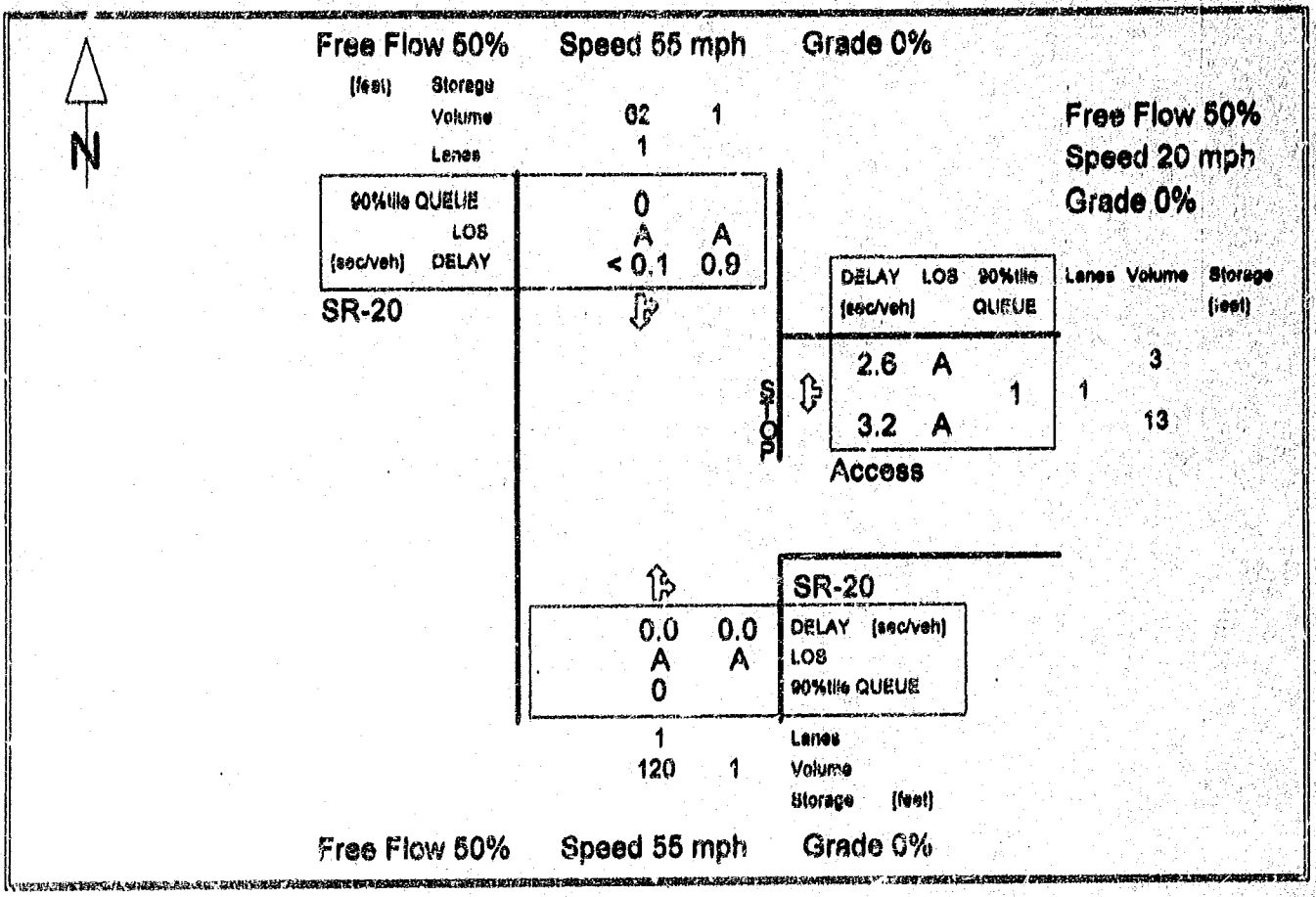
	Vehicles	Length

West Bound Approach

Thru Lane(s)	Vehicles	Length
50% of simulation time, queues are:	<= 0	<= 0 feet
67% of simulation time, queues are:	<= 1	<= 18 feet
75% of simulation time, queues are:	<= 1	<= 18 feet
85% of simulation time, queues are:	<= 1	<= 18 feet
90% of simulation time, queues are:	<= 1	<= 65 feet
95% of simulation time, queues are:	<= 1	<= 65 feet
Maximum queue was:	2	

UNSIGNALIZED INTERSECTION SIMULATION

Location:	SR-20
Project:	3D-H Aggregates
Date and Time:	April 1, 2004
Alternative:	2004 w/ Project



Analysis Period: 60 Minutes Number of Runs: 10 Total Simulation Time: 10.0 Hours

WARNINGS:

Bay Overflowed			Bay Blocked		
Quantity	Duration	Percentage	Quantity	Duration	Percentage

UNSIGNALIZED INTERSECTION SIMULATION

North Bound Approach

Thru Lane(s)	Vehicles	Length
50% of simulation time, queues are:	<= 0	<= 0 feet
67% of simulation time, queues are:	<= 0	<= 0 feet
75% of simulation time, queues are:	<= 0	<= 0 feet
85% of simulation time, queues are:	<= 0	<= 0 feet
90% of simulation time, queues are:	<= 0	<= 0 feet
95% of simulation time, queues are:	<= 0	<= 0 feet
Maximum queue was:	0	

South Bound Approach

Thru Lane(s)	Vehicles	Length
50% of simulation time, queues are:	<= 0	<= 0 feet
67% of simulation time, queues are:	<= 0	<= 0 feet
75% of simulation time, queues are:	<= 0	<= 0 feet
85% of simulation time, queues are:	<= 0	<= 0 feet
90% of simulation time, queues are:	<= 0	<= 0 feet
95% of simulation time, queues are:	<= 1	<= 18 feet
Maximum queue was:	1	

East Bound Approach

Thru Lane(s)	Vehicles	Length

West Bound Approach

Thru Lane(s)	Vehicles	Length
50% of simulation time, queues are:	<= 0	<= 0 feet
67% of simulation time, queues are:	<= 1	<= 18 feet
75% of simulation time, queues are:	<= 1	<= 18 feet
85% of simulation time, queues are:	<= 1	<= 18 feet
90% of simulation time, queues are:	<= 1	<= 18 feet
95% of simulation time, queues are:	<= 1	<= 18 feet
Maximum queue was:	2	

****
*** TX REPORT ***
****

TRANSMISSION OK

JOB NO.	1006
DESTINATION ADDRESS	94226103
PSWD/SUBADDRESS	
DESTINATION ID	
ST. TIME	09/10 16:32
USAGE T	06'36
PGS.	18
RESULT	OK

200 West Washington Street
Mount Vernon, WA 98273
Phone: (360) 336-9410 • Fax: (360) 336-9416

Skagit County Planning & Permit Center

FAX

DATE: 9-10-04

NUMBER OF PAGES INCLUDING COVER SHEET: 17

To: Dave Haugh

From: B. Black

Phone:

Fax: 422-5103
422-5103

Phone: (360) 336-9410

Fax: (360) 336-9416

COMMENTS:

Did not attach last pages
or conditions

Address listed w/in The application was wrong 50598. This was a typo.
The correct address is 50596.
The correct parcel number has been attached Throughout along with The correct site location maps.
The Public notifications have been properly mailed & conducted.

DAVID C. HOUGH & ASSOCIATES

Consultant

FACSIMILE MEMORANDUM

THIS FACSIMILE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHOM IT IS ADDRESSED AND MAY CONTAIN CONFIDENTIAL INFORMATION. IF THE READER OF THIS COVER PAGE IS NOT THE ADDRESSEE, PLEASE BE ADVISED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS FACSIMILE IS STRICTLY PROHIBITED. IF YOU RECEIVE THIS COMMUNICATION IN ERROR, PLEASE CALL IMMEDIATELY AT (360) 422-5103 AND RETURN THIS FACSIMILE TO DAVID HOUGH, CONSULTANT AT THE ABOVE ADDRESS BY MAIL.
THANK YOU.

Date: SEPT 08, 04

Number of pages including cover sheet 7

TO Brandon Black

TELEPHONE:
FAX NUMBER: 336-9416

RE: 30h

17483 W. Big Lake Blvd.
Mount Vernon, WA 98274

FAX/TEL (360) 422-5103

200.

First American Title
INSURANCE COMPANY

THIS SPACE RESERVED FOR RECORDER'S USE
SKAGIT COUNTY
77 JUN 21 PM 3:41
RP

Filed for Record at Request of SKAGIT COUNTY TITLE CO.

Name County of Skagit
c/o County Commissioner
Address Skagit County Courthouse
City and State Mount Vernon WA 98273
ATTENTION: Howard Miller

1-1 S58854

8726

Statutory Warranty Deed

858854

THE GRANTOR HERMAN L. JONES, an his separate property

for and in consideration of THIRTY THOUSAND AND NO/100 -- DOLLARS ($30,000.00)

in hand paid, conveys and warrants to COUNTY OF SKAGIT, a municipal corporation

the following described real estate, situated in the County of Skagit, State of Washington:

That portion of the East ½ of the Southwest ¼ of the Northeast ¼ and the East ½ of the Northwest ¼ of the Southeast ¼ of Section 28, Township 35 North, Range 9 East, W. M., lying Southerly of Highway 17-A, as conveyed to the State of Washington by Deed recorded August 23, 1957, as Auditor's File No. 555350.

The grantee herein, as part of the consideration for this conveyance agrees, within 30 days, to reopen the old Thompson Hill Road over and across Government Lots 4 and 5 in said Section 28 and to put the same into a condition to allow vehicle traffic and further, the grantee herein also agrees, within six months of the date hereof, to construct a two-lane gravel road on a 60 foot right of way over the Northerly portion of the East ½ of the Southwest ¼ of the Northeast ¼ of said Section 28, terminating at the West line of said East ½ of the Southwest ¼ of the Northeast ¼, and the grantor herein does hereby reserve from this conveyance a non-exclusive easement for ingress, egress and utilities over and across said 60 foot right of way as the same shall be built pursuant to this agreement.

30.00

Dated this 21st day of June, 1977

Herman L. Jones (SEAL)

(SEAL)

STATE OF WASHINGTON, } ss.
County of

On this day personally appeared before me Herman L. Jones SCT

to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the purposes therein mentioned.

GIVEN under my hand and official seal this 21st day of June, 1977

Notary Public in and for the State of Washington residing at

WA-25 858854

Official Records

1005 2006 8008 2987

SKAGIT COUNTY BOARD OF ADJUSTMENT

WRITTEN ORDER # CU-77-031

CONDITIONAL USE PERMIT

WILDER CONSTRUCTION

This matter having come before the Skagit County Board of Adjustment under application filed with the Skagit County Planning Department on August 5, 1977 on behalf Wilder Construction requesting that a Conditional Use Permit be granted to allow operation of a gravel pit with rock crusher and asphalt plant as required on the following described property:

> West ½ of the SW ¼ of the NE ¼ and the West ½ of the NW ¼ of the SE ¼ in Section 28, Township 35 North, Range 9 East, W.M.

and, notice having been given to all property owners of record within 300 feet of said property, and

All matters in the file having been considered together with the testimony and exhibits in open hearing on December 8, 1977 and made a part of the record in this matter;

The Board makes the following findings of fact:

FINDINGS OF FACT

1. December 8, 1977 was fixed as the date of the public hearing on said application. All property owners of record within 300 feet of said property were given proper notice and Notice of Hearing was posted on said property:

2. The Board of Adjustment held a public hearing on December 6, 1977.

3. All interested parties present at the hearing were heard and all testimony and matters pertaining to the application were heard and considered;

4. Three of five Board of Adjustment members were present at the hearing constituting a legal quorum. The Board, upon motion duly made and seconded, voted to grant the conditional use.

5. The subject property is zoned Forestry Recreation.

6. The closest residence is approximately 17000 feet from this site with a hill between which provides a sound buffer.

7. Approval of the north ten acres of the subject property, for a period of two years, would give Wilder Construction a trial period in which the impact of this gravel pit on the surrounding community could be measured.

The Board of Adjustment having duly considered the matters finds the Conditional Use Permit would not adversely affect the public interest and would not be adverse to the Public Health, Safety and General Welfare;

The Board grants the permit with the following conditions:

1. Operations are to be only on the north ten acres of the subject property at this time.
2. Finish slopes shall be at least 2:1.
3. Reclamation of the land shall meet D.N.R. standards.
4. A 20 foot natural area is to remain undisturbed around the perimeter of the property except to the north as outlined on the plan.
5. A public hearing is to be scheduled in two years to review this gravel pit and to consider the remaining 30 acres of this site for use as a gravel pit, subject to continued ownership of the applicant.
6. Operating hours of 8:00 a.m. to 6:00 p.m. Monday through Friday with no operation on legal holidays.

1005 2006 0000 2969

Additional permits shall be obtained for each new operation of new rock crusher and asphalt machinery.

te of Action December 8, 1977.

pies transmitted to applicant

te of Action: December 8, 1977

pies transmitted to applicant

SKAGIT COUNTY BOARD OF ADJUSTMENT

SKAGIT COUNTY BOARD OF ADJUSTMENT

e have reviewed Written Order Number CU-77-031 and accept the permit with the conditions herein described.

Property Owner

Property Owner

ACKNOWLEDGEMENT

State of Washington)
County of Skagit)

On this day personally appeared before me R. C. Durgin to be known to be the individual described in and who executed the within and foregoing instrument and acknowledged to me that signed the same as free and voluntary act and deed, for the uses and purposes therein mentioned.

Notary Public in and for the State of Washington, residing at

1005 2005 8000 2970

SKAGIT COUNTY BOARD OF ADJUSTMENT
WILDER CONSTRUCTION
CU-77-031

CONDITIONAL USE

This matter having come before the Skagit County Board of Adjustment under application filed with the Skagit County Planning Department on behalf of Wilder Construction requesting that he will be able to operate a gravel [illegible] rock crusher and asphalt plant on the following described property:

> Located approximately one mile west of Rockport State Park, within the NE¼ of the SE¼ of Section 28, Township 35 North, Range 9 East, W.M.

and, notice having been given to all property owners of record within 500 feet on said property, and all matters in the file having been considered together with the testimony and exhibits in open hearing and made a part of the record in this matter; The Board of Adjustment makes the following findings of fact:

FINDINGS OF FACT

1. October 9, 1980 was fixed as the date of the public hearing and the Board of Adjustment held a public hearing on that date on said application.

2. The public hearing has been advertised in accordance with the requirements of Skagit County Ordinance Chapter 14.04 of the Skagit County Code.

3. All interested parties present at the hearing were heard and all testimony and matters pertaining to the application were heard and considered.

4. 3 members were present at the hearing constituting a legal quorum.

5. The subject property is zoned Forestry.

6. A determination of the environmental significance of this proposal has been made in accordance with the SEPA Guidelines and has been found to be non-significant.

Board of Adjustment
Idur Construction
-77-031

7. The property is located out of any floodplain and is approximately 40 acres in size.

8. The Board of Adjustment granted this Conditional Use Permit on December 8, 1977 with the following conditions:

   1. Operations are to be only on the north ten acres of the subject property at this time.

   2. Finish slopes shall be at least 2:1.

   3. Reclamation of the land shall meet D.N.R. standards.

   4. A 20 foot natural area is to remain undisturbed around the perimeter of the property except to the north as outlined in the plan.

   5. A public hearing is to be scheduled in two years to review this gravel pit and to consider the remaining 30 acres of this site for use as a gravel pit, subject to continued ownership of the applicant.

   6. Operating hours of 8:00 A.M. to 6:00 P.M. Monday through Friday, with no operation on legal holidays.

   7. Additional permits shall be obtained for each new operation of the rock crusher and asphalt machinery.

9. At this time the review of the Conditional Use Permit consists of reviewing the pit site to see if it in conformance with the conditions and if there are any problems.

7. On September 23, 1980 the Department of Natural Resources indicated that there were no problems, only that it was time for review.

10. A conversation with Bob Durgin on September 23, 1980 indicated that the site has not been used at all, and at present there was no contract for utilization of the pit.

11. In regards to the remaining acreage, Mr. Durgin indicated that they would have to "wait and see" what was needed if and when the site is used.

12. It appears that at this time there are no problems and the applicant is in compliance with all of the required conditions.

Board of Adjustment
Water Construction
Cu-77-031

The Board of Adjustment having duly considered the matter finds that the Conditional Use Permit would not adversely affect the public interest and would not be adverse to the Public Health, Safety and General Welfare. The Board of Adjustment grants the Conditional Use Permit subject to the following conditions:

1. All of the original conditions attached to Cu-77-031 shall remain in effect.

2. Another review shall occur in two years.

Date of Action: October 9, 1980

Copies Transmitted to Applicant on:

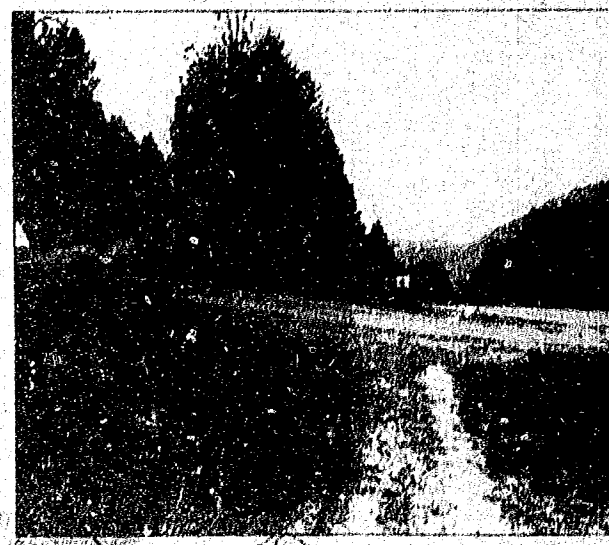
Chairman, Board of Adjustment

PROPERTY OWNER

PROPERTY OWNER



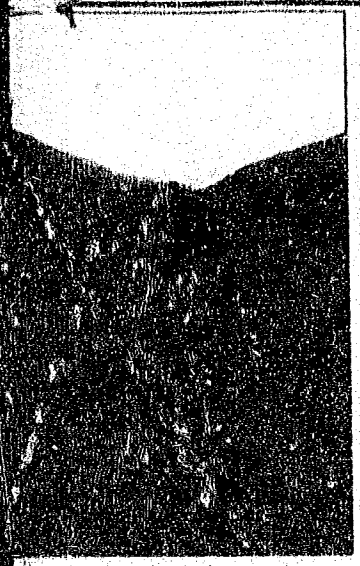


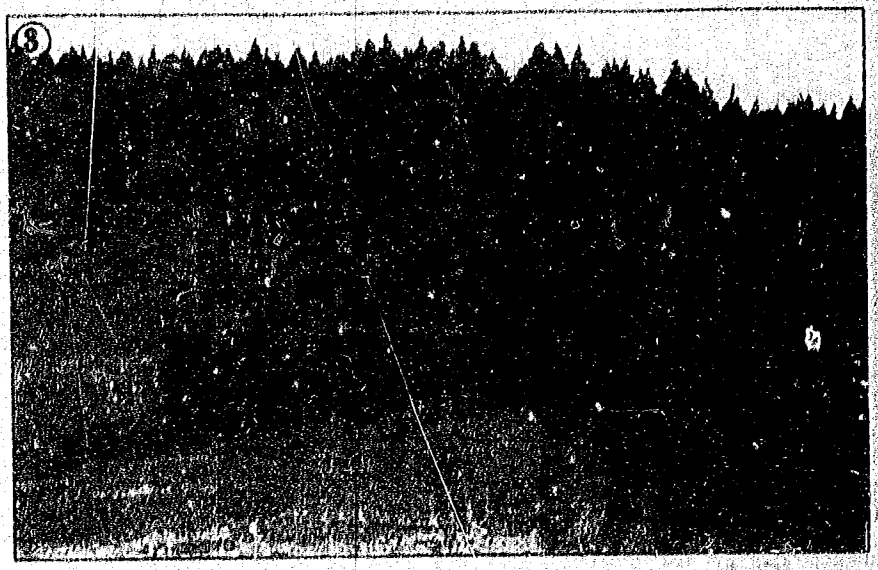


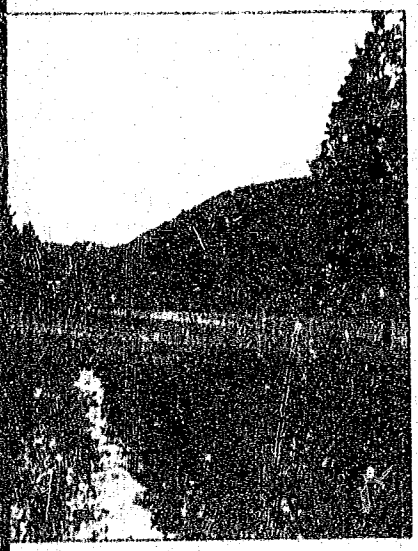
Photos Show Pe

1. Looking nor
from trees in
behind trees
left half of
2. Looking sou
3. Looking nor
to Skagit Cou
4. Access poin
5. Looking sou
WSDOT pit. Th
to Skagit Riv

Section 28, Township 35 North, Range 9 East, W.M.









otos Show Remoteness and Seclusion of Site

.Looking north across existing gravel excavation. Pit entry rom trees in middle of picture. Skagit County transfer station ehind trees on right half of picture. WSDOT pit behind trees on eft half of picture.
.Looking southeast a point of entry to gravel pit.
.Looking northeast across pit. Trees provide heavy screening o Skagit County property.
.Access point to highway 20.
.Looking south from point of entry along west boundary with SDOT pit. The south boundary is vacant land that drops rapidly o Skagit River Valley.

LAND TECHNOLOGIES

3DH AGGREGATE INC. | Rockport Gravel Pit

Existing Photographs

SHEET

3 of 3

Rockport Gravel Pit - Use permit pro

1005 2006 0000 2976

a) The proposed use will be compatible with existing and planned land use and comply with the Comprehensive Plan.

The Comprehensive Plan provides the continued operation of commercial mining operations outside of the MRO. (Policy 5D-3.7). Future use of the site will be in compliance with the current designation of Rural Reserve.

b) The proposed use complies with the Skagit County Code.

Related mining activities which further develops the base material being mined is allowed in the Skagit County Code 14.16.440(7)(b).

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.

The addition of an asphalt plant, concrete ready mix and asphalt and concrete recycling to the existing permitted gravel mining operation will have little if any impact to the surrounding area. The site is relatively isolated and is immediately adjacent to an existing WSDOT gravel mine and the Skagit County Sauk garbage land fill. The asphalt plant and concrete ready mix operations would normally occur March through October. Permits for such operations would be necessary from Northwest Air Pollution Authority.

d) The proposed use will not generate intrusions on privacy of surrounding uses.

The proposed uses would not generate intrusions on the surrounding uses . The site is surrounding on two sides by an existing gravel mine and the County's Sauk Land Fill.

e) Potential effects regarding the general public health, safety, and general welfare.

Operation permits will be necessary from various agencies. The operation must demonstrate to those agencies that adequate provisions are in place to meet the established standards for such uses.

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.

Not applicable.

g) The proposed use is not in conflict with the health and safety of the community.

As noted above, operational permits will be necessary from all applicable agencies. Such permits are ongoing and will be monitored for compliance.

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.

The proposed uses require little public services for operation. What services that may be necessary will not affect services to the surrounding area.

SKAGIT COUNTY
PERMIT CNTR
SEP 14 2004
RECEIVED

September 9, 2004

TO: Brandon Black and Whom It May Concern
FROM: Mark and Joan Berg
RE: Special Use Application #PL01-0435

Thank you for the opportunity to put in writing our concerns regarding this application. Like most of our neighbors, we did not receive any notice by mail of any previous hearings taking place regarding this application apparently because our property/homes are not within 300 feet of the proposed asphalt plant site.

Here are our concerns:

Houses or property must be within a 300 foot radius of an existing rock crushing/proposed asphalt plant site to receive any notice by mail.

The "Notice Of Public Hearing" regarding this application posted on the stop sign near our house, listed the "Location Of Subject Property" for the Special Use Permit Application as, 50598, State Route 20, Concrete, Washington, etc. which is our mailing address and where our home is located.

The 3D-H Aggregates Co. property is located on/near ground affected by a previous open landfill site that, for over a year, has had county concern regarding the possible contamination of an aquifer with unknown, at least to us, impact on existing wells of our friends below that now covered landfill site. The 3D-H Aggregates Co. is currently without well water, as it was notified by the county that any existing well or well to a certain depth could not be used because of the risk of contamination due to that landfill.

Without further review, any contaminates: particulates, dust, chemicals, etc. produced by the rock crushing, concrete recycling, and asphalt plant processes whether airborne, or washed into ground water by processing or rain, have an unknown affect on existing ground water, air, plant, or animals. These processes would be taking place directly off a designated wild and scenic highway, above a designated wild and scenic river and within miles to the entrance of a state park and bald eagle sanctuary.

Connected with these concerns is the issue of odor from asphalt production possibly averaging 2-3 months long, usually occuring during the summer months when this area is filled with hikers, campers and other tourists coming to experience this wild and scenic area. Concrete recycling projects could potentially produce large quantities of dust adding to air contaminates from larger chunks of concrete with unknown composition. Trucks hauling any process related materials potentially increase truck traffic turning off and onto a 50 mph highway often containing increased tourist traffic.

1005 2004 0000 2970

Along with having stated our concerns, it is our understanding that once rock crushing sites, like 3D-H Aggregates obtain their initial permit and do their initial environmental impact statement, that an additional environmental impact statement is usually not required when companies apply for additional land use like a[illegible]halt plants, concrete recycling, etc. on that same site. We very much appreciate the information that 3D-H Aggregates and the county has shared with us so far, but we feel strongly that not enough people potentially affected by this application were notified, that an additional environmental impact statement should be considered, that locations of existing similar plants be noted, and more time to review this application be granted.

Thank you for hearing these concerns,

Mark and Joan Berg
50598 State Route 20
Concrete, WA 98237
360-853-8275

J. Berg
50598 St. Rt. 20
Concrete, WA
98237

Attention:
Brandon Black

Skagit County Planning & Permit Ctr
200 West Washington St.
Mt. Vernon, WA
98273

SKAGIT COUNTY
PERMIT CNTR
SEP 14 2004
RECEIVED

September 13, 2004

Mr. Brandon Black
Associate Planner
Skagit County Planning and Permit Center
200 West Washington Street
Mount Vernon, WA 98273

Subject: Special Use Permit Application #PL01-0435 by 3D-H Aggregates

Dear Mr. Black:

The subject property for this permit application is a short distance from our home on Sauk Store Road. My only concern about this type of business is the noise created. Will there be noise? We live in a quiet neighborhood – part of why we live here – and I would like to keep it that way. Currently we hear no noise from this business concern. I am unable to attend this hearing due to a previous commitment.

Thank you,

Karan Harrell

Karan Harrell
50130 Sauk Store Road
Concrete, WA 98257
(360) 853-9001

NOTICE OF PUBLIC HEARING

THE SKAGIT COUNTY HEARING EXAMINER WILL HOLD A PUBLIC HEARING ON WEDNESDAY, September 22, 2004, IN HEARING ROOM C OF THE SKAGIT COUNTY ADMINISTRATION BUILDING, 700 SOUTH SECOND STREET, MOUNT VERNON, WASHINGTON, AT THE HOUR OF 9:00 A.M. OR SOON THEREAFTER FOR THE FOLLOWING:

TYPE OF HEARING:

Special Use Permit application #PL01-0435 by 3D-H Aggregates for the modification of a previously approved conditional use permit (CU #77-031) to allow for the addition of a crusher, asphalt plant and concrete ready mix production to take place within an existing permitted gravel pit. The project proposal would include recycling of concrete and asphalt. The proposed project is located within the Rural Reserve (RRv) Zoning/Comprehensive Plan district as designated on the July 24, 2000 Zoning/Comprehensive Plan map and as thereafter amended.

NAME OF APPLICANT:

3D – H Aggregates, C/O David and Helen Weber, 809 Rakdal Road, Camano Island, WA 98292. Dave and Darcy Harvin, P.O. Box 607, Stanwood, WA, 98292.

Contact Person: Dave Hough, 17483 W. Big Lake Blvd., Mount Vernon, WA. 98274.

LOCATION OF SUBJECT PROPERTY:

Located at 50598, State Route 20, Concrete, Washington, within a portion of Section 28, Township 35 North, Range 9 East W.M., situated within Skagit County, Washington. P#44865

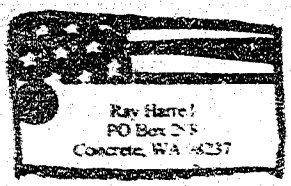
Your views for or against the request are invited either by attendance, representation or letter. Comments and/or facsimiles must be received by this office no later than 4:30 p.m. Tuesday, September 21, 2004, or be presented at the public hearing.

SKAGIT COUNTY PLANNING AND PERMIT CENTER
200 WEST WASHINGTON ST
MOUNT VERNON, WASHINGTON 98273
360-336-9410

Contact: Brandon Black, Associate Planner

3D-H address: 50796

1005 2006 0000 2983



Skagit County Planning & Permit Center
200 West Washington Street
Mount Vernon, WA 98273

attn: Brandon Black

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

FINDINGS, CONCLUSIONS AND DECISION

Applicant:	3D-H Aggregates c/o David and Helen Weber & Dave and Darcy Harvin PO Box 607 Stanwood, WA 98292
Agent:	David Hough 17483 West Big Lake Blvd. Mount Vernon, WA 98274
File No:	PL01-0435
Request:	Special Use Permit
Location:	50596 State Route 20, near Concrete, within a portion of Sec. 28, T35N, R9E, W.M.
Land Use Designation:	Rural Reserve (RRv)
Summary of Proposal:	To modify a previous conditional use permit to allow for addition of a crusher, asphalt plant and concrete ready mix operation within an existing permitted gravel pit. The operation would include recycling of concrete and asphalt.
Public Hearing:	After reviewing the report of the Planning and Permit Center, the Hearing Examiner conducted a public hearing on September 22, 2004.
Decision:	The application is approved, contingent on meeting further reporting requirements and subject to conditions.

FINDINGS OF FACT

1. 3D-H Aggregates (applicant) seeks a Special Use Permit to conduct new operations within an existing permitted gravel pit. The pit is located near Concrete.

2. The location is 50596 State Route 20, within a portion of Sec. 28, T35N, R9E., W.M. The Comprehensive plan/zoning designation is Rural Reserve (RRv).

3. The site is adjacent to the County Solid Waste Transfer Station. There is another surface mine (WSDOT Pit M-106) that borders the northern property boundary.

4. The permit sought will effectively modify a Conditional Use Permit issued in 1977 (CU#77-031). The Conditional Use Permit was reaffirmed through the signing of a Department of Natural Resources SM-6 form by the County in April of 2002. The permit is still active.

5. The original permit authorized a gravel pit. There were seven conditions of operation. Condition #7 stated, "Additional permits shall be obtained for each new operation of the rock crusher and asphalt machinery."

6. The instant application states that it is made pursuant to Condition #7 of the original permit. The applicants' project narrative states:

> We are requesting approval for concrete ready mix and annual crushing and asphalt production which would also include recycling of concrete and asphalt. Crushing and asphalt production would normally occur March through October. Only an emergency situation would require crushing during other times of the year. We would expect that normal crushing and asphalt production would be for a period of 6 to 12 weeks annually. Crushed material would be stockpiled and sold throughout the year. We would anticipate an average daily traffic increase of 5 to 7 vehicles per day.

7. The idea is to be able to supply road building material for Highway 20 projects in the eastern part of Skagit County. The new activities proposed by the applicants would permit importation of material to the site for processing. No information is given about the expected volume of recyling work, but it is inferred from the estimate of vehicle trips that the amount will be quite small.

8. To date a little over 12 acres of gravel have been mined. The site currently has an active borrow area open to a maximum depth of approximately 30 feet below the natural topography. The undisturbed area within the original permit boundary consists of gently rolling land with upland forest and shrub communities. The site was logged

10/5 2006 0000 298

within the past decade. No streams or critical habitat area are located within or immediately adjacent to the site. The Skagit River is located over 800 feet to the southwest of the property boundary.

9. A paved two-lane road connecting to SR 20, provides a shared access to the mining area and to the adjacent solid waste transfer station. (The Washington State Department of Transportation has advised that the activities applied for will constitute a change in use making it necessary for the applicant to obtain a new access connection permit for the project.)

10. Limited mining operations continue in the pit. There are typically two employees. The proposed new operations will require two to three additional employees. Under the proposal, the crushing, asphalt production and ready mix concrete operations will take place between Monday morning and noon on Friday.

11. The parcel is 40 acres in size. Of the equipment involved, the crusher will be the major noise source. It will be located in the active pit at 25 or more feet below grade. The apparent belief is that the below-grade location and the horizontal distances involved will result noise standard compliance at receiving properties.

12. The proposed concrete production operations will require a water well. No well may be located closer than 1,000 feet from landfill property lines. There is ample room on the applicants' property to drill a well that is considerably more tha.. 1,000 feet from the adjacent landfill. At hearing the applicants' consultant stated that the well will be exempt from a water rights permit. This means that the use will have to be kept at below 5,000 gallons per day. This restriction will operate, to some degree, as a limiting factor on the concrete operations.

13. A traffic study was performed which accepted the average of 5 to 7 vehicles per day. The study assumed that in an extreme case, the project would generate 10 trips during the p.m. peak-hour period. The study found that the sight distance at the entrance to SR-20 exceeds the required distance and that the impact of project-generated traffic on the adjacent roadways will be minimal. No level of service impacts at the access location were noted. Parking will be on site in spaces currently provided.

14. The adjacent land is rural in nature with scattered residential development. Except for the county transfer station and the old WSDOT borrow pit to the north, the immediate area is essentially in forest. The nearest residence is 1,500 feet from the proposed location of the batch plant. The operation of the gravel pit is not visible from any adjacent residential properties.

15. Critical area review revealed no critical areas on the site except steep slopes. None of the activities appear to be closer than 200 feet from steep slopes. A hydrogeological report was submitted on April 8, 2004. No concerns were raised by Staff after reviewing the report.

16. The Departments of Health and Public Works reviewed the project but found no problems that cannot be addressed through conditions of approval. Their comments are responded to in the conditions proposed by Staff.

17. An environmental checklist was prepared and reviewed. A Mitigated Determination of Non-Significance (MDNS) under the State Environmental Policy Act (SEPA) was issued on May 27, 2004. The MDNS is a threshold determination that no environmental impact statement need be prepared. The MDNS was not appealed. It imposed the following conditions on the project:

(1) The water well must be drilled greater than 1,000 feet from the Skagit County landfill property boundary. The Skagit County Health Department must be notified before the well is drilled.

(2) The facility must comply with WAC 173-350-320. The operator of the concrete and asphalt inert wastes storage piles must adhere to the piles standards which require that at least 50% of the material stored in the pile must be used within one year and all of the materials is used within three years.

(3) Inert waste can not be landfilled unless the facility obtains an inert waste landfill permit (WAC 173-350).

(4) Temporary erosion/sedimentation control measures, as approved by the Skagit County Department of Public Works, shall be in place prior to the start of operation. The applicant shall maintain all temporary erosion/sedimentation control measures in accordance with the Skagit County Drainage Ordinance 14.32. Said measures shall remain in place until completion of the project.

(5) The applicant shall comply with Northwest Air Pollution Authority requirements.

(6) The applicant shall comply with the provisions of Chapter 14.32 of the Skagit County Code, the Skagit County Drainage Ordinance, as it relates to increased runoff resulting from additional impervious surfaces.

(7) The applicant shall comply with Fire Code Standards.

(8) The applicant shall comply with all relevant provisions of 14.24 (Skagit Critical Areas Ordinance).

18. The Rural Reserve district does not allow mining. The subject mine is a non-conforming use that is not within the Mineral Resource Overlay (MRO).

1005 2006 0000 2364

19. However, the MRO provisions have a section dealing with Pre-existing Designated and Undesignated Mining Operations. As to these the code states at SCC 14.16.440(3)(b):

> Commercial mining operations lying outside of a designated MRO that are allowed at the time of adoption of this Ordinance may continue to operate on the permitted mining site. Expansion of the existing operations beyond the geographical and/or operational limits imposed by the existing approval is allowed provided the owner applies for and receives a new mining special-use permit issued under this Section that covers the expanded operation area. Expansion will not extend beyond the legal parcel on which the legally existing use is located.

20. Assuming the proposal at hand is a form of expansion of operational limits, it appears that the rock crushing, recycling, asphalt batching, and concrete batching are all allowable through a Special Use Permit

21. Under the Rural Reserve zoning, temporary asphalt/concrete batching is allowed as a special use. SCC 14.16.320(4)(00). SCC 14.16.020 defines "temporary asphalt/concrete batching" as follows:

> The mixing of asphalt or concrete from the raw ingredients for a discrete project in the vicinity of the batching operation. For the purposes of this definition, "temporary" shall mean no longer than 1 year.

22. The Examiner takes this to mean that an approval to move the asphalt and concrete batching operations off-site to be near some particular job can only be effective for one year. The Staff interprets the one year limit to equate to 52 weeks of operation time—that is the clock can start and stop with the termination coming when a year's worth of work time has elapsed.

23. The Examiner is not sure if the applicants intend to seek approval through this permit for only on-site asphalt and concrete batching or are looking for the ability to take the batching equipment off-site, as well. The latter cannot be approved via this permit because a "discrete project" site is needed for the analysis. Such off-site use cannot be given blanket approval because it can lawfully occur only in zones that allow "temporary asphalt/concrete batching." Moreover, approvals under SCC 14.16.440(3)(b) must be limited to the "legal parcel on which the legally existing use is located."

24. A number of residents of the area wrote letters of concern, testified at the hearing or did both. Most of them were upset at the public notice requirement that limits mailed notice to those property owners within 300 feet of the proposal. There was a general feeling that this limit is inadequate in rural areas with widely separated residences such as this one.

25. The main substantive concerns expressed by members of the public were (1) the possibility of excessive noise, (2) the possibility of ground water contamination, (3) the possibility of excessive odor, (4) hours of operation and the possibility of illumination at night, and (5) the suitability of the proposed uses in this area of high scenic and recreational value. They pointed out that the site is at the base of Sauk Mountain, less than a mile from Rockport State Park, and close to a nationally designated stretch of Wild and Scenic River.

26. The criteria for Special Use Permit approval are set for at SCC 14.16.900(2)(b)(v), as follows:

> (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) Potential effects regarding the general public health, safety, and general welfare.
>
> (f) For special uses in ... 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 and services and will not adversely affect public services to the surrounding areas, or conditions can be established to mitigate adverse impacts on such facilities.

27. The Staff accepted the applicants' response to these questions. In general, the applicants' approach was to say that it must comply with the requirements of various regulations and agencies, that it will do so, and that therefore no problems will ensue. There is little in the record that provides a basis for simply accepting these assurances. There is no analysis of the noise likely to be generated, what control mechanisms will be used, what noise limits apply or what technical justification there is for assuming noise

standards will be met. There is essentially no discussion of odor. No information is provided on the kind of containment facilities to be utilized or what spill control measures will be taken. No analysis is provided of the risk posed by these operations to contamination of the aquifer used for drinking water by area residents.

28. The applicants and the Staff seem to have relied primarily on the remoteness of the location and the modest size of the proposed operation to infer that there will be no "undue" impacts on residential life in the vicinity.

29. Any conclusion herein which may be deemd a finding is hereby adopted as such.

CONCLUSIONS OF LAW

1. The Hearing Examiner has jurisdiction over the persons and the subject matter of the proceeding.

2. The requirements of SEPA have been met. Because no appeal of the MDNS was filed, it is now too late to raise the issue of whether an environmental impact statement should be written.

3. The County fulfilled the legal requirements for notice in this case. The question over whether the legal requirements are good enough for rural areas with widely scattered settlement is a policy issue that the Examiner has no power to review.

4. The proposal appears to be consistent with the Comprehensive Plan. The plan, in Policy 5D-3.7, states:

> Pre-existing legally operating commercial mining operations outside the Mineral Resource Overlay may continue to operate subject to the terms of the existing approval(s). Such operations may expand beyond the scope of the original approval and within the existing parcel provided that they apply for and receive a mining special-use permit.

5. The Examiner's reading of SCC 14.16.440(3)(b) is that it offers the possibility of approving the types of operations sought here on a more or less permanent basis. The subsection provides a means for dealing with a particular type of non-conforming use and for allowing its expansion. It does not matter what uses are allowed in the zone. As long as the changes are operational expansions related to the basic permitted use, they may be allowed if they meet the special use permit criteria. No particular duration is implied. In this case, the activities applied for are clearly activities within the contemplated ambit of the initial permit.

6. What limits the potential duration of the permission available here is Condition #7 of the original permit. As noted, that condition states: "Additional permits shall be obtained for each new operation of the rock crusher and asphalt machinery." This language is somewhat ambiguous, but the most satisfactory way to deal with it is to treat it as analogous to the definition of "temporary asphalt/concrete batching" which set a duration of one year. This approach brings us out where both the applicants and the Staff thought they were.

7. The Examiner, therefore, concludes that any permit issued for the uses proposed should be limited to a year. Further, the Examiner defers to the County's interpretation that this means a year's worth of actual operation rather than a calendar year.

8. But before any permit can be issued, the Special Use Permit criteria of SCC 14.16.900(2)(b)(v) must be satisfied. The Special Use Permit criteria require an inquiry into whether the activities applied for will be compatible with the other uses of the area and whether they will impose "undue" environmental harm on existing or potential residential uses.

9. Where there is a reasonable doubt about whether a project will be able to meet relevant standards, at least some preliminary analysis of the ability to do so should be presented. Otherwise, the simple statement that a project will meet all applicable regulations will be enough to authorize almost anything.

10. For example, the special use criteria make reference to SCC 14.16.840. This is the County's performance standard for, among other things, noise. It requires that the most restrictive noise standards (Class A EDNA) be met in Rural Reserve zones. On the instant record, we have no information on what the relevant dBA levels are, nor (except for the applicants' word) have we any basis for confidence that they will be achieved. Similarly, on the matter of odor we have no information on the likelihood of problems or on the control technology proposed. We know only that an operating permit will have to be obtained from the local air pollution control agency.

11. On the potential for water pollution, we have not been advised of what potential contaminants may be brought to the property or how it is proposed to prevent their escape into the environment. It may be that the existence of an aquatard makes pollution of the deep drinking water aquifer unlikely even if there are spills, but on the record such a conclusion can only be reached by guesswork.

12. In short, because of what isn't there, the record raises reasonable doubt about the proposal's ability to meet standards in the areas of noise, odor and ground water contamination. If, indeed the concerns about these issues are not warranted, then the project should be approved. But more information on these subjects needs to be presented and reviewed. The Examiner, therefore, is requiring some additional reporting

and making approval of the Special Use Permit contingent upon the County's satisfaction that compliance with the protective standards involved can be achieved.

13. It is not enough to say that these matters will be dealt with by post-operation enforcement. The whole purpose of permit review is to provide some assurance that enforcement will not be necessary.

14. The record contains adequate information on the risk that nighttime illumination may prove a problem. The hours of operation proposed appear to take care of this fear. A condition can be added that any departure from day-time operations will have to be specially approved on a one-time basis.

15. The answer to whether the proposed uses are really compatible with maintenance of the high scenic and recreational values of the area depends on the outcome of inquiries into the noise, odor and pollution issues. The project may be visible from some areas on Sauk Mountain, but the new uses will not present much in the way of new visual affront.

16. The project may be contingently approved, with the following conditions.

CONDITIONS

1. The applicants shall obtain all other necessary land use and environmental approvals and comply with the conditions thereof.

2. The applicants shall comply with the conditions of the MDNS issued on May 27, 2004. (See Finding 17 above.)

3. The applicants shall provide the Planning and Permit Center with additional information on the likelihood of compliance with (a) relevant noise standards, including a discussion of the noise characteristics of the equipment involved and the control technology to be used, (b) relevant odor control requirements, including a discussion of the odor producing characteristics of the equipment and material involved and the control technology to be used, (c) ground water quality standards, including a discussion of the pollutants to be introduced to the site and the controls to be used to prevent the escape of such pollutants. In addition, the ground water information shall include an evaluation of the likelihood that spilled pollutants might contaminant drinking water for any of the users in the area.

4. The additional information provided shall be made a part of the application file herein and shall be made available to parties of record herein for review and comment.

5. The permit allows rock crushing, concrete ready mix production, and asphalt tion on the site of the existing gravel mine. Recycling of concrete and asphalt

shall be included in the allowed activities. This permit provides no authority to perform any of these activities off-site.

6. The permission granted shall be limited to one year of operations. One year is defined as 52 weeks of work. The period taken to accomplish this work may extend over several calendar years.

7. The activities are authorized to occur between March 1 and October 31 annually. The hours of operation shall be 8:00 a.m Monday through 12 noon Friday of any week. There shall be no night time operations. There shall be no weekend operations.

8. Should an emergency need for the materials produced arise, permission to deviate from the time limits on operation on a one-time basis may be sought from the Planning and Permit Center. Approval of any such request shall only be made if the Planning and Permit Center is satisfied that there is an emergency.

9. Operation of equipment/construction and daily operations shall comply with Chapter 173-60 WAC, Maximum Environmental Noise Levels, and the performance standards of SCC 14.16.840.

10. State surface and ground water standards, Chapters 173-201A and 173-200 WAC, shall be maintained. Best management practices shall be used to prevent degradation of water quality from sources on the site or the development of conditions that could lead to degradation of water quality.

11. Water shall not be withdrawn from the well constructed for concrete batching operations in an amount exceeding 5,000 gallons per day.

12. All necessary permits shall be obtained from the County Health Department. The applicants shall comply with all requirements regarding stockpiling or disposal of material or wastes.

13. A general permit for storm water discharges shall be obtained from the State Department of Ecology.

14. Stormwater management shall comply with Chapter 14.32 SCC. Prior to the start of operations, the applicants shall submit and receive approval of both an Erosion and Sedimentation Control Plan and a Stormwater Pollution Prevention Plan.

15. All necessary approvals from the State Department of Natural Resources shall be obtained.

16. Prior to the start of operations, the applicants shall obtain a new access connection permit from the State Department of Transportation. If re-construction of the

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current access to SR 20 is required, the necessary improvements shall be made. The applicants shall comply with WSDOT standards and with County Road Standards.

17. The owner or operator shall supply an annual report of operation time to the Planning and Permit Center, so that the County can monitor the 52-week time limit.

18. The applicants shall meet the time requirements of SCC 14.16.900(2)(d).

19. Failure to comply with any condition of approval may result in permit revocation.

DECISION

The Special Use Permit is approved, contingent upon satisfaction of the additional reporting requirements set forth in Condition 3 above and the subsequent conclusion of the Planning and Permit Center that the project is likely to comply with relevant standards for the control of noise, odor and water pollution. No permit shall issue until the Planning and Permit Center makes such a decision.

Should the Planning and Permit Center conclude that there is substantial reason for doubt that compliance will be achieved or that additional conditions of approval are necessary, they shall note this matter for an additional hearing before the Hearing Examiner.

Any permit issued shall be subject to the conditions set forth above.

Wick Dufford, Hearing Examiner

Date of Action: November 15, 2004

Date Transmitted to Applicant: November 15, 2004

RECONSIDERATION/APPEAL

As provided in SCC 14.06.180, a request for reconsideration may be filed with the Planning and Permit Center within 10 days after the date of this decision. As provided in SCC 14.06.120(9), the decision may be appealed to the Board of County Commissioners by filing a written Notice of Appeal with the Planning and Permit Center within 14 days after the date of the decision, or decision on reconsideration, if applicable.

PUBLISHER: PLEASE INDENT EACH SEPARATE AGENDA ITEM

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Skagit County Hearing Examiner will hold a public hearing on **Wednesday, September 22, 2004** in Hearing Room C of the County Administration Building, Mount Vernon, Washington, at the hour of 9:00 a.m., or soon thereafter for the purpose of determining whether the Hearing Examiner should approve, modify and approve or deny the following requests:

AGENDA

A. **Shoreline Substantial Development Application PL#04-0233** by De Vries Dairy to allow the construction of a new 300' X 300' waste storage pond adjacent to an existing waste storage pond. The proposed pond will be located 100 feet landward of the Ordinary High Water Mark (OHWM) of Nookachamps Creek. The proposed project is located at 12797 Thillberg Road, within a portion of Section 4, Township 34 North, Range 4 East, W.M., Skagit County. Parcel #23516. Contact: Daniel Downs

B. **Current Use application (transfer) C/U TTR#3-2004.** Submitted by Kevin Williamson and Charlotte Remick. Subject property is located off Chuckanut Road in the area of Chuckanut Mountain. Assessor's account number is P47673. Legal description: A portion of Tracts P-4 and P-5 in Section 8, Township 36, Range 3. Additional information can be obtained through Linda S. White, Current Use Specialist, Skagit County Assessor, 700 S. 2nd Street, Administration Building, Room 204, Mount Vernon, WA. 98273.

C. **Current Use application (transfer) C/U TTR#4-2004.** Submitted by George and Maria Steinmetz. Subject property is located off of Old Highway 99 North of Alger area. Assessor's account number is P49062. Legal description: A portion of the N1/2 NE1/4 NW1/4 lying East of Old Highway 99 in Section 7, Township 36, Range 4. Additional information can be obtained through Linda S. White, Current Use Specialist, Skagit County Assessor, 700 S. 2nd, Administration Building, Room 204, Mount Vernon, WA. 98273.

D. **Shoreline Substantial Development Application PL#04-0139, Administrative Setback Reduction request PL#04-0589, and Special Use Permit application PL#04-0242** by the Skagit County Department of Public Works to permit the following development: 1) The existing parking area is to be paved and sloped towards a new oil/water separator. 2) A new 10' X 22' waiting room will be installed. 3) A new 35' pole with a Reader Board with a countdown clock attached. The improvements are proposed in order to provide additional safety for walking pedestrians when boarding and leaving the ferry. The area is within the Rural Residential shoreline designation. The proposed project is located at the Guemes Island Ferry Terminal, within a portion of Section 12, Township 35 North, Range 1 East, W.M., Skagit County. P#31381 & P#31411. Contact: Daniel Downs.

E. **Special Use Permit application #PL04-0498** by Sedro-Woolley School District #101, c/o Mike Riddle, for Clear Lake Elementary to add a 28' x 64' (1,792 square foot) portable classroom unit along the east side of the existing school building. SCC section 14.16.310(4)(i) lists "Major Public Uses" as a use allowed

with an approved Hearing Examiner special use permit. The proposed project is located within a Rural Village Residential (RVR) zoning/comprehensive plan designated area as indicated in the Skagit County Comprehensive Plan and associated maps adopted July 24, 2000, and as thereafter amended. Located at 23631 Lake Street, Clear Lake, Sedro-Woolley, within a portion of Section 1, Township 34N, Range 4E W.M., situated within Skagit County, Washington. P#23300. Staff Contact Person: Brandon Black

F. **Special Use Permit application #PL01-0435** by 3D-H Aggregates for the modification of a previously approved conditional use permit (CU #77-031) to allow for the addition of a crusher, asphalt plant and concrete ready mix production to take place within an existing permitted gravel pit. The project proposal would include recycling of concrete and asphalt. The proposed project is located within the Rural Reserve (RRv) Zoning/Comprehensive Plan district as designated on the July 24, 2000 Zoning/Comprehensive Plan map and as thereafter amended. Located at 50598, State Route 20, Concrete, Washington, within a portion of Section 28, Township 35 North, Range 9 East W.M., situated within Skagit County, Washington. P#44865. Staff Contact Person: Brandon Black

G. **Variance Request PL04-0145** by Ferdi Businger to allow for the creation of a 4.7 acre parcel as part of a three (3) lot short plat in the Rural Reserve Zone instead of the required 10 acre minimum. The subject project is located on Jackson Road, approximately 1300 feet west of Munnings Road, on Sinclair Island within a portion of Sections 9 & 16, Township 36 North, Range 01 East, W.M. Skagit County, Washington. P#46425 & P#46385. Staff Contact: Marge Swint

H. **Variance Request PL03-0966** by Max Taubert to keep a newly constructed porch addition on a pre-existing, non-conforming structure on P72999. The subject property is located in a Rural Rural Village Residential zoning/comprehensive plan designated area. The subject project is located 5847 Main Ave. in Edison within a portion of Section 33, Township 36 North, Range 3 East, W.M. Skagit County, Washington. Staff Contact: Carly Ruacho

I. **Appeal of Administrative Decision PL04-0560** Charles Scheid is appealing an Administrative Decision for a reduction in setbacks (PL03-0732) which was denied by the Administrative Official on July 13, 2004. The reduction request was to allow a new single family residence and attached garage 10' from the front property line abutting North Shore Drive near Lake Cavanaugh on P66388. The subject property is approximately .5 acres in size and is located in a Rural Rural Village Residential zoning/comprehensive plan designated area. The subject project is addressed at 34208 North Shore Drive, Mount Vernon, within a portion of Section 26, Township 33 North, Range 6 East, W.M. Skagit County, Washington. Staff Contact: Carly Ruacho

For citizens with special needs, the Public Hearing Room is accessible. Persons with special needs or disabilities are asked to call the Commissioners' Office at (360) 336-9300 at least 96 hours before the hearing to discuss and arrange for any needed accommodation.

Further information is available in the Skagit County Planning & Permit Center, 200 West Washington Street, Mount Vernon, WA. (360) 336-9410.

Your views for or against the request are invited either by attendance, representation or letter. Comments and/or facsimiles must be received by this office no later than 4:30 p.m. **Tuesday September 21, 2004** or be presented at the public hearing.

TO BE PUBLISHED ONE TIME ONLY IN THE **September 2, 2004** EDITION

cc: Skagit Valley Herald, Permit Techs, BS, BM, KS, BB, DD, DC, JTC, CR

development application and payment of all required fees for the proposed development") at the following densities:

(a) At 1 unit 5 five acres, or at a lower density, when the following conditions are met:

(i) The development shall use on-site sewage systems and shall not connect to public sewer (cluster community on-site sewage systems or community drain fields are allowed when health code requirements are met).

(ii) The development shall use public water.

(b) At a density of between 1 unit per 5 acres and 1 unit per 1 acre when the following conditions are met:

(i) The development shall use on-site sewage systems and shall not connect to public sewer (cluster community on-site sewage systems or community drain fields are allowed when health code requirements are met).

(ii) The development shall use public water.

(iii) The development shall only be permitted as a long CaRD subdivision and shall be subject to the provisions of the County's CaRD regulations (SCC 14.18.300 through 14.18.330 as now adopted or hereafter amended) that are in effect at the time of submittal of any complete CaRD subdivision application.

(iv) The owner shall have the burden to demonstrate that any proposed development at a density above 1 unit per 5 acres will not result in pollution to Big Lake from on-site sewage systems (minimizing the potential for public exposure to sewage and any adverse effects to public and environmental health) and that stormwater discharge resulting from development activities be controlled and treated using available and reasonable methods of erosion control, flood control, and water quality treatment so that pollution to Big Lake will not at any time exceed the pollution to Big Lake from a new standard subdivision at 1 unit per 5 acres that meets the requirements of Chapters 12.05 and 14.32 SCC (as now adopted or hereafter amended) that are in effect at the time of submittal of any complete CaRD subdivision application.

(v) The development standards described in Subsections (7)(b)(i) through (iv) of this Section shall no longer apply if the property becomes part of the Mount Vernon Urban Growth Area. If that occurs, development shall be governed by the regulations then in effect. If the Overlook Golf Course property is not developed prior to the adoption of the Big Lake Rural Village Joint Plan, then the subject property will have the potential to at whatever the density is allowed by the Joint Plan. Consideration at that time shall be given to whether all or part of the property should be inside or outside of the Rural Village and whether the development standards in Subsections (7)(b)(i) through (iv) of this Section should or should not be applied to the Overlook Golf Course property by the Joint Plan. (Ord. O20030012; Ord. 20020130 (part); Ord. 17938 Attch. F (part), 2000)

14.16.320 Rural Reserve (RRv).

(1) Purpose. The purpose of the Rural Reserve district is to allow low-density development and to preserve the open space character of those areas not designated as resource lands or as urban growth areas. Lands in this zoning district are transitional areas between resource lands and non-resource lands for those uses that require moderate acreage. They establish long-term open spaces and critical area protection using CaRDs as the preferred development pattern.

(2) Permitted Uses.

(a) Agriculture.

(b) Agricultural accessory uses.

(c) Agricultural processing facilities.

(d) Campground, primitive.

(e) Co-housing, as part of a CaRD, subject to SCC 14.18.300 through 14.18.330.

(f) Cultivation, harvest and production of forest products or any forest crop, in accordance with the Forest Practice Act of 1974, and any regulations adopted pursuant thereto.

(g) Detached single-family dwelling.
(h) Family day care provider.
(i) Home Based Business 1.
(j) Residential accessory uses.
(k) Wine tasting room.
(3) Administrative Special Uses.
(a) Bed and breakfast, subject to SCC 14.16.900 (3)(e).
(b) Minor utility developments.
(c) Parks—specialized recreational facility.
(d) Temporary manufactured home.
(e) Temporary outdoor events.
(f) Trails and primary and secondary trailheads.
(4) Hearing Examiner Special Uses.
(a) Adult group care facility.
(b) Aircraft landing field, private.
(c) Animal clinic hospital.
(d) Animal preserve.
(e) Campground, developed.
(f) Cemetery.
(g) Church.
(h) Community club/grange hall.
(i) Display gardens.
(j) Expansion of existing major public uses up to 3,000 square feet.
(k) Festival site.
(l) Fish hatchery.
(m) Golf course.
(n) Group care facility.
(o) Historic sites open to the public.
(p) Home Based Business 2.
(q) Impoundments greater than 1-acre feet in volume.
(r) Indoor shooting clubs.
(s) Kennels.
(t) Major public uses and expansions of existing major public uses, 3,000 square feet and greater.
(u) Major utility developments.
(v) Manure lagoon.
(w) Minor public uses.
(x) Natural resources training/research facility.
(y) Off-road vehicle park.
(z) Outdoor outfitters enterprises.
(aa) Outdoor recreational facilities.
(bb) Outdoor storage of processed and unprocessed natural materials in quantities greater than 500 cubic yards that do not have a potential health hazard.
(cc) Outdoor storage of processed and unprocessed natural materials in quantities greater than 50 cubic yards that may have a potential health hazard. Does not include storage of hazardous materials.
(dd) Parks—community.
(ee) Personal wireless services towers, subject to SCC 14.16.720.
(ff) Pre-school.
(gg) Public marinas with no more than 20 slips.
(hh) Racetrack—recreational.

(ii) Retail and wholesale nurseries/greenhouses.
(jj) Retriever/dog training facility.
(kk) Seasonal roadside stands over 300 square feet.
(ll) Seasonal worker housing.
(mm) Stables and riding clubs.
(nn) Storage of unlicensed/inoperable vehicles.
(oo) Temporary asphalt/concrete batching, subject to the applicable provisions of SCC 14.16.440.
(5) Dimensional Standards.
(a) Setbacks Primary Structure:
(i) Front: 35 feet.
(ii) Side: 8 feet on an interior lot.
(iii) Rear: 25 feet.
(b) Setbacks, Accessory Structure:
(i) Front: 35 feet.
(ii) Side: 8 feet, 3-foot setback is permitted from the side and rear lots when the accessory building is a minimum of 75 feet from the front property line or when there is an alley along the rear property line, 20 feet from the street right-of-way.
(iii) Rear: 25 feet, 3-foot setback is permitted from the side and rear lots when the accessory building is a minimum of 75 feet from the front property line or when there is an alley along the rear property line.
(c) Setbacks from NRL lands shall be provided per SCC 14.16.810(7).
(d) Maximum height: 30 feet or shall conform to the Skagit County Building Code.
(i) Height Exemptions. Flagpoles, ham radio antennas, church steeples and fire towers are exempt. The height of personal wireless services towers are regulated in SCC 14.16.720.
(ii) If adjacent to a BR-I zone, the maximum height shall not exceed 40 feet, unless limited by SCC 14.16.210 (Airport Environs).
(e) Minimum lot size: 10 acres or 1/64th of a section, unless created through a CaRD.
(f) Minimum lot width: 150 feet.
(g) Maximum lot coverage: 35%.
(6) Additional requirements related to this zone are found in SCC 14.16.600 through 14.16.900 and the rest of the Skagit County Code. (Ord. O20030021 (part): Ord. R20020130 (part): Ord. 17938 Attch. F (part), 2000)

14.16.330 Residential District (R).

(1) Purpose. The purpose of this district is to provide for and protect privately owned fee simple land located within the Swinomish Urban Growth Area for development. The densities allowed in this district are designed to meet contemporary building and living standards for single-family dwellings and other related uses.
(2) Permitted Uses.
(a) Duplexes (only when approved as part of the approval of a subdivision).
(b) Family day care provider.
(c) Home Based Business 1.
(d) Single-family dwellings.
(3) Accessory Uses.
(a) Accessory buildings and structures, provided they are within the required setbacks and they are at least 10 feet from each other and the main building if detached, that they are no more than 1 story in height, and that they do not occupy more than 50% of the rear yard.
(b) Buildings used for the housing of animals or fowl. Such buildings shall not exceed 36 square feet in floor area when located on a lot of less than 1/2 acre. The building shall not be located closer than 25 feet to a property line, except by mutual recorded agreement of adjacent

resource land allowed.

(q) Storage of explosives for commercial purposes when located at least 600 feet from property boundary or public road right-of-way.

(5) Dimensional Standards.

(a) Setbacks, Primary Structures:

(i) Front: 50 feet.

(ii) Side: 50 feet.

(iii) Rear: 50 feet.

(b) Setbacks, Accessory:

(i) Front: 50 feet.

(ii) Side: 50 feet.

(iii) Rear: 50 feet.

(c) Setbacks from NRL lands shall be provided per SCC 14.16.810(7).

(d) Maximum Height: Shall conform to the building codes of Skagit County. The height of personal wireless services towers are regulated in SCC 14.16.720.

(e) Minimum Lot Size: 1/16th of a section of land or 40 acres. Smaller lot sizes may be allowed with CaRDs or as provided for through SCC 14.16.860.

(f) Minimum Lot Width: 400 feet.

(g) Maximum Lot Coverage: Except for greenhouses, 10,000 square feet or 10% of the lot area, whichever is greater. Greenhouses may have up to 35% lot coverage.

(6) Additional requirements related to this zone are found in SCC 14.16.600 through 14.16.900 and the rest of the Skagit County Code. (Ord. 20020130 (part); Ord. 18375 § 4 (part), 2001: Ord. 17938 Attch. F (part), 2000)

14.16.440 Mineral Resource Overlay (MRO).

(1) Purpose. The purpose of the Mineral Resource Overlay (MRO) 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. A MRO overlays 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, Chapter 78.44 RCW. 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.

(2) Designation Procedure. The MRO represents those areas that are designated as Mineral Resource Overlay (MRO) on the Skagit County Comprehensive Plan Map adopted by Ordinance 16550, or as thereafter amended. Unless otherwise restricted by ordinance, new Mineral Resource Overlay areas may be designated by complying with Chapter 36.70A RCW, the Comprehensive Plan amendment procedures of the Skagit County Comprehensive Plan, and Chapter 14.08 SCC.

(3) Pre-existing Designated and Undesignated Mining Operations.

(a) Except as allowed in Subsection (3)(b) of this section, or as allowed as an accessory use, pursuant to SCC 14.16.410 (3)(d), 14.16.420(2)(f), 14.16.430(2)(h) and 14.16.430 (4)(f), no new mining special use permits shall be issued outside of the designated Mineral Resource Overlay.

(b) Commercial mining operations lying outside of a designated MRO that are allowed at the time of adoption of this Ordinance may continue to operate on the permitted mining site. Expansion of the existing operations beyond the geographical and/or operational limits imposed by the existing approval is allowed provided the owner applies for and receives a new mining special-use permit issued under this Section that covers the expanded operation area. Expansion will not extend beyond the legal parcel on which the legally existing use is located.

(c) Commercial mining operations lying within a designated MRO that are allowed at the time of adoption of this Ordinance may continue to operate on the permitted mine site. Expansion of the existing operations beyond the geographical and/or operational limits imposed by the existing approval is allowed, provided the owner applies for and receives a new mining special-use permit issued under this Section that covers the expanded operation and/or area.

(4) Removal of Designation Status. A petitioner may seek removal of designated Mineral Resource Lands and the associated Mineral Resource Overlay on the Official Zoning Map through the Comprehensive Plan amendment process, pursuant to Chapter 14.08 SCC, and by demonstrating one or more of the following:

(a) The mineral resource is depleted to a point that it is no longer economically feasible to continue mining on the site.

(b) New or updated geological data no longer indicates the potential for mineral resources of regional or long-term commercial significance on the site.

(c) The Mineral Resource Overlay was designated based on a technical mapping error.

(5) Permitted Uses. All uses permitted in the underlying zone are allowed in the MRO.

(6) Accessory Uses. Accessory uses normally associated and in conjunction with a permitted use stated in Subsection (5) are permitted in the MRO.

(7) Special Uses.

(a) Any other special use permitted in the underlying zoning district is likewise permitted in the MRO.

(b) The following uses are permitted as a Hearing Examiner Special Use in the Mineral Resource Overlay subject to the requirements of this Section and the restrictions contained in the underlying zone. Uses under this Section must comply with RCW 78.44, Surface Mining Act, RCW 90.48, the Water Pollution Control Act, and all other applicable laws and regulations:

(i) Activities associated with mining or quarrying operations, including blasting and use of equipment in connection with an extraction operation, maintenance of mineral extraction equipment, maintenance of roads, traffic control, sorting, crushing, cleaning and loading;

(ii) On-site processing including asphalt or concrete batching and asphalt or concrete recycling; and

(iii) Surface or underground mining or quarrying of mineral deposits or building materials from rock, stone, gravel, sand, and earth together with associated structures and equipment;

(iv) Temporary dwellings for a caretaker or superintendent and their family.

(8) Application For Mining Special Use Permit. An Applicant for a mining operations special use permit shall submit:

(a) The following information on maps in an 11-inch by 17-inch format size:

(i) 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;

(ii) 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, 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;

(iii) 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

(iv) 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.

(b) A report by a qualified geologist, hydrologist or licensed engineer characterizing the area's ground water including, but not limited to, the following information:

(i) A description of the geology and hydro-geology of the area including the delineation of aquifer, aquitards, or aquicludes (confining layers), hydrogeologic cross-sections, porosity and horizontal and vertical permeability estimates;

(ii) Determination of the direction and velocity of ground water movement, water table contour and potentiometric surface maps (for confined aquifers), if applicable; and

(iii) A map containing the limits of the mine, buffer zones, location of all ground water wells within 1 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.

(c) The estimated quantities of all materials to be extracted.

(d) 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 map in Subsection (8)(a)(ii) above and the proposal for preservation of the identified area(s) must be addressed.

(e) 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.

(f) An operations proposal detailing estimated frequency of blasting, estimated truckloads per day, what provisions for screening and fencing are proposed, and estimated hours of operation.

(g) 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.

(h) A completed environmental checklist.

(i) 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 the Skagit County Transportation Systems Plan, the Skagit County Comprehensive Plan, and applicable State and local regulations.

(9) Hearing Examiner Review. Except as may be provided herein to the contrary, all applications for mining operations 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 mitigatable. 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.

(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.

(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.

(d) Appropriate site-specific conditions shall be required to mitigate storm water 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 System (NPDES) Surface Water Protection requirements in determining appropriate conditions for mitigating storm water and erosion impacts.

(e) The Hearing Examiner shall consider public interests such as fishing, boating, hiking and camping when reviewing a mining operations special use permit, and may impose mitigating measures as necessary and appropriate.

(10) Operating Standards or Requirements.

(a) Site Area and Width. When the activity includes both extraction and on-site mineral crushing or mineral processing including asphalt or concrete batching and asphalt or concrete recycling, the site area shall be a minimum, of 20 acres. There shall be a minimum lot width of 500 feet for crushing or processing activities. Operations that are limited to extraction and transportation shall comply with dimensional standards of the underlying zone.

(b) Buffers.

(i) A minimum 200-foot buffer shall be required between on-site crushing, processing, or recycling activities and adjacent properties for the site as a condition for the issuance of a mining operations special use permit.

(ii) Adjacent properties are required to maintain a 200-foot buffer from the mineral resource designated land or sign a nuisance waiver to reduce the 200-foot buffer. In the case of a pre-existing structure located in the buffer of adjacent property, the required buffer shall be

established on the mineral resource designated land.

(iii) A minimum 100-foot buffer shall be required for the site where operations are limited to the extraction and transportation of minerals. Once the extraction and transportation operations have been completed, the material in the buffer may be utilized during reclamation.

(c) Maximum Permissible Noise Levels. Maximum permissible noise levels shall be according to the provisions of the WAC 173-60, Maximum Environmental Noise Levels.

(d) Blasting. Blasting shall be restricted to daylight hours when the mineral extraction operation is within 1/4 mile of a residential area with a greater density than 1 dwelling unit per 10 acres. The Hearing Examiner may otherwise set blasting hours and conditions based on site-specific circumstances. Except in the case of emergencies declared by civil authorities, blasts should be scheduled for regular and predictable times.

(e) Vertical Limitations/Aquifer Protection.

(i) Surface mining shall be vertically limited to only one aquifer unless approved by the Washington State Department of Ecology. Hydrological barriers separating aquifers shall not otherwise be disturbed.

(ii) Activities related to mineral extraction and processing operations in the vicinity of aquifers must provide safeguards including containment to prevent direct contamination to the open aquifers and indirect contamination through infiltration of mining operation pollutants.

(iii) Imported material shall not be used as a backfill for mine sites where an aquifer has been breached.

(iv) Disturbed aquifers should be reclaimed as ponds or lakes and/or wetlands.

(v) Additional buffers and setbacks may be required beyond those listed in Subsection (10)(a-b) above, if necessary, to prevent over-excavation when mining in an aquifer.

(vi) All relevant provisions of the Critical Areas Ordinance, SCC 14.24, for aquifer protection shall be met.

(f) Surface Water Protection. All mineral and aggregate sites shall meet 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.

(i) Storage pond systems for holding processing waters shall be designed to preclude untreated discharge to natural streams or surface waters, unless the discharges are otherwise regulated and allowed by a State or Federal government agency.

(ii) The flow of natural runoff from extraction sites shall be dispersed or regulated such that soil erosion on receiving lands is prevented.

(g) Bench/Terrace. Benches shall be back-sloped and shall be established at not more than 40-foot intervals to control surface drainage and debris. Swales or ditches on benches shall have a maximum gradient of 5%.

(h) Reclamation. Reclamation of surface mining sites shall be in accordance with the requirements of the State Department of Natural Resources. Reclamation activities shall not allow land filling unless sites comply with WAC 304, WAC 173-351, SCC 12.16, other relevant State, and Federal regulations. If the operation is not subject to the State Department of Natural Resources permitting requirements, the following minimum standards shall apply. All reclaimed slopes shall:

(i) Have a varied steepness;

(ii) Have a natural appearance in both profile and plan view;

(iii) Have no large rectilinear topographic elements;

(iv) Not exceed 2 horizontal to 1 vertical except as necessary to blend with natural adjacent slopes;

(v) Be compacted if significant back-filling is required to produce the final reclaimed slope;

(vi) Provide measures to establish a beneficial wetland where a lake pond or swamp

is created; and

(vii) Place topsoil and re-vegetate as necessary to stabilize slopes and controls erosion.

(i) 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 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;

(ii) Within rural lands, the hours of operation shall be from dawn to dusk;

(iii) Within urban growth areas and rural villages, the hours of operation shall be from 8AM to 5PM, Monday-Saturday; and

(iv) During emergencies, restrictions on hours of operation can be suspended by the Board of County Commissioners pursuant to the lawful procedures for declaring an emergency.

(j) Chemical Leach Mining. Chemical leach mining shall not be allowed.

(k) Responsibility. The landowner(s) and operator(s) shall be held jointly responsible for the operation of a mineral extraction site.

(l) Metals mining shall be regulated by RCW 78.56, Metals Mining and Milling Act.

(11) Additional requirements related to this zone are found in SCC 14.16.600-900 and the rest of the Skagit County Code. (Ord. 17938 Attch. F (part), 2000)

14.16.500 Public Open Space of Regional/Statewide Importance (OSRSI).

(1) Purpose. The purpose of the Public Open Space district is to provide a zoning designation for lands in public ownership that are dedicated or reserved for public purposes or enjoyment for recreation, scenic amenities, or for the protection of environmentally sensitive areas. This district encompasses public open space having Statewide and regional importance. For example, the following State parks are designated in this zoning designation: Bayview, Burroughs Island, Cypress Island, Deception Pass, Hope Island, Huckleberry Island, Ika Island, Larrabbe, Rasar, Rockport, Saddlebag Island, and Skagit Island. Also, Glacier Peak Wilderness, Noisy Diobsud National Park, portions of the Northern State Recreation Area, PUD # 1 Judy Reservoir, North Cascades National Park, Ross Lake National Recreation Area, Rosa Lake National Recreation Area, City of Seattle dam mitigation lands, and Skagit Wildlife Refuge are included in this district.

(2) There may be Federal or State regulations or limitations which may further limit the use of some OSRSI designated facilities. In addition, the County may not have jurisdiction over some OSRSI designated facilities.

(3) Permitted Uses.

(a) Historic sites open to the public.

(b) Parks that showcase significant historic, archaeological, scientific, cultural and/or unique natural features, unusual landscape features such as cliffs and bluffs or natural processes on wetlands and tidal actions.

(c) Public open space areas of regional and Statewide importance including County, State and Federal parks, recreational areas, and interpretive centers, wildlife management areas, including those that provide linkages between neighborhood and community parks.

(d) Single-family dwelling unit for on-site resident park manager.

(e) Trails or educational enterprises designed to offers special access to natural resource-based and recreational opportunities on lakes, creeks, streams, river corridors, shorelines, and areas with prominent views.

SKAGIT COUNTY PLANNING AND PERMIT CENTER
FINDINGS OF FACT
SPECIAL USE PERMIT NUMBER PL01-0435
3D – H AGGREGATES

HEARING AUTHORITY: Skagit County Hearing Examiner

HEARING DATE: September 22, 2004

APPLICATION NUMBER: Special Use Permit (SPU) Application PL01-0435

APPLICANT: 3D – H Aggregates
C/O David and Helen Weber
& Dave and Darcy Harvin
P.O. Box 607
Stanwood, WA 98292

CONTACT PERSON: David Hough
17483 W. Big Lake Blvd
Mount Vernon, WA 98274

ZONING/ COMPREHENSIVE PLAN: The property is located within the Rural Reserve (RRv) zoning/comprehensive plan designation as indicated in the Skagit County Comprehensive Plan and associated zoning maps adopted July 24, 2000 and as thereafter amended.

VESTING: The application is vested to Skagit County Codes (SCC) adopted in July 24, 2000, pursuant to SCC 14.02.050.

ASSESSOR'S ACCOUNT NUMBER: 350928-1-005-0001
PARCEL NUMBER: P44865

PROJECT LOCATION: The proposal has a site address of: 50596 State Route 20, Concrete, within a portion of Section 28, Township 35 North, Range 9 East, W.M., situated within Skagit County, Washington. **NOTE:** The address within the application was incorrectly listed as 50598 S.R. 20. The department notes that the appropriate notification were mailed to the correct neighbors and properly posted on and adjacent to the project site.

GENERAL PROJECT DESCRIPTION

The project proposal is for the modification of a previously approved conditional use permit (CU #77-031) to allow for the addition of a crusher, asphalt plant and concrete ready mix production to take place within an existing permitted gravel pit. The project proposal would include recycling of concrete and asphalt. SCC 14.16.320 (4)(oo) lists "Temporary asphalt/concrete batching, subject to the applicable provisions of SCC 14.16.440" as a use allowed with an approved Hearing Examiner Special Use Permit. This site is not designated as being within an area with the Mineral Resource Overlay (MRO). SCC 14.16.440, the MRO, states in subsection 3 the following: "Pre-Existing Designated and Undesignated Mining Operations."

(a) Except as allowed in subsection (3)(b) of this section, or as allowed as an accessory use, pursuant to SCC 14.16.410 (3)(d), 14.16.420 (2)(f), 14.16.430 (2)(h) and 14.16.430 (4)(f), no new mining special use permits shall be issued outside of the designated Mineral Resource Overlay. (Emphasis added)

(b) Commercial mining operations lying outside of a designated MRO that are allowed at the time of adoption of this Ordinance may continue to operate on the permitted mining site. Expansions of the existing operations beyond the geographical and/or operational limits imposed by the existing approval is allowed provided the owner applies for and receives a new mining special-use permit issued under this Section that covers the expanded operation area. Expansion will not extend beyond the legal parcel on which the legally existing use is located. (Emphasis added)

The proponent has an existing Conditional Use permit (CUP 77-031), reaffirmed through the signing of the SM-6, to extract gravel from 10-acres of a forty-acre parcel.

Background:

The following was described within the application (Revised Reclamation Plan – dated December 2002):

"The site is currently permitted for mining under DNR reclamation permit # 11785. There are no plans to expand the existing permit boundary, however, this revised reclamation plan will join reclaimed contours with an existing surface mine (WSDOT Pit M-106) that borders the northern property boundary. The purpose for joining the two surface mines (at some point in the future) is to best utilize the mineral resource and combine a sinuous topography at the completion of both operations."

"The 40.0 acres was originally permitted in 1978 in anticipation of supplying materials for road repairs and maintenance along the North Cascades Highway. Sand and gravel mining is currently in progress on the northern portion of the DNR-permitted area. Skagit County, through Conditional Use permit #77-031, has approved the 40.0-acre site; refer to SM-6 attached with this updated plan. The extracted materials are located within a glacio-fluvial deposit that is utilized for a variety of state road and bridge projects.

Mining typically involves removing a relatively thin layer of topsoil before excavating the sandy/gravel deposit. The site currently has an active borrow area open to a maximum depth of approximately 30 feet below the existing topography."

"The undisturbed area within the permit boundary consists of gently rolling topography with upland forest and shrub communities. The site was logged within the last decade and is heavily vegetated in areas that have not been cleared for gravel extraction. No streams or critical habitat area located within or immediately adjacent to the site. The Skagit River is located over 800-feet southwest of the property boundary. Currently a two-lane paved road provides a shared access to the active mining area and to the adjacent County Solid Waste Transfer Station."

"The subsequent use for the site is rural residential. Following mining, the site will be reclaimed by contouring the slopes to a sinuous and natural topography and revegetating them with conifer and deciduous trees. The subsequent use is consistent with the Skagit county zoning and comprehensive plan designation of RRv (Rural Reserve). The subsequent use is also consistent with land uses adjacent to the site, which include woodlands, mining, transfer station and rural residential."

- "According to *Skagit County Code, Section 14.16.320 (1)(2e)*, The purpose of the Rural Reserve district is to allow low-density development and to preserve the open space character of those areas.... Lands in this zoning district are transitional areas between resource land and non-resource lands for those uses that require moderate acreage. Permitted uses include cultivation, harvest and production of forest products or any forest crop, in accordance with the Forest Practice Act of 1974, and any regulations adopted pursuant thereto."

Setbacks and Buffers:

The following was described within the application (Revised Reclamation Plan – dated December 2002):

A permanent setback of 10 feet has been established inside the permit boundary, except for a portion of the north boundary where the 3DH Aggregate mine adjoins the WSDOT mine. Reclamation setbacks are not applicable in this case due to the cut technique of mining. The final slope configuration will be created as part of the mining process; no backfilling will be required. No streams, unstable slopes or wildlife habitat are located on-site or adjacent to the project that might require additional buffers."

RECOMMENDATION

The Planning and Permit Center recommends **APPROVAL** of the request with conditions.

EXHIBITS:

1. Staff Findings 1- 11
2. Application received October 24, 2003
3. Existing conditions photo
4. Assessor's Section map
5. SEPA checklist
6. Notice of Development published December 13, 2003
7. Letter requesting additional information dated January 7, 2004
8. Mitigated Determination of NonSignificance (MDNS) published May 27, 2004
9. Traffic Impact Analysis received April 16, 2004 with addendum (fax) received September 8, 2004
10. Copy of Conditional Use Permit #77-031 (Written Order – Skagit County Board of Adjustments)
11. Letter received on June 4, 2004 from Lee Conrad with the Washington State Department of Transportation (WSDOT)
12. Previous letter (copy) from Paul Johnson (WSDOT) dated February 6, 2001 regarding access
13. Notice of Public Hearing posted and mailed on September 2, 2004
14. Surface Mine Revised Reclamation Plan dated December 2002
15. Letter received January 5, 2004 from Roy Zipp, P.O. Box 826, Marblemount, WA 98267, expressing concerns during the Notice of Development comment period
16. Email received June 11, 2004 from Dana Barton, P.O. Box 301, Concrete, WA 98237, expressing concerns during the SEPA comment period
17. Email received June 11, 2004 from Hank and Diana Young, P.O. Box 655, Concrete, WA 98237, expressing ground water concerns during the SEPA comment period
18. Letter received June 11, 2004 from Roy Zipp, expressing concerns during the SEPA comment period

- **EMPLOYEES**

The total number of employees will be approximately two (2) during normal operations. The number of employees will be increased during crushing, asphalt plant and concrete ready mix production.

- **PROPOSED HOURS AND DAYS OF OPERATION**

Work will be completed Monday morning to Friday at noon.

- **DEVELOPMENT SCHEDULE**

The proposal will begin as soon as the permitting process allows.

- **PROJECT ACCESS**

The existing access to the site is off of the State Route 20, to the south west of SR 20, southwest of Hornbeck Lane. The access is currently a joint access shared by 3D-H

Aggregates and Skagit County. WSDOT has indicated in a letter dated June 4, 2004 that this proposal constitutes a change in use and it will be necessary for the applicant to obtain a new access connection permit for this project.

- **PROJECT TRAFFIC AND PARKING**

A Traffic Impact Analysis, dated April 3, 2004, has been prepared by Summit Engineers and Surveyors, Inc. (SES) for the proposed project. The Traffic Impact Analysis states the following:

"Crushing and asphalt production would normally occur March through October. Only an emergency situation would require crushing during other times of the year. 3D-H would expect that normal crushing and asphalt production would be for a period of 6 to 12 weeks annually. Crushed material would be stock piled and sold throughout the year. 3D-H would anticipate an average daily traffic of 5 to 7 vehicles per day. Also, based on 3D-H capacity and information from WSDOT, SES assumed the asphalt plant would produce 200 ton/hour with 30 tons per truck. In extreme case, the project would generate 10 trips (7 from asphalt traffic, 3 from other) during P.M. peak hour."

State Route 20 is a two lane, north/south principal arterial abutting the subject property which will be used to enter and exit the site. Parking will be on the site. The employees working on the proposed site will park in the spaces currently provided.

- **SURROUNDING LAND USES**

The existing surrounding land uses are rural in nature with scattered residential development and heavy forestation throughout the area. The existing gravel pit site is located adjacent to an existing Skagit County Transfer Station to the east and an old WSDOT borrow site to the north with vacant land bordering the site to the west. The application indicates that two thousand feet of the operator's property boarders the site to the south and the nearest existing resident is 1,500 feet from the proposed location of the batch plant.

- **AESTHETIC IMPACTS**

The gravel pit site exists and is currently in operation. The location of the operation is such that it is not visible from adjacent properties. Additionally there is a permanent setback of 10 feet that has been established inside the permit boundary, except for a portion of the north boundary where the 3D-H mine adjoins the WSDOT mine. The proposed operation will be seasonal/temporary in nature. Aesthetically the visual impact of the area will remain unchanged and any operational impacts will be regulated by mitigation measures imposed on the operation.

DEPARTMENTAL FINDINGS

1. **ZONING/COMPREHENSIVE PLAN DESIGNATIONS:** The subject property is designated Rural Reserve (RRv) as indicated within the

Comprehensive Plan and zoning designation associated zoning maps adopted July 24, 2000.

2. **PROCESSING:** Pursuant to Section 14.06.100 of the Skagit County Code, the application was deemed complete pursuant to 14.06.100(4). Subsequently, a Notice of Development Application was posted on the subject property and published in a newspaper of general circulation on December 18, 2003, as required by Section 14.06.150 of Skagit County Code. Notification was provided to all property owners within 300 feet of the subject property.

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 SEPA checklist was submitted to Skagit County on October 24, 2003. A Mitigated Determination of Non-significance (MDNS) was published on May 27, 2004, and became effective following the fifteen-day comment period that ended on June 11, 2004, and a fourteen-day appeal period that ended on June 25, 2004. The following conditions were placed on the threshold determination:

   1. The water well must be drilled greater than 1,000 feet from the Skagit County landfill property boundary. The Skagit County Health Department must be notified before the well is drilled.
   2. The facility must comply with WAC 173-350-320. The operator of the concrete and asphalt inert wastes storage piles must adhere to the piles standards which require that at least 50% of the material stored in the pile must be used within one year and all of the material is used within three years.
   3. Inert waste can not be landfilled unless the facility obtains an inert waste landfill permit (WAC 173-350).
   4. Temporary erosion/sedimentation control measures, as approved by the Skagit County Department of Public Works, shall be in place prior to the start of operation. The applicant shall maintain all temporary erosion/sedimentation control measures in accordance with the Skagit County Drainage Code 14.32. Said measures shall remain in place until completion of the project.
   5. The applicant shall comply with Northwest Air Pollution Authority requirements.
   6. The applicant shall comply with the provisions of Chapter 14.32 of the Skagit County Code, the Skagit County Drainage Ordinance, as it relates to increased runoff resulting from additional impervious surfaces.
   7. The applicant shall comply with Fire Code Standards.
   8. The applicant shall comply with all relevant provisions of 14.24 (Skagit County Critical Areas Ordinance).

4. **FLOOD AREA REVIEW:** The project site is located outside of the 100-year flood plain in a Zone C, according to the Flood Insurance Rate Map (FIRM) with

a community panel number of: 530151 0305C with an effective date of January 3, 1985.

5. **CRITICAL AREA REVIEW:** The subject parcel was reviewed with respect to the Skagit County Critical Areas Ordinance, 14.24 of the Skagit County Code. After the initial review by critical areas staff, the following comments were submitted: "Activity does not appear closer than 200 feet from steep slopes. No critical areas observed on subject site, except steep slopes. Not located in MRO. However 14.16.440(8)(b) requires the applicant to submit a Hydrogeological report (addressing items i-iii)."

   Since the time of the initial review by staff, a Hydrogeological report prepared by Ecological Land Services, Inc., dated April 8, 2004, was submitted for review. Critical areas staff comments submitted after review of the report are as follows: "Critical areas division has reviewed the Hydrogeologic Report and information for 3DH Aggregates Pit. The results of the review indicate that the report and associated information satisfy the criteria required as a hydrogeologic assessment as specified in SCC 14.16.440(8)(b)."

6. **HEALTH DEPARTMENT REVIEW:** The application was routed to the Skagit County Planning and Permit Center Health Unit for review and the Skagit County Health Department. Environmental Health (septic review) indicated that if a septic system is desired in the future, a permit will be required. Environmental Health (Water Resources) indicated the following:

   - Operation of equipment/construction and daily operations shall comply with Maximum Environmental Noise Levels Chapter 173-60 WAC and address noise and vibration limitations, and Skagit County Code 14.16.840 for light and noise conditions.
   - Washington State WAC's 173-201A and 173-200 shall be complied with, as required to address surface water quality issues and ground water issues. Best management practices shall be utilized to prevent interference and/or degradation from point, non-point pollution or conditions which could lead to degradation of water quality.
   - Drilling of a well for concrete operations, as mentioned in the SEPA report, may require a water right from Washington State Department of Ecology (ECY). Please contact ECY for requirements.
   - Contact Skagit County Health Department (SCHD) as to disposal and storage methods for the operations. This includes any stockpiling or operations that concern non-inert asphalt operations. Operations as described in the SEPA may be required to have a permit from SCHD.

   The application was routed to the Skagit County Health Department for review. The Health Department's comments are as follows:

- The water well must be drilled greater than 1,000 feet from the property boundary of P44866, which contains the Sauk Landfill (the Skagit County landfill property boundary). (WAC 173-160-171) The Skagit County Health Department must be notified before the well is drilled.
- The facility must obtain a general storm water permit from Department of Ecology.
- The facility must comply with WAC 173-350-320. The operator of the concrete and asphalt inert wastes storage piles must adhere to the piles standards which require that at least 50% of the material stored in the pile must be used within one year and all of the material is used within three years.
- Inert waste can not be landfilled unless the facility obtains an inert waste landfill permit (WAC 173-350).

7. **PUBLIC WORKS DEPARTMENT REVIEW:** The Public Works department submitted the following comments:

- Please provide documentation showing legal access to S.R. 20 (copy of AF No. 858854). If this is a shared access the document will need to address usage and maintenance of the roadway. The access road will need to be in compliance with Skagit County Road Standards.
- A Traffic Analysis, in accordance with Section 4 of Skagit County Road Standards, will be required. NEW COMMENT 4/27/04: Section C, page 3 of the Traffic Impact Analysis, dated April 3, 2004, references sight distance for access on Farm to Market Road. Section VI, page 5 of TIA references the project access/SR-20 intersection. If this intersection does not meet current County or WSDOT standards, then the TIA needs to include proposed mitigation.
- Stormwater Management must be in compliance with Skagit County Code 14.32 addressing water quantity and quality. Both an Erosion and Sedimentation Control Plan and Stormwater Pollution Prevention Plan will be required.
- All wells must be no closer than 1000 feet from the Skagit County landfill property lines.

Since the time of the initial review the applicant has satisfied the condition to provide documentation showing legal access to State Route 20 and supplied an addendum to the Traffic Analysis which addresses the concern raised by Public Works.

8. **WASHINGTON STATE DEPARTMENT OF TRANSPORTATION:** The application was routed to the State Department of Transportation for review. WSDOT, Lee Conrad, submitted a letter on June 4, 2004 with the following statements: "Access to this project will remain in its current location, shared with the Skagit County Transfer Station." Further, "As WSDOT has determined that

the additional activities associated with this proposal constitute a change in use, it will be necessary for the applicant to obtain a new access connection permit for this project. To meet current standards, the applicant may be required to re-construct the current access to SR 20."

9. **FIRE MARSHAL'S REVIEW:** The application was routed to the Skagit County Fire Marshal for review. The Fire Marshal's office had no concerns with the proposal.

10. **CURRENT PLANNING REVIEW:** The applicant is requesting a Special Use permit pursuant to Skagit County Code 14.16.320 (4)(oo) to allow for the addition of a crusher, asphalt plant and concrete ready mix production to take place within an existing permitted gravel pit. The project proposal would include recycling of concrete and asphalt. SCC 14.16.320 (4)(oo) lists "Temporary asphalt/concrete batching, subject to the applicable provisions of SCC 14.16.440" as a use allowed with an approved Hearing Examiner Special Use Permit.

The proponent has an existing Conditional Use permit (CUP 77-031), reaffirmed through the County signature on the Surface Mining SM-6 form, to extract gravel from 10-acres of a forty-acre parcel. The current working hours of operation are listed as being Monday morning to Friday at noon. The applicant is proposing the temporary/seasonal operation of crushing and asphalt production at the existing gravel pit site. The application states within the traffic impact analysis that crushing and asphalt production would normally occur March through October, and that only an emergency situation would require crushing during other times of the year. The application further states that 3D-H Aggregates would expect that normal crushing and asphalt production would be for a period of 6 to 12 weeks annually, with crushed material stock piled on site and sold throughout the year. The Traffic Impact Analysis anticipates that this activity will generate average daily traffic of 5 to 7 vehicles per day, and in extreme cases, could generate 10 trips (7 from asphalt traffic, 3 from other during P.M. peak hours.

This site is not designated as being within an area with the Mineral Resource Overlay (MRO). SCC 14.16.440, the MRO, states in subsection 3 the following:

"Pre-Existing Designated and Undesignated Mining Operations."

(a) Except as allowed in subsection (3)(b) of this section, or as allowed as an accessory use, pursuant to SCC 14.16.410 (3)(d), 14.16.420 (2)(f), 14.16.430 (2)(h) and 14.16.430 (4)(f), no new mining special use permits shall be issued outside of the designated Mineral Resource Overlay. (Emphasis added)
(b) Commercial mining operations lying outside of a designated MRO that are allowed at the time of adoption of this Ordinance may continue to operate on the permitted mining site. Expansions of the existing operations beyond the geographical and/or operational limits imposed by the existing approval is

allowed provided the owner applies for and receives a new mining special-use permit issued under this Section that covers the expanded operation area. Expansion will not extend beyond the legal parcel on which the legally existing use is located. (Emphasis added)

The department notes that the proposal is for the temporary/seasonal operation of a rock crusher, concrete ready mix and asphalt production, and would include recycling of concrete and asphalt. The proponent's primary goal is to supply road building material for Highway 20 projects within the vicinity of eastern Skagit County as needed. SCC 14.04.020 defines "Temporary asphalt/concrete batching" as "the mixing of asphalt or concrete from the raw ingredients for a discrete project in the vicinity of the batching operation. For purposes of this definition, "temporary" shall mean no longer than 1 year."

The Department would interpret "1 year" to equate to no more than a total of 52 weeks of operation time. The pit owner, or operator, shall supply an annual report of the operation time for each year.

11. **SPECIAL USE CRITERIA:** Skagit County Code Section 14.16.900 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 applicant supplied the following response to the compatibility with the planned land use and compliance with the Comprehensive Plan:

> "The Comprehensive Plan provides the continued operation of commercial mining operations outside of the MRO (Policy 5D-3.7). Future use of the site will be in compliance with the current designation of Rural Reserve."

The Department notes that the comprehensive plan, Chapter 5 "Natural Resource Conservation Element", states generally the following with respect to the proposed land use:

"Mineral Lands" page 5-3:

> Skagit County supports environmentally responsible and safe mineral resource extraction and processing activities. Mineral 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.

Additionally, as indicated within the applicant's response, under "Policies" (page 5-26), item 5D-3.7 states:

> Pre-Existing, legally operating commercial mining operations outside the Mineral Resource Overlay may continue to operate subject to the terms of the existing approvals(s). Such operations may expand beyond the scope of the original approval and within the existing parcel provided that they apply for and receive a mining special-use permit.

The Department notes that the gravel pit operation exists as a permitted site based on the approval of CUP #77-031 and the updated "County or Municipality Approval for Surface Mining (SM-6)" signed by the Planning and Permit Center Director on April 30, 2002. The current permitted operational limits still only include the northern ten (10) acres of the subject property.

B. The proposed use complies with Skagit County Code.

The applicant has supplied the following response in regards to compliance with the Skagit County Code:

> "Related mining activities which further develops the base material being mined is allowed in the Skagit County Code 14.16.440(3)(b)."

The subject parcel is designated as Rural Reserve (RRv). The Department notes that mining operations are not permitted uses within this zoning designation either as a permitted use or as a special use under the current zoning ordinance. As previously indicated, the gravel pit operation exists as a permitted site based on the approval of CUP #77-031 and the updated "County or Municipality Approval for Surface Mining (SM-6)" signed by the Planning and Permit Center Director on April 30, 2002. SCC 14.16.320 (4)(oo) lists "Temporary asphalt/concrete batching, subject to the applicable provisions of SCC 14.16.440" as a use allowed with an approved Hearing Examiner Special Use Permit.

This site is not designated as being within an area with the Mineral Resource Overlay (MRO). SCC 14.16.440, the MRO, states in subsection 3 the following:

"Pre-Existing Designated and Undesignated Mining Operations."

(a) Except as allowed in subsection (3)(b) of this section, or as allowed as an accessory use, pursuant to SCC 14.16.410 (3)(d), 14.16.420 (2)(f), 14.16.430 (2)(h) and 14.16.430 (4)(f), no new mining special use permits shall be issued outside of the designated Mineral Resource Overlay. (Emphasis added)

(b) Commercial mining operations lying outside of a designated MRO that are allowed at the time of adoption of this Ordinance may continue to operate on the permitted mining site. Expansions of the existing operations beyond the geographical and/or operational limits imposed by the existing approval is allowed provided the owner applies for and receives a new mining special-use permit issued under this Section that covers the expanded operation area. Expansion will not extend beyond the legal parcel on which the legally existing use is located. (Emphasis added)

SCC 14.04.020 defines "Temporary asphalt/concrete batching" as "the mixing of asphalt or concrete from the raw ingredients for a discrete project in the vicinity of the batching operation. For purposes of this definition, "temporary" shall mean no longer than 1 year." The Department would interpret "1 year" to equate to no more than a total of 52 weeks of operation time. The pit owner, or operator, shall supply an annual report of the operation time for each year.

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.**

The applicant submitted the following in response to the performance standards of SCC 14.16.840:

> "The addition of an asphalt plant, concrete ready mix and asphalt and concrete recycling to the existing permitted gravel mining operation will have little if any impact to the surrounding area. The site is relatively isolated and is immediately adjacent to an existing WSDOT gravel mine and the Skagit County Sauk garbage land fill. The asphalt plant and concrete ready mix operations would normally occur March through October. Permits for such operations would be necessary from Northwest Air Pollution Authority."

The Department notes that rural residential development is very limited near the site. Potential residential development is limited to one home per ten acres in the Rural Reserve zoning designation unless a Conservation and Reserve Developments (CaRD) subdivision (SCC 14.18.300) is proposed; wherein it is possible to locate two dwelling units on 10-acres. The site is bordered to the east by the existing Skagit County "Sauk" landfill, to the north by a existing WSDOT gravel pit, to the west by undeveloped forested acreage and to the south by 30 acres owned by 3D-H.

The Department notes that the proposed operation, if approved, will be required to utilize Best Management Practices and comply with existing state and local regulations currently in place, including, but not limited to, compliance with Northwest Air Pollution Authority requirements, Skagit County Public Works requirements, and Skagit County Health Department requirements as they relate to

noise, light, vibration, surface and ground water degradation. In addition, the operation will be required to comply with the requirements of the State Department of Transportation and the State Department of Ecology.

D. The proposed use will not generate intrusions on privacy of surrounding uses.

The applicant has submitted the following response in regards to the intrusion on the privacy of surrounding uses:

> "The proposed uses would not generate intrusions on the surrounding uses. The site is surrounding on two sides by an existing gravel mine and the County's Sauk Land Fill."

The Department notes that the proposed operation would take place within the site operational boundaries of the existing gravel pit site. The site is buffered from the surrounding uses by the topography of the property.

E. Potential effects regarding the general public health, safety, and general welfare.

The applicant submitted the following response:

> "Operation permits will be necessary from various agencies. The operation must demonstrate to those agencies that adequate provisions are in place to meet the established standards for such uses."

The Department has not identified any substantial public health concerns associated with the proposed mining operations plan that have not been mitigated. Compliance with local, state and federal environmental regulations, as well as permit conditions, will insure 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.

Not applicable.

G. The proposed use is not in conflict with the health and safety of the community.

The applicant submitted the following response:

"As noted above, operational permits will be necessary from all applicable agencies. Such permits are ongoing and will be monitored for compliance."

The Department notes that approval of a Special Use permit for the proposed uses 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 as required by the permit conditions. The Department anticipates that the proposed mitigation will be sufficient to protect groundwater resources from the proposed mining activities.

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.

The applicant submitted the following response:

"The proposed uses require little public services for operation. What services that may be necessary will not affect services to the surrounding area."

The Department notes the proposed land uses will be supported by adequate available public facilities and services with no adverse affects on the services of the surrounding areas.

DEPARTMENTAL RECOMMENDATION

Based on a review of the proposal, the special use criteria and the above findings, the Planning and Permit Center staff recommends **APPROVAL** of the requested Special Use Permit with the following conditions:

1) The applicant shall obtain all necessary land use approvals and comply with the conditions of the SEPA threshold determination (MDNS) listed as follows:

- The water well must be drilled greater than 1,000 feet from the Skagit County landfill property boundary. The Skagit County Health Department must be notified before the well is drilled.
- The facility must comply with WAC 173-350-320. The operator of the concrete and asphalt inert wastes storage piles must adhere to the piles standards which require that at least 50% of the material stored in the pile must be used within one year and all of the material is used within three years.

- Inert waste can not be landfilled unless the facility obtains an inert waste landfill permit (WAC 173-350).
- Temporary erosion/sedimentation control measures, as approved by the Skagit County Department of Public Works, shall be in place prior to the start of operation. The applicant shall maintain all temporary erosion/sedimentation control measures in accordance with the Skagit County Drainage Code 14.32. Said measures shall remain in place until completion of the project.
- The applicant shall comply with Northwest Air Pollution Authority requirements.
- The applicant shall comply with the provisions of Chapter 14.32 of the Skagit County Code, the Skagit County Drainage Ordinance, as it relates to increased runoff resulting from additional impervious surfaces.
- The applicant shall comply with Fire Code Standards.
- The applicant shall comply with all relevant provisions of 14.24 (Skagit County Critical Areas Ordinance).

2) Operation of equipment/construction and daily operations shall comply with Maximum Environmental Noise Levels Chapter 173-60 WAC and address noise and vibration limitations, and Skagit County Code 14.16.840 for light and noise conditions.

3) Washington State WAC's 173-201A and 173-200 shall be complied with, as required to address surface water quality issues and ground water issues. Best management practices shall be utilized to prevent interference and/or degradation from point, non-point pollution or conditions which could lead to degradation of water quality.

4) Drilling of a well for concrete operations, as mentioned in the SEPA report, may require a water right from Washington State Department of Ecology (ECY). Please contact ECY for requirements.

5) Contact Skagit County Health Department (SCHD) as to disposal and storage methods for the operations. This includes any stockpiling or operations that concern non-inert asphalt operations. Operations as described in the SEPA may be required to have a permit from SCHD.

6) The facility must obtain a general storm water permit from Department of Ecology.

7) The operation shall comply with Skagit County Code 14.16 Zoning Ordinance.

8) The applicant shall obtain all necessary approvals from the Department of Natural Resources.

9) Stormwater Management must be in compliance with Skagit County Code 14.32 addressing water quantity and quality. Both an Erosion and Sedimentation Control Plan and Stormwater Pollution Prevention Plan shall be submitted for review and approval prior to the start of the operation requested by this permit.

10) Prior to the start of operation the applicant shall obtain a new access connection permit for this project. To meet current standards, the applicant may be required to re-construct the current access to SR 20. Compliance with WSDOT standards is required.

11) The access road will need to be in compliance with Skagit County Road Standards.

12) This permit shall be valid for a total operation duration of one (1) year. The Department would interpret "1 year" to equate to no more than a total of 52 weeks of operation time over the life of the project. The pit owner, or operator, shall supply an annual report of the operation time for each year to the Planning and Permit Center to be incorporated into the project file.

Dated: 9-14-04
Prepared By: Brandon Black
Recommended approval by:

Brent Morrow

Brent Morrow, Senior Planner
On behalf of
Gary Christensen, AICP, Administrative Official
Assistant Director of Planning

SKAGIT COUNTY PLANNING AND PERMIT CENTER
NOTICE OF DECISION

File # PL01-0435

Notice is hereby given that on November 15, 2004, the Skagit County Hearing Examiner approved PL01-0435, a Special Use permit modification to a previous conditional use permit to allow for the addition of a crusher, asphalt plant and concrete ready mix operation within an existing permitted gravel pit. The operation includes the recycling of concrete and asphalt. The proposed project is located within a Rural Reserve (RRv) zoning/comprehensive plan designated area as indicated in the Skagit County Comprehensive Plan and associated maps as adopted July 24, 2000 and as thereafter amended. Located at 50596 State Route 20, Concrete, within a portion of Section 28, Township 35, Range 9E W.M., situated within Skagit County, Washington.

Proponent: 3D-H Aggregates, c/o David and Helen Weber & Dave and Darcy Harvin, P.O. Box 607, Stanwood WA 98292. Contact Person: David Hough, 17483 West Big Lake Blvd., Mount Vernon, WA 98274.

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 Hearing Examiner to the Skagit County Board of Commissioners 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 Permit Center within 14 calendar days of the publication of this Notice pursuant to SCC 14.06.110.

Transmitted to the Skagit Valley Herald:	November 16, 2004
Please publish:	November 18, 2004
Appeals must be submitted by:	November 29, 2004

Brandon Black
Associate Planner
Skagit County Planning and Permit Center
200 West Washington Street
Mount Vernon, WA 98273
(360) 336-9410

BrandonBlack

From: Planning & Permits
Sent: Monday, October 04, 2004 3:14 PM
To: BrandonBlack
Subject: FW: Attn: Brandon Black

From the website...

-----Original Message-----
From: Murley, Tom [mailto:Tom.Murley@PARKS.WA.GOV]
Sent: Monday, October 04, 2004 2:27 PM
To: Planning & Permits
Subject: Attn: Brandon Black

Brandon,
I have recently moved from my position at DNR to a job at State Parks Northwest Region office in Burlington. After 16 years it was time for a change. I'll be handling most of the permitting and land use actions for the region and will likely be working closely with county planning staff.
I was asked to check into a permit for a temporary asphalt batch plant about 1/2 mile from Rockport State Park. The application number is: p101-0435. I stopped by to look over a copy of the application and it looks like it is too late to comment. The park manager at Rockport seems to think that the request is fine and shouldn't affect the park. I would like to get some clarification on one thing. The application states that work will take place between Monday morning and Friday at noon. This was not re-stated in the conditions of the permit. Can I assume that those will be the only hours of operation allowed under this permit.
Sorry to not send this directly to your email but I don't have that address anymore. Talk to you soon.
Tom.

Tom Murley, NW Region Environmental Specialist Washington State Parks and Recreation Commission 220 N. Walnut St.
Burlington, WA 98233-1138
(360) 755-5262
(360) 428-1094 FAX
tom.murley@parks.wa.gov

① Dave Haugh - clarification
- production - location
- Transfer station east
- access
- combined WSDOT & project pit

- Will Drill a well in compliance w/ SCH & DOE.

Less Than 5000 gallons per Day
- Access - WSDOT requirements

MRO Future

② Bill Shepard - local Res.
- Notification - 1900' of site
- wild & Scenic area
- Quiet area
- Keep giving spu-plum is no good

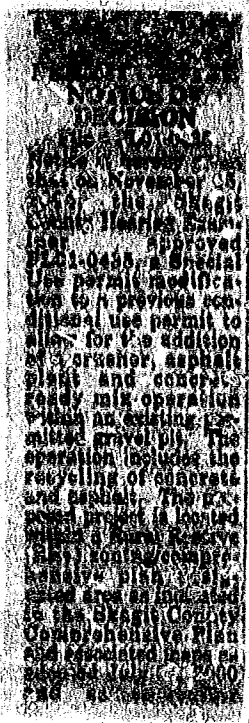
③ John Sturlock
- notification mail notice to stop sign
- Fire marshal has no concerns / Rockport Fire not capable of handling a small fire (NFPA). Lack of onsite on Fire Marshals Review.
- Lights @ night are restrictive & noise
- Recial area - doesn't fit w/ That area.
- Remote -
- 52 weeks;
- EIS Required - (two appeals)
- Request That it be sent back For Further Review.

(4) Judy Hemenw...???
- concerns w/ well, surface water - contamination
- wild & Senic area
- wants Further Review & Public Forum
Forum

(5) Dave Hough -
- Review occurred under SEPA
- noise - operate w/in noise Reg.
no more Than what exists
- monitoring

(6) notification concerns John Sturlock
Scarlock

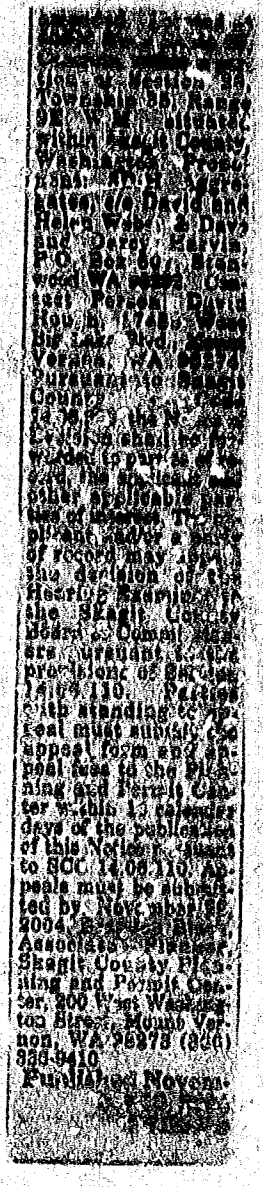
(7) shepard - process Should go Beyond.



[illegible]

NOTICE OF DECISION

[illegible] Notice is hereby given that on November 05, 2004, the Skagit County Hearing Examiner approved PL01-0435, a Special Use permit modification to a previous conditional use permit to allow for the addition of a crusher, asphalt plant and concrete ready mix operation within an existing permitted gravel pit. The operation includes the recycling of concrete and asphalt. The proposed project is located within a Rural Reserve (RR) zoning/comprehensive plan designated area as indicated in the Skagit County Comprehensive Plan and associated maps as adopted July [illegible], 2000 and as [illegible]



[illegible] tion of Section 25, Township 35, Range 9E W.M., situated within Skagit County, Washington. Proponents: [illegible] Aggregates, c/o David and Helen Webb & Dave and Darcy Harvin, P.O. Box 607, Stanwood WA [illegible]. Contact Person: David Hou[illegible], 17485 West Big Lake Blvd., Mount Vernon, WA [illegible]. Pursuant to Skagit County [illegible] 14.06.[illegible] 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 Hearing Examiner to the Skagit County Board of Commissioners 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 Permit Center within 10 calendar days of the publication of this Notice pursuant to SCC 14.06.110. Appeals must be submitted by November 22, 2004. [illegible], Associate Planner, Skagit County Planning and Permit Center, 200 West Washington Street, Mount Vernon, WA 98273 (360) 336-9410

Published Novem-

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L. Steden Wood, Publisher

Affidavit of Publication in the matter of H-8316

In the Superior Court of the State of Washington In and For Skagit County

STATE OF WASHINGTON
County of Skagit *ss*

The undersigned, being first duly sworn on oath depose that he/she is principal clerk of the Skagit Valley Herald, a daily newspaper. That said newspaper has been approved as a legal newspaper by the Superior Court of Skagit County and it is now and has been for more than six months prior of the publication hereinafter referred to, published in the English language continually as a daily newspaper in Skagit County, Washington, and it is now and during all of said time was printed on an office maintained at the aforesaid place of publication of said newspaper.

That the annexed is a true copy of an advertisement, with publication dates, as it was published in regular issues (and not in supplemental form) of said newspaper commencing with the issue of November 18 2004 and ending with the issue of November 18 2004.

That such newspaper was regularly distributed to its subscribers during all of said period.

That the full amount of the fee charged for the foregoing in the sum of $ 38.95

clerk

Subscribed and sworn to before me this 23rd day of November 2004

Notary Public and for the State of Washington

Clerk's filing stamp