# JEFFERSON COUNTY PUBLIC NOTICE OF TYPE I LAND USE APPLICATION AND PENDING SEPA DETERMINATION MLA05-00630

#### APPLICANT:

POPE RESOURCES
C/O OLYMPIC RESOURCE MGMT
19245 10TH AVE NE
POULSBO WA 983707456

Application Received Date: October 28, 2005
Application Complete Date: October 31, 2005

Application Notice Date: November 2, 2005

#### SITE ADDRESS AND PROJECT LOCATION: WAHL LAKE RD

Parcel Number 721 062 001, Section 6, Township 27, Range 01 East, WM, located at 98658 Highway 104, Port Ludlow, WA 98365

#### PROJECT DESCRIPTION AND REQUIRED PERMITS/STUDIES:

Fred Hill Material Inc. (FHM) leases from Pope Resources who owns the 72,000 acre Hood Canal Tree Farm. FHM mineral extraction and processing areas (referred to as the Shine Hub) totals 144 acres and is designated a Mineral Resource Overlay District (MRL).

A previous mining proposal (MLA 04-549) to add 10 acres of mining area (Segments I, J & K) adjacent to the Shine Hub was approved by Jefferson County on November 19, 2004. This brought the total acreage of the DNR Reclamation Permit to 154 acres. It became apparent once mineral extraction was started that this area did not have the desired gravel needed to meet the applicant's needs and this area is the process of being reclaimed. Currently approximately 74 acres of mining area is in various stages of reclamation.

The current proposal by FHM is to add 10 acres of additional mineral extraction area (pit area) adjacent to the Shine Hub. This would bring the total area to 164 acres currently regulated under a DNR Reclamation permit. This area has been logged by Pope Resources through Forest Practice Application (FPA). The additional pit area is located in a Commercial Forest designation, where mining is a permitted activity provided that no more than 10 acres is disturbed at any one time. Disturbed area is defined by RCW 78.44.031(5) and is determined by the WA State Department of Natural Resources through their Reclamation Permit.

This proposed additional mineral extraction area will provide a source of material for FHM operation until mineral extraction is undertaken within the Wahl Extraction Area (MLA 03-377) that was approved by Jefferson County on July 18, 2005. The approved proposal was for 37.9 acres of mining area and included a Mitigated Determination of Non-Significance (MDNS) issued by Jefferson County on June 22, 2005. The MDNS addressed impacts of mining area within the 165 acres of the Wahl Extraction Area and the first area to be mined. Additional environmental review will be conducted when additional mining segments are proposed, which require a stormwater permit from Jefferson County. The Wahl Extraction Area is located within the 690 acre Mineral Resource Overlay District adopted through Ordinance 08-0706-04 on July 6, 2004. The 690 acre MRL area is located approximately 1 mile west of the existing 144 acre mineral extraction and processing area.

The current mineral extraction is occurring in the western portions of Segments G & H, where a good deposit of gravel has been located. This area is located behind a berm near the southern

portion of the Shine Hub. The proposed expansion (Segments L & M) are located southwest of Segments G & H. There is a large ridge located to the south and east of this area. The extraction would start from the east and proceed to the west and would remove typically 20 to 80 feet of material. There would be a minimum of 10 feet of vertical separation from the finished grade to the seasonal high groundwater table (see cross sectional map for more details). After the area is mined stored topsoil would be spread over the area, forest debris spread over the area, a cover crop established, and then replanted with Douglas Fir for the subsequent use for timber production. It is anticipated that Segments L & M would be reclaimed in approximately one year.

Jefferson County has a Stormwater Permit to review and is the lead agency for the environmental review of the proposal under the State Environmental Policy Act (SEPA). Jefferson County anticipates issuing a Determination of Non-Significance (DNS) for this proposal.

The threshold determination for this proposal incorporates the Final Modified MDNS issued for Ace Paving Conditional Use Application (ZON 98-41) within the 144 acre mineral extraction and processing area, which was issued by Jefferson County DCD on June 1, 1999.

Documents reference in this notice may are available at the http://www.co.jefferson.wa.us/commdevelopment/FHMhome.htm or are available for review at the Jefferson County DCD during office hours.

The applicant will require an amended WA State DNR Reclamation Permit and possibly an amended NPDES General Sand and Gravel permit from the WA State Department of Ecology.

#### COMMENT PERIOD AND WHERE TO VIEW DOCUMENTS:

The application and any studies may be reviewed at the Jefferson County Department of Community Development. 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 **November 16, 2005**. If the last day of the comment period falls on a weekend or holiday, then the comment period shall be extended to the first working day after the weekend or holiday. Comments submitted after this date may not be considered in the staff report.

#### SEPA INFORMATION AND PRELIMINARY DETERMINATION:

The optional DNS 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 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 (final) determination may be obtained upon request, and will be mailed to any person commenting upon the notice of application.

# The SEPA Official has determined that:

Jefferson County anticipates issuing a Determination of Non-Significance (DNS) for this proposal.

This will be the only opportunity to make comments related to SEPA. There will not be another comment period after the threshold (final) SEPA determination is made. In addition, since this is a Type I permit application, the threshold determination cannot be appealed except to Superior Court.

### **PUBLIC HEARING INFORMATION:**

This is a Type I Permit Application and there will be no public hearings.

## **APPEALS:**

Appeals of SEPA decisions are described above in the SEPA Information and Preliminary Determination section.

The final permit decision for this Type I permit application will be made by the Administrator. The decision cannot be appealed except to Superior Court.

Project Planner: G BALLARD, 360-379-4450

For further information, please visit the Jefferson County Department of Community Development web page at <a href="https://www.co.jefferson.wa.us/commdevelopment/">www.co.jefferson.wa.us/commdevelopment/</a>