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December 17, 2010

Mr. Dale Johnson  
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RE: *IMQ v. Jefferson County, et al.*

Dear Dale:

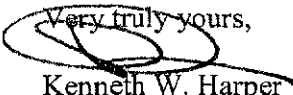
In response to your recent letter of December 9, 2010, the County encourages an open discussion of its threshold determination considerations.

Based on the current SEPA record, the IMQ project poses impacts that exceed the SEPA level of significance. This is the reason that the County has informed IMQ that it continues to believe a DS is likely. Nonetheless, the County is prepared to broadly identify project features that indicate SEPA significance. The County is also prepared to broadly identify mitigation measures that could be sufficient to reduce the project's impacts below the level of significance. But because of the need for IMQ to clarify features of its proposal, as identified in the County's earlier letter of December 3, 2010, this process is ongoing. The County cannot presently provide full answers to items "2" and "3" in your October 14, 2010, letter.

It is important for IMQ to respond to the County regarding the items identified in the County's earlier letter. The response of IMQ will assist both parties in further discussing mitigation measures. I emphasize that these initial discussions about possible mitigation measures must not be seen as assurances that the mitigation measures proposed will be included in a threshold determination.

I note that WAC 197-11-310(3) states that a lead agency's responsible official shall make a threshold determination "no later than 90 days after the application and supporting documentation are determined to be complete." The County would like IMQ's thoughts on how it expects the ongoing SEPA threshold determination process to proceed.

Very truly yours,

  
Kenneth W. Harper

KWH:ksl

cc: Client