

April 18, 2025

Lewis County Community Development
2025 NE Kresky Avenue
Chehalis, WA 98532

Proposed SUP Revision
Narrative Summary
Goods Quarry
Lewis County, Washington
Project: 002.02.01

INTRODUCTION

On behalf of Good Crushing, Inc. (GCI), Fulcrum GeoResources LLC provides this narrative summary for proposed revision of Special Use Permit (SUP) 19-0002 for Goods Quarry located west of Tennessee Road in Lewis County, Washington. Goods Quarry was granted an SUP for mine expansion in 2021 to include the former Johnson Quarry and surrounding property into one contiguous quarry operation, as described in the Lewis County hearing examiner's approval decision (Attachment C). One of the conditions of approval, Condition 23, limits mine operations to occur between 7 am and 5 pm, Monday through Friday and during daylight hours. GCI is requesting that the County revise this condition and allow for expanded days and hours of certain operations. Specifically, GCI requests that processing of aggregate be allowed during daytime hours as defined under Washington Administrative Code (WAC) 173-60, that being from 7 am to 10 pm, including processing as needed on weekends. GCI also requests that product sales and loadout be allowed up to 24 hours per day 7 days a week as needed to fulfill project requirements. The rationale for these requests is described below in the context of previous site operations, comparisons to other mines operating in Lewis County, and the foundation upon which Condition 23 was based. Thereafter, this narrative addresses relevant sections of Lewis County Code (LCC) as required for GCI's application for SUP revision. We note that the proposed days and hours for active mining at the workplace and blasting would not change under this proposed SUP revision.

BACKGROUND

Goods Quarry consists of a 141.8-acre mine site on parcels #01500-000-000 (hereafter referred to as "15000") and #014999-000-000 ("14999"). Site maps are provided in Attachment A. Access to the mine is via a private, paved access road extending west from Tennessee Road that traverses parcel #015003-000-000. The current Goods Quarry incorporates two historical mine sites and adjoining rural property: the former Johnson Quarry located in the southern portion of parcel 15000, which has been mined since the 1960s; and the previous Goods Quarry prior to 2021 expansion, located on parcel 14999 and the northern portion of parcel 15000, which started mining in 1998. Both quarries operated under Washington Department of Natural Resources (DNR) surface mining permits prior to Lewis County enacting its surface mining ordinance around 2000. Neither quarry had restrictions on days or hours of operation. The mines were able to operate as needed for project demands, similar to other active mines in the county. Generally, active operations corresponded to typical workdays and hours. However, at times, operations required weekend activity and 24-hour loadout of aggregate products, particularly for public projects where nighttime traffic is more easily managed for roadway improvements; for emergency projects requiring rapid response; and – more rarely – for commercial projects that must be completed in specified timeframes.

During the 2021 SUP review process, County staff recommended hours of 6:30 am to 7 pm for mine operations other than crushing and blasting. This would have allowed mine operations and sales to occur 7 days a week, albeit for only limited hours instead of whenever demand required it. These hours are the same as those listed in the LCC standards (LCC 17.142.200(2)(h) at the time, which has since been moved to LCC 17.142.210(2)(h)). County staff also recommended conditions for more limited days and hours for crushing (9 am to 5 pm, Monday through Friday) and for blasting (10 am to 4 pm, Monday to Friday). The daily restrictions for both activities and lesser hours for crushing were more restrictive than the relevant LCC standards.

Following the County staff report with these recommended conditions, GCI hired an acoustical engineer from BRC Acoustics & Audiovisual Design in April 2021 to conduct a sound analysis of the crushing plant at its location on the floor in the north mine excavation to evaluate sound levels experienced by adjoining residential properties. The results of that study were provided to the County prior to the SUP hearing and indicate the crushing activity in this location and elevation – which will not change for the currently expanded mine project – did not exceed regulatory noise limits from WAC 173-60 for daytime or nighttime hours. Restricting the operation of the crusher is not necessary for compliance with state noise standards. Given these findings, GCI requested that staff's recommended condition limiting hours and days for crushing be removed.

Despite this new information, the final issued permit imposed even greater restrictions on operational timeframes than those prescribed by staff, though it still required the project to otherwise meet those noise standards via Condition 9 of the approved SUP. The final permit modified Condition 23 to limit all mining operations except blasting to occur between 7 am to 5 pm, Monday through Friday during daylight hours. The limitations for blasting to occur between 10 am to 4 pm, Monday to Friday were retained.

Four mine projects permitted in Lewis County in the previous 15 years were referenced as justification for the more restrictive days and hours in the final approval decision. New information obtained in recent years, however, demonstrates that GCI is uniquely burdened with these more restrictive hours. Of the four examples cited in the final permit decision, three are not operational mines, including one (Cowlitz Ridge) that was permitted for mine activity during standard LCC hours with no limitations to days of operation and thus is not an example of the more restrictive hours imposed by the final permit decision. The fourth mine project, Winston Quarry, was approved for mining in 2006 via SUP; but it applied for and successfully removed the conditions restricting operations in 2011 via SUP revision. The 2011 SUP revision approval decision, 2011 staff report, and 2006 decision for the original SUP approval are provided with this narrative as Attachment G. Note that daylight-hour restrictions were not required in Condition 31 of the 2006 decision, contrary to the information provided in the 2021 decision for Goods Quarry's SUP 19-0002. The Winston Quarry SUP revision was granted in 2011, and the restrictions to time of operations were expanded to 24 hours per day, 7 days per week as needed based upon 24-hours' notice provided to properties within 500 feet of the site. Winston Quarry continues to operate under the unrestricted time provisions of the 2011 SUP revision.

PROPOSED REVISION TO SUP 19-0002

GCI proposes to expand operational days and hours for processing and loadout as listed below. The days and hours for active mining of the workface and blasting operations will remain as conditioned in SUP 19-0002.

- Daytime processing and loadout of customer trucks – up to 7 days per week, 7 am to 10 pm. Loadout will be limited to 20 loads per hour.
- Nighttime loadout of customer trucks – up to 7 days per week, 10 pm to 7 am. Loadout will be limited to 8 loads per hour.

The loadout restrictions were determined by an acoustical engineer for daytime and nighttime hours in accordance with WAC 173-60 standards, as described later in this narrative. The daytime loadout of 20 loads per hour is in accordance with the current rate of customer traffic experienced at the site. The nighttime loadout of 8 loads per hour is a reasonable reduction in volume that will still allow GCI to provide infrequent, 24-hour service to projects.

REASONS FOR PROPOSAL

Lewis County has grown significantly over the 27 years that Goods Quarry has provided aggregate materials for commercial development and for maintenance and construction of public roadways that support commerce and connectivity in the county. The needs for aggregate on commercial and public projects increasingly require sales on weekends and during longer time spans than a standard 7 am to 5 pm workday, sometimes up to 24 hours. While it is not the intention of GCI to be open 24 hours at all times, some projects may require 24-hour operations during certain periods.

Condition 23 in SUP 19-0002 includes a provision for GCI to operate beyond the hours of 7 am to 5 pm and on weekends if authorized by the County for public projects or emergency response. However, due to the nature of GCI operations, customer demands, and County staff resources, this has proven impractical to implement. For example, GCI requested authorization from the County in accordance with this provision in April 2022. Bonneville Power Administration (BPA) needed to repair several tower sites threatened by erosion and potential slope instability. BPA requested Goods Quarry provide aggregate materials on short notice to shore up the eroded banks and preserve their towers. This would have required rock extraction and processing beyond the conditioned hours. GCI requested the County's authorization for extended hours for emergency response and included photographs of the site and use of the materials. The County was unable to respond for 4 days. When they did respond, the County required a written declaration of emergency from BPA for their authorization. Due to the delay in the County's response to GCI's request, reinforced by the written requirement imposed by the County, BPA was forced to use an alternative source for material, depriving Goods Quarry of the business opportunity to serve their needs and jeopardizing future requests for emergency-response materials. After this experience, GCI attempted to engage the County to define a timely process by which authorization could be provided to suit emergency-response situations or to inform bids for public projects that may require extended hours. The County ultimately recommended GCI seek revision to its SUP to address operational hours, contributing to the need for this application.

Beyond the challenges to obtain County authorization for exceptions, the pressures of commercial development expectations and summertime maintenance of public roadways increasingly require expanded hours and, at times, 24-hour material delivery. No other active mines in Lewis County operate under such restrictive conditions as those imposed by Condition 23 in SUP 19-0002. This puts Goods Quarry at a competitive disadvantage with its peers in the county. Operational flexibility consistent with other facilities is required for GCI to be competitive in the industry.

ANALYTICAL BASIS FOR THE PROPOSAL

A sound analysis by an acoustical engineer from Coffman Engineers, Inc. was conducted to analyze the potential for increased operational hours to exceed the noise standards from WAC 173-60, as required under Condition 9 of SUP 19-0002. The Coffman Engineers report is provided as Attachment F with this application. The sound analysis determined that processing in the northern site area – as contemplated and approved in SUP 19-0002 – would not result in

any noise levels above WAC 173-60 thresholds reaching neighboring parcels due to the distance of the equipment from surrounding parcels, shielding afforded by differences in elevation and intervening excavated slopes, and soil berms placed around the site perimeter in accordance with previously-approved plans. This includes operation during the hours of 7 am to 10 pm, 7 days a week.

The sound analysis determined that loading of customer trucks and hauling off site during daytime hours of 7 am to 10 pm, 7 days a week could continue at the current rate of customer traffic – up to 20 loads per hour – without noise exceeding thresholds from WAC 173-60. During nighttime hours (10 pm to 7 am), the sound analysis determined that customer loads should be limited to 8 loads per hour to maintain noise levels below WAC 173-60 thresholds for surrounding properties. This reduction is acceptable to the applicant, as past 24-hour operation of the site prior to the issuance of SUP 19-0002 did not result in loadout exceeding more than 8 loads per hour.

The applicant will continue to install and maintain the berms as shown on the previously-approved site plans. The sound analysis determined that as mining approaches the inset corner on parcel 15000, a berm 15-feet tall will be required along the west and south boundaries of parcel #015004-004-002. A berm was already contemplated in that location, as shown on the previously-approved plans. Other berms around the site perimeter are approximately 8 feet tall, which are deemed adequate by the sound analysis.

COMPLIANCE WITH LEWIS COUNTY CODE

The following discusses how the proposed SUP revision will comply with LCC Sections 17.142.020, 17.142.210, 17.150.020, 17.150.030, and 17.158.040.

CHAPTER 17.142 – LAND USE STANDARDS

17.142.020 General land use standards.

(1) The administrator or hearing examiner shall ensure that the following general standards, in addition to the specific standards for the zoning district and use type, are met when approving a land use.

(2) General Use Findings. General use findings include the requirements that the land use:

(a) Will be harmonious and in accordance with the general and specific objectives of the Lewis County comprehensive plan and zoning regulations.

Response: The proposal for expanded days and hours for processing and loadout is consistent with operations at other mines in Lewis County. Such operations are normal where important aggregate resources are developed and made available to the public. There have been active mines for decades in the site vicinity. The former Johnson Quarry, as well as the County-owned quarry located across the street and south of W Hale Road, have been mined since the 1960s. Both are designated in the comprehensive plan and are zoned MRL for Mineral Resource Lands. East of the site, one of the residential roads is named “Quarry Lane”, a misspelling of “quarry” but still an acknowledgement of the historical presence of mining in the vicinity. Goods Quarry has

been permitted since 1998 and is an important source of aggregate for public works and commercial projects, serving the economic interests and maintenance of public infrastructure for the County for decades. In addition, 80 acres of forested land located west of Goods Quarry were redesignated in the County comprehensive plan and rezoned to Mineral Resource Land in 2021. Few other areas within the county have three or more MRL-zoned properties within a ½ mile of each other – a clear indicator of the importance of the aggregate resource located in this area, recognized by the County in the comprehensive plan and zoning. The expanded days and hours of operation will be consistent with decades of mining in the immediate area, which was only recently changed in 2021 by conditions in SUP 19-0002.

(b) Will be adequately served by essential public facilities such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and waste disposal, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

Response: The site is adequately served by the listed services, as needed. Decades of mine operation at the site have not created a burden to essential public facilities. As a source for aggregate materials frequently used on public works projects, this proposal will affirmatively support essential public facilities.

(c) Will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the community.

Response: Expanding operational days and hours as requested will allow the site to provide aggregate resources to local construction projects as needed, consistent with similar mine sites in the county. This will preserve the site's economic viability and provide quality materials for projects including county roadway projects, which the site has provided for years.

(d) Will not involve uses, activities, processes, materials, equipment, or conditions of operation that will be detrimental to any persons, property, or the general welfare by reasons of excessive production of traffic, noise, smoke, fumes, glare, or odors.

Response: The proposed expansion of days and hours of the limited activities of processing and loadout will be consistent with past operation of the site. Decades of mine operation at the site have not created excessive traffic, noise, smoke, fumes, glare, or odors based on applicable regulatory standards and as designed and approved in the site's mine plans.

(e) Will have vehicular approaches to the property designed as to not create an interference with traffic on surrounding public streets.

Response: The current vehicular approach from Tennessee Road onto the site was deemed adequate by past County reviews and has functioned for decades without safety concerns to public traffic. All commercial traffic onto the site will continue to use the site entrance off of Tennessee Road, as required under SUP 19-0002 Condition 1.

(f) Will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of major importance.

Response: The proposal will have no effect on natural, scenic, or historic features that were not already reviewed and approved under past and current mining permits for the site.

(g) Will ensure adequate protection is given critical areas, including surface and ground water consistent with the critical areas requirements of Chapter 17.38 LCC.

Response: Potential impacts to critical areas were already reviewed and approved under past and current mining permits for the site. This proposal to align hours of operation with similar operations in the area will have no new effect on critical areas.

(h) Will ensure that on-site public facilities, or facilities designed to serve the site, are limited to the project area and are not available to spur growth outside the area of the permit, when located in a rural area.

Response: The proposal will have no effect on onsite facilities' potential to spur growth outside the area of the permit.

The administrator or hearing examiner may condition such permits based on written recommendations in environmental documents, and as otherwise necessary to comply with the requirements of this chapter, the county comprehensive plan, development regulations, and environmental regulations.

Response: The operation is still subject to numerous conditions of approval; and as conditioned by this revision request, it will be consistent with recommendations in environmental documents and comply with the requirements of this chapter, the comprehensive plan, development regulations, and environmental regulations.

(3) General Use Standards. The following criteria are used to help determine the conformance with the general findings for land uses:

(a) The applicable portions of the Lewis County Code, and the Lewis County road development standards.

Response: No new road development would be required for the proposal. Expanded days and hours for loadout will allow the site to process and deliver aggregate as needed to projects similar to how the site operated for decades prior to SUP 19-0002. Daytime loadout at 20 loads per hour will be similar to current truck-traffic intensity. Nighttime loadout at 8 loads per hour will be less intense and will occur when there is less traffic on roadways. As required by past permits, customer trucks are notified by the operator via signs entering and leaving the site not to use Schoolhouse Road, in accordance with SUP 19-0002 Condition 2.

(b) The handling and treatment of dangerous or hazardous waste in accordance with LCC Title 8, Chapter 173-303 WAC, and other applicable standards.

Response: The request for expanded days and hours will rely on the same controls and best management practices (BMPs) already incorporated into mine plans approved in past permits and the Site Management Plan (SMP) required by the Washington State Department of Ecology (Ecology) Sand and Gravel General Permit. BMPs will continue to be implemented to reduce the potential for accidental fuel or oil spills to occur. Should a spill occur, the SMP outlines BMPs and procedures to quickly and completely clean up spills and remove spill-contaminated materials to an approved disposal site.

(c) The maximum environmental noise levels established by Chapter 173-60 WAC and incorporated herein by reference, together with any adjustments authorized therein.

Response: The request for expanded days and hours for processing and loadout have been specifically informed by an acoustical engineering study to ensure the proposed operations adhere to the noise limits specified in WAC 173-60. Processing will only occur during WAC 173-60 daytime hours. Perimeter berms and vegetated screens will continue to be established in accordance with conditions and the mine plans approved under SUP 19-0002 to limit noise and visual impacts from the mine. Processing will be located in the mine floor in the north part of the quarry in an incised depression and behind well-vegetated acoustical barriers to the north and northeast. These features will shield neighboring residents from onsite noise.

(d) The air quality standards adopted by the Southwest Clean Air Agency (SWCAA) and any SWCAA permit issued for a project.

Response: The request for expanded days and hours for processing and loadout will be conducted using equipment located in the mine floor in the northern portion of Goods Quarry, which will keep potential air impacts away from neighboring residents and behind vegetated barriers. Crushing operations will follow conditions required in the site's SWCAA air permit. The commercial access road is paved to limit dirt and dust as trucks leave the site.

(e) The terms of any permit issued for a project by a resource agency, including Washington State Department of Fish and Wildlife, HPA, water quality permit, Chapter 90.48 RCW, shoreline permit, Chapter 90.58 RCW, or permit issued by the U.S. Army Corps of Engineers.

Response: The proposal will have no effect on any permit terms or conditions from the listed permits.

(f) Conditions imposed in any final environmental determination, mitigated determination of nonsignificance or final environmental impact statement under Chapter 43.21C RCW [Revised Code of Washington].

Response: Proposed expansion of operational days and hours for processing and loadout will not affect most of the findings and conditions from past State Environmental Policy Act (SEPA) environmental review of the project. A new SEPA checklist is provided with this SUP revision application specifically addressing the proposed changes (Attachment B).

(g) Health standards for wells and drain fields as set forth in sections such as Chapters 8.40 and 8.41 LCC.

Response: No wells or drain fields are included with the proposed expansion of operational days and hours for processing and loadout.

(h) Flood hazard standards as set forth in Chapter 15.35 LCC.

Response: The site is not located in a flood plain or floodway.

(i) Stormwater standards as set forth in Chapter 15.45 LCC.

Response: The proposal will not affect the site's compliance with stormwater standards. Stormwater will continue to be managed in accordance with the SMP in accordance with the Ecology Sand and Gravel General Permit.

(j) The supplemental requirements of Chapter 17.145 LCC.

Response: These supplemental requirements either do not apply to the proposal to expand operational days and hours or are superseded by the requirements for surface mining under LCC 17.142.210.

17.142.210 Surface mining areas.

(1) Applicability. This section applies to the creation of new surface mining areas or the expansion of lawfully permitted activities beyond an approved DNR reclamation plan area in effect on July 26, 1999; provided, however, this does not cover any mining activity which is less than three acres in size.

Response: The proposal will not result in new surface mining nor expansion of lawfully permitted activities beyond the DNR reclamation plan already approved, included as Attachment E with this application. Nonetheless, even if this section were to apply, this proposal would be consistent with the standards described below.

(2) Mine Development Standards. All permits issued pursuant to this section shall require the following minimum standards. The hearing examiner may increase buffers and mitigation when good cause is shown.

(a) Setbacks/Screening.

(i) A 50-foot setback from the mine property and from all abutting property, consistent with and subject to the reduction provisions of LCC 17.30.810, shall be maintained for areas of direct cut or

fill connected with resource extraction operations. For mining operations, the setbacks may be increased when necessary to provide lateral support for abutting properties or public rights-of-way.

Response: The proposal will not affect the 50-foot setback already incorporated into the approved mine plan.

(ii) A 25-foot-wide screen, consisting of sight-obscuring vegetation, berms, or other methods approved by Lewis County, shall be maintained within the 50-foot setback on the mine property. This screen is meant to conceal the mine from public rights-of-way and/or property used for residential purposes.

Response: The proposal will not affect the 25-foot screen already incorporated into the approved mine plan.

(iii) Any direct extraction operation areas within a public utility right-of-way shall be subject to the written conditions of approval from the affected utility, which shall be incorporated into the permit.

Response: The proposal will not affect any public utility rights-of-way.

(iv) A 200-foot setback shall be maintained between any mining activity and any existing structure occupied for sleeping or eating purposes but not including accessory structures such as barns or outbuildings, existing at the date of application.

Response: No existing structures occupied for sleeping or eating purposes are located within 200 feet of any mining activity associated with the proposal.

(b) Road Use. To assure the maintenance and development of adequate county roadways, owners of surface mining operations may be required to enter into a haul route agreement with the county engineer upon adoption and implementation of a haul route agreement program. The haul route agreement shall address impacts immediately attributable to the project use.

Response: The proposal will allow the site to process and deliver aggregate as needed to projects similar to how the site operated for decades prior to SUP 19-0002. Daytime loadout at 20 loads per hour will be similar to current truck-traffic intensity. Nighttime loadout at 8 loads per hour will be less intense and will occur when there is less traffic on roadways.

(c) Traffic Safety. The operator may be required to install traffic improvement, control, and warning signs to assure adequate access and traffic safety.

Response: The current vehicular approach from Tennessee Road onto the site was deemed adequate by past County reviews and has functioned for decades without traffic safety concerns. All commercial traffic onto the site will continue to use the site entrance off of Tennessee Road, as required under SUP 19-0002 Condition 1. Customer trucks are notified by the operator via

signs entering and leaving the site not to use Schoolhouse Road, in accordance with SUP 19-0002 Condition 2.

(d) Noise/Bright Lights.

(i) No development or activity shall exceed the maximum environmental noise levels established by Chapter 173-60 WAC.

Response: A sound analysis by an acoustical engineer from Coffman Engineers was conducted to analyze the potential for increased operational hours to exceed the noise standards from WAC 173-60, as required under Condition 9 of SUP 19-0002. The sound analysis determined that processing in the northern site area – as contemplated and approved in SUP 19-0002 – would not result in any noise levels above WAC 173-60 thresholds reaching neighboring parcels due to the distance of the equipment from surrounding parcels, shielding afforded by differences in elevation and intervening excavated slopes, and soil berms placed around the site perimeter in accordance with previously-approved plans. This includes operation during the hours of 7 am to 10 pm, 7 days a week.

The sound analysis determined that loading of customer trucks and hauling off site during daytime hours of 7 am to 10 pm, 7 days a week could continue at the current rate of customer traffic – up to 20 loads per hour – without noise exceeding thresholds from WAC 173-60. During nighttime hours (10 pm to 7 am), the sound analysis determined that customer loads should be limited to 8 loads per hour to maintain noise levels below WAC 173-60 thresholds for surrounding properties. This reduction is acceptable to the applicant, as past 24-hour operation of the site prior to the issuance of SUP 19-0002 did not result in loadout exceeding more than 8 loads per hour.

The applicant will continue to install and maintain the berms as shown on the previously-approved site plans. The sound analysis determined that as mining approaches the inset corner on parcel 15000, a berm 15-feet tall will be required along the west and south boundaries of parcel #015004-004-002. A berm was already contemplated in that location, as shown on the previously-approved plans. Other berms around the site perimeter are approximately 8 feet tall, which are deemed adequate by the sound analysis.

(ii) Bright lights shall be shaded or shielded from adjoining residential properties.

Response: Overhead lighting around the rock crushers, office, and scales will be hooded and shielded to prevent glare, in general accordance with Condition 15 of SUP 19-0002. Head lights from haul trucks and loading equipment will be directed at the work area. Trees along both sides of the access road from Tennessee Road will be preserved to shield headlights from adjacent properties.

(e) Surface Mining Operation within Critical Aquifer Recharge Areas. Surface mining operations within critical aquifer recharge areas (as designated in Chapter 17.38 LCC) shall meet the following standards:

(i) Fuel tanks and oil drums shall be double containment construction and protected by bermed areas having adequate capacity to accommodate, contain, and allow the removal of petroleum spills. Fuel nozzles shall not contain locking devices. Fuel storage shall be above ground. Fueling of mobile equipment shall be located at least 20 feet above the seasonal high ground water level or within lined and bermed areas with adequate capacity to accommodate, contain, and allow the removal of petroleum spills. Where the nature of the operation is such that the machinery cannot be moved for fueling, or the aquifer is less than 20 feet from the surface, the hearing examiner may approve an alternative fueling plan which accomplishes aquifer protection.

Response: The proposal will not affect petroleum product storage or refueling practices at the mine, which will continue to avoid the CARA onsite.

(ii) All operations shall maintain a fuels/hazardous waste management plan maintained by the operator and available on the site at all times.

Response: The proposal will continue to observe BMPs in accordance with the SMP per Ecology's Sand and Gravel General Permit requirements. Ecology requires that this plan be onsite at all times.

(iii) Surface mines shall not use any noxious, toxic, flammable, compactable, or combustible materials not specifically authorized by Lewis County department of health for backfill or reclamation. Noncontaminated process water used for gravel washing shall be routed to settling ponds to minimize off-site discharges. A general permit from the Department of Ecology for process and stormwater discharge may substitute for these requirements.

Response: Stormwater will continue to be managed in accordance with SMP for the entire site, as required by the Ecology Sand and Gravel General Permit.

(iv) On-site truck and equipment wash runoff shall be routed to retention facilities equipped with an oil-water separator prior to its release to settling ponds.

Response: No equipment washing will occur within the CARA associated with the proposal.

(v) Use of chemicals, petroleum or hazardous products, and disposal of such products, in concrete or asphalt plant operations within critical aquifer recharge areas shall meet the standards set forth in Chapter 90.48 RCW and Chapter 173-303 WAC.

Response: No concrete or asphalt batch plants will be located within the CARA associated with the proposal.

(f) Public Safety. Owners of surface mines shall ensure their operation(s) will not be hazardous to neighboring uses. Blasting activities shall be conducted so that ground vibrations comply with all state laws about peak particle velocity, air pressure, and other state requirements, including but not limited to Chapter 9 of the Blasting Guidance Manual identified below. All fly-rock shall be

contained within the site. All activities shall comply with the standards set forth in official guidelines, including but not limited to Office of Surface Mining U.S. Department of Interior, Blasting Guidance Manual, 1987 ed., Explosives: WAC 296-52-493, Part F, or as revised.

Response: The proposal will not affect blasting activities conducted at the mine.

(g) Surface Water Permit. A National Pollutant Discharge Elimination System (NPDES) sand and gravel general permit or individual permit, as appropriate, shall be a condition of approval and incorporated herein by reference.

Response: Stormwater/surface water will be managed in accordance with site's SMP for the Ecology Sand and Gravel General Permit.

(h) Hours of Operation. Regular hours of operation shall be between the hours of 6:30 a.m. and 7:00 p.m.; blasting shall only occur during the time period between 10:00 a.m. and 4:00 p.m. Prior to any blast, 24-hour notice shall be given to all property owners or residences within 500 feet of any mine property line. If a blast does not occur as scheduled in a notification, 24-hour renotification shall be required. The hearing examiner may inquire into the proposed hours of operation and set additional limits when deemed necessary to protect quiet enjoyment of neighboring residential properties. The hearing examiner may include provisions for exceptions from established regular hours of operation. Extended hours may be requested and approved under conditions set by the hearing examiner, particularly for work on public works contracts where an emergency may require work outside regular hours.

Response: No changes to blasting hours or notification procedures are requested, including the more robust requirements in Condition 24 (no blasting on weekends) and Condition 25 (48-hour notice to all within a quarter mile) from SUP 19-0002. GCI is only requesting expanded hours for processing and loadout. As previously discussed, the grounds for imposing the current hours of operation in Condition 23 are not consistent with operating mines in the county. No other active mine in Lewis County is subject to these times of operation, and GCI is uniquely burdened by these limitations, which are causing the company significant harm. GCI's mining operations with revised hours of operations have been carefully studied and determined to comply with all substantive requirements (in particular, noise limitations) deemed necessary to protect quiet enjoyment of neighboring residential properties.

(3) Exceptions. This permit process shall not be applicable to mines regulated under federal mining laws.

Response: The site is not regulated under federal mining laws other than for health and safety regulations administered by the Mine Safety and Health Administration.

CHAPTER 17.150 – SPECIAL CONDITIONS – RURAL AREA DEVELOPMENT

17.150.020 Special conditions.

(1) Rural Areas of More Intensive Development. Any permit issued in a rural area of more intensive development shall meet the following conditions:

(a) The proposed use is consistent with the uses authorized in RCW 36.70A.070(5)(d)(i) through (iii), Chapter 17.42 LCC and the Lewis County comprehensive plan.

Response: The proposal will not result in use in rural zones nor limited areas of more intensive rural development that are not already allowed by existing permits. Considerations for the County comprehensive plan and zoning were previously discussed under response to LCC 17.142.020(2)(a) above.

(b) The public facilities and services that supply the development are sized and located in a manner that is consistent with the Lewis County comprehensive plan, countywide planning policies and Growth Management Act

Response: The proposal will not result in a need to change public facilities and services. Daytime loadout at 20 loads per hour will be similar to current truck-traffic intensity. Nighttime loadout at 8 loads per hour will be less intense and will occur when there is less traffic on roadways. The current vehicular approach from Tennessee Road onto the site was deemed adequate by past County reviews and has functioned for decades without safety concerns to public traffic. All commercial traffic onto the site will continue to use the site entrance off of Tennessee Road, as required under SUP 19-0002 Condition 1. Customer trucks are notified by the operator via signs entering and leaving the site not to use Schoolhouse Road, in accordance with SUP 19-0002 Condition 2.

(c) No boundary change is required for the area of more intensive rural development. Where a boundary change is required, no change shall be allowed without an amendment of the comprehensive plan consistent with the requirements of RCW 36.70A.070(5)(d)(i) through (v).

Response: The proposal will not result in a need for any boundary changes.

(2) All Rural Area Uses. Any permit issued in rural areas shall meet the following conditions:

(a) Urban growth is prohibited in all rural area developments, except as otherwise allowed in Chapter 36.70A RCW, the Growth Management Act.

Response: The mineral extraction use is not “urban growth” as it is not incompatible with mineral resource extraction. RCW 36.70A.030(27)

(b) To accomplish this objective, the review authority (either the administrator or hearing examiner, depending on the permit) shall find that:

(i) The project makes adequate provision to assure that the development is limited to rural development and rural governmental services.

Response: Urban services are not required, and the proposal is the continuation of a use permitted in the rural area.

(ii) The project does not, directly or in concert with growth likely in the area affected, create a demand for urban governmental services or establish a form of "urban growth" that is prohibited outside urban growth areas. [Ord. 1283 §19, 2017; Ord. 1170B, 2000].

Response: Again, no urban services are directly required, nor will the proposed expansion of days or hours for an existing use indirectly create any demand for urban services.

17.150.030 Special characteristics

(1) Special Characteristics of Rural Development.

(a) Rural development refers to development outside of urban growth areas and outside designated long-term agricultural forest and mineral resource lands. Rural development can consist of a variety of residential, commercial and industrial uses and densities, including clustered residential development, at levels which are consistent with the preservation of rural character as defined in the Lewis County comprehensive plan.

Response: Rural character as defined in the Growth Management Act and the County comprehensive plan includes activities that support a rural-based economy. Proposed expansion of operational days and hours at an existing mine is fully consistent with that character.

(b) Rural development in Lewis County typically relies on existing facilities for school and fire, though existing facilities may be upgraded or expanded.

Response: No additional facilities will be required to support the proposal.

(c) Rural development commonly uses existing small towns and crossroad commercial facilities to meet local commercial needs.

Response: The proposal will require no additional commercial providers.

(d) Rural residential development typically minimizes any impacts to the overall productivity of designated long-term resource lands within a one-mile radius of the proposed development.

Response: The proposal will not be impacted by rural residential development, provided such development recognizes the history of mining use in the area since at least the 1960s and the County comprehensive plan and zoning that designate multiple Mineral Resource Lands in the vicinity.

(e) Clustered developments are considered appropriate for rural development if:

Response: This subsection is not applicable.

(f) Industrial and commercial uses are appropriate forms of rural development if consistent with the requirements in RCW 36.70A.070(5)(d) and the descriptions of rural character in Lewis County comprehensive plan. [Ord. 1283 §19, 2017]

Response: As previously discussed under LCC 17.142.020(2)(a) above, this proposal is fully consistent with that character.

CHAPTER 17.158 – SPECIAL USE PERMITS

17.158.040 Revisions to special use permits.

Revisions to special use permits may be processed as a Type I application; provided, that the proposed changes are within the scope and intent of the original permit. "Within the scope and intent of the original permit" shall mean the following:

(1) Lot coverage and height may be increased a maximum of 10 percent from the provisions of the original permit; provided, that revisions involving new structures not shown on the original site plan shall require a new permit; and provided further, that any revisions authorized under this subsection shall not exceed height, lot coverage, setback, or any other requirements of the regulations for the area in which the project is located.

Response: No structures are associated with the proposal.

(2) Landscaping may be added to a project without necessitating an application for a new permit; provided, that the landscaping is consistent with conditions (if any) attached to the original permit and is consistent with the regulations for the area in which the project is located.

Response: No landscaping is associated with the proposal.

(3) The use authorized pursuant to the original permit is not changed.

Response: The proposal does not change the use authorized pursuant to the original permit.

(4) No additional over-water construction will be involved for shoreline conditional use permits.

Response: The proposal is not for a shoreline conditional use permit.

(5) No substantial increase in adverse environmental impacts will be caused by the project revision.

Response: The proposal is not a substantial change and is consistent with operation of the site for decades until SUP 19-0002 was issued in 2021. The proposed SUP revision will be consistent with operations at all other active mines in Lewis County. The sound analysis conducted by an acoustical engineer demonstrates that the proposal will not result in noise impacts to neighboring properties that exceed the standards from WAC 173-60.

While none of the triggers for processing this other than as a Type 1 application appear to be met, GCI is voluntarily submitting a Type 3 application to facilitate a more robust review process.

Revisions beyond the scope and intent of the original permit shall be processed as a Type III application. [Ord. 1292 §36, 2018; Ord. 1269 §39, 2016]

As just stated, GCI is voluntarily submitting a Type 3 application.



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