

**JEFFERSON COUNTY
PUBLIC NOTICE OF TYPE I LAND USE APPLICATION AND PENDING SEPA
DETERMINATION
MLA10-00072**

APPLICANT:

IRON MOUNTAIN QUARRY
ATTN: JAMES BURNETT
22121 17TH AVE SE SUITE 117
BOTHELL WA 98021

Application Received Date: February 25, 2010
Application Complete Date: March 22, 2010
Application Notice Date: December 14, 2011

Jefferson County expects to issue a Mitigated Determination of Non-Significance (MDNS) on this proposal, and the optional MDNS process under WAC 197-11-355 is being used. This may be the only opportunity to comment on the environmental impacts of the proposal. The proposal may include mitigation measures under applicable development regulations, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared. A copy of the subsequent threshold determination may be obtained upon request, and will be mailed to any person commenting upon this notice of application.

SITE ADDRESS AND PROJECT LOCATION: 9861 SR 104, Port Ludlow, Washington in unincorporated Jefferson County. The site is east of the existing Shine Quarry. The property consists of four Jefferson County Tax Parcel Numbers: 821291002, 821302001, 821324002, 821311001. located within Sections 29, 30, 31, 32 Township 28, Range 1E, WM.

PROJECT DESCRIPTION AND REQUIRED PERMITS/STUDIES:

The applicant, Iron Mountain Quarry, has submitted materials for approval of a Stormwater Management Permit for the New Shine Quarry in three (3) phases over a period of approximately forty (40) years. The total project area is one hundred and forty two (142) acres. The mining and operations area is approximately 69 acres. The first phase (Phase 1B) will include establishing the primary and secondary processing and stockpiling areas, stormwater control ponds, maintenance building and yard, and mining the southwest portion of the site. Mining activity for Phase 1 B is expected to last five to ten years. The second phase (Phase 1A) will mine the southeastern portion of the site, to the north of the stormwater control ponds. The third phase (Phase 2) will expand Phase 1A to the north, advancing generally from south to north.

The overall hours of operation will generally be from 6:30AM to 4:30PM. The hours of physical operations, including mining and processing will be from 7:30AM to 3:30PM, or as daylight allows. The mine could produce as much as 400,000 tons per year, with volumes in the winter months ranging between 8,000 and 16,000 tons per month; and during the summer between 26,000 and 52,000 tons per month.

This project requires a Stormwater Management Permit (in accordance with Jefferson County Code Title 18) with a SEPA Threshold Determination from Jefferson County, an NPDES permit from the Washington Department of Ecology (Ecology), a Reclamation Permit from the Washington Department of Natural Resources (DNR) and a Jurisdictional Determination from the U.S. Army Corps of Engineers. The following additional permits/approvals may be needed: Hydraulic Project Approval from the Department of Fish and Wildlife, Section 404 Permit from the U.S. Army Corps of Engineers, and Section 401 Water Quality Certification from Ecology.

SPECIAL STUDIES PROVIDED BY THE APPLICANT

1. Shine Quarry Phase 1A Drainage Control Report dated February 22, 2010 by Layton and Sell, Inc. P.S.
2. Addendum 1 to Shine Quarry Phase 1 dated May 25, 2011 by Layton and Sell, Inc. P.S.
3. Potential Air Quality and Wind Effects of New Shine Quarry Operations dated February 28, 2011 by Envirometrics Inc.
4. Geologic and Geohazard Assessment dated February 26, 2008 by AMEC.
5. Geologic Assessment dated February 16, 2011 by AMEC.
6. Hydrogeology Report dated June 16, 2009 by Environ.
7. Critical Aquifer Recharge Area Report for the New Shine Quarry dated February 2, 2010 by Environ.
8. Response to Groundwater Issues Raised by the County dated March 3, 2011 by Environ.
9. Existing habitats, plants and animals at the proposed New Shine Quarry site in Jefferson County, Washington dated January 13, 2009 by Environ.
10. Updated Community Noise Assessment for the Proposed Iron Mountain Quarry dated March 2011 by AMEC.
11. Blasting Noise and Vibration Analysis dated April 25, 2011 by Austin Powder.
12. Visual Impact of the Proposed New Shine Quarry dated November 24, 2009 by Centre Point Consultants, Inc. P.S.
13. Supplemental View Impact Analysis dated February 3, 2011 by Robert Hanson and Centre Point Consultants, Inc. P.S.
14. Iron Mountain Quarry Traffic Impact Analysis dated December 3, 2009 by Transportation Solutions, Inc.
15. Iron Mountain Quarry Traffic Impact Analysis revised July 2011 by Transportation Solutions, Inc.
16. Wetland Mitigation Sequencing Analysis dated February 2010 prepared by Gordon Derr.
17. Conceptual Wetland Mitigation Plan and Indirect Impacts Analysis dated February 18, 2010 by Environ.
18. New Shine Quarry Wetland Delineation and Inventory dated July 2009 by Environ.
19. Addendum to Wetland Delineation and Inventory Report for New Shine Quarry dated June 13, 2011 by Environ.
20. Response to comments from Michael Minor and Associates on the Community Noise Assessment for the proposed New Shine Quarry dated August 31, 2011.
21. New Shine Quarry Blasting Impacts dated September 2011.

COMMENT PERIOD AND WHERE TO VIEW DOCUMENTS:

The application and any studies may be reviewed at the Jefferson County Department of Community Development, 621 Sheridan St. Port Townsend; and on-line in PDF form at: <http://test.co.jefferson.wa.us/weblinkext/Browse.aspx?dbid=1>. Click on "Permits," "Case Files," and "MLA10-00072 New Shine Quarry." All interested persons are invited to (a) comment on the application; (b) receive notice of and participate in any hearings; and (c) receive a copy of the decision, by submitting such written comment(s)/request(s) to the Jefferson County Department of Community Development, Development Review Division, 621 Sheridan Street,

Port Townsend, WA 98368, (360) 379-4450. Comments concerning this application should be submitted to the Department by **4:30 p.m. on December 28, 2011.**

SEPA INFORMATION:

The optional MDNS process of WAC 197-11-355 is being used. This may be the only opportunity to comment on the environmental impacts of the proposal. The conditions being considered to mitigate environmental impacts are as follows:

Earth

1. Surface water run-off and erosion control measures for Phase 1B and 1A shall be consistent with the Shine Quarry Phase 1 Drainage Control Report dated May 25, 2011. The current permit, if issued, covers only Phase 1B. Consistency of a Phase 1A permit, when requested, may require updating of the May 25, 2011 report prior to issuance. Detailed engineering drawings and separate design calculations for Phase 2 will be submitted to Jefferson County for approval near the completion of Phase 1A and prior to the start of Phase 2. These plans shall be based on the site conditions at that time and the state and federal National Pollutant Discharge Elimination System standards.
2. Maximum active mining area (segment) size for Phases 1B, 1A or Phase 2 shall be determined in consultation with the Department of Natural Resources, but shall not exceed 20 acres each. Reclamation shall be conducted on an ongoing basis, pursuant to progressive segmental reclamation standards and according to the specific mining segment sizes and timelines established in DNR-approved Reclamation Plans.
3. During mining operations, including extraction and crushing, dust shall be controlled by the proponent through means of watering or other methods that are acceptable to Olympic Region Clean Air Agency. The approach to the mine must be paved.
4. To reduce the risk of future erosion hazards, exposed soils will be revegetated as soon as practical. Pit slopes, protective berms slopes, catchment ditches, and site buffers shall comply with Federal Mine Safety, Health Administration guidelines and local requirements.
5. The north-south mapped seismic hazard, which is topographically a low area, shall not be disturbed as part of mining activities.
6. Topsoil or other overburden having value for agriculture or other beneficial uses shall not be removed or disposed of in a manner which will reduce its value or prevent its future use.

Environmental Health

7. The New Shine Quarry operator will prepare and provide Jefferson County a copy of an Emergency Spill Response Plan. Any accidental spills will require review under the Emergency Spill Response Plan. Spill kits shall be available on site and have the ability to be deployed anywhere within the mine.
8. The approximate location of the diesel fuel tank shall be identified on the site plan.
9. The operator shall have a blasting plan reviewed and approved by Jefferson County prior to drilling and blasting of material. Included in that plan shall be a process for contacting interested parties by maintaining a list of residents who wish to be contacted prior to blasting. The blasting plan shall also include a complaint response plan to facilitate citizen concerns as a result of blasting.

Air

10. Air quality impacts and mitigation associated with potential emissions from on-site equipment shall be minimized by keeping vehicles and engines in good repair, using conveyor systems to transport rock, watering haul roads, vehicles and stockpiles to minimize dust.

11. The operator of the New Shine Quarry shall prepare and have approved by Jefferson County a complaint investigation and resolution plan to address air quality concerns from the community.

Surface Water (streams and wetlands)

12. Any well(s) drilled onsite must be reviewed by the State Department of Ecology and the State Department of Health for compliance with applicable regulations.

13. Wetland hydrology monitoring must be conducted during Phase 1A and 1B to determine if wetlands onsite, including Wetlands A, C, D, and E, increase or decrease in size as a result of stormwater management (e.g., infiltration/dispersion trenches). This monitoring will be correlated with how the trenches are functioning. All wetlands that have been potentially indirectly affected will be re-delineated before Phase 1A or 2 commences, and the boundaries will be confirmed by the County. New wetland boundaries will be surveyed and documented in a revised wetland report provided to Jefferson County for approval.

14. An increase in size to Wetlands A, C, D, and E as a result of the infiltration/dispersion trenches may be used to satisfy wetland mitigation requirements. However, the new wetland delineation must clearly reveal that wetland criteria have been met in these expanded areas, per Jefferson County Code. Also, the trenches must be functioning correctly and consistently so that constant wetland hydrology is expected. Each larger wetland must also be rated again, now including the new area, and this information shall be included in the revised wetland report. The proposal to use these areas as mitigation credit must be detailed in the Final Wetland Mitigation Plan. The new wetland areas must be planted with native vegetation (if unvegetated or herbaceous only), and shall be included in the wetland monitoring plan.

15. Offsite critical areas mitigation shall be completed in advance of any wetland or buffer impacts. Onsite critical areas mitigation shall take place concurrently or before Phase 2 commences.

16. The Final Wetland Mitigation Plan shall have a table that includes: wetland category, wetland buffer widths, wetland buffer impact area, direct wetland impact area, indirect wetland impact area, wetland mitigation area, proposed onsite mitigation (acres), and proposed offsite mitigation (acres).

17. The Final Wetland Mitigation Plan shall include the type of wetland class that is proposed for the onsite creation area; planting details, including plant locations, species, densities, and quantities; and justification for lost wetland functions that will be mitigated.

18. A contingency plan shall be included in the Final Wetland Mitigation Plan submitted for the Phase 1A and Phase 2 mining activities. Contingency measures should provide direction in the event that a proposed mitigation plan fails, or in case impacts are greater than anticipated.

19. A monitoring plan shall be included with the wetland mitigation plan submitted for Phase 1A and Phase 2 mining activities.

20. A monitoring program for water quality will be established and approved by Jefferson County. The monitoring program will include monitoring downstream locations to ensure that surface water hydrology and in stream flows are maintained in accordance with JCC 18.30.070.

21. The wetland mitigation plans and the mine reclamation plans shall be reviewed by Jefferson County for consistency.

22. Mining shall be limited to a maximum depth of ten (10) feet above any documented seasonal high water table, which shall be established and monitored pursuant to standard techniques and verified through independent review as part of the groundwater monitoring program.

Plants and Animals

23. If during excavation or development of the site an area of priority for rare plant or animal species is discovered, all activity in the immediate area shall be halted, and the UDC Administrator shall be notified at once.

24. A 50-foot wide vegetated buffer shall remain along all property lines that are not adjacent to existing mineral resource overlay zones or public roadways.

25. A Habitat Management Plan in accordance with JCC 18.22.440 shall be prepared by the operator and approved by Jefferson County describing the potential impacts to animal migration routes and loss of animal habitat as a result of the mining activities.

Traffic

26. The applicant shall comply with WSDOT's access permit and any conditions for the intersection of Shine Quarry Road/Rocktogo Road and SR-104.

27. A monitoring program will be required to be conducted annually in July. This program shall include a report that includes hourly vehicle volume, vehicle classification and time gap studies. The report shall be conducted by an independent traffic consultant. The study should occur over a seven (7) day period. If findings show that truck volumes from the Shine Area quarries reach 85% of the available gaps along SR-104, then WSDOT and Iron Mountain Quarry shall develop a mutually acceptable traffic control, channelization and road widening plan that safely accommodates vehicle traffic from the Shine Area quarries and through volumes on SR-104, or as otherwise approved by WSDOT

28. This proposal is for truck transportation of materials only. The operator may provide material to local markets serving local demand; however, no export material is to be transported via a marine transportation system.

Noise

29. Physical mining operations shall not take place prior to 7:00 AM or after 7:00 PM daily, unless extended hours of operation are authorized for emergency purposes by Jefferson County.

30. When blasting is to occur within 2,000 feet of any occupied structure, a two-deck blasting protocol will be used.

31. Blasting can only occur during the hours of 7:30 AM and 3:30 PM and must be in accordance with all state and federal regulations.

32. Signs on-site shall be posted that prohibit the use of Jake brakes or compression brakes when entering or exiting the site.

33. The applicant shall not use any equipment that exceeds Washington Administrative Code (WAC) Chapter 173-60 to any receiving property.

34. All blasts shall be videotaped to ensure tight control is always maintained over rock projections.

Project Planner: David Wayne Johnson, 360-379-4465

SEPA Responsible Official: Stacie Hoskins, 360-379-4463