



April 17, 2010

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Subject: Iron Mountain Quarry (IMQ) Proposed Mining Operations in Port Ludlow

Dear Mr. Johnson:

Jefferson County Department of Community Development (DCD) has made a determination of significance regarding the subject proposed mining operations. The County has invited comments on the scope of an Environmental Impact Statement (EIS) for the proposed operations. The Port Ludlow South Bay Community Association (SBCA) is pleased to provide comments on the proposed mining operations.* We believe that the proposed mining will have a significant impact on Port Ludlow and the surrounding community. We therefore fully support the requirement for an EIS and request that adequate and clearly enforceable mitigation measures be developed for all potential impacts before mining operations are approved. Our comments are provided below.

Traffic Impact Analysis

Iron Mountain Quarry contracted with Traffic Solutions Inc. to study the impact of the proposed mining operations on State Highway SR 104 traffic. The study appears to be based upon a peak hour, SR104, traffic study wherein traffic flow was measured for one day only, September 10, 2009, between the hours of 6:30 AM and 9:30 AM. Our analysis of

this study indicates that it contains factual errors and unreasonable assumptions, the net effect of which is to significantly understate the impact to traffic on SR 104. A thorough independent evaluation of the impact of the proposed project upon traffic should be conducted. Our findings are as follows:

- (1) Peak hourly traffic does not occur between the hours of 6:30 AM and 9:30 AM. Data supplied to us by Washington State Department of Transportation for year 2009 indicate that the average hourly traffic between 11:00 AM and 3:00 PM is flat and is at least 34% higher than the average peak traffic indicated in the study.
- (2) The Washington State Department of Transportation website has a report for year 2008 which shows the average annual traffic in the area of interest and gives a percentage factor to calculate the peak traffic during any one day. This report states "Peak Hour Report is used as a tool for estimating future design hour volume of traffic. This information is used by traffic, design, planning and other engineers designing highway features." It is not clear why this

report was not used since it represents measured data over the entire year rather than on a single day for 3 hours. The factor reported in this WSDOT report is that the peak hourly traffic is 0.1118 times the average daily traffic volume. Using this factor, the peak hourly volume traffic would be 1453 vehicles and not the 860 assumed by IMQ. Thus, the IMQ study understates the peak traffic volume by almost 70% compared to that calculated from WSDOT data.

- (3) IMQ assumes that the annual traffic volume will not increase with time and they only analyze future traffic impacts through the year 2014. Since the mining will be conducted over a period of 40 years, the future growth of traffic on SR 104 must be a part of the traffic impact study. The Jefferson County Comprehensive Plan predicts that the highway segment between SR 19 and the Jefferson/Kitsap County Line will reach level of service (LOS) F by 2024. The "SR 104 PDEIS Summary" predicts that the segment of SR 104 between the Hood Canal Bridge and Center Road will have an average annual daily traffic (AADT) of 28,310 and will be at LOS F by 2025. Thus, Jefferson County and Washington State Department of Transportation studies both indicate significant growth of traffic on SR 104 in future years.

Our analysis indicates that the introduction of additional IMQ trucks at the intersection of SR 104 and Shine Quarry Road/Rock-to-Go Road may significantly degrade the level of service at this intersection. Significant improvements to this intersection will be necessary to provide adequate levels of service. The cost of these improvements should be borne by the mining companies and not by the State or County as is the situation at Granite Falls. At Granite Falls, IMQ has a similar rock quarry and after initial mining operations, road improvements were required to minimize mining traffic impacts to the city. The costs of these improvements, over \$30 Million, are being funded by King County and the State and the mining companies are paying nothing.

Noise

Iron Mountain Quarry contracted with AMEC Geomatrix, Inc. to conduct community noise assessment for the proposed mining operations. This study contains a number of significant deficiencies should call for an independent review of the adequacy of the study. Additionally, there are errors in study assumptions that lead to erroneous conclusions. The major shortfalls of this study include:

- (1) There is a lack of data supporting the numbers and assumptions used in the studies. This paucity of information prevents or greatly inhibits the ability of an independent agency to analyze the reasonableness of the analytical approach and the conclusions reached.
- (2) The study fails to recognize that Port Ludlow is a Master Planned Resort (MPR).
- (3) The study does not consider that the nearest MPR boundaries, rather than nearest residences, are the limiting factor in the sound propagation as required by WAC 173-20 through WAC 173-60.
- (4) The study fails to take into account that the mining operations will, at times, be in direct line of sight of the MPR boundaries.
- (5) Based upon the current grading and equipment location, the main plant, jaw crusher, and feeder hopper are at one end of a valley from the MPR boundary and in line of sight of the MPR boundary.²²²

- (6) The analysis does not appear to include all of the equipment required to mine rock at the mining site.

Our first order analysis was based on the methodology used in the study, recognized the MPR boundaries as the limiting factor for sound propagation and line of site attenuation due to distance. Under these conditions, we predict that the resulting sound level at the MPR boundaries will likely be in the range of 65-75 dBA thereby exceeding the allowable limits for the mining operations. Major mitigation will be required to provide acceptable noise levels at the MPR boundaries.

Air Quality

The expanded Environmental Checklist does not adequately address air quality issues relative to the project. Iron Mountain Quarry has made no attempt in its application to quantify the potential for particulate matter (PM), fine particulate matter (PM10) or vehicle emissions resulting from mining at the site. Rather, a very cursory statement acknowledging the need for some mitigation (on-site watering and vehicle maintenance) is provided. In order to evaluate the level of significance of the proposal on air quality and the level of mitigation required, an evaluation of the potential yearly quantities of particulate and fine particulate matter needs to be conducted in compliance with the methodologies established by the Olympic Region Clean Air Agency. In addition, diesel truck traffic to and from the site will not be under the control of IMQ, but will be operated by independent truck companies. Therefore, any mitigation that requires maintenance of these vehicles may not be considered feasible mitigation as maintenance of these vehicles cannot be guaranteed by the project proponent.

The potential air quality impacts of the project on adjacent recreational uses has not been addressed. Since the prevailing winds are from the south or southwest, the potential exists for dust plumes from general mining operations and dust plumes from blasting to drift over both the golf course and recreational trails. At the closest point, mining operations will be 1200 feet from the Timberton Loop Trail and about 2500 feet from the Port Ludlow Golf Course. Absent quantification of the potential air quality impacts, proper mitigation to these recreational resources cannot be determined. The Expanded Environmental Checklist, under recreation, fails to reference the proximity of the proposed mining to the golf course and fails to adequately address the potential air quality impacts on recreational hiking and golfing.

Reclamation

SEPA Guidelines 2.3.1 states "Accurately defining the proposal is key to a successful SEPA process." Further WAC 197-11-060(3)(b) requires that all related actions be evaluated in a single document. In order for adequate environmental review to take place, sufficient information needs to be provided to allow for an adequate assessment of the project as a whole. A Reclamation Permit from the state Department of Natural Resources is required for the proposed mining operation yet very minimal information is provided in the application regarding reclamation. Mitigation relying on this poorly defined Reclamation Plan is proposed in the expanded environmental checklist and professional reports, however due to the lack of a specific proposal for reclamation, the information referenced in the different reports is contradictory and confusing.

Iron Mountain Quarry indicates that top soil from the areas to be mined will be stock piled and used for reclamation of mined sites. However, they also indicate that some of the top soil will be used in the construction of temporary work sites and haul routes. Top soil removed during mining operations should be stock piled and reserved exclusively for reclamation once mining is completed. Top soil used for construction activities will become contaminated and will not be acceptable for reclamation.

Although reference is made to limiting mining to 20 acres at a time at the site, Iron Mountain Quarry gives no definitive information on the size of areas that will be disturbed prior to reclamation taking place, nor do they give any timetable for which reclamation will be accomplished. The lack of specificity and details inhibits the ability to adequately establish a bond value and bench marks that must be met during the reclamation process, and makes determining levels of significance on biological, air, wetland, and water resources virtually impossible. A complete reclamation proposal that meets state standards needs to be presented and fully evaluated under SEPA along with the county Storm Water Permit.

Storm Drain Calculations

In reviewing the materials submitted by Iron Mountain Quarry there is a question as to exactly what is being covered in this application. The application, as presented, is for a project spanning approximately 40 years and covering 142 acres. However, the following citation would suggest that the application only covers the first phase of the project, 10 years, and new permits will be required for phases 1b and 2. The implication being that additional SEPA reviews would be required at the time of new permit applications. If that is not the case then the submission for the project would appear to be incomplete given the citation.

“Volume 1-Section 6-Drainage Control Report WAC 173-60-10 through WAC 173-60-120”

1.2 PROJECT OVERVIEW

The proposed project is a new rock quarry to the southeast of the existing Shine Quarry located to the northwest of Shine, WA, to the north of SR 104. The Applicant proposes to conduct mining in three phases (Phase 1A, Phase 1B, and Phase 2), beginning in 2010. Mining for Phase 1A is expected to last approximately 10 years. The overall life of the mine is expected to be approximately 40 years.

The purpose of this report is to address the storm water control and treatment requirements for Phase 1A of the Shine Quarry mining operations. Storm water control for Phase 1B and Phase 2 have been addressed conceptually only. Separate design calculations and permits for Phase 1B and Phase 2 will need to be obtained near the completion of Phase 1A based on the site conditions at that time.”

Clarification is needed as to whether the application is for mining of the entire 142 acre site or whether the application is only for mining the Phase 1A mining area. In either case, the application is incomplete in that the whole of the project needs to be evaluated as a part of the EIS.

Cumulative Impacts

The EIS should consider the cumulative impact that the proposed IMQ mining operations may have upon Port Ludlow and the surrounding area in accordance with WAC 197-11-060 and NRP-2.3 and NRP-7.4 from the Jefferson Comprehensive Plan. These two Natural Resource Policies from the Comprehensive Plan state:

Natural Resource Policy (NRP) 2.3--Protect the environment from cumulative adverse impacts resulting from resource management practices.

Natural Resource Policy (NRP) 7.4--Evaluate small mining operations to determine when the cumulative impact of small operations becomes a significant adverse impact upon the land or upon adjacent lands.

There are currently two mining operations taking place in the same area as that proposed by IMQ. Shine Quarry is immediately adjacent to the proposed mining operations and Fred Hill Materials is in the immediate area. The cumulative effect that all three mining operations may have on the area should be considered when conducting the EIS and not just the effect of the IMQ mining operations. Of particular concern is the effect that cumulative impact may have on traffic, noise, air quality, animals, ground water and surface water. Additionally, Fred Hill Materials has indicated that they may increase their mining operations. This increase in operations should also be included in the cumulative impact analysis since it has been forecast as a likely event.

We thank you for the opportunity to provide comments on the proposed mining operations in Port Ludlow and are grateful that Jefferson County will require a full EIS to be conducted on the project. We strongly encourage a complete independent agency review of all aspects of the project to determine levels of significance and needed mitigation.

Very truly,

Dan Meade
President, SBCA

*These comments were prepared by a sub-committee of the SBCA consisting of David Armitage, Val Pilmer, Dick Grieves, and Bruce Schmitz.