

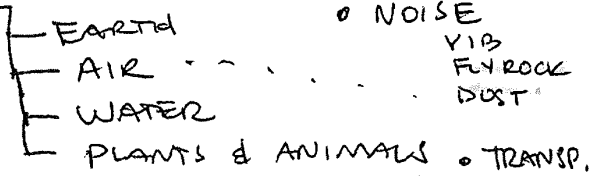
MRL IN THE FUTURE ¹⁵

2011 UPDATE

(PROTECTIONS TO MINER)
(NOISANCE CLAIMS)

EXPAND OR INTENSIFY

MITIGATIONS



- STORMWATER
- MINING/RECLAMATION/OPERATIONS
- SOILS/FERROUSION
- PHASES OF MINING
- REGIONAL HYDROLOGY
- GROUNDWATER MONITORING PROGRAM
- ANY WELLS/BORINGS/SLUG TESTING?
- NEIGHBORHOOD WATER SUPPLY POLICY
- PORT LUDLOW WELLS/FRACTURES, HYDO MODELS
- F & W HABITAT IMPACT
- AMPHIBIANS, BIRDS, WILDLIFE, POLLUTION
- STREAM & WETLANDS IMPACT
- ALTERNATIVES
- BUFFERS/PLANTING PLAN
- NOISE
 - DRILLING
 - BLASTING
 - CRUSHER
- LIGHTING
- ECONOMIC IMPACT TO JEFF CO
- DUST AIR QUALITY (DUST TO P.L.)
- CLEAN SOIL POLICY
- OPERATION HOURS (SATURDAY'S EMERGENCIES)
- ANNUAL REPORTING TO DCD
- FPA LOSS OF TIMBER/FUTURE USE

DS'S

- MATS MATS JULY 2003
- FHM
- GRANITE FALLS? (LETIGA)
- NAVY ISLAND
- KITSAP (CHICO)
- VELAND TREE FARM 152 acre

- DEPTH OF MINING
- WETLAND MITIGATIONS
- IMPORTATION OF MATERIAL
- OHW OF STREAMS
MARK
& BUFFERS
- FLOOD PLAIN
 - STOCKPILES } IN/OR
 - EQ } OUT

Public ~~Meeting~~
MEETINGS
April 6, 2000
to determine if
rough data is available
to say DNR or DS?

- SITE DEVELOPMENT STANDARDS
OPERATIONS
- TRAFFIC TO 104
BV RD

March 8, 1999
BOCC "magnitude & duration"
reasonable likelihood of more than a moderate
adverse impact on the environmental quality and
public well being of the citizens and land of Jeff CC

Why:
- IMPARTIAL DISCUSSION
- LONG TERM DOCUMENTATION
→ DNR WOULD HAVE TO DENY THE SM-8 IF THE
IMPACT CANNOT BE MITIGATED TO LESS THAN ADVERSE



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

619 DIVISION STREET MS-36, PORT ORCHARD WASHINGTON 98366-4682 LARRY KEETON, DIRECTOR
(360) 337-7181 FAX (360) 337-4925 HOME PAGE - www.kitsapgov.com/dcd/

**DETERMINATION OF SIGNIFICANCE
AND REQUEST FOR COMMENTS ON SCOPE OF EIS**

Description of Proposal: **Ueland Tree Farm Mineral Resource Development (#07 44975) – Conditional Use Permit to allow development of two sand and gravel mines, three basalt quarries and a concrete batch plant on a 152.3 acre portion of Ueland Tree Farm’s 1,716 acre working forest property located west of Bremerton in Central Kitsap County. Approximately 11,700,000 cubic yards of aggregate material is proposed to be removed from the site over an estimated 50 year period. Plans include phased development, reclamation of mine sites, monitoring, and critical area preservation.**

Proponent: Ueland Tree Farm

Location of proposal: West of Kitsap Lake, adjacent to Bremerton’s westerly urban growth boundary and watershed area, in unincorporated central Kitsap County. Access is off Northlake Way NW and NW Leber Lane, 0.25 mile northwest of Kitsap Lake.

Lead Agency: KITSAP COUNTY

EIS Required. The lead agency has determined this proposal is likely to have a significant adverse impact on the environment. An environmental impact statement (EIS) is required under RCW 43.21C.030(2)(c) and will be prepared. An environmental checklist or other materials indicating likely environmental impacts can be reviewed at our offices.

The lead agency has identified the following areas for discussion in the EIS:

Earth (slopes, erosion), air quality, surface water (streams, wetlands), groundwater, wildlife, land use, noise, traffic.

Scoping. Agencies, affected tribes, and members of the public are invited to comment on the scope of the EIS. You may comment on alternatives, mitigation measures, probable significant adverse impacts, and licenses or other approvals that may be required. The method and deadline for giving us your comments is:

in writing to Kitsap County Department of Community Development, attn: David Greetham at the address below. **Written comments shall be postmarked by July 16, 2008.**

Responsible Official: David Greetham
Position/Title: Environmental Planner, Dept. of Community Dev. Phone: (360) 337-7181
Address: 619 Division Street, MS-36, Port Orchard, WA 98366

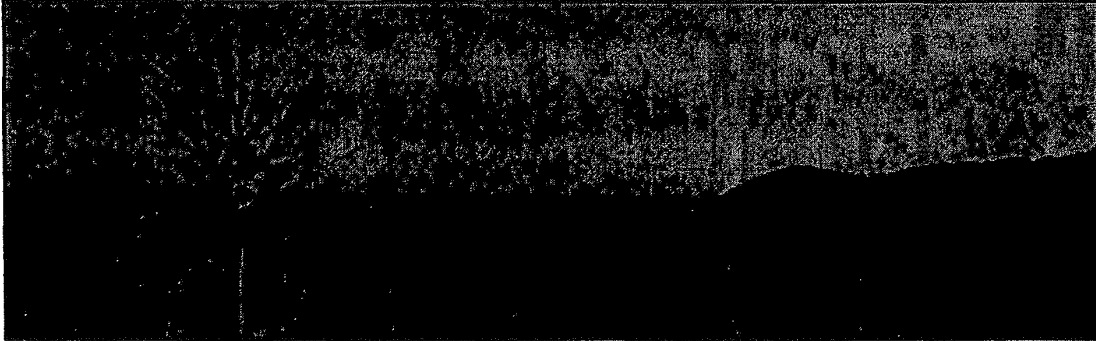
DATE: June 23, 2008 Signature: *David Greetham*

Contact David Greetham, Environmental Planner, to read or ask about the procedures for SEPA appeals.

wp61sepa\dns.sig

TOLL FREE FROM: BAINBRIDGE IS. 842-2061 • OLALLA 851-4147

Welcome to Ueland Tree Farm



Welcome to the Ueland Tree Farm, LLC web site. This site has been established by Ueland Tree Farm as a resource for the community and other interested parties to obtain information on proposed development activities on the 1,700-acre Ueland Tree Farm property located near Kitsap Lake in central Kitsap County as well as the Carney Lake property, also in Kitsap County.

The web site was established in March 2007 and will be periodically updated as new information on the project becomes available.

January 4, 2010 Update

- Conditional Use Permit - Response to Written Comments submitted by Joel Adamson dated December 14, 2009.
- Kitsap Sun - December 24, 2009 - Christopher Dunagan Blog.

December 2009 Update

Critical Watershed Habitat Protected in Chico Creek Basin

The Mountaineers Foundation is pleased to announce the acceptance of a gift of a conservation easement from Ueland Tree Farm, LLC protecting approximately 100 acres of critical watershed near Chico and Lost Creeks in perpetuity. The conservation areas are in the northern portion of the Ueland Tree Farm property in central Kitsap County and borders the Mountaineers "Rhododendron Preserve". The easements include critical portions of the Lost Creek and Chico Creek watersheds. This generous gift ensures that riparian zones adjacent to these watercourses in the Rhododendron Preserve, near the Mountaineers Forest Theater, are preserved in perpetuity and is another step toward ensuring the long term health of these important salmon-bearing stream systems. The agreement also includes an option for the Foundation to purchase 68 acres of Ueland's property as an addition to the Preserve.

Additional Links About The Agreement:

- [Mountaineers Foundation](#) (includes maps of conservation areas and option areas).
- [Press Release](#).
- [Kitsap Sun Article](#).
- [Map of Conservation Easement](#).

(map courtesy of Mountaineers Foundation)

November 2009 Update

The following are links to the most recent documents regarding mineral resource development Ueland Tree Farm:

- [Applicant's Brief - Conditional Use Permit](#)
- [Applicant's Brief - Final Environmental Impact Statement](#)
- [CCCCWB Brief](#)
- [Staff Response - FEIS Appeal](#)
- [Kitsap County Staff Report - Recommendation to the Hearing Examiner](#)

Summer 2009 Update

August 24, 2010

Hi Folks

It has been a few months since our last update and a lot has happened on the tree farm in that time.

Tree Farm News

In July we brushed and cleaned out the culverts, as well as graded the 13+ miles of main roads. As many of you who walk the property know firsthand, some of the roads were starting to become overgrown and were clearly in need of attention. In addition, we have started to mark some of the likely conservation boundaries on the northern part of Ueland Tree Farm property using GPS technology.

Also, we would like to offer our special thanks to whoever brushed out the path to the waterfall on Dickerson Cree. I am sure many of you have enjoyed having this access made more convenient, including my own family when we camped on the property a couple of months ago.

Mineral Conditional Use Permit (CUP)

<http://www.uelandtreefarm.com/>

3/18/2010

Kitsap County and their consultant finished and is publishing the "Final Environmental Impact Statement (FEIS)" 1 week. The document will be posted on the web sites of both Kitsap County and Ueland Tree Farm. We received many helpful comments, questions and concerns both in writing and at last April's public meeting and those have been addressed in the FEIS.

The most frequent concern expressed in those comments was that we may have jumped too quickly to just lookir at the Lebers Lane access route and should have considered more seriously some southern access alternatives. This was a fair point, particularly given the limited amount of information that was in the public domain on the subject, so we hired an engineering firm to further analyze a variety of alternative routes and compare them to the Lebers Lane access route. In the interests of being open and transparent, we have posted this engineering report our web site, in addition to providing it to Kitsap County as part of the EIS process. See the link for Mineral Resources Development Access Feasibility Analysis.

In a nutshell, the southern access routes are problematic. For various reasons related to protecting the sanctity of Bremerton's water supply, the City of Bremerton does not want a road cutting through its watershed. Any other southern access route that avoids both Kitsap Lake and the Bremerton watershed has both environmental challenges (impacting wetlands and streams, traversing steep slopes, and increasing carbon emissions) and economic challenges (obtaining rights of way and paying higher construction and hauling costs). The report is shc and readable. For those who want to actually walk the terrain and see firsthand what is discussed in the report, Ueland Tree Farm will conduct a tour on September 19th. I encourage you to attend.

After the FEIS is published, Kitsap County will hold a public hearing, which is tentatively set for September 24th. A the hearing you will have an opportunity to listen to the discussion and if you are so inclined make your own comments to the Hearing Examiner. Subsequent to the hearing, and having considered all studies and comments the Hearing Examiner will then decide on whether to grant the CUP. If Ueland Tree Farm is granted the CUP, the next step is the design, engineering and permitting phase of the project (grading and building permits).

Tour of Ueland Tree Farm on Saturday, September 19th @ 9:00am

As mentioned earlier, we will host a tour of the tree farm, including the southern access routes. The tour will start 9:00 am at the gate to our property at the end of Lebers Lane. The tour will include a brief overview of the tree far and then will be tailored to cover whatever parts of the property are of most interest to the group. Please RSVP b: sending an e-mail to mauren.wa@gmail.com if you plan to attend, so we can plan accordingly.

Thanks for your interest in Ueland Tree Farm!

Warm regards,

Craig and Niki Ueland

~~~

[Ueland Tree Farm Mineral Resource Development - Final EIS - August 2009 \(PDF | 27 MB\)](#)

[Mineral Resources Development Access Feasibility Analysis - 05/22/09 \(PDF | 8 MB\)](#)

#### **\*\*\*March 2009 Update\*\*\***

The Kitsap County Department of Community Development has posted the Draft Environment Impact Statement (DEIS) for the Ueland Tree Farm Mineral Resource Development Project. T

DEIS is posted [here at the Kitsap County web site](#) (PDF | 38 MB).

In addition, several related reports have been updated. You can find links to the updated reports below, under the heading, "Conditional Use Permit Application". Each updated report is marked with a "++" symbol.

As always, if you have any questions or comments regarding Ueland Tree Farm, please [click here](#).

**\*\*\*Winter 2008-2009 Update\*\*\***

[Click here to view a copy of our most recent update letter.](#)

**\*\*\*Summer 2008 Update\*\*\***

Hi Folks,

As you recall when we initially started this project we assumed because of the magnitude of the project and general concern about mining that we would be required to do an Environmental Impact Statement (EIS). The EIS process ensures that the appropriate environmental and social analysis is conducted to make sure that a project doesn't inadvertently impact the environment or community. Having anticipated this outcome we invested time up front to the necessary analysis and in the process designed the facility to avoid and or minimize impacts. Over the last 17 years we have received a lot of great input from the public and interested organizations which helped to shape the project and our management plan for the total 1,700 acres.

Attached is a scoping notice that the county advertised in the paper. The County is asking for your thoughts and concerns so they can determine if the analysis we conducted was thorough enough. The documents they mention the attached announcement are the ones that have been posted on our web site since last December when we submitted the application and supporting information. The next step in the process is that the comments will be reviewed and the County will make a determination if the analysis is complete. If not we will need to gather additional information. At this point we can make any necessary adjustments to minimize, avoid or mitigate for any impacts that we might have missed. The County will then hold a public hearing to get input on the final design and the County Hearing Examiner will make a final decision.

In the past many people have felt that the EIS process was something they should try to avoid rather than seeing as an opportunity to ensure that their project is environmentally and socially acceptable. We think we have designed a great and balanced project, one that can be used as an example of how to design a project (designing it around environmental and social parameters versus the other way around) and that if done properly the EIS is not a scary process but rather a source of value added.

Please pass this notice and the link to our web site [uelandtreefarm.com](http://uelandtreefarm.com) to anyone who you think might be interested. If you want to make comments, please send them to David Greetham in the Kitsap County Department of Community Development by July 16<sup>th</sup>.

Best regards,

Craig Ueland  
Ueland Tree Farm, LLC

Attachment: [Link to Scoping Notice](#)

\*\*\*\*\*

The following documents are currently available for review:

## ENVIRONMENTAL STUDIES AND ASSESSMENTS:

### Nisap Lake property:

- SEPA Checklist - 12/19/07 (PDF | 2 MB)
- Conditional Use Permit Application - 12/19/07 (PDF | 7 MB)
  - ++ Air Quality Assessment - 12/07 (PDF | 1 MB)
  - ++ Habitat Management Plan - 02/09 (PDF | 10 MB)
  - ++ Land Use and Visual Impact Assessment - 02/09 (PDF | 17 MB)
  - ++ Traffic Study Report - 12/07 (PDF | 3 MB)
  - ++ Hydrogeologic Report - 02/09 (PDF | 29 MB)
  - ++ Wetland Delineation Report - 02/09 (PDF | 31 MB)
  - ++ Preliminary Drainage Plan - 02/09 (PDF | 29 MB)
  - ++ Cultural Resources Report - 12/07 (PDF | 7 MB)
  - ++ Final Noise Report - 02/09 (PDF | 1 MB)
- Ueland Permit Application Drawings - 12/20/07

NOTE:  
— THE  
HYDRO  
REPORT  
IS  
289  
pages

### Preliminary Reports:

- Mineral Resource Memorandum - 09/14/07 (PDF | 6 MB)
- Preliminary Geologic Report - 09/14/07 (PDF | 8.5 MB)
- Preliminary Reclamation Plans - 09/14/07 (PDF | 6.3 MB)
- Leber Lane Preliminary Design - 09/14/07 (PDF | 5 MB)
- Preliminary Forest Management Plan Strategies - 06/23/07 (PDF | 14 KB)
- Preliminary Forest Management Plan Map - 07/19/07 (PDF | 310 KB)
- Draft Forest Management Plan Strategies - 07/09/07 (PDF | 14 KB)
- Draft Conservation Plan Strategies - 07/09/07 (PDF | 13 KB)
- Preliminary Conservation Plan Map - 07/19/07 (PDF | 528 KB)
- Draft Wetland Delineation Report - 06/14/07 (PDF | 510 KB)
  - Ueland Wetland Figures Revised
  - Appendix A
  - Appendix B
  - Appendix C-Photo Layout
  - Appendix D
  - Appendix E
  - Appendix F
- Draft Sub-Basin Assessment Report - 03/25/07 (PDF | 3 MB)
  - Appendix A
  - Appendix B
  - Appendix C
  - Appendix D Table
- Preliminary Development Plan - 04/24/07 (PDF | 1 MB)

### Carney Lake property:

- Sub-Basin Assessment Report - 09/14/07 (PDF | 11 MB)

### **PUBLIC INFORMATION AND OUTREACH:**

- Press Release 06/14/07 (DOC | 30 KB)
- Press Release 03/25/07 (DOC | 29 KB)

### **IN THE NEWS:**

- 10/16/2009 - **Kitsap Sun** - County Planners Endorse Gravel Mine West of Kitsap Lake
- 03/02/2009 - **Kitsap Sun** - Gravel and Rock Operation Near Kitsap Lake Under Review
- 12/14/2007 - **Kitsap Sun** - Gravel, Rock Mining Operation Proposed West of Kitsap Lake
- 11/13/2007 - **Central Kitsap Reporter** - Community on board for Kitsap Lake gravel quarry
- 11/08/2007 - **Kitsap Sun** - Meeting Held on Plan for Tree Farm
- 10/11/2007 - **Central Kitsap Reporter** - Gravel mine and rock quarry proposed near Kitsap Lake
- 10/02/2007 - **Kitsap Sun** - Gravel Mine Proposed for Land Near Kitsap Lake
- 06/21/2007 - **Kitsap Sun** - Sustainable Logging Planned for 1,700-Acre Tree Farm
- 03/27/2007 - **Kitsap Sun** - Tree Farm Plans Continue to Root
- 12/11/2006 - **Kitsap Sun** - Planned Rumble of Gravel Trucks Triggers Grumbles
- 12/06/2006 - **Central Kitsap Reporter** - Tree farm seeks input on its future

### Related Articles:

- 01/13/2008 - **The Seattle Times** - Hunger for rock eating up supply of sand, gravel

Thank you for your interest in Ueland Tree Farm, LLC. If you have any questions or comments regarding the project please [click here](#).

*webmaster*

NSQ - DWJ 3/15/00

- ⑥ - No MRL (protection to river)
- ⑤ - Port mudflow must be considered
- ① - Cumulative Impacts
- ①.2 - Size
  - Added value - more mitigation + specifics of EIS - "Workplan"
- ④ - Mats Mats - ~~FHWA~~? DNR lead agency
- ② - "Magnitude of duration" - "reasonable likelihood of more than a moderate adverse impact"
- ③ - Not enough as submitted to determine less than significant
- - Tie individual elements together
- ⑦ - Peer Review - modify mitigation

CONCLUDE THAT DRAFTING  
MAY BE DIFFICULT IN  
PAPER COLUMN SIZE.  
MAKE SURE TO REVISION  
FORMAT OF WHAT AND REQUEST FOR COMMENTS ON SCOPE OF EIS  
IS SENT TO LEADER

JEFFERSON COUNTY  
NOTICE OF  
DETERMINATION OF SIGNIFICANCE

8:20 AM

DWT.  
9:20 AM - go ahead  
to make edits  
to publish.

Description of Proposal:

The proposal is to mine a one hundred and forty two (142) acre site south of Port Ludlow in three (3) phases over a period of approximately forty (40) years. The 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 volume in the winter months between 8,000 and 16,000 tons per month and during the summer between 26,000 and 52,000 tons per month. Full application description and materials may be reviewed and downloaded online at:

<http://www.co.jefferson.wa.us/commdevelopment/New%20Shine%20Quarry.htm> or at the DCD office.

Location of Proposal:

The site is located east of the existing Shine Quarry and south of Port Ludlow on Parcel numbers 821291002, 821302001, 821324002, 821311001, Section 29, 30, 31, 32 Township 28, Range 1E, WM, Located off Rocktogo Road, Port Ludlow 98365

Proponent:

Iron Mountain Quarry - Attn: James Burnett  
22121 17<sup>th</sup> Ave SE, Suite 117  
Bothell, WA 98021

Owners of Properties to be Mined:

Pope Resources - Attn: Tom Kametz  
19245 Tenth Ave NE  
Poulsbo, WA 98370

Lead Agency:

Jefferson County  
Department of Community Development (DCD)  
621 Sheridan Street  
Port Townsend, WA 98368

EIS Required:

took language  
from 197-11-360.

The Lead Agency has determined this proposal is likely to have a significant adverse impact on the environment. An environmental impact statement (EIS) is required under RCW 43.21C.030(2)(c) and will be prepared. An environmental checklist or other materials indicating likely environmental impacts can

be reviewed at our offices or online at:

<http://www.co.jefferson.wa.us/commdevelopment/New%20Shine%20Quarry.htm>

**The Lead Agency has identified the following areas for discussion in the EIS:**

Earth (ridgeline, soils), air quality (dust), surface water (streams, wetlands), groundwater, plants, animals, traffic, fly rock, noise, vibration, aesthetics

**Scoping**

Agencies, affected tribes, <sup>land and use</sup> and members of the public are invited to comment on the scope of the EIS. You may comment on alternatives to be considered, mitigation measures, probable significant adverse impacts, and licenses or other approvals that may be required. The method and deadline for giving ~~us your~~ comments is as follows:

**Written comments may be submitted by 4:30pm April 23, 2010 to the following address:**

David Wayne Johnson, Project Lead Planner  
621 Sheridan Street  
Port Townsend, WA 989368  
dwjohnson@co.jefferson.wa.us

**SEPA RESPONSIBLE OFFICIAL:**

Stacie L. Hoskins, Planning Manager  
360-379-4450  
Department of Community Development  
621 Sheridan Street  
Port Townsend, WA 98368

Date: \_\_\_\_\_ Signature: \_\_\_\_\_



WASHINGTON STATE DEPARTMENT OF  
**Natural Resources**

JENNIFER M. BELCHER  
Commissioner of Public Lands

**DETERMINATION OF SIGNIFICANCE AND  
REQUEST FOR COMMENTS ON SCOPE OF EIS**

**Description of proposal:** The applicant has proposed a sixty-foot vertical expansion of the depth of surface mining at Mats Mats Quarry, requiring a modified mining reclamation permit that authorizes a maximum depth of mining to 60 feet below mean low low water and a modified reclamation plan meeting or exceeding the minimum requirements of the Surface Mining Act of 1993. Simultaneous with the proposal to expand the depth of the authorized mining and reclamation, the applicant has requested a transfer of Surface Mining Permit No. 70-10170, which is currently in the name of General Construction, Inc. This vertical expansion of the currently approved depth is expected to extend mining operations by approximately ten years.

**Proponent:** Northwest Aggregates Co.  
PO Box 1730  
Seattle, WA 98111

**Location of proposal:** 360 Quarry Road, Port Ludlow, WA 98365  
Section 33, Township 29N, Range 01E

**Lead agency:** Washington Department of Natural Resources

*EIS required.* The lead agency has determined this proposal is likely to have a significant adverse impact on the environment. An environmental impact statement (EIS) is required under RCW 43.21C.030(2)(c) and will be prepared. An environmental checklist or other materials indicating likely environmental impacts can be reviewed at our offices.

The lead agency has identified the following areas for discussion in the EIS:

1. Potential for saltwater intrusion into groundwater;
2. Fugitive dust;
3. Fly rock;
4. Quarry-related traffic;
5. Off site sedimentation.

Scoping Agencies, affected tribes, and members of the public are invited to comment on the scope of the EIS. You may comment on alternatives, mitigation measures, probable significant adverse impacts, and licenses or other approvals that may be required. The method and deadline for giving us your comments is:

Mail comments by May 11, 2000 to Dave Dietzman, DNR Environmental Compliance Division at P. O. Box 47015, Olympia, WA 98504-7015 for distribution to the Responsible Official. Please include the file number listed above on all correspondence.

**Responsible official:** Gordon Gibbs  
**Position/Title:** Dept. of Natural Resources  
 Assistant Regional Manager, Olympic Region  
**Address:** 411 Tillicum Lane  
 Forks, WA 98331  
**Phone:** (360) 374-6131

Date: April 20, 2000

Signature

OLYMPIC REGION ■ 411 TILLICUM LN ■ FORKS WA 98331-9797  
 FAX: (360) 374-5446 ■ TTY: (360) 374-2819 ■ TEL: (360) 374-6131  
 Equal Opportunity/Affirmative Action Employer



Env. HDJ 2/20/02  
CA



WASHINGTON STATE DEPARTMENT OF  
**Natural Resources**

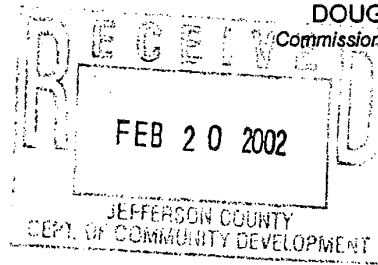
DOUG SUTHERLAND  
Commissioner of Public Lands

**NEWS RELEASE**

Date: Feb. 19, 2002

Contact: Dave Norman, 360-902-1439

Cindy Neff, 360-902-1009



No. 02-09

## **Mats Mats Quarry Public Hearing Set for March 7 in Port Townsend; Written Comments Accepted Until March 14**

OLYMPIA - The Washington State Department of Natural Resources (DNR) will hold a public hearing March 7 and accept written comments until March 14 on a proposal to deepen mining operations at Mats Mats Quarry and to update its Surface Mining Reclamation Plan and state Permit.

Mats Mats Quarry is located on private land that borders the north shore of Fort Worden State Park and the southeast shore of Admiralty Inlet. The quarry is addressed as 360 Quarry Road, Port Ludlow; and is located in Section 33, Township 29 North, Range 1 East, Jefferson County.

Starting at 7:00 p.m., Thursday, March 7, DNR will answer questions and receive comments on a Jan. 29 Draft Environmental Impact Statement (DEIS) describing the quarry's proposal. The hearing will take place in the Erickson Building, Jefferson County Fair Grounds, in Port Townsend.

Written comments must be received by DNR no later than March 14, 2002, and can be mailed to Gordon Gibbs, SEPA Responsible Official, 411 Tillicum Lane, Forks, WA 98331; or e-mailed to: [tena.gagnon@wadnr.gov](mailto:tena.gagnon@wadnr.gov). For more information, contact Gordon Gibbs in Forks at 360-374-6131 or DNR Geology Assistant Division Manager Dave Norman in Olympia at 360-902-1439.

As determined by the State Environmental Policy Act, DNR is the lead agency in the plan and permit revision process.

### **Permit would accomplish three outcomes**

If approved as currently proposed by applicant Glacier Northwest, DNR would transfer the quarry's surface mine permit and state reclamation plan from Fletcher General (a.k.a. General Construction) to Glacier Northwest.

The Seattle-based company is also seeking approval to deepen the quarry's hard rock mining operations to about 60 feet below mean lower-low water level (MLLW). A deepening of the mine would also require the company to barge in more clean soil to reclaim newly blasted sites once excavation is complete.

1111 WASHINGTON ST SE • PO BOX 47000 • OLYMPIA, WA 98504-7000  
FAX: (360) 902-1775 • TTY: (360) 902-1125 • TEL: (360) 902-1000  
Equal Opportunity / Affirmative Action Employer

(MORE)

The quarry's existing permit also needs to be updated to meet Washington Surface Mining Act standards as amended in 1993.

### **Draft Environmental Impact Statement identifies potential impacts**

According to the draft Mats Mats EIS, released Jan. 29, key environmental issues for this proposal include:

- Estimating potential effects from both mining and importing backfill materials on air quality, surface water quality, marine waters and sediments, habitat for fish and wildlife species, and ground water quantity and quality.
- Nuisance impacts from noise, vibration, and dust emissions.
- Consistency with local land use and shoreline planning goals and objectives.
- The stability of those high walls remaining after mining and before backfilling.
- The transportation impact of trucks using area roads and barges in marine waters.

### **EIS available electronically and in Forks, Port Hadlock and Olympia**

An electronic version (text only) of the Mats Mats Quarry draft EIS may be viewed at: <http://www.wa.gov/dnr/htdocs/ger/smr.htm>. Paper copies of the draft EIS, additional background information, and other technical reports are also available for inspection at:

- DNR, Olympic Region Office, 411 Tillicum Lane, in Forks; phone 360-374-6131.
- Jefferson County Library, 620 Cedar Ave, in Port Hadlock; phone 360-385-6544.
- DNR, Geology & Earth Resources Division, Room 148 of the Natural Resources Building, 1111 Washington Street S.E., in Olympia; phone 360-902-1454.

### **DNR provides Geology and Earth Resources services**

DNR's Geology and Earth Resources Division provides applied geological and geotechnical services to the public, the state, government agencies, universities, and the geologic community. Division staff also administer this state's regulatory and information programs for natural gas, oil, geothermal, and surface and metal mining. Geology and Earth Resources staff have expertise in growth management and have practical experience with regulatory reform.

DNR is administered by Washington Commissioner of Public Lands Doug Sutherland. Sutherland is Washington's 12<sup>th</sup> Public Lands Commissioner since statehood in 1889.

###

**David W. Johnson**

---

**From:** Tony Simpson [ausimpson@msn.com]  
**Sent:** Sunday, February 07, 2010 4:38 PM  
**To:** David W. Johnson  
**Attachments:** SEPA Transportation Letter 30-Jan-2010 D.pdf

David:

I have attached a "SEPA Draft" in PDF format that has Internet links to a variety of documents. Its general format is a principle reason for meeting with you at 1 pm on Monday afternoon to seek advice on what is and is not relevant to the County's review process. I will bring paper copies with me.

I suspect, for example that we do not need to go into the background events in this sort of detail. On the other hand, I suspect that referencing the exact wording of the Examiner's decision in granting nonconforming rights and the exact wording of IMQ verbal commitments and promises to a large Port Ludlow audience may be very relevant.

Tony

W

**Second Draft (January 20, 2010) of a PLVC Letter to JeffCo re SEPA Review**

PROHIBITION OF TRANSPORTATION OF QUARRY PRODUCT THROUGH PORT LUDLOW AND ITS AMENITIES  
(EXCEPT LOCAL DELIVERY WITHIN PORT LUDLOW)

**Background Events**

1. January 5, 2008: Jefferson County (JeffCo) Department of Community Development (DCD) issued a Jefferson County Code (JCC) Interpretation that implied denial of Pope Resource (Pope) and Iron Mountain Quarry (IMQ) nonconforming rights.
2. January 10, 2008: IMQ appealed the DCD interpretation to the JeffCo County Hearings Examiner.
3. April 9, 2008: The appeal Hearing Examiner upheld IMQ's appeal. His finding was that "Pope Resources and therefore Iron Mountain Quarry, LLC, have legal nonconforming use rights to mine the entire 142 acre leased parcel pursuant to the doctrine of diminishing asset."
4. 28-Apr-2008: Despite a lack of legal standing, PLVC, PLA, and SBCA sued to reverse the Hearing Examiner's decision that Pope-IMQ had nonconforming rights.
5. June 16, 2008: Pope and IMQ were unsuccessful before the County Supreme Court at continuing denial of legal standing of the PLVC, SBCA, LMC, and PLA, and legal standing was granted.
6. On November 19, 2009, the Jefferson County Superior Court Judge re-affirmed the Examiner's decision in favor of IMQ.
7. With two successive findings in IMQ's favor, PLVC, SBCA, and PLA determined that further appeal against nonconforming rights would be prohibitively expensive—if they lost, they would be responsible for IMQ's legal costs.
8. After determinations by DCD that a Conditional Use Permit (CUP) is required, and concurrence by the Hearing Examiner over an IMQ appeal, the Jefferson County Superior Court Judge overturned their opinions ordering that IMQ was not required to obtain a CUP.

**Facts**

1. In his April 9, 2008 conclusion (p.12/13, #4), the Jefferson County Hearing Examiner (with subsequent concurrence on November 19, 2008 by the Superior Court) found that :  

"Pope has not abandoned its nonconforming use rights by development of Port Ludlow.  
**However, the location of Port Ludlow and its amenities must be considered in both SEPA review and review under the JCC mining requirements."**
2. In his April 15, 2009 order (p.2, ¶3) denying a Conditional Use Permit requirement, the Jefferson County Superior Court Judge stated that "There are ample protections afforded to the County under its general permitting authority including SEPA authority to insure that concerns relating to offsite effects of any mining (noise, vibration, dust, traffic, etc.) are addressed and that the public is protected from possible adverse impacts."

3. Pope made two presentations to Port Ludlow residents on June 12, 2008 and March 5, 2009; IMQ-Pope made a third presentation of October 14, 2009. Videos and voice recordings of the meetings are available. Over 200 residents attended each of the last two presentations. IMQ stated several times that they are willing to put into writing that they will not run quarry trucks through Port Ludlow except for local deliveries and that they have no intention of installing a conveyor system.

#### SEPA Requirement

Port Ludlow currently has no protection against quarry traffic or conveyors since verbal statements are not legally enforceable.

Quarry trucking through Port Ludlow would destroy this quality retirement community, which was created as Pope's national prize-winning "village in the woods by the bay" and Jefferson County's Master Planned Resort. One has only to read or look at the effects of IMQ's quarry traffic in Granite Falls and other quarry towns in Washington State to recognize this truth.

Pope-IMQ nonconforming rights require that SEPA review must consider the location of Port Ludlow (p.12, #4), which straddles the direct route from the IMQ quarry to Mats Mats quarry's dock--the nearby sea transshipment port. The absence of a CUP requires that the SEPA review must consider the off-site effects of traffic (p.2, ¶3).

It is unlikely that IMQ would immediately want to ship by sea. However, IMQ's plans give the quarry a 40-year life and additional reserves exist on adjacent property owned by Pope. IMQ could change its mind on trucking or conveyors but need not disclose it in its current plans.

The SEPA review spans the life of the quarry and beyond. Therefore, its consideration of Port Ludlow and its amenities must cover a like period. In particular, the review must consider increasing scarcity of quarry products, rising prices, increasing profit motivation, and a likely desire by IMQ to transport quarry product through Port Ludlow for sea shipment to remote locations.

Quarry product transportation through Port Ludlow would be a most significant adverse environmental impact (p.2, ¶2) on Port Ludlow and its amenities triggering an environmental impact statement (EIS).

We suggest that the simple way to resolve all of these issues is to include a binding legal agreement between JeffCo and IMQ with Port Ludlow as a beneficiary early in the SEPA review process. It should include:

1. IMQ shall never transport, or enable others such as independent trucking or quarry product distributors, to transport IMQ's quarry product along road, track, or conveyor within or through Port Ludlow and its amenities except for local end-user deliveries. IMQ shall include appropriate terms and conditions in its bills of sale, etc. to enforce compliance.
2. This Agreement shall extend to adjacent or nearby expansions of or additions to the quarry.
3. This Agreement shall bind, and inure to the benefit of, the heirs, successors, subsidiaries, spinoffs, or derivatives to the parties hereof.

IMQ should be cooperative since it has verbally committed to no trucking or conveyor through Port Ludlow and wishes to avoid need for environmental impact statements. On the other hand, if IMQ were reluctant to bind itself legally, this would suggest a hidden and harmful agenda, in which case JeffCo should pursue the EIS.

## MINING IMPACTS

# ENVIRONMENTAL IMPACTS OF HARDROCK MINING IN EASTERN WA

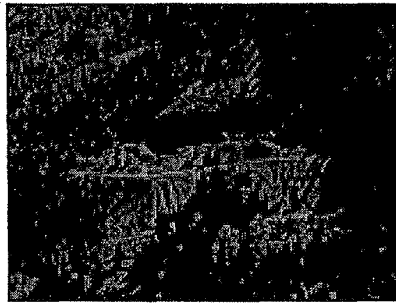
### *Background*

Hardrock mines, which utilize a non-renewable resource, operate from 5 to 15 years until the minerals are depleted. In contrast, metals contamination that occurs as a consequence of hardrock mining can continue for hundreds or thousands of years following the cessation of mining operations. For example, acid mine drainage still occurs from hardrock mines in Europe that were worked by ancient Romans prior to A.D. 476.

In the United States, more than 500,000 inactive and abandoned mines are estimated to exist in 32 states. Thousands of abandoned mines in eastern Washington are located in sensitive mountain watersheds. In Okanogan County, there are more than 150 sites that are threats to human health and the environment while new open-pit, cyanide-leaching mines are under development. The Alder Mine, Red Shirt Mill, Crescent Mine, Alder Mill, New Light Mine and Antimony Queen Mine are examples of sites producing heavy-metal effluent that affects water quality and poses risks to human health, endangered fish and other resident biological communities in the Methow River basin.

Mine contaminants affect the biological, recreational, industrial, and municipal use of larger rivers many miles down-

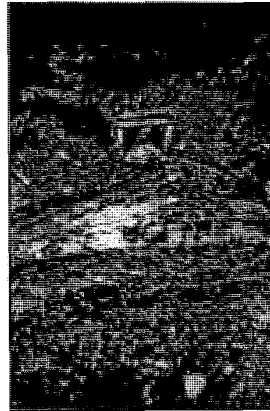
stream from mining. In Okanogan County, acid mine drainage and heavy metals from abandoned mines are affecting communities of aquatic invertebrates, fish, mammals, riparian vegetation, and domestic water supplies.



*An abandoned mine site near a headwater tributary of the Methow River in Okanogan County, WA*

### *Metal Contamination of Water Supplies Following Mining Operations*

Water becomes contaminated when it comes in contact with solid mining waste that remains after mining has ceased. Rain and snow fall on the waste rock and tailings. The runoff produced becomes contaminated with metallic sulfides in the ore that oxidize, dissolve, and release heavy metals. Acid mine drainage and metals contamination is the greatest concern, but the leaching of chemicals from the milling and concentration process, most notably cyanide, can also be a serious problem. Water contaminated with metal sulfides and chemical additives are often discharged into surface waters that seep into the groundwater. Domestic water from wells located near abandoned mill sites has been found to contain heavy metals at levels that exceed drinking water criteria.



*A mine portal discharging acidic heavy metal-laden water that contaminates a stream near Twisp, WA*

FACT SHEET

## MINING IMPACTS

### *Biological Hazards of Mine Waste Contamination*

Using the principles of epidemiology, strong relationships have been established between elevated levels of heavy metals, and the condition of invertebrate communities in impacted creeks. Elevated concentrations of cadmium, copper, selenium, and zinc in streamwater and sediments have reduced species diversity and abundance in these aquatic communities. Contaminated headwater streams are significant hazards to the environment and threaten juvenile salmonids, including bull trout, native steelhead, and chinook salmon, which use the lower portion of contaminated tributaries to the Methow River as rearing habitat.

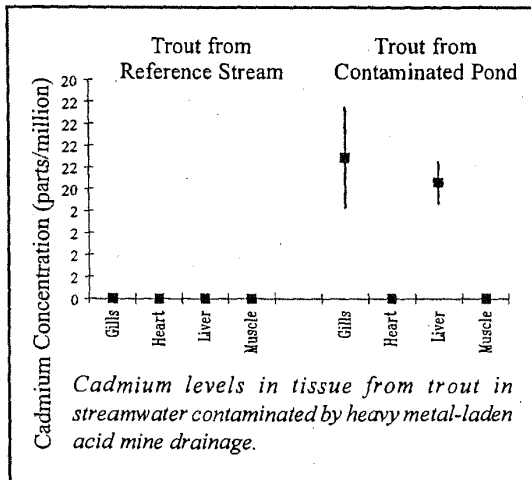
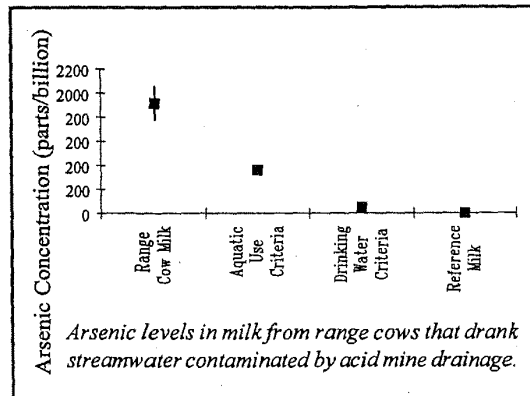
### *Trout*

Excessive mortality and the accumulation of cadmium and zinc occur in rainbow trout exposed to metal concentrations that exceeded natural background levels. Resident trout in farm

ponds fed by water contaminated by metals from abandoned mines concentrate cadmium and zinc in their gill and liver tissues.

### *Lactating Mammals*

Lactating beef cows grazing on abandoned mine lands and drinking from creeks contaminated by acid mine drainage concentrate heavy metals in their milk. Arsenic, nickel, selenium and zinc are found at concentrations that exceed reference samples as well as Washington's biological and drinking water criteria.



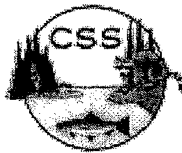
### *Plants*

The analysis of core samples has shown that Douglas-fir trees growing on soils contaminated by mine waste are concentrating zinc. Manganese, zinc, iron, and aluminum also accumulated in needles and leaves of Douglas-fir, ponderosa pine and aspen.

Dan Peplow ([dpeplow@u.washington.edu](mailto:dpeplow@u.washington.edu)) & Robert Edmonds

Photos by Casey Peplow

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**FACT SHEET**

## MATS MATS QUARRY EIS SCOPE

### INTRODUCTION

#### Project Description

As currently permitted, mining would include three primary components: 1) Ground Preparation; 2) Mining Operation; and, 3) Reclamation. Under the proposal, mining and barge transportation activities that have occurred in the past at the Mats Mats quarry would continue. The proposal is to transfer the existing Department of Natural Resources (DNR) Surface Mining Reclamation Permit (#70-010170) from Fletcher General (also known as General Construction) to Glacier Northwest, and to update the permit to meet the standards of Washington's Surface Mining Act, as amended in 1993. The upgraded permit will reflect the continuation of hard rock mining to an increased depth of 60 feet below mean lower-low water level (MLLW). The operator will continue current mining and barge transportation activities; no increase in mining rate is proposed. Normal operating hours for the quarry are proposed to be from 6 a.m. to 10 p.m. As under current conditions, mining and barging activity could occasionally be conducted on a 24-hour basis. All existing concrete stockpiles would be removed from the site prior to completion of reclamation.

#### Project Location

The roughly 117-acre site is addressed as 360 Quarry Road, Port Ludlow, Washington 98365. The site is located in Section 33, Township 29N, Range 1E, along the southeastern shore of Mats Mats Bay.

#### Alternatives to the Proposal

In addition to the proposal described above, two alternatives to the proposal will be analyzed in the EIS. The alternatives include a No Action Alternative and a Limited Mining Alternative as briefly described below.

No Action – Under the No Action Alternative, mining conditions on the site would continue consistent with existing surface mining and reclamation permits. It is anticipated that mining activities would continue until approximately 2005 and site reclamation would be completed by approximately 2008. The underlying Comprehensive Plan and zoning designations would control future development of the reclaimed site. The site currently carries an underlying zoning designation of RR-5, primarily allowing rural residential development at a maximum of 1 dwelling unit per five acres.

Limited Mining – Under the Limited Mining Alternative, the transfer and update of the reclamation permit would occur as under the Proposal. However, this alternative would include an increased mining depth to 30 feet below mean lower-low water level (MLLW) compared to 60 feet below MLLW under the Proposal. Mining activities under this alternative would remove less material and occur over a shorter period of time than under the Proposal.

7. Describe mitigation measures for identified air quality impacts.
8. Identify any significant unavoidable adverse impacts.

#### Water

1. Describe existing surface water features and conditions, including sedimentation in Mats Mats Bay, on and in the vicinity of the site.
2. Describe existing hydrogeological groundwater conditions on and in the vicinity of the site.
3. Describe proposed storm drainage system. Describe proposed source and quantity of water used in operations.
4. Describe surface and groundwater flow alterations resulting from the proposed mining activity. Include discussion on potential for saltwater intrusion and potential for impact to vicinity wells.
5. Qualitatively describe potential impacts to surface water and groundwater quality from continued mining activities, including water quality impacts associated with imported fill for reclamation.
6. Describe mitigation measures for groundwater and surface water alteration, and groundwater and surface water quality.
7. Identify any significant unavoidable adverse impacts.

#### Noise

1. Discuss current Jefferson County noise regulations and impact criteria.
2. Identify any noise sensitive land uses in the site vicinity.
3. Discuss existing exterior noise condition near the site and at identified noise sensitive land uses for the proposed hours of operations.
4. Describe proposed noise sources including mining equipment and blasting.
5. Using computer model, predict noise levels from on-site mining equipment (blasting, conveyor, crusher, screener, loaders etc.), barge loading activities, on-site truck traffic and off-site truck traffic.
6. Evaluate noise impacts to surrounding land uses and compare to Jefferson County regulations and impact criteria.

Master Program, and DNR Surface Mining Regulations.

3. Discuss land use compatibility of the proposed action with surrounding land uses.
4. Describe visual and lighting conditions under the Proposed Action.
5. Discuss the consistency of the proposed action with applicable Jefferson County and State plans and policies.
6. Discuss proposed mitigation measures for land use impacts.
7. Identify any significant unavoidable adverse impacts.

#### Transportation

1. Describe existing vehicular and marine traffic conditions in the site vicinity.
2. Estimate and assign project-generated vehicular and marine traffic.
3. Generally describe marine traffic procedures and conditions in Puget Sound.
3. Describe vehicular and marine traffic impacts.
4. Discuss proposed mitigation measures for identified transportation impacts.
5. Identify any significant unavoidable adverse impacts.

#### FINAL EIS

When the Draft EIS is completed, it will be issued and made available for public and agency review and comment. Comments received on the Draft EIS within the designated comment period (usually thirty days) will be incorporated into a Final EIS, together with appropriate responses to those comments. Final action on the proposal will not be taken prior to issuance of the Final EIS.

NSQ 3/8/2010

• wetland buffer - 65' sheet 10 of 12

• mine wetlands K, I, II, J - ~~Require~~ ~~compendium~~

WETLAND MITIGATION PLAN

• NSF data to perform recharge calculation

• County maps not accurate p.7.

wetlands not in communication w/ underlying aquifers

• Contaminants - will develop a written emergency response plan

#6 How long ago was the site logged? <sup>contributed to</sup> species pool underlying? 25-30 years ago.

wetland impacts temporary ± 10 yrs.

4 rare plants - potentially threatened - not observed & "unlikely" to be there p.5

Restoration

#7 Noise • Gateway Park parcel - NE side of intersection ??? NW.

• do visitor's center, Figure 1, Both?

• p.16 hotelation can affect sound levels

overestimate impact

#8 • View 52-56" lease height = 4'6" - 4'8"

• PLMR trees intended to obscure mine - on phase

JUH