

BEFORE THE LEWIS COUNTY  
HEARING EXAMINER

IN RE APPLICATION OF GOOD  
CRUSHING, INC. TO AMEND SPECIAL  
USE PERMIT SUP19-0002

) HEARING NO. 26-2-001

) SUP25-0001

) FIRST DECLARATION OF AIMEÉ  
MUUL

I, AIMEÉ MUUL, hereby declare as follows:

1. I am over the age of 18 years, competent to be a witness herein, and make this declaration based upon my personal knowledge.

2. I am a legal assistant at the law firm of Plauché & Carr LLP and work with attorney Jesse DeNike on the above-captioned matter.

3. Attached as Attachment 1 to this declaration is a true and correct copy of my transcription of portions of an audio recording of the April 30, 2021 Public Hearing Number 21-6-004 with respect to Good Crushing, Inc's Special Use Permit No. SUP 19-002.

4. The audio files from which I transcribed were provided to me on February 4, 2026, via a Public Records Request made with Lewis County.

FIRST DECLARATION OF AIMEÉ MUUL - 1

**PLAUCHÉ & CARR LLP**  
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5. The file from which I transcribed is the file with '8100' at the end of the file name. The portions of this file that I transcribed are indicated in parentheses. Of the other three audio files, one is 12 seconds in length with no audible speaking, and the other two are both 22 seconds in length. One of these provides a brief introduction as to the hearing date and subject matter, and the other contains brief speaking at the end, which appears to be conversational.

6. The audio files are being provided as they were received by me, via the following Dropbox link:

<https://www.dropbox.com/scl/fo/nxyriufhr3nvtmbv8j7rw/AIY8eUixfVBFC31iGbIbcaU?rlkey=mzwajhityyoa2acfwiptfpbak&st=a0jnb7b&dl=0>

7. My transcription of the audio is accurate to the best of my knowledge and abilities.

I hereby declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge.

EXECUTED at Seattle, Washington, this 6th day of February, 2026.

s/Aimée Muul  
Aimée Muul, Legal Assistant

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# **Attachment 1**

**Transcription of audio from April 3, 2021 hearing before Lewis County Hearing Examiner Mark Scheibmeir (09:08:00 – 11:56:00).**

Hearing Examiner Mark Scheibmeir:

One last point before we get underway and that is on the issue of conflicts. So, it's important to note that this or a similar matter came before the Hearing Examiner slightly more than twenty years ago. I have been the Hearing Examiner for the County for the past twenty-five years, and I was the Hearing Examiner at the time of that application but I recused myself because the then owner of the Good Quarry, Jason Good, had been a client at times before and so that conflicted me from that matter. I have not had any ongoing relationship with Jason Good nor is he the owner of the property and I do not have a relationship with the current owner, Mr. Good. I have no connection to this quarry and so I do not feel conflicted in any way from that perspective. I do, have examined those who have given public testimony and while I recognize a few of the names, I have no relationship to any of the parties who have given public comment. However, I should make note that one of them, the Lewis family, who resides immediately west of the proposed expansion site, I am familiar with. Not directly, but indirectly, because Mrs. Lewis's son Robert was one of my best friends in law school forty some years ago. He has since gone on to be an excellent judge in Clark County. I don't know if he's still practicing or not. I haven't seen Robert for more than twenty years. But I am familiar with the Lewis family because of my long-ago friendship with their son Robert in law school. I do not feel that to be any form of conflict but I do want to make parties aware of that relationship. I do not have any other conflicts or connections to any of the neighbors or the parties to this proceeding and those again, either historic contacts, contacts with any of the parties are not of a nature which influence me in any way. Of course, my responsibility is not just to be impartial but to appear impartial, and so I recognize that the role of hearing examiner is not just actual impartiality, but the appearance of impartiality and I want to make clear that I am impartial in this matter. I have no connection to the hearing that would impair my view or my attitude toward the decision-making that's required.

**Transcription of audio from April 3, 2021 hearing before Lewis County Hearing Examiner Mark Scheibmeir (42:40:00 – 45:35:00).**

Hearing Examiner Mark Scheibmeir:

Then the last two are not standard matters, so they are other things. One has to do with the boundary lines to the property. In your staff report, you note that Department of Natural Resources mandates that the project site B, that is boundary B-6, and identified I assume as by survey, which leads into my question which in one of the public comments, which happens to be the Lewis family, the family who I acknowledged some familiarity with, a report that they believe the west berm may not be located within the Applicant's property but may be invading their property. Do you have any information with respect to that concern?

Karen Witherspoon, Lewis County Senior Planner:

I don't actually have any survey information related to that for the condition about the staking that DNR does require it to be surveyed and then the staking physically in the ground with signage that talks about mine boundary, and that's a safety issue, so that would be something that will have to happen to make sure that any berming that is done or mining activity and the setback is from the actual property line and not trespassing on someone else's property.

Hearing Examiner Mark Scheibmeir:

Ok, you're not aware of any staking or surveying to-date to establish lines?

Karen Witherspoon, Lewis County Senior Planner:

Not at that location, no.

Hearing Examiner Mark Scheibmeir:

Ok.

Eric Eisenberg, Lewis County Prosecuting Attorney's Office:

This is Eric Eisenberg, I was hoping to add something to that. Just to put into record that from other mines in Lewis County and experience that has nothing to do with this Application, I can indicate that I know DNR actually does not merely state the regulation; they do that, there's at least one other mining area in the County where they have inspected the stake area to check to make sure that the setback requirement, because there's a separate dispute about the proximity of that mine to the neighbors', so I'm aware that DNR does regulate that in a practical matter.

Hearing Examiner Mark Scheibmeir:

Thank you, Mr. Eisenberg. And I should make one final observation that as Hearing Examiner I have no jurisdiction over property ownership, so to the extent that there are any disputed boundary lines, I have no authority to determine who may own within a disputed area. Only the superior court has jurisdiction over those matters. I'm only trying to address this particular issue as to the location of the berm relative to the boundary.