



STAFF REPORT AND RECOMMENDATION TO THE HEARING EXAMINER

Report Date: February 25, 2026
Report Submitted By: *KW* Karen Witherspoon, AICP
Senior Project Planner
File Number: SUP25-0001 PUBLIC HEARING (26-2-001)
Project Name: Good Crushing – Amendment to Condition 23 of SUP19-0002
Scope of review is limited to the requested amendment

A. SUMMARY OF PROPOSED ACTION

The proposed action for the Special Use Permit Hearing is limited in scope to the review of the application by Good Crushing, Inc. to amend condition number 23 of the Hearing Examiner's Decision of Special Use Permit (SUP19-0002) to increase the hours of mining operation for processing and hauling off site. The mine's extraction area, operations, berms and landscaping are not proposed to change from the approval under SUP19-0002. Blasting hours are proposed to remain as previously conditioned between 10 am to 4 pm, Monday to Friday, no blasting authorized on Saturday or Sunday.

Original Condition Number 23:

The regular hours of operation for the mine operation, except for blasting activities, are limited to 7:00 a.m. to 5:00 p.m., Monday through Friday, but during daylight hours only. Authorization from Lewis County Community Development is required for hours of operation exception to these regular hours when the quarry will have limited evening or weekend work that may be required by the need for reduced traffic on public projects or to provide emergency response.

Proposed Amendment to Condition Number 23: to expand operational days and hours for processing and loadout as listed below:

- The days and hours for active mining of the mine's workface and blasting operations will remain as conditioned in SUP19-0002.*
- 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.*

B. GENERAL INFORMATION

Property Owners: Fries & Waller Rock Quarry LLC
169 Sargent Road
Winlock, WA 98596-9668
wallerjohne@gmail.com

Alan & Pamela Good
265 Rupp Road
Toledo, WA 98591
alangood@toledotel.com

Applicant: Good Crushing, Inc. (Alan Good)
265 Rupp Road
Toledo, WA 98591
alandgood@toledotel.com

Applicant's Engineer: Fulcrum GeoResources LLC (Erick Staley)
17600 Pacific Hwy, Unit 357
Marylhurst, OR 97036
erick@fulcrumgeo.com

Applicant's Counsel: Plauche & Carr LLP
Jesse DeNike, WSBA #39526
1218 Third Avenue, Suite 2000
Seattle, WA 98101
jesse@plauchecarr.com

Tax Parcel Number: 014999000000 (Good),
015003000000 (Good) and
015000000000 (Fries & Waller – leased by Good Crushing)

Location: 699 Tennessee Rd, Winlock (site access) and
322 Hale Road W, Winlock (original Johnson pit)

Acreage: Total of three parcels is 182.25 acres and proposed mine
permit boundary is 141.8 acres

Zoning Classification: Rural Development District 20 Acre (RDD-20) and
Mineral Resource Lands (MRL/Mine)

Comp. Plan Designation: Rural Lands - Rural Residential and
Natural Resource Lands - Mineral

Sewage Disposal: Existing Septic System (no new connections)

Water Supply: Existing Group B Public Water System (no new connections)

C. APPLICATION HISTORY/BACKGROUND

Current Application:

The application packet was submitted on April 21, 2025, and the application fees were submitted on April 23, 2025. The application packet includes the Special Use Permit Type III application, and site plan (Exhibit 1 – <https://lewiscountywa.gov/departments/community-development/current-planning-applications/sup25-0001-good-crushing/> located under the Subheading “Application Documents” for a total of eleven document files on the webpage).

The application packet was determined to be complete for processing on May 16, 2025 (Exhibit 2). The Notice of Application was issued and published in *The East County Journal* on May 28, 2025 (Exhibit 3). The Notice of Application for Special Use Permit application was mailed to the surrounding property owners within 500 feet of the subject parcels on May 27, 2025 (Exhibit 4). The Notice of Application for the Special Use Permit was posted on-site by county staff on May 27, 2025 (Exhibit 5). The required notice of application timeframe was met.

Twenty-five (25) public comment letters were received during the comment period. They are included in Exhibit 6 – Subheading “Public Comments Submitted During SEPA and Notice of Application” document file *SUP25-0001 All NOA SEPA Comments, TIA Outline Document and County’s letter dated July 25, 2025 to applicant requesting response to public comments (3 document files)* on the webpage: <https://lewiscountywa.gov/departments/community-development/current-planning-applications/sup25-0001-good-crushing/>

On January 12, 2026, the applicant was notified by the Hearing Examiner’s Office of the scheduled public hearing time and date (Exhibit 7).

Previous Application and Site History:

Late 1990’s - Early 2000’s: The Good Quarry was challenged when it began operations in 2000, resulting in an appellate decision. *Evaline Community Ass’n v. Good*, No. 28805-2-II, 2003 Wash. App. LEXIS 1846 (Aug. 20, 2003). As detailed in that opinion, Good applied for a surface mining permit from the State in 1997 to use 32 acres as a surface mine; at a time when Lewis County did not regulate mining operations. *Id.* at *3. In 2000, Lewis County adopted a special use permitting process for surface mines, requiring a hearing examiner decision. *Id.* at *8. Good submitted to this special use and SEPA process under protest, asserting that the quarry was vested from before this regulation’s existence. *Id.* Opponents of the quarry appealed the resulting MDNS and special use permit. *Id.* *12. The Court of Appeals held that the Good Quarry’s surface mining, including the rock crusher and the asphalt batch plant, vested as a use under the state

surface mining act and the Good's 1997 DNR surface mining permit application, before the County enacted its local code special use permit provisions at issue. Therefore, challenges based on noncompliance with those provisions failed. Id. at *16-18. As a result, the special use permit and SEPA process from 2000 were not legally binding upon the Good Quarry, which was a lawful nonconforming use.

2019 - 2021: In 2019 the county received an application (SUP19-0002) for the expansion of the existing Good Quarry into the existing Johnson Quarry to create one contiguous mine area. The expansion is more than three acres of mining activities beyond two approved DNR reclamation plan areas that were in effect before July 26, 1999. The Good Quarry (DNR permit #70-012859) was approved in 1997 for 32 acres and the Johnson Mine (DNR permit #70-011245) was approved in 1974 for 14 acres. The 2019 expansion incorporated both mine areas and an additional 95.8 acres into one contiguous mining operation of 141.8 acres. Operations included soil and rock extraction, stockpiling and associated mining activities. The existing sales yard, scales, night watchman trailer, commercial access, crushing and processing located at the original Good Quarry continued to be utilized for the expansion area. No new buildings were proposed and no new water or septic connections were proposed as part of the 2019 special use permit project. Since the 2019 application was an expansion of an existing mining operation, Lewis County was authorized to review and issue a decision, including conditions of approval, for the operation. The corrected decision for Special Use Permit (SUP19-0002) was issued by the Hearing Examiner with conditions on May 18, 2021. No appeals were filed regarding that decision. The decision remains valid and in effect.

D. PUBLIC HEARING NOTICE

A notice of public hearing was published on February 10, 2026, in *The Chronicle*, the newspaper of record for Lewis County (Exhibit 8). Additionally, notice of the public hearing was mailed to property owners within 500 feet of the subject parcel's outer boundaries, to any additional parties of record, and to the applicant on February 5, 2026 (Exhibit 9). The public hearing notice was posted by County staff at the property's physical location on February 6, 2026 (Exhibit 10). The required notice of hearing timeframe was met.

E. AGENCIES CONTACTED

Lewis County Environmental Health Division – Septic
Lewis County Environmental Health Division – Water
Lewis County Public Works Department
Lewis County Building Division/Fire Marshal
Lewis County Sheriff's Office
Lewis County Fire District #15
Washington State Department of Ecology (ECY)
Washington State Department of Natural Resources (DNR)
Washington State Department of Transportation (WSDOT)

Washington State Department of Fish and Wildlife (WDFW)
Southwest Washington Clean Air Agency (SWCAA)
US Army Corps of Engineers (USACE)
Cowlitz Indian Tribe
Confederated Tribes of the Chehalis
Quinault Indian Tribe
Nisqually Indian Tribe
Washington State Department of Archaeology and Historic Preservation (DAHP)
Evaline School District #36
Twin Transit
Lemay Refuse Service
Lower Columbia Fish Recovery Board

F. NEIGHBORHOOD CHARACTERISTICS

The majority of the mining operation area is zoned Rural Development District 20 Acre (RDD-20) with a small portion in the south of the mining operation area zoned Mineral Resource Lands (MRL/Mine). The access road into the Good Quarry along with the commercial scales, office building and night watchman trailer are zoned Rural Development District 10 acres (RDD-10). The mining operation area is located within 1,320 feet of land zoned as Agricultural, Forest and Mineral Resource Land.

The adjoining lands in the north and southwest are zoned RDD-20, to the west are zoned Mineral Resource Lands (MRL/Mine), to the east are zoned RDD-10 and to the south are zoned a mix of RDD-20, Local Forest Resource Lands - 20 Acre (FRL-LI), Mineral Resource Lands (MRL/Mine) and RDD-10. A screen shot of the GIS layer for zoning is incorporated by reference into the record (Exhibit 11).

The surrounding development consists of lands used for commercial timber to the west and northwest of the mining operation area. The parcels north of the mining operation area range in size from 2.0 acres to 10.0 acres and are primarily rural residential uses. The parcels to the east and southeast of the southeastern portion of the mining operation area range in size from half acre to 2.0 acres and are primarily residential uses. A sawmill and log storage yard is approximately a quarter mile east of the southeastern portion of the mining operation area, east of Tennessee Road and north of Hale Road. There are some rural residential uses on larger parcels to the south and southwest of the proposed mining operation area. The Hale Road Quarry and its adjacent borrow pit are located south of the mining operation area and south of Hale Road. The Hale Road Quarry is owned by Lewis County and has been operated since the late 1960's.

Screen shots of the GIS layer of 2019, 2021 and 2024 aerial photos of the development site and the surrounding area are incorporated by reference into the record (Exhibit 12).

G. TRANSPORTATION PLANS

Good Quarry is currently served by a gated and paved access road off Tennessee Road. The proposed amendment Condition 23 of SUP19-0002 does not modify any conditions of approval related to the road approach or haul road locations. The request to extend the hours of operation would increase the number of truck trips per day. Lewis County Public Works required a Level 1 Transportation Impact Analysis (TIA) to be conducted for the proposed increase in truck trips. Exhibit 1 – SEPA Checklist indicated the increase in truck trips would be as follows:

The site currently experiences a maximum of 20 truckloads per hour (40 one-way truck trips per hour). The proposed expansion of operating hours would not result in an increase in hourly trips but would increase the duration of this traffic volume per day, extending potentially from 7 am to 10 pm at a maximum of 20 loads (40 one-way trips) per hour. Proposed nighttime loadout would be limited to 8 loads (16 one-way trips) per hour between 10 pm and 7 am. The total maximum loads for Goods Quarry per the current SUP 19-0002 operational limits (7 am to 5 pm) is 200 loads (400 one-way trips) per day. The proposed expanded hours would result in an additional maximum of 172 loads (344 one-way trips) per day.

The applicant submitted a Level 1 TIA by Kittelson & Associates dated November 18, 2025 (Exhibit 13 - SUP Level 1 TIA 11-24-2025 <https://lewiscountywa.gov/departments/community-development/current-planning-applications/sup25-0001-good-crushing/> located under the Subheading “Applicant Response to Comments” on the webpage).

Public Works staff agreed with the determination the project is under the threshold for requiring a Level II Traffic Impact Analysis (TIA) to be conducted. Level II TIA is not required for this project and Public Works does not propose any new conditions of approval for the existing access road off Tennessee Road, nor any additional conditions related to public roads. The commercial road approach and public road construction is designed to meet or exceed this level of service.

I. STATE ENVIRONMENTAL POLICY ACT (SEPA) – LCC 17.110

A SEPA Threshold Determination of Non-significance (DNS) was issued and published on May 28, 2025 (Exhibit 14) for the project. No appeals of the SEPA threshold determination were submitted within the appeal timeframe. The DNS was retained and is final.

J. COMPREHENSIVE PLAN

The project site has a comprehensive plan designation of Rural Lands - Rural Residential and Natural Resource Land – Mineral, as shown on Figure 10 Land Use Designation Map in the Lewis County Comprehensive Plan. The previous Hearing Examiner’s corrected

decision for SUP19-0002 dated May 18, 2021, determined the project is in compliance with the Lewis County Comprehensive Plan. The proposal to amend the hours of operation in condition number 23 does not affect the original project's compliance with the Lewis County Comprehensive Plan. No additional review is provided here.

K. PUBLIC CONCERNS

The twenty-five (25) public comment letters received during the comment period are included in Exhibit 6 – Subheading “Public Comments Submitted During SEPA and Notice of Application” document files *SUP25-0001 All NOA SEPA Comments and SUP25-0001 – Exhibit 3 TIA Level 1 – Outline*

<https://lewiscountywa.gov/departments/community-development/current-planning-applications/sup25-0001-good-crushing/>

On July 25, 2025, all comment letters were transmitted to the applicant for response (Exhibit 6 - Subheading “Public Comments Submitted During SEPA and Notice of Application” document files *SUP25-0001/SEP25-0011 NOA Complete – Request for Response dated July 25, 2026*

<https://lewiscountywa.gov/departments/community-development/current-planning-applications/sup25-0001-good-crushing/>

On November 24, 2025 and on January 23, 2026, the applicant submitted documents responding to the public comments (Exhibit 13 –

<https://lewiscountywa.gov/departments/community-development/current-planning-applications/sup25-0001-good-crushing/>

located under the Subheading “Applicant Response to Comments” for a total of three document files on the webpage).

Items from the comment letters that the County has the ability to address through the amendment to the special use permit process are addressed in this staff report. However, only those concerns that Lewis County has the regulatory authority to address will be included in recommended conditions of approval. The proposed action for the Special Use Permit Hearing is limited in scope to the review of the application by Good Crushing, Inc. to amend condition number 23 of the Hearing Examiner’s Corrected Decision of Special Use Permit (SUP19-0002) issued May 18, 2021, to increase the hours of mining operation for processing and hauling off site. All other conditions of the Hearing Examiner’s Corrected Decision of Special Use Permit (SUP19-0002) remain in full force and effect.

L. STATUTES/CODES/FINDINGS

Mining is listed as a use type in LCC 17.42.020 – Land Use Summary Table 2 and is authorized through the Type III Special Use Permit process in the RDD-20 zoning designation. The mining operation was previously approved through Special Use Permit file SUP19-0002 and remains consistent with the zoning regulations in LCC 17.42.

The current project request is for the revision (amendment) of condition number 23 of the approved Hearing Examiner's corrected decision for SUP19-0002 dated May 18, 2021. The Hearing Examiner's decision on this requested revision shall be based upon compliance with the criteria established for the requirements of LCC 17.05, 17.42, 17.110, 17.142.020, 17.142.210, and 17.158.

A. LCC 17.05 General Provisions

LCC 17.05.040 Project permit application type

(1) Project permit applications are categorized as one of five types described below. Tables 17.05-1 and 17.05-2 specify various permits that fall within the categories and the methods for processing the various project permits. Type III applications are quasi-judicial actions that require an open record hearing and decision before the hearing examiner.

Staff response: The Special Use Permit – Type III application packet was submitted on April 21, 2025, and the application fees were submitted on April 23, 2025. The application materials were determined to be a complete application packet for processing on May 16, 2025. A public hearing before the hearing examiner is scheduled for March 11, 2026, beginning at 9:00 am, or immediately thereafter. This action is the only item on the agenda docket. This criterion has been met.

(2) Table 17.05-1 Permit Review Type – Process Chart and Table 17.05-2 Process Required for Different Permit Types:

Type III – Notice Period is at least 15 days before an open record public hearing, Mailed notice is required, Notice Posted on road frontages is required, Notice published in the Newspaper of Record is required, the public hearing is conducted by the Hearing Examiner, decision is issued by the Hearing Examiner and the appeal process is to the appropriate court as defined in LCC Section 2.25.140.

Staff response: The Notice of Public Hearing was published in the newspaper of record on February 10, 2026; posted on the road frontage on February 6, 2026; and mailed as required on February 5, 2026, which exceeds the 15-day notice prior to the scheduled public hearing. The Hearing Examiner will conduct the hearing and issue a decision with designated appeal process. This criterion has been met.

B. LCC 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.

Staff Response: This project is located in the Rural Residential District – 20 Acre (RDD-20) and the MRL/Mine zoning designations and the underlying permit (SUP19-0002) was found to be harmonious with the objectives of the Lewis County comprehensive plan and zoning regulations as conditioned by the Hearing Examiner’s corrected decision dated May 18, 2021. The proposed change to the hours of operation will be discussed below in review of code section LCC 17.142.210(2)(h) Surface Mining Areas – Hours of Operation. The request to change Condition Number 23 does not affect the projects pervious determination to be harmonious and in accordance with the comprehensive plan. As previously conditioned, this criterion is met.

(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.

Staff Response: The underlying permit (SUP19-0002) was found to be adequately served by essential public facilities. The only requested change is related to the hours of operation in Condition Number 23 of the corrected Hearing Examiner’s Decision issued on May 18, 2021. Transportation corridor capacity has been reviewed through a Level 1 TIA and no additional conditions were proposed by Public Works. This criterion is met.

(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.

Staff Response: The underlying permit (SUP19-0002) was found to meet this criterion. The only requested change is related to the hours of operation in Condition Number 23 of the corrected Hearing Examiner’s Decision issued on May 18, 2021. This criterion is met.

(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.

Staff Response: The underlying permit (SUP19-0002) was found to meet this criterion as conditioned in the decision document. The requested change is related to the hours of operation in Condition Number 23 of the corrected Hearing Examiner’s Decision issued on May 18, 2021. Traffic was reviewed above in Section G – Transportation Plans.

The applicant has provided extensive materials (Exhibit 1 – Application Documents and Exhibit 13 – Applicant’s Response to Comments), related to how the proposed change to the hours of operation would be remain in compliance with the environmental noise levels established by Chapter 173-60 WAC.

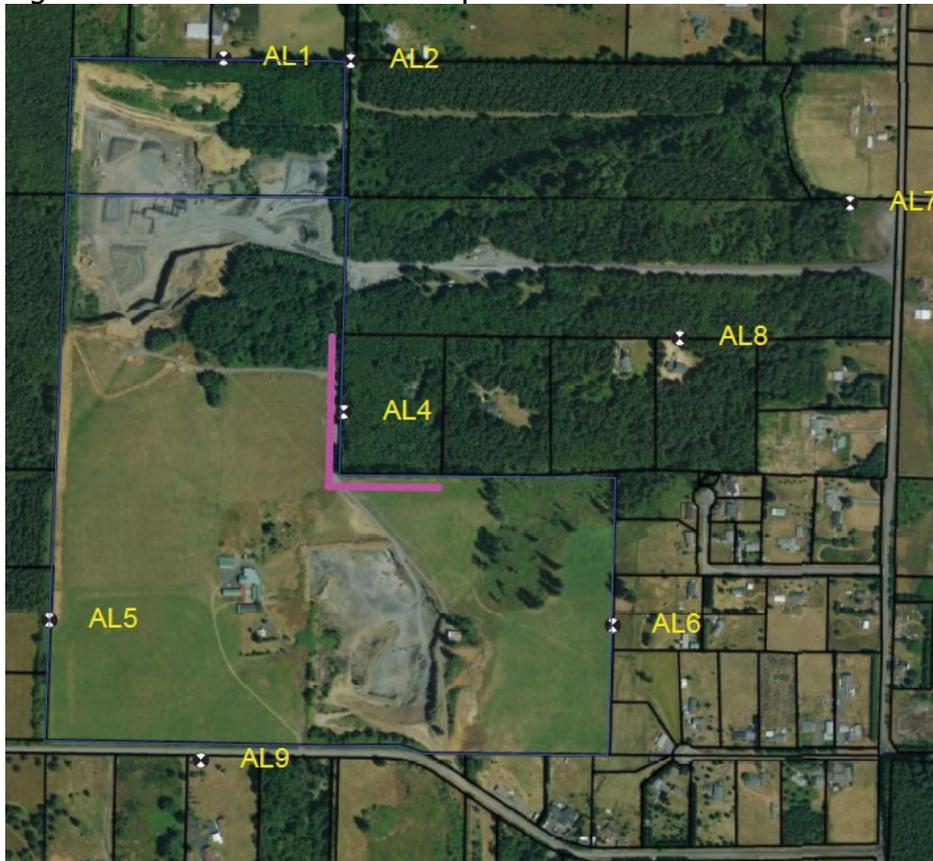
The SEPA Checklist lists type of noise as: “The proposed expansion of operating hours includes aggregate processing to occur up to 7 days a week in accordance with daytime hours from Chapter 173-60 of the Washington Administrative Code (WAC) (i.e., 7 am to 10 pm) and 24-hour loading of customer trucks as needed for project demands, up to 7 days per week. No changes are proposed for blasting or active mining of the workface in extraction areas.”

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 Number 9 of SUP 19-0002. The sound analysis determined that processing in the northern site area – as contemplated and approved under 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. The applicant indicated the reduction to 8 loads per hour during nighttime hours is acceptable, 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.

Exhibit 1 – Sound Analysis Report - mitigation was suggested by the Coffman Engineers Sound Analysis Report. The Sound Analysis report indicated the evaluation of results discussed in Section 5.4 of the Sound Analysis report indicated that calculated sound levels from the beginning of mining in Area M-3 of the permitted expansion are expected to exceed applicable noise limits at nearby residential receivers unless additional noise mitigation measures are implemented. The report suggests that prior to commencing mining in Area M-3, berms be constructed at the north boundary of Area M-3 and the east boundary of Area M-1. The height of the berms should be 15 feet. The recommended berms at the north boundary of Area M-3 and the east boundary of Area M-1 are shown below (Exhibit 15 & Figure A) outlined in pink.

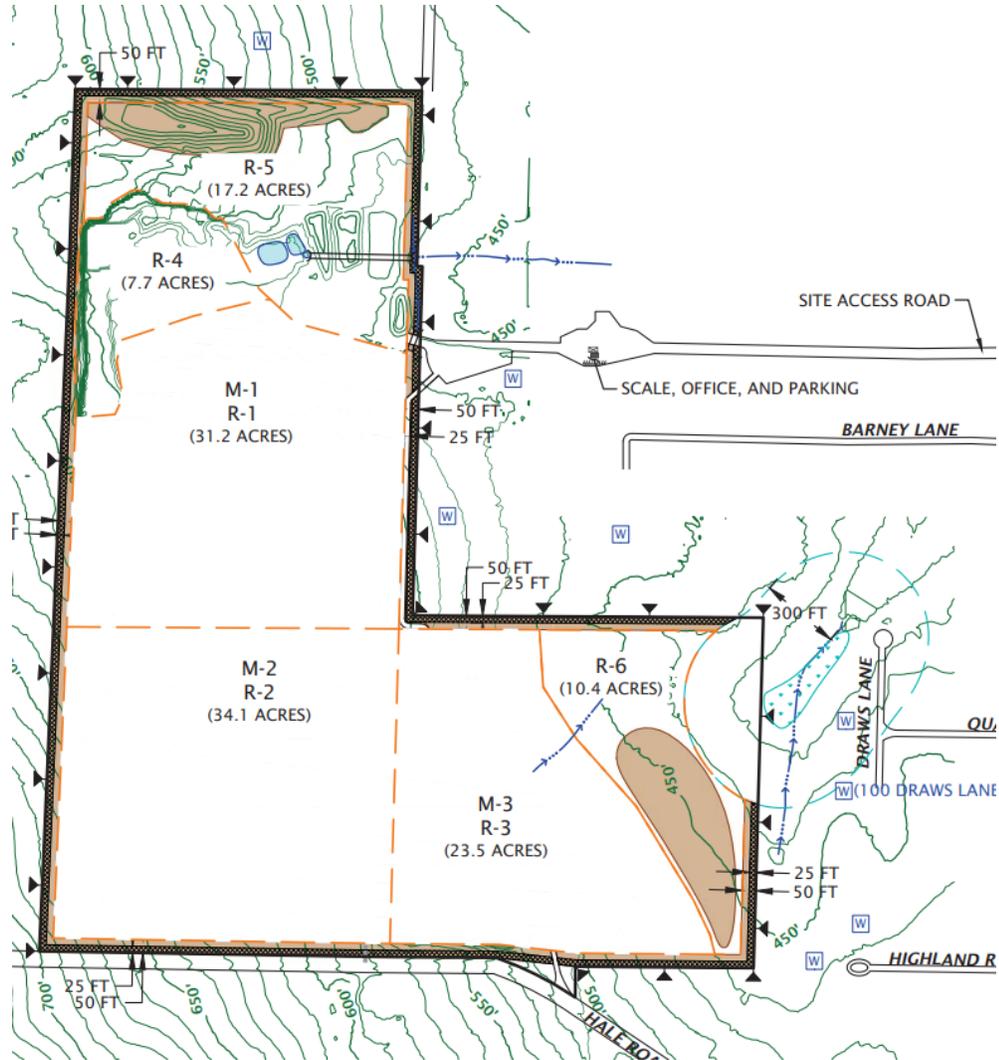
Figure A - New berm location in pink below:



The Project Narrative (Exhibit 1) indicated the applicant will continue to install the berms as shown on the previously approved site plans (Exhibit 15 & Figure B). The sound analysis determined that as mining approaches the inset corner on parcel #015000000000, a berm 15-feet tall will be required along the west and south boundaries of parcel #015004004002. Other berms around the site

perimeter are approximately 8 feet tall, which are deemed adequate by the sound analysis.

Figure B – Previously Approved Reclamation Figure Set for the expanded mine



The location of the berm at the north boundary of Area M-3 is consistent with the topsoil storage berm shown in the previously approved Reclamation Figure Set for the expanded mine shown above.

A condition of approval should be included requiring prior to commencing mining in Area M-3, berms be constructed at the north boundary of Area M-3 and the east boundary of Area M-1 as shown in Exhibit 15 – Figure A of the staff report. The height of the berms should be 15 feet.

Air quality permits issued by Southwest Washington Clean Air Agency (SWCAA) are still in effect. Permits issued by SWCAA regulate odor, dust, smoke, fumes and other emissions that have the possibility of effecting outdoor air quality standards and regulations. The mine operation area will include vegetated perimeter berms for noise abatement and visual screening. Stormwater, erosion and potential spills from equipment fueling are regulated under Ecology's Sand and Gravel General Permit, which also include best management practices (BMPs). Lighting was previously conditioned to use lights that have downward-directed shields to limit ambient light transmission off the site. Blasting and active mining of the workforce in extraction areas will continue to observe the day and time limitations imposed by Condition Numbers 23 and 24 of SUP 19-0002. As conditioned in this staff report and as previously conditioned, the project meets this criterion.

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

Staff Response: The underlying permit (SUP19-0002) was found to meet this criterion. The only requested change is related to the hours of operation in Condition Number 23 of the corrected Hearing Examiner's Decision issued on May 18, 2021. Public Works requested and reviewed the submitted TIA Level 1 report. Public Works confirmed the vehicular approach to the property has been designed to not interfere with traffic and no modifications to the approach are needed because of the request to amend the hours of operation. This criterion is met.

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

Staff Response: The project site was reviewed for any mapped historic and cultural sites during the underlying permit (SUP19-0002) and was found to meet this criterion. The only requested change is related to the hours of operation in Condition Number 23 of the corrected Hearing Examiner's Decision issued on May 18, 2021. The SEPA threshold determination and notice of application were sent to the Department of Archeology and Historic Preservation (DAHP) and the Indian Tribes for comment. No comments or concerns were raised during the comment period from these entities. This criterion is met.

(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.

Staff Response: The underlying permit (SUP19-0002) was found to meet this criterion. The only requested change is related to the hours of operation

in Condition Number 23 of the corrected Hearing Examiner’s Decision issued on May 18, 2021. Notice of Application and SEPA threshold determination were sent to state agencies, federal agencies and Indian tribes for comment. No comments or concerns from any of the state agencies, federal agencies or Indian tribes were raised during the comment period. This criterion is met.

(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.

Staff Response: Based on the original proposal (SUP19-0002), the existing on-site facilities are designed to serve the site and are not expanding beyond the project site. The underlying permit (SUP19-0002) was found to meet this criterion. The only requested change is related to the hours of operation in Condition Number 23 of the corrected Hearing Examiner’s Decision issued on May 18, 2021. This criterion is met.

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.

(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.

Staff Response: Review of the Lewis County Code for zoning, critical areas, resource protection, road, stormwater and public health were conducted by staff for the underlying permit (SUP19-0002) and for this amendment. Lewis County Public Works provided comments on the proposal, which are reflected in the staff report. This criterion has been met.

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

Staff 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. As previously conditioned in SUP19-0002, this criterion is met.

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

Staff Response: The underlying permit (SUP19-0002) was conditioned to meet this criterion (Condition Number 9). The only requested change is related to the hours of operation in Condition Number 23 of the corrected Hearing Examiner's Decision issued on May 18, 2021. The applicant has provided an acoustical engineering study/sound analysis report by Coffman Engineers dated April 2025 (Exhibit 1 – Sound Analysis) to evaluate the proposed hours of operation and compliance with the maximum environmental noise levels established by Chapter 173-60 WAC. Additionally, the applicant's project narrative (Exhibit 1 – Project Narrative – revisions to SUP19-0002) explains:

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 SUP19-0002 to limit noise and visual impacts from the mine. Processing will be located on 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.

As previously conditioned in this staff report and as conditioned in SUP19-0002 (Condition Number 9), this criterion is met.

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

Staff Response: The SWCAA is responsible for enforcing federal, state and local outdoor air quality standards and regulations in Lewis County and other southwest Washington Counties. As previously conditioned in Condition Number 10 in the underlying permit (SUP19-0002) a permit has been issued by SWCAA. 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. (no change from underlying permit). Crushing operations will follow conditions required in the site's SWCAA air permit (no change from underlying permit). The commercial access road is paved to limit dirt and dust as trucks leave the site (no change from underlying permit). As previously conditioned, this criterion is met.

- (e) Exterior light fixtures, except those required by the Federal Aviation Administration (FAA), shall be pointed downward, hooded and shielded to prevent glare and light from trespassing onto neighboring properties. FAA-required lights shall be minimized to the extent practicable in consultation with the FAA and as required by Chapter 70A.550 RCW for wind energy facilities. Wind turbines over 200 feet shall have obstruction lighting per FAA regulations. Aviation obstruction light-mitigation technology systems shall be FAA approved.

Staff Response: The underlying permit (SUP19-0002) was conditioned with Condition Number 15 which meets this criterion. If additional exterior light fixtures are required due to any increase in operation hours, Condition Number 15 is already in full affect. As conditioned in the underlying permit (Condition Number 11), this criterion is met.

- (f) 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.

Staff Response: It is the applicant's responsibility to meet other local, state, and federal regulations. As conditioned in the underlying permit, this criterion is met.

- (g) Conditions imposed in any final environmental determination, mitigated determination of non-significance (DNS) or final environmental impact statement under Chapter 43.21C RCW.

Staff Response: As stated previously in the report in Section I – SEPA – LCC 17.110, no appeals of the SEPA threshold determination (file number SEP25-0013) were submitted within the appeal timeframe. The Determination of Non-Significance (DNS) was retained and is final. This criterion is met.

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

Staff Response: The underlying permit (SUP19-0002) was found to meet this criterion. The only requested change is related to the hours of operation in Condition Number 23 of the corrected Hearing Examiner's Decision issued on May 18, 2021. Public Health reviewed the requested change to Condition 23 and had no comments or proposed additional conditions of approval. As previously conditioned (Condition Number 3) in the underlying permit (SUP19-0002), this criterion is met.

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

Staff Response: The proposed project is outside of Flood Zone A, the 100-year floodplain. The proposal is located in Flood Zone C, typically areas of minimal flooding. This criterion is met.

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

Staff 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. As previously conditioned (Condition Numbers 6, 11 and 12) in the underlying permit (SUP19-0002), this criterion is met.

- (k) The supplemental requirements of Chapter 17.145 LCC.

Staff Response: None of the specific supplemental requirements of Chapter 17.145 LCC apply to this project. This criterion does not apply.

- (l) Other applicable standards.

Staff Response: These code sections were reviewed during the original SUP19-0002. No additional review is required for the request to change Condition 23 (hours of operation). As previously approved in the underlying permit (SUP19-0002), this criterion is met.

C. LCC 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.

Staff Response: These code sections were reviewed during the original SUP19-0002. A new Special Use Permit (amendment to SUP19-0002) is required and has been applied for (SUP25-0001). This criterion is met.

(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

Staff Response: These code sections were reviewed during the original SUP19-0002. No additional review is required for the request to change

Condition 23 (hours of operation). As previously conditioned (Condition Number 14) in the underlying permit and as conditioned in this staff report, this criterion is met.

- (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.

Staff Response: These code sections were reviewed during the original SUP19-0002. No additional review is required for the request to change Condition 23 (hours of operation). As previously conditioned (Condition Number 1) in the underlying permit, this criterion is met.

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

Staff Response: These code sections were reviewed during the original SUP19-0002. No additional review is required for the request to change Condition 23 (hours of operation). As previously conditioned (Condition Number 2) in the underlying permit, this criterion is met.

- (d) Noise/Bright Lights.

(i) No development or activity shall exceed the maximum environmental noise levels established by Chapter [173-60](#) WAC. As previously conditioned, these criteria are met.

Staff Response: These code sections were reviewed during the original SUP19-0002. As previously conditioned in the underlying permit, the project shall meet the requirements of Chapter 173-60 WAC. As conditioned above, the additional berm is a proposed condition of approval. As previously conditioned (Condition Number 9) in the underlying permit and as conditioned in this staff report, this criterion is met.

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

Staff Response: These code sections were reviewed during the original SUP19-0002. As previously conditioned in the underlying permit (Condition Number 15), this criterion is met.

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

Staff Response: These code sections were reviewed during the original SUP19-0002. No additional review is required for the request to change Condition 23 (hours of operation). As previously conditioned (Condition Numbers 8, 11, 12, 16 and 17) in the underlying permit, this criterion is met.

- (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.

Staff Response: These code sections were reviewed during the original SUP19-0002. No additional review is required for the request to change Condition 23 (hours of operation). Blasting hours, blasting notice and blasting requirement (Conditions Numbers 21, 22, 24 and 25) of the underlying permit are still in effect. As previously conditioned in the underlying permit, this criterion is met.

- (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.

Staff Response: These code sections were reviewed during the original SUP19-0002. No additional review is required for the request to change Condition 23 (hours of operation). As previously conditioned (Condition Numbers 6, 11 and 12) in the underlying permit, this criterion is met.

- (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 if a declared emergency exists or for work on public works contracts that may require work outside regular hours and in either situation the request is for less than six consecutive months.

Staff Response: This code criterion does allow the hearing examiner to 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 if a declared emergency exists or for work on public works contracts that may require work outside regular hours and in either situation the request is for less than six consecutive months.

Special Use is defined in Lewis County Code 17.10.190 "Special use" means a use permitted only after "public" review and approved by the hearing examiner, and to which "special" conditions may be attached by the hearing examiner to address mitigation requirements by reason of the specific location

of a proposed use. Mining is listed as a use type in LCC 17.42.020 – Land Use Summary Table 2 and is authorized through the Type III Special Use Permit process in the RDD-20 zoning designation. The request to amend the underlying special use permit (SUP19-0002) is processed as a special use permit (SUP25-0001). As stated above, the requested use could only be authorized after public review and approval by the hearing examiner, and to which special conditions may be attached to address mitigation requirements by reason of the specific location of a proposed use.

The criteria in this code section for setting the hours of operation is required in addition to the code sections requiring compliance with noise levels established by Chapter 173-60 WAC. The special use permit conditions require a project to meet many code sections as outlined in this staff report, including but not limited to hours of operation and noise limits in Chapter 173-60 WAC.

The previous approval of the underlying permit SUP19-0002 reviewed the originally requested hours of operation, the hours provided in the development code, the staff's recommendation for reduced hours and the comments from the public related to protecting the quiet enjoyment of neighboring residential properties. From that analysis, the Hearing Examiner provided Original Condition Number 23 to set additional limits to protect quiet enjoyment of neighboring residential properties:

Original Condition Number 23:

The regular hours of operation for the mine operation, except for blasting activities, are limited to 7:00 a.m. to 5:00 p.m., Monday through Friday, but during daylight hours only. Authorization from Lewis County Community Development is required for hours of operation exception to these regular hours when the quarry will have limited evening or weekend work that may be required by the need for reduced traffic on public projects or to provide emergency response.

The Hearing Examiner also provided an hour of operation exception statement within Condition Number 23: *"Authorization from Lewis County Community Development is required for hours of operation exception to these regular hours when the quarry will have limited evening or weekend work that may be required by the need for reduced traffic on public projects or to provide emergency response."*

The applicant attempted to use the exception statement on a few occasions but could not provide the information requested by staff to show the requested exception would be "limited evening or weekend work that may be required

by the need for reduced traffic on public project or to provide emergency response”.

The applicants have submitted SUP25-0001 with a request for the Hearing Examiner to Amend Condition Number 23 as follows to provide for extended hours of operation:

Applicant’s Proposed Amendment to Condition Number 23: to expand operational days and hours for processing and loadout as listed below:

- *The days and hours for active mining of the mine’s workface and blasting operations will remain as conditioned in SUP19-0002.*
- *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.*

As proposed by the applicant the open-ended authorization request to operate up to 24 hours a day and seven days a week does not meet the code criteria in this section. Lewis County Code section LCC 17.142.210(2)(h) provides “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 if a declared emergency exists or for work on public works contracts that may require work outside regular hours and in either situation the request is for less than six consecutive months.”

The applicant’s project narrative in Exhibit 1 states that Good Crushing, Inc. is requesting that the County revise this condition and allow for expanded days and hours of certain operations. Specifically, Good Crushing, Inc. requests that processing of aggregates 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. Good Crushing, Inc. 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. According to the applicant, the need for aggregate on commercial and public projects increasingly requires 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 Good Crushing, Inc. to be open 24 hours at all times, some projects may require 24-hour operations during certain periods.

The applicant provided the amended decision on the Winston Quarry (Exhibit 1) file SUP11-0002 amending the regular hours of operation conditioned in SUP05-0006. Winston Quarry is a 38.2 acre quarry surrounded by parcels of 5 acres or larger. The 2024 Aerial Photo of Winston Quarry is included in the record (Exhibit 16). Winston Quarry's initial decision and subsequent amendment were issued under previous Lewis County codes, no longer in effect. Since the 2011 amendment to Winston Quarry SUP was issued, the zoning codes have been updated a few times. The current code language can be found in 17.142.210(2)(h).

The amended Winston Quarry decision (SUP11-0002) does not authorize the mine to operate 24/7 as standard. However, it does allow extended hours as needed with a required notice a minimum of 24 hours prior to extended hours of operation. The notice is required to be sent to the surrounding property owners within 500 feet, and to Community Development providing explanation as to why the mine will operate outside of normal hours, and an estimate of the duration the mine will be operating outside of the original hours of 7:00 am to 5:00 pm Monday through Friday. The Winston Quarry amended condition does add a suggestion of not operating before 9:00 am and after 5:00 pm on weekends.

Winston Quarry's amended condition (SUP11-0002):

Operations shall be permitted beyond the days and times set forth in condition 31 of the original SUP issued October 19, 2006.

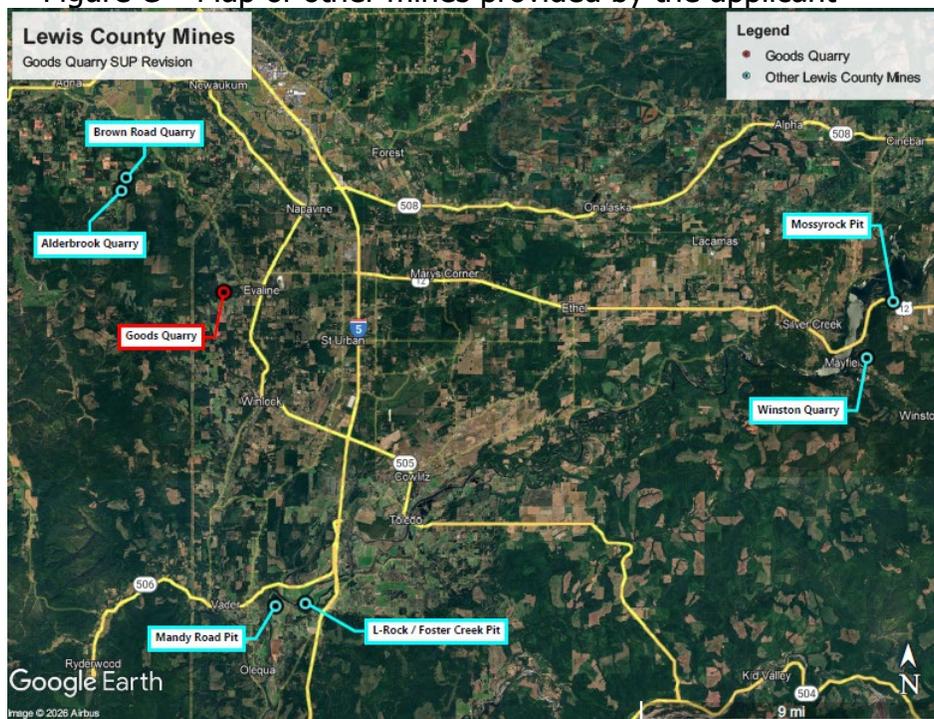
Operations are hereby permitted twenty-four (24) hours per day seven (7) days per week on an as needed basis upon twenty-four (24) hours written notice to all properties within 500 feet of the subject site. The applicant shall also provide twenty-four (24) hour written notice and explanation to Lewis County Community Development. The applicant shall include in the written notification the estimated times when the operations will be outside the original 7:00 a.m. to 5:00 p.m. schedule. Applicant shall try not to operate before 9:00 a.m. and beyond 5:00 p.m. on weekends. There shall be no blasting of rock on weekends or time outside the original operation times.

The applicant also provided response to public comments (Exhibit 13) indicating that some public comments express concern that Good Crushing is unfairly disadvantaged and recognize that all operators should operate on a level playing field and be allowed similar hours. Some comments suggested the most appropriate method for resolving Good Crushing's disadvantage is to create a more efficient process for requesting work beyond current permissible hours of operations.

The applicant responded (Exhibit 13) stating that “Good Crushing agrees that the company should not be unfairly disadvantaged by having limited hours of operations compared to other mining operations. The only appropriate solution is to allow expanded hours as set forth in the proposal’s application because only this will put Good Crushing on a level playing field with its competitors. Merely establishing an improved process for requesting approvals to conduct processing and load-out activities at night or on the weekend does not put Good Crushing on equal footing with operators. Additionally, based on experience, requiring Good Crushing to obtain such approvals does not work given the need to conduct those activities on an expedited basis and the limited resources at the County’s disposal for promptly processing such requests.”

Letter from Counsel dated January 23, 2026 (Exhibit 13) stated in part “...we are aware of multiple additional operations in Lewis County (both bedrock and sand and gravel) that are not required to operate within these limited hours, including the Alderbrook Quarry (Adna), the Brown Road Quarry (Adna), the L-Rock Pit (formerly Foster Creek Pit, near Toledo), Wallace Sand & Gravel Mandy Road Pit (Toledo), and Mossyrock Pit (Mossyrock).” See Figure C below showing existing mines in surrounding area.

Figure C – Map of other mines provided by the applicant



Staff have reviewed the mine operations shown in Figure C above and found that Winston Quarry (SUP05-0006 & SUP11-0002), Good Quarry (SUP19-0002 & SUP25-0001), and Mandy Road Pit (SUP09-0001) are operating under special use permits from Lewis County that were issued after land use zoning went into effect due to requested expansions of the mine boundaries. The Mandy Road Pit proposed an expansion from 62 acres to 101 acres and is zone Mineral Resource Land. A condition of approval was issued on May 22, 2009 for the Mandy Road Pit Expansion limiting the hours of operation to 7:00 am to 7:00 pm. There is a special use permit decision dated February 10, 2009 for the operation of an asphalt batch plant at the Alderbrook Quarry (SUP08-0004) which limited the batch plant hours of operation to the hours of 7:30 am to 4:30 pm. There has not been a request to expand the mine boundary of the Alderbrook Quarry.

The other identified mines (Mossyrock Pit, Brown Road Quarry, Alderbrook Quarry, and L-Rock/Foster Creek Pit) have been in existence and there are no records of mine expansion beyond the approved DNR reclamation plan area since zoning went into effect on July 26, 1999. As stated in LCC 17.142.210(1) the applicability of the mining section of the zoning code 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.

As stated previously in the staff report, the underlying permit (SUP19-0002) was for an expansion of lawfully permitted activities beyond an approved DNR reclamation plan area in effect on July 26, 1999. The expansion included an additional 95.8 acres of new mining area. The applicant’s request for a “level playing field” should be looked at in context with other mining operations that are either new or expanded since the zoning has taken effect (July 26, 1999).

Staff reviewed what differences could occur if the applicant’s request to extend the hours for processing and loadout of customer trucks is authorized as proposed:

- *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 hours the applicant has listed as daytime hours (7:00 am – 10:00 pm) match the “daytime hours” in WAC 173-60 setting limits to noise for that

review and also match LCC Chapter 1.23 (Public Disturbance Noise) but are inconsistent with the regular hours identified in this code section (6:30 am to 7:00 pm) and with the original Condition Number 23 of the underlying permit (7:00 am – 5:00 pm). Lewis County Code section 1.23.030(2)(d), (e), and (f) expressly state LCC Chapter 1.23 does not apply to:

- (d) Sounds originating from agricultural operations, mining operations, and forestry operations;
- (e) Sounds originating from activities approved through a county special use permit, music festival permits approved under Chapter 5.15 LCC, wireless communication permits approved under Chapter 15.50 LCC, administrative approval, State Environmental Policy Act (SEPA) process made consistent with the conditions imposed therein, or any activity pre-zoning exempted from SEPA still in operation;
- (f) Sounds from blasting by mining operations approved through special use permit between the hours of 10:00 a.m. to 4:00 p.m. or mining operations pre-zoning still in operation

LCC Chapter 1.23 does not apply to those activities, because other land use permits (i.e. Special Use Permit, music festival permits, wireless communication permits, SEPA, etc.) have additional noise and hours of operation criteria in place. The current mining codes in LCC 17.142.210(h) do not treat “nighttime” operations as “regular hours”.

The applicant has provided information (Exhibit 1 – Project Narrative, Sound Analysis and Exhibit 13 – Applicant’s Response to Comments) on how many truck trips per day the current operation and a suggested rate of trips per day if the extended hours are approved.

A “load” means one truck being filled and leaving the site. If the trucks return empty, the “daytime” cycle looks like this: 20 loads/hour = one loaded truck leaving every 3 minutes. If the same trucks return empty, that means one truck movement (in or out) roughly every 1.5 minutes. For a rural residential area, that is very noticeable — especially with truck and heavy equipment backup alarms and other normal mining operation sounds.

The “nighttime” cycle looks like this: 8 loads/hour = one loaded truck every 7.5 minutes. With return trips, that is one truck movement every approximately 3.75 minutes. For nighttime hours, this can be considered intrusive. Even with mitigation, nighttime truck traffic is one of the hardest impacts to soften because noise travels farther at night, residents are trying to sleep, rural areas have low ambient noise, so trucks stand out sharply.

Based on public comments related to quiet enjoyment and concerns of nighttime disturbances of sleep patterns, it is recommended that “nighttime” loadout during an emergency event is limited to 4 truck loadouts per hour, rather than 8 truck loadouts per hour. Typically declared emergency events are shorter in duration and do not generally happen “back-to-back”. Allowing for “nighttime” truck loadouts during declared emergency events and the reduced rate of loadout would allow for response to the emergency quickly but would not be considered as regular hour of operation 24 hours a day, 365 days per year. Once the declared emergency event was no longer in effect, the operations would return to the regular hours of operation identified in the original Condition Number 23 of the underlying permit (SUP19-0002).

Currently all mining operations (except for blasting) are occurring between 7:00 am and 5:00 pm, Monday through Friday (10 hours per day for 5 days per week = 50 hours in a week). The applicant’s proposal would include increasing the hours for processing of aggregate (crushing, screening, storage and internal transport) an additional 5 hours per day (7:00 am to 10:00 pm) and add Saturday and Sunday for 2 additional days (15 hours per day – 7 days per week = 105 hours per week. The applicant’s proposal would also include increasing the hours for “daytime” (7:00 am to 10:00 pm) and “nighttime” (10:00 pm to 7:00 am) loadout of customer trucks (loading of truck with heavy equipment and trucks leaving and returning to site). Daytime loadout would increase the same as the hours for processing an additional 5 hours per day (7:00 am to 10:00 pm) and add Saturday and Sunday for 2 additional days (15 hours per day – 7 days per week = 105 hours per week. Nighttime loadout would include an additional 9 hours per day for 7 days per week = 63 hours per week. The proposal would allow for various types of operations to be conducted 24 hours per day for 7 days per week = 168 hours per week.

The following table (Table 1) lists potential number of truck loads per week using the data provided by the applicant of typical 20 loads per day under the normal operation hours and the applicant’s request of 8 loads during “nighttime” hours and staff’s recommended limits on loadouts.

Table 1 – Potential number of truck loads in various scenarios

Scenarios:	Number of truck loads per week (one-way) – Orig. Condition 23	Number of truck loads per week (one-way) – Applicant’s Request	Number of truck loads per week (one-way) – Staff Proposal with Extended Hours for Emergency (limited to 6 month duration)	Number of truck loads per week (one-way) – Staff Proposal with Extended Hours for PW Contracts (limited to 6 month duration)
Original Condition 23 Regular Hours (M-F 7am – 5 pm) 20 truck load per hour (one-way)	10 hours per day x 20 truck loads per hour x 5 days = Total 1,000			
Applicant Request (7 days per week –		15 hours per day x 20 truck loads per hour		

20 truck load per hour (7 am – 10 pm) and 8 truck loads per hour (10 pm – 7 am)		x 7 days = 2,100 + 9 hours per day x 8 truck loads per hour x 7 days = 504 = Total 2,604		
Staff Proposal Extended Emergency (7 days per week – 20 truck loads per hours 7 am to 8 pm) and 4 truck loads per hour (8 pm – 7 am)			13 hours per day x 20 truck loads per hour x 7 days = 1,820 + 11 hours per day x 4 truck loads per hour x 7 days = 308 = Total 2,218	
Staff Proposal Extended PW contracts (6 days per week – 20 truck loads per hours 7 am to 8 pm) and no operations after 8 pm				13 hours per day x 20 truck loads per hour x 6 days = Total 1,560
Total Truck Trips (one-way) Per Week	1,000 / week	2,604 / week	2,128 / week	1,560 / week

The applicant’s project narrative (Exhibit 1) identified the needs for aggregate on commercial and public projects is increasingly requiring sales on weekends and during longer time spans than a standard 7 am to 5 pm workday, sometimes up to 24 hours. It was further stated in part “while it is not the intention of Good Crushing, Inc. to be open 24 hours at all times, some projects may require 24-hour operations during certain periods.” Comments suggested the most appropriate method for resolving Good Crushing’s perceived disadvantage is to create a more efficient process for requesting work beyond current permissible hours of operations. Good Crushing indicated time for the County to respond is a critical factor and is seeking authorization to conduct 24-hour operations without limitations other than a reduction in “nighttime” loadout numbers.

Staff recommends a compromised amendment to Condition Number 23 to assist in providing a balanced approach for extended hours in limited circumstances beyond the identified “regular hours” listed in Condition Number 23. The compromised amendment would allow for operational flexibility for the quarry during declared emergencies and for public works contracts requiring hours outside of regular hours while protecting nearby residents from nighttime disturbances. For this condition of approval, “daytime” hours should be considered to be 7:00 am to 8:00 pm and “nighttime” hours should be from 8:00 pm until 7:00 am. This would still allow extension beyond the “regular hours” of 7:00 am to 5:00 pm, Monday through Friday”. The extension for nighttime loadouts, other than during declared emergencies, is not recommended. Comments from neighbors made it clear

that nighttime noise would significantly affect their ability to sleep and enjoy their homes.

The amended Condition Number 23 should include a requirement for the operator to provide notice to the County and the property owners within a quarter of mile (1,320 feet) of all mine property lines as shown in Exhibit 25 of the original special use permit SUP19-0002 (provided here as Exhibit 17) at least 48 hours before any such temporary extension begins. The notice shall include identification of the specific extended operating hours, the duration of the extended hours and a statement for which reason (declared emergency event or for a documented public works contract requiring work outside regular hours) the extension is used. The notice requirement is similar to the conditions included in the Winston Quarry amendment (SUP11-0002 – Winston Quarry) and for the blasting notice condition (Condition Number 25 in the underlying permit SUP19-0002 – Good Quarry).

The amended Condition Number 23 should include a requirement that during all operations under extended hours, the operator shall maintain daily logs of load counts and hours of operation and shall submit an annual monitoring report showing compliance with this Condition of Approval to the Lewis County Community Development Department by January 31st of each year for all operations under extended hours conducted from January 1st to December 31st of the previous calendar year. The timing for this monitoring report is the same as the Annual Blast Report listed in Condition Number 18 of the underlying permit SUP19-0002 – Good Quarry).

The proposed use of broadband (“white-noise”) backup alarms on all mobile equipment is suggested because they significantly reduce off-site noise impacts compared to traditional tonal beepers while maintaining full worker-safety compliance. These alarms emit a directional, lower-intensity sound that dissipates quickly and does not carry long distances, making them far less intrusive to nearby residences - particularly during early-morning and evening hours when ambient noise levels are low. Although not codified in Lewis County Code, broadband alarms are widely used as permit conditions in western Washington counties for mineral extraction and heavy-equipment operations, including Snohomish, King, Pierce, Thurston, and Whatcom counties. Requiring broadband alarms is a low-cost retrofit for the operator and represents a regionally consistent, best-available technology to minimize noise impacts while allowing the quarry to operate within some extended hours.

Staff Recommended Amendment to Condition 23:

The regular hours of operation for the mine operation, except for blasting activities, are limited to 7:00 a.m. to 5:00 p.m., Monday

through Friday, but during daylight hours only. Temporary extensions to regular hours of operation for processing and loadout of customer trucks during either a declared emergency event or for documented public works contracts requiring work outside regular hours is authorized as follows:

- In either situation (a declared emergency exists or for documented public works contracts requiring work outside regular hours) the total extended hours **shall not exceed six consecutive months within a calendar year.**
- During a temporary extension for a **declared emergency** requiring work outside regular hours:
 - the extended hours for daytime processing and loadout of customer trucks – up to 7 days per week, 7:00 am to 8:00 pm. Loadout will be limited to 20 loads per hour.
 - the extended hours for evening/nighttime loadout of customer trucks – up to 7 days per week, 8:00 pm to 7:00 am. Loadout will be limited to 4 loads per hour.
- During a temporary extension for **documented public works contracts** requiring work outside regular hours:
 - the extended hours for daytime processing and loadout of customer trucks – up to 6 days per week (Monday – Saturday), 7:00 am to 8:00 pm. Loadout will be limited to 20 loads per hour.
 - No processing and/or loadout of customer trucks is authorized between the hours of 8:00 pm and 7:00 am at any time for this type of temporary extension to regular hours.
- Temporary extension to regular hours of operations does not apply to active mining of the mine’s workface and blasting operations. Those activities will remain as conditioned in in the underlying permit (SUP19-0002).
- The operator shall provide notice to the County and to the property owners within a quarter mile (1,320 feet) of all mine property lines as shown in Exhibit 25 of the original special use permit SUP19-0002 (provided here as Exhibit 17) at least 48 hours before any such temporary extension begins. The notice shall include identification of the specific extended operating hours, the duration of the extended hours and a statement for which reason (declared emergency event or for a documented public works contract requiring work outside regular hours) the extension is used. Notification to the public shall be provided in one or more of the following methods: in-person, by phone call (including text) or by email. Notification to Lewis County

Community Development shall be sent by email. Additional methods of notification may be used by the Applicant.

- During all operations under extended hours, the operator shall maintain daily logs of load counts and hours of operation and shall submit an annual monitoring report showing compliance with this Condition of Approval to the Lewis County Community Development Department by January 31st of each year for all operations under extended hours conducted from January 1st to December 31st of the previous calendar year.
- Mobile equipment (heavy equipment, trucks, etc.) shall be fitted with broadband or other non-tonal backup alarms to minimize noise impacts to protect the quiet enjoyment of neighboring residential properties.

As conditioned, this criterion is met.

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

Staff Response: The exception in this criterion does not apply to the underlying permit or this required amendment. The Lewis County permit process applies to this request to amend Condition 23 of SUP19-0002.

D. LCC 17.150.020

Staff Response: These code sections were reviewed during the original SUP19-0002. No additional review is required for the request to change Condition 23 (hours of operation).

E. LCC 17.150.030

Staff Response: These code sections were reviewed during the original SUP19-0002. No additional review is required for the request to change Condition 23 (hours of operation).

F. LCC Section 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.

(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.

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

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

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

Revisions beyond the scope and intent of the original permit shall be processed as a Type III application.

Staff Response: The proposal did not meet the “within the scope and intent of the original permit” criteria to be reviewed as a Type I application. The proposal is to modify Condition Number 23 of the Hearing Examiner’s corrected decision dated May 18, 2021 by changing the hours of operation from Monday – Friday (5 days per week) for 10 hours per day to an operation of 7 days a week 24 hours per day (with limited trips per hour during daytime and nighttime hours) potentially allowing an increase of 1.8 times the current truck trips per day. The request exceeds the “scope and intent of the original permit” The requested amendment was reviewed and processed as a Type III Special Use Permit application. This criterion is met.

M. CONCLUSIONS

With the conditions of approval recommended in this report, this Special Use Permit (SUP25-0001) for the proposed amendment to Special Use Permit (SUP19-0002) will comply with the Lewis County Comprehensive Plan and will comply with the requirements of the Lewis County Code.

N. RECOMMENDATIONS

Staff recommends that the Special Use Permit application from Good Crushing, Inc. file number SUP25-0001 (amending Condition Number 23 of SUP19-0002) as modified by staff recommendations, be **approved**, subject to the following revision to Condition Number 23 of the “corrected” Hearing Examiner approval, and subject to the additional following conditions:

1. The property owners and applicants shall continue to ensure the existing quarry activities comply with all original permit conditions except for the original Condition Number 23 which is replaced with the following:

Amendment to Condition 23:

The regular hours of operation for the mine operation, except for blasting activities, are limited to 7:00 a.m. to 5:00 p.m., Monday through Friday, but during daylight hours only. Temporary extensions to regular hours of operation for processing and loadout of customer trucks during either a declared emergency event or for documented public works contracts requiring work outside regular hours is authorized as follows:

- In either situation (a declared emergency exists or for documented public works contracts requiring work outside regular hours) the total extended hours **shall not exceed six consecutive months within a calendar year.**
- During a temporary extension for a **declared emergency** requiring work outside regular hours:
 - the extended hours for daytime processing and loadout of customer trucks – up to 7 days per week, 7:00 am to 8:00 pm. Loadout will be limited to 20 loads per hour.
 - the extended hours for evening/nighttime loadout of customer trucks – up to 7 days per week, 8:00 pm to 7:00 am. Loadout will be limited to 4 loads per hour.
- During a temporary extension for **documented public works contracts** requiring work outside regular hours:
 - the extended hours for daytime processing and loadout of customer trucks – up to 6 days per week (Monday – Saturday), 7:00 am to 8:00 pm. Loadout will be limited to 20 loads per hour.
 - No processing and/or loadout of customer trucks is authorized between the hours of 8:00 pm and 7:00 am at any time for this type of temporary extension to regular hours.
- Temporary extension to regular hours of operations does not apply to active mining of the mine’s workface and blasting operations. Those activities will remain as conditioned in in the underlying permit (SUP19-0002).
- The operator shall provide notice to the County and to the property owners within a quarter mile (1,320 feet) of all mine property lines as shown in Exhibit 25 of the original special use permit SUP19-0002 (provided here as Exhibit 17) at least 48 hours before any such temporary extension begins. The notice shall include identification of the specific extended operating hours, the duration of the extended hours and a statement for which reason (declared emergency event or for a documented public works contract requiring work outside regular hours) the extension is used. Notification to the public shall be provided in one or more of the following methods: in-person, by phone call (including text) or by email. Notification to Lewis County Community Development shall be sent by email. Additional methods of notification may be used by the Applicant.

- During all operations under extended hours, the operator shall maintain daily logs of load counts and hours of operation and shall submit an annual monitoring report showing compliance with this Condition of Approval to the Lewis County Community Development Department by January 31st of each year for all operations under extended hours conducted from January 1st to December 31st of the previous calendar year.
 - Mobile equipment (heavy equipment, trucks, etc.) shall be fitted with broadband or other non-tonal backup alarms to minimize noise impacts to protect the quiet enjoyment of neighboring residential properties.
2. The operator shall construct berms at the north boundary of Area M-3 and the east boundary of Area M-1 as shown in Exhibit 15 of the staff report, prior to commencing mining in Area M-3. The height of the berms shall be a minimum of 15 feet.

O. EXHIBITS

- Exhibit 1 Subheading – “Application Documents” on the webpage, which include eleven documents:
<https://lewiscountywa.gov/departments/community-development/current-planning-applications/sup25-0001-good-crushing/>
- Exhibit 2 Complete Application Review Letter
- Exhibit 3 Notice of Application – Affidavit of Publication
- Exhibit 4 Notice of Application – Affidavit of Mailing
- Exhibit 5 Notice of Application – Affidavit of Posting
- Exhibit 6 Subheading “Public Comments Submitted During SEPA and Notice of Application” three document files *SUP25-0001 All NOA SEPA Comments, TIA Outline Exhibit and SUP25-0001/SEP25-0011 NOA Complete – Request for Response* on the webpage:
<https://lewiscountywa.gov/departments/community-development/current-planning-applications/sup25-0001-good-crushing/>
- Exhibit 7 Letter from Hearing Examiner – setting hearing date and time
- Exhibit 8 Notice of Public Hearing - Affidavit of Publication
- Exhibit 9 Notice of Public Hearing - Affidavit of Mailing
- Exhibit 10 Notice of Public Hearing - Affidavit of Posting
- Exhibit 11 Screen shot of the County GIS layer showing current zoning designations of the subject parcels and surrounding area
- Exhibit 12 Screen shots of County GIS layer showing 2019, 2021 and 2024 Aerial Photos of the subject parcels and surrounding area (5 pages)
- Exhibit 13 Subheading “Applicant Response to Comments” on the webpage containing three documents:
<https://lewiscountywa.gov/departments/community-development/current-planning-applications/sup25-0001-good-crushing/>

- Exhibit 14 SEPA Threshold Determination - DNS (SEP25-0011) – Affidavit of Publication
- Exhibit 15 New Berm Location Figure A and Previous Mine Areas Figure B
- Exhibit 16 2024 Aerial Photo – Winston Quarry Surrounding Area
- Exhibit 17 SUP19-0002 Original Staff Report's Exhibit 25 – Quarter Mile Owners