

**JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA REQUEST

TO: Board of County Commissioners

FROM: Brent A. Butler, Director, Community Development
Josh D. Peters, Deputy Director, Community Development
Joel M. Peterson, Associate Planner, Community Development

DATE: May 22, 2023

SUBJECT: Presentation: Update on Mineral Resource Land Overlay (MRL) for Miles Sand and Gravel (MLA2021-00019)

STATEMENT OF ISSUE:

The review, analysis, and public process has been completed for a proposed 200-acre Mineral Resource Land zoning overlay by Miles Sand and Gravel (MS&G) in the Wahl Lake Extraction Area. This Comprehensive Plan amendment was initiated in 2021 and will join the 2023 amendment cycle for evaluation and decision.

ANALYSIS:

The existing 165-acre designated Mineral Resources Land Overlay (MRL) in the Wahl Extraction Area has yielded much of the extractable mineral resources and areas have undergone the reclamation process. MS&G proposes application of a Mineral Resource Land zoning overlay to 200 acres of mineral resource land abutting the existing Mineral Resource Land Overlay zone (Attachment B). Processing will still take place in the 19-acre approved processing area at its current location on Wahl Lake Road. A conveyor would transport the material from the new mining area to the existing processing area. Mining would continue to follow Washington Department of Natural Resources (DNR) requirements for segmental mining and reclamation. The proposal would not increase production rate or alter existing number of truck trips, causing no change to traffic.

On March 1, 2021, MS&G submitted application materials, geotechnical reports, and a State Environmental Policy Act (SEPA) Checklist. The complete review and analysis have been delayed by Community Development until this time due to staffing shortages and increased workloads (Attachment C, Resolution #72-21, extension of amendment timeline). Thus, this amendment will be reviewed within the 2023 amendment cycle.

ATTACHMENTS:

Staff Report & SEPA Environmental Review, Proposal to Amend Comprehensive Plan, containing cited Attachments A, B, & C.

FISCAL IMPACT:

No additional fiscal impact. Fees are paid by the applicant for review of site-specific zoning amendments.

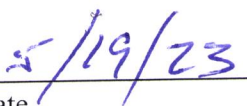
RECOMMENDATION:

Receive update on site-specific amendment proposal.

REVIEWED BY:



Mark McCauley, County Administrator



Date



JEFFERSON COUNTY

DEPARTMENT OF COMMUNITY DEVELOPMENT

621 Sheridan Street, Port Townsend, WA 98368 | Web: www.co.jefferson.wa.us/communitydevelopment
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SquareONE Resource Center | Building Permits & Inspections | Development Review | Long Range Planning

STAFF REPORT & SEPA ENVIRONMENTAL REVIEW

Proposal to Amend Comprehensive Plan

- Mineral Resource Land Overlay

May 15, 2023

*INTEGRATED GROWTH MANAGEMENT ACT/
STATE ENVIRONMENTAL POLICY ACT ANALYSIS*
Environmental Review of a Non-Project Action

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Attachment B – Application and SEPA Checklist

Attachment C – Resolution 72-21

Attachment D – Public Hearing Notice, August 31, 2022

1. Fact Sheet

Title and Description of Proposed Action	Pursuant to the Washington State Growth Management Act (GMA), the Jefferson County Board of County Commissioners (BoCC) is considering adoption of an amendment proposal to the Comprehensive Plan (CP). This is a site-specific proposal. This document is a combined Staff Report and State Environmental Policy Act (SEPA) Analysis for the proposed CP amendment. The objective of this document is to analyze the proposed amendment individually and cumulatively with regard to CP amendment criteria outlined in Chapter 18.45 Jefferson County Code (JCC) and potential environmental impacts under SEPA. Adoption of the CP amendment is a non-project action under SEPA and is not intended to satisfy individual project action SEPA requirements (i.e., the environmental review needed for future land use or building permit applications). Jefferson County Code 18.45.080 (1)(d) specifies that recommendations from the Planning Department and Planning Commission, and subsequent decision by the Board of County Commissioners on these proposed UDC amendments will come forward as “deny”, “approve” or “approve with modifications”.
Proponent	Miles Sand & Gravel Company, 400 Valley Ave. NE, Puyallup, WA 98163. Owner: Rayonier Forest Resources, 3033 Ingram St., Hoquiam, WA 98550
Lead Agency	Jefferson County Department of Community Development (DCD) 621 Sheridan Street Port Townsend, WA 98368 SEPA Responsible Official: Josh Peters, AICP, Deputy Director Department of Community Development (360) 379-4450
Planner	Joel Peterson, Associate Planner Department of Community Development 621 Sheridan Street Port Townsend, WA 98368 (360) 379-4457 jpeterson@co.jefferson.wa.us
Date of Staff Report	August 31, 2022
Date of Initial SEPA DNS Threshold Det.	August 31, 2022

SEPA and Amendment Comment Period	Comments on the SEPA Threshold Determination must be submitted to the Attn. MLA21-00019 COMPREHENSIVE PLAN AMENDMENT—MINERAL RESOURCE LAND OVERLAY EXTENSION, Department of Community Development, 621 Sheridan Street, Port Townsend, WA 98368, or via email to jpeterston@co.jefferson.wa.us, by Wednesday, September 21, 2022. A copy of the subsequent final threshold determination for the specific proposal may be obtained upon request. PUBLIC HEARING NOTICE IS HEREBY GIVEN that the Jefferson County Planning Commission will hold a public hearing on Wednesday, September 21, 2022 to take oral and written comment on the proposed amendments to the Comprehensive Plan before making a recommendation to the Board of County Commissioners on whether to adopt the proposed amendment. The Planning Commission meeting and public hearing will be held on-line beginning at 5:30 PM, Wednesday, September 21, 2022. COVID-19 NOTICE: At this time, we are planning an on-line hearing with no in-person attendance allowed. Please check the Jefferson County Calendar for updated information about hybrid meetings: https://www.co.jefferson.wa.us/Calendar.aspx You can join the Planning Commission hearing by using the following methods: Zoom Meeting: Meeting ID: 886 7104 7253 Passcode: 894561 https://us02web.zoom.us/j/88671047253?pwd=OU8vTWZGWTVRRGNRVEQ1c2k0WVdVadz09 This link is also provided electronically at the Community Development page. This option will allow you to join the meeting live. You will need to enter an email address. If you wish to provide public comment, click on the hand icon at the bottom of the screen to “raise your hand.” Please sign on 5 to 10 minutes before the official start of the meeting to check sound and video quality. This video will be closed-captioned enabled for persons with disabilities. Audio only: 1-253-215-8782, Meeting ID 88671047253, Passcode 894561. Public Comment Period: The Department of Community Development and the Planning Commission are accepting general comments on the merits of this suggested amendment to the Comprehensive Plan. Written comments will be accepted through the close of the Public Hearing on Wednesday, September 21, 2022. Any written comments on these suggested amendments submitted after the close of the public comment period will be forwarded to the Board of County Commissioners (BoCC) for consideration in its legislative decision. The BoCC may also hold a public hearing before taking action. Formal notice would appear in this newspaper. Written comments on the proposal may be submitted to the Department of Community Development, Attn. MLA21-00019 Miles Sand & Gravel Mineral Resources Overlay Extension, 621 Sheridan Street, Port Townsend, WA 98368 or via email to jpeterston@co.jefferson.wa.us.
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Past Related Actions and Future Anticipated Actions	A Mineral Resource Land Overlay was established west of Discovery Bay in 2008 (MLA0-00090) by Ordinance 02-0128-08. Miles Sand and Gravel has been operating within an existing 167-acre mineral resource land overlay (Ord. 09-1213-10). In the future, the County may review the sufficiency of the existing MRL zoning designations.
Tentative Adoption Date	A legislative decision from the BoCC on this proposal is anticipated to be completed December 12, 2022. A current project schedule can be requested from DCD.
Appeal Information	Appeals relating to a GMA action are heard first by the Washington Growth Management Hearings Board.
Location of Background Material	Availability of Documents: For more information or to inspect or request copies of the original application for the proposed amendments, the adopted existing environmental documents or the Staff Report and Recommendation, visit the Department of Community Development webpage, http://www.co.jefferson.wa.us/commdevelopment and follow the link to Public Notices. You can also access the project documents directly from the Laserfiche Web Portal for 2021 case files, case MLA21-00019, at: https://test.co.jefferson.wa.us/WeblinkExternal/Browse.aspx?id=4080581&dbid=0&repo=Jefferson.

2. Project Summary

Summary of Proposed Changes: COMPREHENSIVE PLAN AMENDMENT—MINERAL RESOURCE LAND OVERLAY EXTENSION. Miles Sand & Gravel Company (Applicant) requests an amendment to the Jefferson County Comprehensive Plan and Zoning Map to include additional land adjacent to an existing Mineral Resources Land (MRL) overlay which would allow the Applicant to seek additional project-specific approvals for sand and gravel extraction and processing. This application was received March 1, 2021, and was carried over to 2023.

The proposed extension to the MRL overlay designation will add approximately 200 acres to the existing 165-acre MRL overlay in the Wahl Extraction Area to access contiguous existing resources. The proposed additional area for the MRL overlay is located in the vicinity of and contiguous to existing MRL overlay areas where there is an existing mineral extraction facility. Processing will be in the same area as currently done and no additional truck traffic is planned.

Is the proposal consistent with the Comprehensive Plan?

Development impact levels were examined in the Jefferson County Environmental Impact Statements, and subsequent Comprehensive Plan Goals and Policies were established. The Comprehensive Plan includes Goals and policies for protecting and developing natural resources in the County. This analysis finds the proposed amendments to be consistent with the Comprehensive Plan.

What does this document do?

This report evaluates environmental documents, and Comprehensive Plan Goals and Policies.

3. Environmental Summary

3.1 Introduction and Process

Amendments to CP zoning districts are “actions” as defined under State Environmental Policy Act (SEPA). SEPA review can be integrated with other governmental decision-making procedures such as those under the Growth Management Act (GMA), and is supplementary to

those procedures for amending development regulations under GMA. (See WAC 197-11-210 through 197-11-235, SEPA/GMA integration procedures.) The thoughtful integration of SEPA compliance with the overall effort to implement the act will provide understanding and insight of significant value to the choices growth management requires (WAC 365-196-620(2)(a)).

3.1.1 Adoption of Existing Environmental Documents

The following existing environmental documents have been adopted through legal notice published in the Port Townsend & Jefferson County Leader newspaper on August 31, 2022.

State Environmental Policy Act Documents Adopted

Year	State Environmental Policy Act Document Description
1997-1998	Draft and Final Environmental Impact Statements (DEIS/FEIS) and addenda prepared in anticipation of adoption of the Comprehensive Plan in 1998. The DEIS and FEIS are dated February 24, 1997 and May 27, 1998, respectively, and examined the potential cumulative environmental impacts of adopting alternative versions of the Comprehensive Plan.
6/30/1999 8/18/1999	Draft Supplemental EIS (DSEIS)--Comprehensive Plan 1999 Amendments (Task III of Tri-Area/Glen Cove Special Study) Final Supplemental Environmental Impact Statement. Jefferson County Comprehensive Plan 1999 Amendments. Tri-Area/Glen Cove Special Study Task IV.
6/11/2001	Glen Cove/Tri-Area Special Study Supplemental EIS Final Decision Document, June 11, 2001
2002	Integrated Growth Management Act/State Environmental Policy Act Document Environmental Review of a Non-Project Action: Draft Supplemental EIS August 21, 2002, to Supplement the Comprehensive Plan Draft and Final EIS (1997) and Comprehensive Plan 1999 Amendments Draft and Final SEIS. November 25, 2002 Integrated FSEIS 2002 Amendment Docket. This FSEIS was appealed before the Western Washington Growth Management Hearings Board (WWGMHB) of which the WWGMHB issued a Final Decision and Order (FDO) and remanded it back to the Department for additional environmental review. The county hired Wheeler Consulting, to prepare additional environmental review based on the FDO. A DSEIS to the 2002 CPA SEIS was issued on March 3, 2004. A FSEIS to the 2002 CPA SEIS was issued on May 12, 2004 as part of the review and in consideration of MLA02-00235.
2003	Staff Recommendation and Environmental Analysis with Regard to the Adoption of Four Proposed Site-Specific Amendments to the 1998 Jefferson County Comprehensive Plan. SEPA Addendum August 6, 2003. Sept. 17, 2003 SEPA Addendum for Suggested Amendments

Year	State Environmental Policy Act Document Description
2004	2004 Staff Report and SEPA Addendum to 1998 EIS for UGA Amendments to the Comprehensive Plan issued May 19, 2004.
2004	2004 Comprehensive Plan Amendment Docket Department of Community Development Integrated Staff Report and SEPA Addendum issued September 22, 2004.
2005	Integrated GMA/SEPA Addendum Staff Report, August 3, 2005. Incorporated by reference: 1998 DEIS/FEIS and 2004 Addendum.
2006	Integrated GMA/SEPA Addendum Staff Rpt., July 19, 2006
2007	SEPA Addendum , adopting by reference 2004 Staff Report and SEPA Addendum for UGA Amendments to the Comprehensive Plan issued May 19, 2004 and 2004 Comprehensive Plan Amendment Docket Department of Community Development Integrated Staff Report and SEPA Addendum issued September 22, 2004.
2008	Integrated GMA/SEPA Addendum Staff Report, September 3, 2008. Adopted by reference: 1998 DEIS/FEIS, and environmental documents from 2004, 2005, 2006, and 2007 environmental review
2009	Integrated GMA/SEPA Addendum Staff Report, September 2, 2009. Adopted by legal notice: 1998 DEIS/FEIS, September 22nd Staff Report 2004, 2005, 2006, 2007, 2008, "and all supplementary information...supporting record, analyses, materials."
2010	Integrated GMA/SEPA Addendum Staff Report, September 2010.
2013	Integrated GMA/SEPA Addendum , Staff Report September 4, 2013. Adopted by reference all previous SEPA documents.
2015	Staff Report & SEPA Environmental Review, Proposal to Amend Unified Development Code, JCC 18.30.150 Sign Code, October 29, 2015. Integrated Growth Management Act/State Environmental Policy Act Analysis, Environmental Review of a Non-Project Action.
2018	Jefferson County Comprehensive Plan Update 2038 SEPA Addendum to 1998 Draft and Final Jefferson County Comprehensive Plan Environmental Impact Statements and subsequent Supplemental EISs and Addenda. April 4, 2018

Source: Jefferson County 2022

3.1.2 Level of Environmental Analysis

This document provides both a qualitative and a quantitative analysis of environmental impacts as appropriate to the general nature of the code amendment proposal. The adoption of site-specific zoning amendments is classified under SEPA as a non-project action involving decisions on policies, plans, or programs (WAC 197-11-704) and a broader environmental

analysis is applied here than to those applied to permit review of a site-specific project. This analysis is using the phased review concept (197-11-060(5)) and integrates the broad analyses of the adopted documents to review the current proposed action.

3.1.3 Process & Public Involvement

Miles Sand and Gravel submitted the MRLO application on March 1, 2021. The project was carried over from the 2021 amendment year for analysis in the 2022 amendment cycle, then delayed into 2003. These delays were largely due to staffing shortages. There are no other amendment proposals analyzed with this proposal. The Jefferson County Planning Commission discussed the proposal or mineral resources in general, on 6-1-2022, 7-20-2022, 8-17-2022, 9-17-2022, 9-21-2022, and 10-5-2022. The Planning Commission held a public hearing on September 21, 2022.

In mid-September, Planning Commissioners were provided a tour of the site by Miles Sand and Gravel.

Comments Received:

Port Gamble S'Klallam Tribe commented with concerns with impacts to Tribal Treaty Rights on the nearby Thorndyke Creek as a fish-bearing stream. The Tribe provided recommendations to gauge the stream levels and measure water quality parameters. Also, if the project includes areas of known fish passage barriers, the Tribe recommends they be corrected.

Jamestown S'Klallam Tribe commented with concerns about salmon-bearing streams, waterbodies, and wetlands and potential impacts from the proposal. The Tribe recommends eliminating from the proposal area, all waterbodies, wetlands, and applying 500-foot buffers. Also, the Tribe recommends the use of Inadvertent Discovery Plans to protect cultural resources.

On September 26, 2022, Community Development staff met with the Port Gamble S'Klallam Tribe to discuss the project. The concerns regarding wetland hydrology and fish passage barriers were discussed and determined by Community Development to be elements that will be addressed in subsequent Conditional Use Permitting for a specific project, rather than recommendations added at this zoning stage.

The Planning Commission unanimously voted on October 5, 2022, to recommend approval of the Mineral Resource Land Overlay and developed their recommendation to the Board of County Commissioners on October 17, 2022.

The Planning Commission Recommendations:

1. The Jefferson County Planning Commission unanimously recommends approval of the 200-acre Mineral Resource Land Overlay proposal by Miles Sand & Gravel.
2. The Planning Commission finds that Miles Sand & Gravel has shown a great deal of expertise and success with mine reclamation and have been accommodating and responsive to the Tribe's environmental concerns outlined in the Tribes comment letters on the zoning proposal. The Planning Commission encourages the Board of County Commissioners to respectfully take into consideration Tribal concerns during your deliberation.

Although specific conditions would be added to a conditional use permit for actual mining activities subsequent to this zoning approval, the Planning Commission would like the Board to consider including conditions of approval in your zoning decision. (Tribal comment letters are provided). The Planning Commission recommends the following conditions:

- a. The applicant shall monitor water quality parameters to identify and correct any sediment entering Thorndyke Creek from mining or transfer of mined materials.
 - b. The applicant shall monitor water quality parameters to identify and correct negative changes to wetlands due to changes in soil horizon depth.
 - c. The applicant shall correct any fish-passage barriers within future mining project areas.
3. Additionally, the Planning Commission recommends that the Board provide future resources for Community Development do additional work inventorying and zoning mineral resources county-wide to update the Comprehensive Plan.

The Planning Commission recognizes that the water quality monitoring and fish-passage issues will be addressed at the time of permitting. Recommendation #3, regarding future resources for mineral resource identification is not a contingency for the Board to approve the zoning overlay. That is to say, the Board can approve the Mineral Resource Overlay without committing to this unrelated recommendation.

SEPA Threshold Determination

DCD has reviewed the proposed amendments and issued by public notice a Determination of Non-Significance (DNS) on August 31, 2022. A threshold determination shall not balance whether the beneficial aspects of a proposal outweigh its adverse impacts, but rather, shall consider whether a proposal has any probable significant adverse environmental impacts (WAC 197-11-330(5)). The DNS determination considers the action as causing no probable significant adverse environmental impacts.

A GMA 60-Day Notice of Intent to Amend the CP is not required for a site-specific amendment.

3.2 PROPOSED AMENDMENT

Request for Application of the Mineral Resource Land Overlay to an Underlying Commercial Forest Land Designation

Requests for application of the Mineral Resource Land Overlay designation must be evaluated against Mineral Resource Land classification and designation criteria set forth within the Natural Resources Element of the Comprehensive Plan (see narrative at pages 4-6 and 4-7; and NRGs 6.0, 7.0, 8.0 and 9.0, and NRPs 6.1 through 9.2). Relevant excerpts from this Natural Resources Element narrative and goal and policy language include the following:

Mineral Lands

GMA Goal: conservation of productive natural resources lands of long-term commercial significance, including forestlands, agricultural lands, and mineral resources.

All counties and cities planning under the GMA are required to identify and designate such natural resource lands for conservation to avoid conflicts with other incompatible uses and ensure these lands are available to support economic productivity and healthy ecological systems.

Classification and Designation of Mineral Lands

Under GMA, mineral resource lands are designated based on the following criteria (WAC 365-190-070):

Counties and cities classify mineral resource lands based on geologic, environmental, and economic factors, existing land uses, and land ownership. It is expected that mineral resource lands will be depleted of minerals over time, and that subsequent land uses may occur on these lands after mining and reclamation is completed. Counties and cities may approve and permit land uses on these mineral resource lands to occur after mining is completed.

Jefferson County has designated mineral resource lands as an overlay to the underlying land use designation. An overlay is used because mining operations are eventually depleted, and sites are restored for other uses, and thus the Mineral Lands designation is not permanent.

The criteria used to classify mineral resource lands in Jefferson County were based on the guidelines provided by the state and an analysis of local conditions. Limited geological information is available to accurately identify, evaluate, and designate mineral resources of long-term commercial significance. U.S. Geological Survey Maps and Department of Natural Resources surface mining data were reviewed by the Mineral Lands Work Group for the County to determine current and potential mineral resource lands of long-term commercial significance.

Based upon this evaluation, and in conjunction with the analysis and assessment of forest resource lands, a high degree of overlap between lands devoted to growing timber and land potentially containing commercial mineral deposits was identified. Because of the amount of forest cover and geology of Jefferson County, most mineral resources are located in forest resource lands.

Therefore, the inclusion of mineral extraction and primary processing as a permitted use on designated forest land will protect mineral resource lands from the encroachment of incompatible development, conserve the mineral resource land base of Jefferson County, and allow for its future utilization by the mining industry. In addition, the County has included in this strategy an action item to perform an analysis to determine the 50-year construction aggregate supply, so as to ensure that the lands to be protected will meet the 50-year projected demand within an economically feasible distance to the market area or areas within County jurisdiction. This satisfies the GMA requirements to not knowingly preclude opportunities for future mining

and, as the lands are identified, to inform nearby property owners of the potential for future mining use of these areas in order to prevent or minimize potential conflicts.

JCC Title 18 identifies the extraction of sand, gravel, rock, and minerals as a permitted use. The JCC provides development regulations on mining activities such as size, clearing, stormwater controls and protection of critical areas.

Comprehensive Plan:

Goal LU-G-19: Foster sustainable natural resource-based industry in rural areas through the conservation of lands that support forestry, agriculture, mineral extraction, and aquaculture industries and local employment opportunities.

Mineral resource extraction provides nonrenewable raw materials for a wide variety of uses, including construction of essential public infrastructure. The GMA also requires that counties evaluate future needs for mineral resources and ensure that access to mineral resources of long-term commercial significance is not knowingly precluded by other types of land development. To meet the requirements of GMA, mineral extraction should be a priority land use for all designated mineral resource lands. Many of Jefferson County's designated mineral resource lands are also designated forest land. Without definitive surveys and mapping of mineral resources of Jefferson County, the broad forest land zones covering the largely overlapping resource areas, provide a stand-in protective designation that helps to protect mineral lands until additional surveys and mapping can be done. (p. 1-111)

The Land Use map of this Plan depicts the location of existing mining operations which currently operate under a Department of Natural Resources Surface Mining Reclamation Permit, and provides an underlying land use designation. The Mineral Lands map accompanying this element shows the parcels regulated under DNR permits, although it should be noted that the mining operations for a number of the sites do not occupy the entire parcel.

GMA requires local jurisdictions to identify and protect natural resources including mineral resources. COMPREHENSIVE PLAN AMENDMENT—MINERAL RESOURCE LAND OVERLAY EXTENSION. Miles Sand & Gravel Company (Applicant) requests an amendment to the Jefferson County Comprehensive Plan and Zoning Map to include additional land adjacent to an existing Mineral Resources Land (MRL) overlay which would allow the Applicant to seek

additional project-specific approvals for sand and gravel extraction and processing. This application was received March 1, 2021, and was carried over to 2023.

The proposed extension to the MRL overlay designation will add approximately 200 acres to the existing 165-acre MRL overlay in the Wahl Extraction Area to access contiguous existing resources. The proposed additional area for the MRL overlay is located in the vicinity of and contiguous to existing MRL overlay areas where there is an existing mineral extraction facility. Processing will be in the same area as currently done and no additional truck traffic is planned.

4 Review of Adopted SEPA Documents

As part of this environmental and Comprehensive Plan analysis for the proposed amendment, the environmental analyses below were adopted into this analysis and reviewed. These Environmental Impact Statements and SEPA Addendums were done by Jefferson County as a phased environmental review process, with subsequent reviews building upon each other and reviewing project and non-project proposals at the level of specificity that the project offered.

For this proposal, they were reviewed to identify whether impacts from the additional mineral lands zone were directly evaluated; what level of evaluation had been done, and how those results inform the current evaluation for the level of impacts that were found to be already mitigated through implementing regulations (the UDC). Along with zoning, the EIS and Addendum documents suggest that conflicts between land uses can be addressed in implementing regulations, particularly through the conditional use permit process.

6.1 Draft Environmental Impact Statement for the Jefferson County Comprehensive Plan Implementing Ordinance, February 1994.

This EIS was done during the County's Interim Zoning Ordinance to apply land use controls. It reviewed alternatives for *performance based zoning* and *Euclidean zoning* ordinances, as well as the no action alternative for no land use control through zoning regulations. [Note: "Euclidean" in this context refers to the Village of Euclid, Ohio, where zoning case law was established in *Euclid v. Ambler Realty*, and is not referring to the Greek mathematician.]

The report evaluated comprehensive plan options for their significant and unavoidable environmental impacts. General impacts to environmental elements were identified under all

alternatives, based on continued development activities in Jefferson County. One primary mitigation measure for land use conflicts between residential and other uses was to “[designate] in the Comprehensive Plan or Community Development Plans specific residential districts for various densities of housing. Design criteria for all development would alleviate aesthetic conflicts between new and existing, especially historic, uses...” (Chapter 3 P. 3-35).

The preferred alternative of the 1994 report was the Euclidian Ordinance which provides more predictability in land use, and more straightforward controls over land use conflicts.

6.2 Draft and Final Environmental Impact Statements (DEIS/FEIS) dated February 24, 1997 and May 27, 1998, respectively, and addenda prepared in anticipation of adoption of the Comprehensive Plan in 1998.

The DEIS and FEIS are and examined the potential cumulative environmental impacts of adopting alternative versions of the Comprehensive Plan under the Washington Growth Management Act—focused growth, dispersed growth, moderate growth.

In the February 24, 1997 DEIS, it evaluates the mitigating measures for nuisance issues, and development of policies to physically separate the nuisances or hazards farther from residential uses. (Intensify in Rural Village Centers). Addressing unmitigated impacts from growth, It also mentions the “cumulative impact of growth” and recommended mitigation as part of the development review and approval process (1997 DEIS, pp 4-60 to 4-61).

Impacts to aesthetics from the built environment is discussed in the DEIS at pages 4-96 and 4-97: “As in the case of views, the visual environment will change as any area grows, varying by type of growth, as rural features transform into urban. Without good planning this can erode visual qualities by conflicts between incompatible uses without buffering—for example, heavy equipment yards locating next to residential uses. Commercial development occurring along highway corridors can present an unappealing aesthetic environment. These poor aesthetic characteristics can erode property values and lead to blighted conditions.” Mitigating measures again included development of goals and policies in the comprehensive plan and in implementing regulations that maintains a community’s identity, develops in an aesthetically pleasing way, and limits conflicts between uses.

6.4 2018 Staff Report and SEPA Addendum for Periodic Review and Update of Jefferson County Comprehensive Plan. April 4, 2018.

6.5 Discussion

Further provisions regarding intensification of rural development are addressed in the Comprehensive Plan and the implementing regulations of Jefferson County Code (JCC). Performance standards and development standards that guide the density and intensity of uses within the various zoning districts are outlined in JCC are found in 18.15.040 Table 3-1 Allowable and Prohibited Uses. By reviewing this table, the reader can see the patterns of allowable and prohibited uses based on potentially conflicting land uses, and see the various review and approval processes required for uses that may be appropriate in one area, but not appropriate in the same zoning district in another area. These represent areas to use the conditional use permit process to allow public input and administrative conditions to address potential impacts (JCC 18.15.040).

The comprehensive plan and implementing regulations provide the policy and goals of balancing the need for intensification of development with the need to preserve rural character. Specific standards are in place to protect adjacent residential parcels from nuisance and to protect an individual's right to enjoyment of their property. Development regulations define ways of protecting adjacent residential properties from nuisance and neighborhood aesthetics with application of Chapter 18.20 JCC (performance standards), Chapter 18.18 JCC (UGA development standards) and Chapter 18.30 JCC (rural development standards).

5 Mitigation Measures and Conditional Use Permits

Some uses may be appropriate in a zoning district only if they meet certain conditions. A conditional use permit does not change the zoning or allowed uses in a zoning district. All uses must be consistent with the purpose of the land use district in which they are proposed to occur. The approval criteria demonstrate the level of review and the specificity of conditions applied in a conditional use permit.

7.1 Approval Criteria for all Conditional Uses (JCC 18.40.530)

The county may approve or approve with modifications an application for a conditional use permit (i.e., uses listed in Table 3-1 in JCC 18.15.040 as “C(a),” “C(d)” or “C”) if all of the following criteria are satisfied. In instances where all of the findings cannot be made, the application shall be denied:

- (a) The conditional use is harmonious and appropriate in design, character and appearance with the existing or intended character and quality of development in the vicinity of the subject property and with the physical characteristics of the subject property;
- (b) The conditional use will be served by adequate infrastructure including roads, fire protection, water, wastewater disposal, and stormwater control;
- (c) The conditional use will not be materially detrimental to uses or property in the vicinity of the subject parcel;
- (d) The conditional use will not introduce noise, smoke, dust, fumes, vibrations, odors, or other conditions or which unreasonably impact existing uses in the vicinity of the subject parcel;
- (e) The location, size, and height of buildings, structures, walls and fences, and screening vegetation for the conditional use will not unreasonably interfere with allowable development or use of neighboring properties;
- (f) The pedestrian and vehicular traffic associated with the conditional use will not be hazardous to existing and anticipated traffic in the vicinity of the subject parcel;
- (g) The conditional use complies with all other applicable criteria and standards of this code and any other applicable local, state or federal law; and more specifically, conforms to the standards contained in Chapters 18.20 and 18.30 JCC;
- (h) The proposed conditional use will not result in the siting of an incompatible use adjacent to an airport or airfield;
- (i) The conditional use will not cause significant adverse impacts on the human or natural environments that cannot be mitigated through conditions of approval;
- (j) The conditional use has merit and value for the community as a whole;

(k) The conditional use is consistent with all relevant goals and policies of the Jefferson County Comprehensive Plan; and

(l) The public interest suffers no substantial detrimental effect. Consideration shall be given to the cumulative effect of similar actions in the area.

6 Cumulative Environmental Impact Analysis of Proposal

It is important to analyze the impacts of expanded uses in determining whether the expansion is appropriate in the rural area. For this proposal, we evaluate where the proposed change is applicable county-wide. Standards are based upon evaluation of the size, scale and intensity of uses in rural areas includes size, scale and level of activity.

The cumulative impact of mineral resource lands is not believed to be a probable significant adverse environmental impact in Jefferson County.

7 Summary of Impacts and Mitigation Measures

7.1 Significant Unavoidable Adverse Impacts

Adverse impacts from mineral resource lands may be perceived by adjacent landowners. The conditional use review and mitigation process in the development regulations are designed to address specific site conditions and how the site can be designed to attenuate potential nuisance issues. Review of Jefferson County rural character and nuisance standards describe how rural living is characterized by some level of noise and temporary disturbance by nature of being in a rural setting. Specific methods of site design, setbacks, screening and policies have shown to be effective in site development.

7.2 Significant Areas of Controversy & Uncertainty

There have been no significant areas of controversy or uncertainty in the staff analysis of the proposed Mineral Resource Land overlay.

7.3 Issues to be Resolved

Hydrogeological monitoring continues at the mineral extraction site to ensure the floor level of the quarry remains above the water table. At the time of application of a conditional use permit, analyses will be done to identify critical areas, such as wetlands and potential existing fish barriers associated with the project, and specific protective measures to mitigate impacts.

7.4 Environmental Choices to be Made -- Options to be Preserved or Foreclosed by the Action

The proponent has demonstrated that effective reclamation can be achieved at the site. Areas are regraded, stockpiled soils are replaced and trees are replanted. Effective mitigation of environmental impacts has been achieved through the existing performance and development standards in the Unified Development Code.

7.5 Effectiveness of Mitigation Measures

Mitigation measures include those already required by development regulations and additional conditions that may be placed on a permit. SEPA review will be required as part of a conditional use permit application, which will provide the lead agency with substantive authority to add mitigative measures if the critical areas ordinance does not address any probable significant environmental impacts.

8 Jefferson County Comprehensive Plan Goals and Policies

EVALUATION OF COMPATIBILITY WITH COMPREHENSIVE PLAN

8.1 Rural Character & Rural Development--the Growth Management Act and Jefferson County Comprehensive Plan

The Growth Management Act provides (GMA) planning tools to preserve rural character, provide for areas of development and prevent those forms of sprawling development that reduce livability, efficiency and cost effectiveness of communities.

Jefferson County did extensive public outreach in the years leading up to the 1998 implementation of our Comprehensive Plan and selected the GMA definition of rural character as appropriate for Jefferson County. Jefferson County defined rural character both in terms of visual character as well as in terms of intensity of uses:

In GMA at RCW 36.70A.030(15), “Rural Character” refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan:

- (a) In which open space, the natural landscape, and vegetation predominate over the built environment;
- (b) That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;
- (c) That provide visual landscapes that are traditionally found in rural areas and communities;
- (d) That are compatible with the use of the land by wildlife and for fish and wildlife habitat;
- (e) That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;
- (f) That generally do not require the extension of urban governmental services; and
- (g) That are consistent with the protection of natural surface water flows and ground water and surface water recharge and discharge areas.”

GMA defines “Rural development” as referring to development outside of the urban growth area and outside agricultural, forest, and mineral resources lands; and can consist of a variety of uses and residential densities—consistent with the preservation of rural character and the requirements of the comprehensive plan’s rural element (36.70A.030(16)).

When reviewing a site-specific development application, the Comprehensive Plan is not re-evaluated or reanalyzed. Given the extensive investment that public agencies and a broad spectrum of the public have made and will continue to make in Jefferson County’s Comprehensive Plan and development regulations, it is essential that project review start from the fundamental land use planning choices made in the Comprehensive Plan and regulations. If the Comprehensive Plan or regulations identify the type of land use, specify density and identify and provide for the provision of public facilities needed to review the proposed development and site, these decisions, at a minimum, provide the foundation for further project review unless there is a question of code interpretation. The project review process, including the environmental review process under Chapter 43.21C RCW (SEPA) and the consideration of consistency, should start from this point and should not reanalyze these land use planning

decisions in making a permit decision, unless the county finds that the Comprehensive Plan and regulations do not fully foresee site-specific issues and impacts identified through land use project application review.

9 Unified Development Code—Jefferson County Code

Jefferson County adopted the Unified Development Code (UDC) in December 2000 (effective January 16, 2001) as the unified set of development regulations to implement the Comprehensive Plan adopted in August 1998. Until the adoption of the UDC, the Comprehensive Plan was implemented through a variety of separate ordinances, some in place prior to the adoption of the Comprehensive Plan.

The relevant sections of the Unified Development Code are Chapter 18.20 Performance and Use Specific Standards, Chapter 18.30 Development Standards, and 18.40.490 Conditional Uses. These chapters and sections provide appropriate standards and regulation for addressing and mitigating site-specific issues when applying the proposed code.

10 Conclusion

The proposed amendment does not have any probable significant adverse environmental impacts. The SEPA Checklist and past County Environmental Impact Statement and Addenda adequately analyze environmental concerns. The Jefferson County Comprehensive Plan supports the proposed amendment.

11 Findings for Proposed Comprehensive Plan Amendment

11.1 Planning Commission and Board of County Commissioners Review of Growth Management Indicators and Required Findings

18.45.090 (3) Planning Commission Review. The planning commission shall hold a public hearing on any amendment(s) to the implementing regulations and shall make a recommendation to the board of county commissioners using the site-specific criteria set forth in JCC 18.45.080(1)(b) and (1)(c), as applicable.

11.2 Required Findings for All Proposed Amendments--18.45.080(1)(b)

(b) Required Findings – Generally. For all proposed amendments, the planning commission shall develop findings and conclusions and a recommendation which consider the growth management indicators set forth in JCC [18.45.050](#)(4)(b)(i) through (4)(b)(vii), as well as the following:

(i) Whether circumstances related to the proposed amendment and/or the area in which it is located have substantially changed since the adoption of the Jefferson County Comprehensive Plan;

Staff Finding: The circumstances have not changed since the 2018 Comprehensive Plan periodic review. An updated analysis on identifying mineral resource lands would be useful as there may be updated information forthcoming from the state Department of Natural Resources.

(ii) Whether the assumptions upon which the Jefferson County Comprehensive Plan is based are no longer valid, or whether new information is available which was not considered during the adoption process or any annual amendments of the Jefferson County Comprehensive Plan; and

Staff Finding: There is no indication that assumptions upon which the Comp Plan is based are no longer valid.

(iii) Whether the proposed amendment reflects current widely held values of the residents of Jefferson County.

Staff Finding: The need for Sand and Gravel is recognized by the Jefferson County Comprehensive Plan, and also by the Growth Management Act that shapes it

11.3 Criteria Governing Planning Commission Assessment -- 18.45.050(4)(b)(i) through (4)(b)(vii)

(b) Criteria Governing Planning Commission Assessment. The planning commission's periodic assessment and recommendation shall be based upon, but shall not be limited to, an inquiry into the following growth management indicators:

(i) Whether growth and development as envisioned in the Comprehensive Plan is occurring faster or slower than anticipated, or is failing to materialize;

Staff Finding: Annual compounded Countywide total growth rate envisioned in the 2004 Comprehensive Plan was 1.78%. However, current population planning projections for 2010-2036 is 0.97% (*Growth Management Planning Population Projections*, Resolution 38-15). There has been a growing demand for sand and gravel resources in response to an initial trend toward development.

(ii) Whether the capacity of the county to provide adequate services has diminished or increased;

Staff Finding: Levels of service in the 2018 Comprehensive Plan can generally be maintained at the same level to accommodate the next 20-year population projection.

(iii) Whether sufficient urban land is designated and zoned to meet projected demand and need;

Staff Finding: After the initial 1998 Jefferson County Comprehensive Plan identification of Mineral Resource Land zoning, additional mineral resource lands have been designated through use of the Mineral Resource Land Overlay designation process.

(iv) Whether any of the assumptions upon which the plan is based are no longer found to be valid;

Staff Finding: The Comprehensive Plan implements the GMA-required identification and designation of mineral resource lands.

(v) Whether changes in county-wide attitudes necessitate amendments to the goals of the plan and the basic values embodied within the Comprehensive Plan Vision Statement;

Staff Finding: Changes in county-wide attitudes are not evident.

(vi) Whether changes in circumstances dictate a need for amendments;

Staff Finding: As mineral resources are extracted and the area is reclaimed and restored for timber resource use, designation of additional mineral resource land to follow the resource is needed.

(vii) Whether inconsistencies exist between the Comprehensive Plan and the GMA or the Comprehensive Plan and the County-wide Planning Policy for Jefferson County. [Ord. 2-06 § 1]

Staff Finding: There are no inconsistencies between the proposed amendment and the Comprehensive Plan or GMA.

18.45.080(1)(c) Additional Required Findings – Formal Site-Specific Amendments.

In addition to the required findings set forth in subsection (1)(b) of this section, in order to recommend approval of a formal site-specific proposal to amend the Comprehensive Plan, the planning commission must also make the following findings:

(i) The proposed site-specific amendment meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services (e.g., sheriff, fire and emergency medical services, parks, fire flow, and general governmental services);

Staff Finding: No additional truck traffic is anticipated. The proposal will be operating at the same level, just in a different place. No impact to level of service to transportation facilities or impacts to other services is anticipated.

(ii) The proposed site-specific amendment is consistent with the goals, policies and implementation strategies of the various elements of the Jefferson County Comprehensive Plan;

Staff Finding: There are no material inconsistencies between the Comprehensive Plan, Growth Management Act, and Countywide Planning Policy.

(iii) The proposed site-specific amendment will not result in probable significant adverse impacts to the county's transportation network, capital facilities, utilities, parks, and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities;

Staff Finding: The project does not create any unmitigated impacts to the environment, transportation network, capital facilities, utilities, and parks.

(iv) In the case of a site-specific amendment to the land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including, but not limited to, the following:

(A) Access;

Staff Finding--Access: See Map Exhibit CI. Access is from SR-104. This is the access for existing mineral resource extraction facilities on Wahl Lake Rd. and adequately serves the proposal.

(B) Provision of utilities;

Staff Finding--Provision of utilities: necessary utilities will be evaluated further at the project-specific level under a Conditional Use Permit.

(C) Compatibility with existing and planned surrounding land uses;

Staff Finding: The existing zoning is CF-80 (commercial forestry); the proposed MRL zoning overlay designation will be on CF-80 zoned land, and the underlying land use will remain forestry as mineral extraction activities occur. After reclamation and replanting, the property will revert back to forestry. All property abutting the proposed MRL overlay is also forestry use.

(v) The proposed site-specific amendment will not create a pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the county as a whole;

Staff Finding: The current zoning overlay is appropriate for mineral resources, and the underlying Commercial Forest zoning will be preserved. This is compatible with the surrounding land uses of the Wahl Lake Extraction Area.

(vi) The proposed site-specific amendment does not materially affect the land use and population growth projections that are the bases of the Comprehensive Plan;

Staff Finding: The proposal includes mitigation during the extraction process, so that the disturbed area remains at a relatively constant size, with concurrent reclamation activities. The proposal does not affect population growth estimates.

(vii) If within an unincorporated urban growth area (UGA), the proposed site-specific amendment does not materially affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA;

Staff Finding: Evaluation Not Applicable.

(viii) The proposed amendment is consistent with the Growth Management Act (Chapter 36.70A RCW), the County-Wide Planning Policy for Jefferson County, any other applicable inter-jurisdictional policies or agreements, and any other local, state or federal laws.

Staff Finding: The proposal is consistent with these plans and policies.

18.45.050(4)(b) Additional Findings

(i) Whether growth and development as envisioned in the Comprehensive Plan is occurring faster or slower than anticipated, or is failing to materialize;

Planning Commission Finding: OFM growth rate is ca.1% countywide. This is consistent with the Comprehensive Plan.

(ii) Whether the capacity of the county to provide adequate services has diminished or increased;

Planning Commission Finding: With the Port Hadlock/Irondale UGA and wastewater facility, the County will be increasing its ability to provide services for growth and development. The nexus with this project is an increased demand for aggregate for construction.

(iii) Whether sufficient urban land is designated and zoned to meet projected demand and need;

Planning Commission Finding: The Comprehensive Plan demonstrates that there is sufficient land zoned to meet projected demand.

(iv) Whether any of the assumptions upon which the plan is based are no longer found to be valid;

Planning Commission Finding: The assumptions in the Comprehensive Plan are still relevant and valid.

(v) Whether changes in county-wide attitudes necessitate amendments to the goals of the plan and the basic values embodied within the Comprehensive Plan Vision Statement;

Planning Commission Finding: Jefferson County is known for high quality mineral resources. Additional mineral resource area identification and overlays would be appropriate as noted in the Comprehensive Plan.

(vi) Whether changes in circumstances dictate a need for amendments;

Planning Commission Finding: Supply of sand and gravel may be important locally in Jefferson County. There have been supply-chain issues associated with the Covid-19 Pandemic and building materials supply have been affected.

(vii) Whether inconsistencies exist between the Comprehensive Plan and the GMA or the Comprehensive Plan and the County-wide Planning Policy for Jefferson County.

Planning Commission Finding: There are no material inconsistencies between the Comprehensive Plan, Growth Management Act, and Countywide Planning Policy.

12 Planning Commission Recommendation

Ch. 18.45 JCC: The planning commission's findings and conclusions shall include a recommendation to the board of county commissioners that the proposed amendment(s) be denied, approved, or approved with conditions or modifications.

Attachment A

13. Attachments

Attachment A – Planning Commission Recommendation Letter

Attachment B – Application and SEPA Checklist

Attachment C – Resolution 72-21

Attachment D – Public Hearing Notice, August 31, 2022



**JEFFERSON COUNTY
PLANNING COMMISSION**

621 Sheridan Street | Port Townsend, WA 98368
360-379-4450 | email: PlanComm@co.jefferson.wa.us
<http://www.co.jefferson.wa.us/580/Planning-Commission>

October 17, 2022

Jefferson County Board of Commissioners
P.O. Box 1220
Port Townsend, WA 98368

The Jefferson County Planning Commission is pleased to forward the following findings and recommendations regarding Miles Sand & Gravel's proposed Mineral Resource Land Overlay (MRLO) amendment to the Comprehensive Plan. We provide these recommendations for consideration in your final deliberations regarding the proposed amendment.

The project proposal was received by DCD from Miles Sand & Gravel in 2021, and due to staffing workload, was deferred to the 2022 comprehensive Plan amendment cycle. The proposal is to designate 200 additional acres adjacent to the existing 165-acre MRLO at the Wahl Lake Extraction Area.

Community Development introduced the proposal to the Planning Commission April, 2022, and has reviewed the proposal in subsequent meetings since that time. The Planning Commission held a duly noticed public hearing on the proposal on September 21, 2022. On October 5, 2022, the Planning Commission deliberated and voted unanimously to approve the proposed MRLO (vote 9-0-0). We provide our findings below and conclude with the Planning Commission recommendations.

Required Findings for All Proposed Amendments--18.45.080(1)(b)

Planning Commission Review. All proposed amendments on the final docket shall be reviewed and assessed by the planning commission, which shall make a recommendation to the Board of County Commissioners after holding at least one open record public hearing.

Required Findings – Generally. For all proposed amendments, the planning commission shall develop findings and conclusions and a recommendation which consider the growth management indicators set forth in JCC 18.45.050(4)(b)(i) through (4)(b)(vii), as well as the following:

(i) Whether circumstances related to the proposed amendment and/or the area in which it is located have substantially changed since the adoption of the Jefferson County Comprehensive Plan;

Planning Commission Finding: The circumstances have not changed since the 2018 Comprehensive Plan periodic review.

(ii) Whether the assumptions upon which the Jefferson County Comprehensive Plan is based are no longer valid, or whether new information is available which was not considered during the adoption process or any annual amendments of the Jefferson County Comprehensive Plan; and

Planning Commission Finding: The assumptions of the Comprehensive plan are still valid.

(iii) Whether the proposed amendment reflects current widely held values of the residents of Jefferson County.

Planning Commission Finding: The need for Sand and Gravel is recognized by the Jefferson County Comprehensive Plan, and also by the Growth Management Act that shapes it.

18.45.080(1)(c) Additional Required Findings – Formal Site-Specific Amendments.

In addition to the required findings set forth in subsection (1)(b) of this section, in order to recommend approval of a formal site-specific proposal to amend the Comprehensive Plan, the planning commission must also make the following findings:

(i) The proposed site-specific amendment meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services (e.g., sheriff, fire and emergency medical services, parks, fire flow, and general governmental services);

Planning Commission Finding: No impact to level of service to transportation facilities or impacts to other services

(ii) The proposed site-specific amendment is consistent with the goals, policies and implementation strategies of the various elements of the Jefferson County Comprehensive Plan;

Planning Commission Finding: There are no material inconsistencies between the Comprehensive Plan, Growth Management Act, and Countywide Planning Policy.

(iii) The proposed site-specific amendment will not result in probable significant adverse impacts to the county's transportation network, capital facilities, utilities, parks, and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities;

Planning Commission Finding: The project does not create any unmitigated impacts to the environment, transportation network, capital facilities, utilities, and parks.

(iv) In the case of a site-specific amendment to the land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including, but not limited to, the following:

(A) Access;

Planning Commission Finding regarding Access: See Map Exhibit Cl. Access is from SR-104. This is the access for existing mineral resource extraction facilities on Wahl Lake Rd. and adequately serves the proposal.

(B) Provision of utilities;

Planning Commission Finding: Provision of utilities: necessary utilities will be evaluated further at the project-specific level under a Conditional Use Permit.

(C) Compatibility with existing and planned surrounding land uses;

Planning Commission Finding: The existing zoning is CF-80 (commercial forestry); the proposed MRL zoning overlay designation will be on CF-80 zoned land, and the underlying land use will remain forestry as mineral extraction activities occur. After reclamation and replanting, the property will revert back to forestry. All property abutting the proposed MRL overlay is also forestry use.

(v) The proposed site-specific amendment will not create a pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the county as a whole;

Planning Commission Finding: The current zoning overlay is appropriate for mineral resources, and the underlying Commercial Forest zoning will be preserved. This is compatible with the surrounding land uses of the Wahl Lake Extraction Area.

(vi) The proposed site-specific amendment does not materially affect the land use and population growth projections that are the bases of the Comprehensive Plan;

Planning Commission Finding: The proposal includes mitigation during the extraction process, so that the disturbed area remains at a relatively constant size, with concurrent reclamation activities. The proposal does not affect population growth estimates.

(vii) If within an unincorporated urban growth area (UGA), the proposed site-specific amendment does not materially affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA;

Planning Commission Finding: Not Applicable.

(viii) The proposed amendment is consistent with the Growth Management Act (Chapter 36.70A RCW), the County-Wide Planning Policy for Jefferson County, any other applicable inter-jurisdictional policies or agreements, and any other local, state or federal laws.

Planning Commission Finding: The proposal is consistent with these plans and policies.

18.45.050(4)(b) Additional Findings

(i) Whether growth and development as envisioned in the Comprehensive Plan is occurring faster or slower than anticipated, or is failing to materialize;

Planning Commission Finding: OFM growth rate is ca.1% countywide. This is consistent with the Comprehensive Plan.

(ii) Whether the capacity of the county to provide adequate services has diminished or increased;

Planning Commission Finding: With the Port Hadlock/Irondale UGA and wastewater facility, the County will be increasing its ability to provide services for growth and development. The nexus with this project is an increased demand for aggregate for construction.

(iii) Whether sufficient urban land is designated and zoned to meet projected demand and need;

Planning Commission Finding: The Comprehensive Plan demonstrates that there is sufficient land zoned to meet projected demand.

(iv) Whether any of the assumptions upon which the plan is based are no longer found to be valid;

Planning Commission Finding: The assumptions in the Comprehensive Plan are still relevant and valid.

(v) Whether changes in county-wide attitudes necessitate amendments to the goals of the plan and the basic values embodied within the Comprehensive Plan Vision Statement;

Planning Commission Finding: Jefferson County is known for high quality mineral resources. Additional mineral resource area identification and overlays would be appropriate as noted in the Comprehensive Plan.

(vi) Whether changes in circumstances dictate a need for amendments;

Planning Commission Finding: Supply of sand and gravel may be important locally in Jefferson County. There have been supply-chain issues associated with the Covid-19 Pandemic and building materials supply have been affected.

(vii) Whether inconsistencies exist between the Comprehensive Plan and the GMA or the Comprehensive Plan and the County-wide Planning Policy for Jefferson County.

Planning Commission Finding: There are no material inconsistencies between the Comprehensive Plan, Growth Management Act, and Countywide Planning Policy.

18.45.080(1)(d) Recommendation

The planning commission's findings and conclusions shall include a recommendation to the board of county commissioners that the proposed amendment(s) be denied, approved, or approved with conditions or modifications.

Recommendations:

1. The Jefferson County Planning Commission unanimously recommends approval of the 200-acre Mineral Resource Land Overlay proposal by Miles Sand & Gravel.

2. The Planning Commission finds that Miles Sand & Gravel has shown a great deal of expertise and success with mine reclamation and have been accommodating and responsive to the Tribe's environmental concerns outlined in the Tribes comment letters on the zoning proposal. The Planning Commission encourages the Board of County Commissioners to respectfully take into consideration Tribal concerns during your deliberation.

Although specific conditions would be added to a conditional use permit for actual mining activities subsequent to this zoning approval, the Planning Commission would like the Board to consider including conditions of approval in your zoning decision. (Tribal comment letters are provided). The Planning Commission recommends the following conditions:

- a. The applicant shall monitor water quality parameters to identify and correct any sediment entering Thorndyke Creek from mining or transfer of mined materials.
 - b. The applicant shall monitor water quality parameters to identify and correct negative changes to wetlands due to changes in soil horizon depth.
 - c. The applicant shall correct any fish-passage barriers within future mining project areas.
3. Additionally, the Planning Commission recommends that the Board provide future resources for Community Development do additional work inventorying and zoning mineral resources county-wide to update the Comprehensive Plan.

A handwritten signature in black ink, appearing to read "Richard Hull", is positioned above the printed name.

Richard Hull, Chair
Jefferson County Planning Commission



DEPARTMENT OF COMMUNITY DEVELOPMENT

621 Sheridan Street, Port Townsend, WA 98368

Tel: 360.379.4450 | Fax: 360.379.4451

Web: www.co.jefferson.wa.us/communitydevelopment

E-mail: dcd@co.jefferson.wa.us

PERMIT APPLICATION

Steps in the Permit Process:

- Review application checklist to ensure all information is completed prior to submitting application.
- Make sure septic has been applied for and water availability has been proven.
- Make an appointment to meet with the Permit Technician by calling 360-379-4450.
- This is not a standalone application; it must be accompanied by a project specific supplemental application.**
- Fees will be collected at intake. Additional fees may apply after review and payment is required before permit is issued.

For Department Use Only	Building Permit #	JEFFERSON COUNTY DCD
Related Application #s:	MLA #	

Site Information	
Assessor Tax Parcel Number: 701011001, 701021002, 701121001, 701111001	
Site Address and/or Directions to Property: In the vicinity of 1500 Wahl Lake Rd Port Ludlow	
Access (name of street(s)) from which access will be gained: State Route 104 to Wahl Lake Rd, Port Ludlow	
Present use of property: CF-80	
Description of Work (include proposed uses): Revision to Jefferson County's Comprehensive Plan and Zoning Map to reflect MRL overlay area.	

Wastewater - Sewage Disposal	
This property is served by Port Townsend or Port Ludlow sewer system?	YES _____ NO ☒
If not served by sewer identified above, identify type of septic system below:	
Type of Sewage System Serving Property:	
Septic	Septic Permit #: N/A
Community Septic	Name of System: _____ Case #: _____
Are other residences connected to the septic system?	
Additions or repairs to sewage system:	
Is it a complete or partial system installation:	Complete _____ Partial _____
Has a reserve drainfield been designated?	Yes _____ No _____
Date of Last Operations & Maintenance check:	Attach last report to application
Describe or attach any drainfield easements, covenants or notices on title, which may impact the property:	
Not applicable	

The authorized agent/representative is the primary contact for all project-related questions and correspondence. The County will mail / e-mail requests and information about the application to the authorized agent/representative and will copy (cc) the owner noted below. The authorized agent/representative is responsible for communicating the information to all parties involved with the application. It is the responsibility of the authorized agent/representative and owner to ensure their mailbox accepts County mail (i.e., County email is not blocked or sent to "junk mail").

RECEIVED
Mar 01 2021

Applicant/Property Owner Information	
Property Owner:	
Name:	Pope Resources LP C/O Ryan Connors
Address:	1 Rayonier Way, Wildlight FL 32097
Phone #:	904-557-4108
E-mail Address:	ryan.connors@rayonier.com
Please contact Authorized Agent/Representative with project info. (select only one).	
Property Owner Signature:	<i>Ryan Connors</i>
Date:	2/26/2021
Note: For projects with multiple owners, attach a separate sheet with each owner(s) information and signatures.	
Applicant: Authorized Agent/Representative (if other than owner)	
Name:	Patricia Larson for Miles Sand & Gravel Company
Address:	400 Valley Ave NE, Puyallup Washington 98372
Phone #:	253-833-3705 x461
E-mail Address:	patricia.larson@miles.rocks
Professional: Is this an Authorized Agent/Representative for this project?	
Engineer	NO ☒ YES
Architect	
Surveyor	
Contractor	
Consultant	☒
Name:	Geo Engineers Inc
License #	
Address:	Bridget August
Phone #:	425-861-6101
E-mail Address:	baugust@geoengineers.com
Professional: Is this an Authorized Agent/Representative for this project?	
Engineer	NO YES
Architect	
Surveyor	
Contractor	
Consultant	
Name:	
License #	
Address:	
Phone #:	
E-mail Address:	
Professional: Is this an Authorized Agent/Representative for this project?	
Engineer	NO YES
Architect	
Surveyor	
Contractor	
Consultant	
Name:	
License #	
Address:	
Phone #:	
E-mail Address:	

By signing this application form, the owner/agent attests that the information provided herein, and in any attachments, is true and correct to the best of his or her knowledge. Any material falsehood or any omission of a material fact made by the owner/agent with respect to this application packet may result in making any issued permit null and void.

I further agree to that all activities I intend to undertake or complete associated with this permit will be performed in compliance with all applicable federal, state and county laws and regulations and I agree to provide access and right of entry to Jefferson County and its employees, representatives or agents for the sole purpose of application review and any required later inspections. Applicant may request notice of the County's intent to enter upon the property for visits related to this application and subsequent permit issuance.

Signature: *[Signature]* Print Name: Patricia Larson Date: 3/1/2021
corp prog. mgr
for Miles Sand & Gravel



DEPARTMENT OF COMMUNITY DEVELOPMENT

621 Sheridan Street, Port Townsend, WA 98368
Tel: 360.379.4450 | Fax: 360.379.4451
Web: www.co.jefferson.wa.us/communitydevelopment
E-mail: dcd@co.jefferson.wa.us

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Mar 01 2021

JEFFERSON COUNTY DCD

SUPPLEMENTAL APPLICATION FORMAL SITE-SPECIFIC COMPREHENSIVE PLAN AMENDMENT

MLA # _____

PROJECT/APPLICANT NAME: Miles Sand & Gravel Company

*For Comprehensive Plan amendments, applications must be completed and submitted to the Department of Community Development by **March 1** of the current calendar year in order to be considered during the annual amendment process. Completed applications that are received after March 1 will be placed on the docket for the following calendar year. Applications for UDC amendments may be considered on a rolling basis. Applications that are incomplete (i.e., that do not include all of the information required under the Jefferson County Code) will be returned to the applicant.*

Submittal Requirements

1. A completed Permit Application, completed and signed State Environmental Policy Act (SEPA) checklist, and comprehensive Plan Amendment fee, as set forth in the Jefferson County Fee Ordinance. Representative authorization is required if application is not signed by owner.
2. Any additional information deemed necessary by the Administrator to evaluate the proposed amendment.
3. Please prepare and label as "Exhibit A," a vicinity map showing the following:
 - a. The location of the area proposed to be redesignated;
 - b. The land use designation of all property within five hundred (500) feet of the site; and
 - c. The uses of all properties located within five hundred (500) feet of the site.
4. Please prepare and label as "Exhibit B," a description of the proposed Plan and any associated development proposal(s), if applicable. Applications must include plans and information or studies accurately depicting existing and proposed uses and improvements. Applications for such redesignations that do not specify proposed uses and potential impacts are assumed to have maximum impact to the environment and public facilities and services.
5. Please prepare and label as "Exhibit C," a map that depicts existing conditions on the site and within the general vicinity [i.e., within a three hundred (300)-foot radius]. The exhibit must depict topography, wetlands and buffers, easements and their purpose, and means of access to the site. The intent of the exhibit is to clearly illustrate the physical opportunities and constraints of the site.
6. The current land use designation/zoning of the site is: CF-80
7. The proposed land use designation/zoning of the site is: CF-80 with Mineral Resource Land (MRL) overlay
8. The current use of the site is: Forestry
9. The proposed use of the site is: Forestry and mineral extraction
10. If changes to Comprehensive Plan or UDC text are required, please prepare and label as "Exhibit D," proposed amendatory language (i.e., to affected text of both the Comprehensive Plan and UDC) shown in "bill" format, with text to be added indicated with underlining (e.g., underlining), and text to be deleted indicated with strikeouts (e.g., ~~strikeouts~~).

11. Please prepare and label as "Exhibit E," a **thorough** explanation of how the proposed redesignation/rezone and associated development proposals, if any, meet, conflict with, or relate to the following inquiries:
- a. Is growth and development as envisioned in the Comprehensive Plan is occurring faster or slower than anticipated, or is failing to materialize?
 - b. Has the capacity of the county to provide adequate services diminished or increased?
 - c. Is sufficient urban land designated and zoned to meet projected demand and need?
 - d. Are any of the assumptions upon which the Jefferson County Comprehensive Plan is based no longer valid, or is new information available which was not considered during the adoption process or any annual amendments of the Jefferson County Comprehensive Plan?
 - e. Does the proposed amendment reflect the current widely held values of the residents of Jefferson County?
 - f. Do changes in county-wide attitudes necessitate amendments to the goals of the plan and the basic values embodied within the Comprehensive Plan Vision Statement?
 - g. Do changes in circumstances dictated a need for amendment?
 - h. Do inconsistencies exist between the Comprehensive Plan and the GMA or the Comprehensive Plan and the County-wide Planning Policy for Jefferson County?
 - i. Does the proposal meet concurrency requirements for transportation?
 - j. Does the proposal adversely affect adopted level of service standards for public facilities and services other than transportation (e.g., sheriff, fire and emergency medical services, parks, fire flow, and general governmental services)?
 - k. Is the proposal consistent with the goals, policies and implementation strategies of the various elements of the Jefferson County Comprehensive Plan?
 - l. Will the proposal result in probable significant adverse impacts to the county's transportation network, capital facilities, utilities, parks, and environmental features that cannot be mitigated?
 - m. Will the proposal place uncompensated burdens upon existing or planned service capabilities?
 - n. How is the subject parcel(s) physically suitable for the requested land use designation and the anticipated land use development including, but not limited to the following:
 - (i) Access;
 - (ii) Provision of utilities; and
 - (iii) Compatibility with existing and planned surrounding land uses?
 - o. Will the proposal, if adopted, create a pressure to change the land use designation of other properties? If the answer is yes, how would such change of land use designation on other properties be in the long-term best interests of the county as a whole?
 - p. Does the proposed site-specific amendment materially affect the land use and population growth projections that are the bases of the Comprehensive Plan?
 - q. If the proposed redesignation/rezone is located within an unincorporated urban growth area (UGA), would the proposal materially affect the adequacy or availability of urban facilities and services to the immediate areas and the overall UGA?
 - r. Is the proposed amendment consistent with the Growth Management Act (Chapter 36.70A RCW), the Countywide Planning Policy for Jefferson County, and other applicable inter-jurisdictional policies or agreements, and any other local, state or federal laws?



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12. Please provide an explanation of why the amendment is being proposed. (Attach additional sheets, if necessary.)

See "Exhibit B"

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13. The applicant hereby certifies that the statements contained in this application are true and provide an accurate representation of the proposed amendment; and the applicant(s) hereby acknowledges that any approval issued on this application may be revoked if any such statement is found to be false.

[Signature] for MS6

APPLICANT'S SIGNATURE

3/11/2021

DATE

Ryan Connors

PROPERTY OWNER'S SIGNATURE

2/26/2021

DATE

PROPERTY OWNER'S SIGNATURE

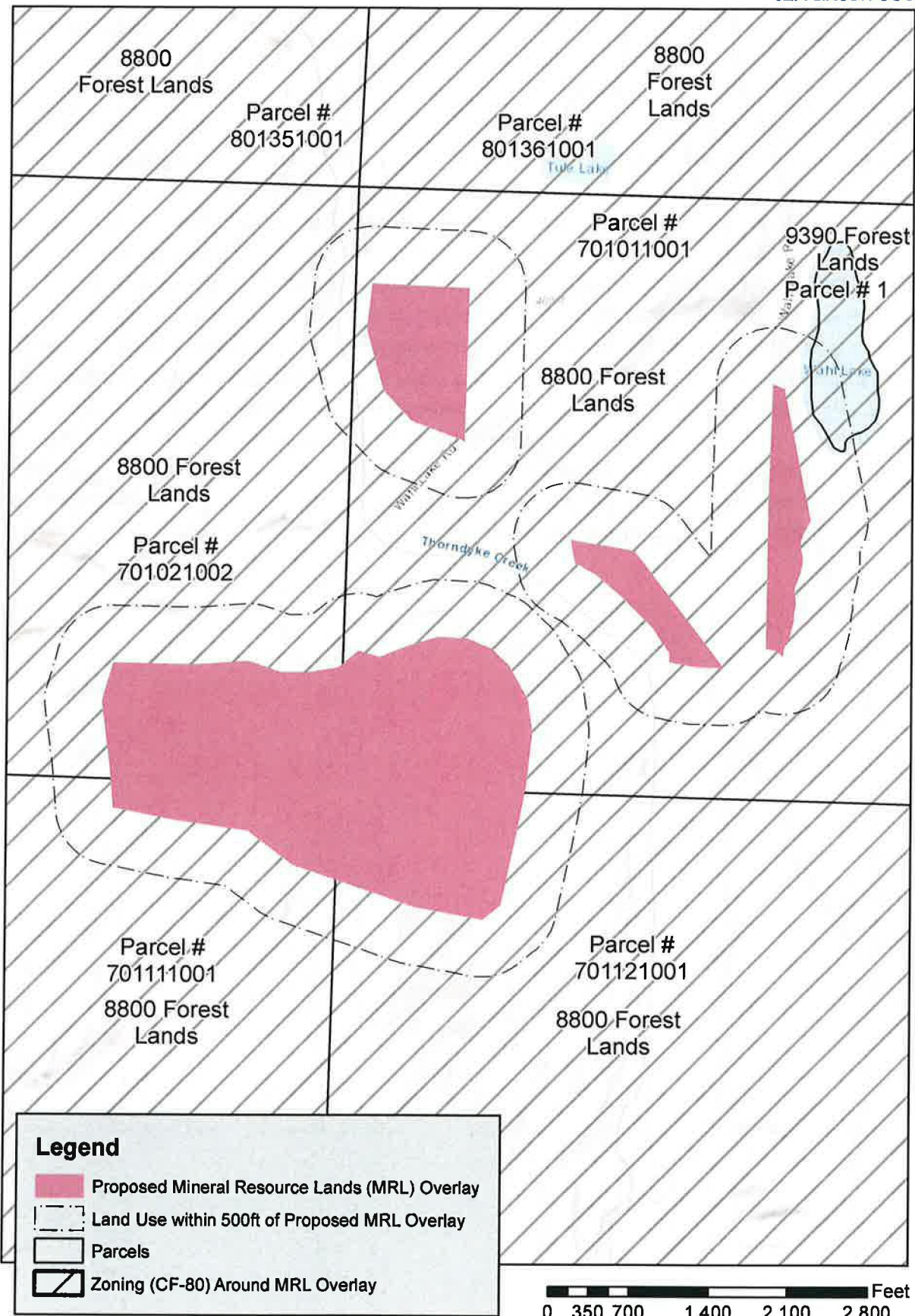
DATE

PROPERTY OWNER'S SIGNATURE Ryan Connors DATE 2/26/2021

[NOTE: For all required signatures, representative authorization is required if application is not signed by the owner.]

Exhibit A - Vacinity Map & Land Use

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Exhibit B

The Applicant requests an amendment to the Jefferson County Comprehensive Plan and Zoning Map to include land for Mineral Resources Land (MRL) overlay. MRL is used to "overlay" or designate the property as a mineral resource extraction area as an interim use. The underlying land use designation of Commercial Forestry (CF80) would still exist, and forestry would remain the subsequent use after mineral resource extraction and reclamation are complete. The amendment to the Jefferson County Comprehensive Plan and Zoning Map would allow the Applicant to seek the project-specific approvals for mineral resource extraction. The MRL overlay designation in this proposal will add approximately 200 acres to MRL overlay designated property at the locations shown on the map exhibits. The geographic area proposed for addition to the MRL overlay is located in the vicinity of existing MRL overlay areas, where there is an existing mineral extraction facility. Properties surrounding the proposed MRL overlay area are in forestry use. Future uses of the proposed MRL overlay, on an interim basis, are expected to include sand and gravel extraction and processing, which will coincide with existing forestry uses on areas not being actively mined. The proposed MRL overlay area is owned by Rayonier. Mineral resource extraction and associated activities within this area will be conducted by Miles Sand & Gravel Company.

Exhibit C 1 - Site Access

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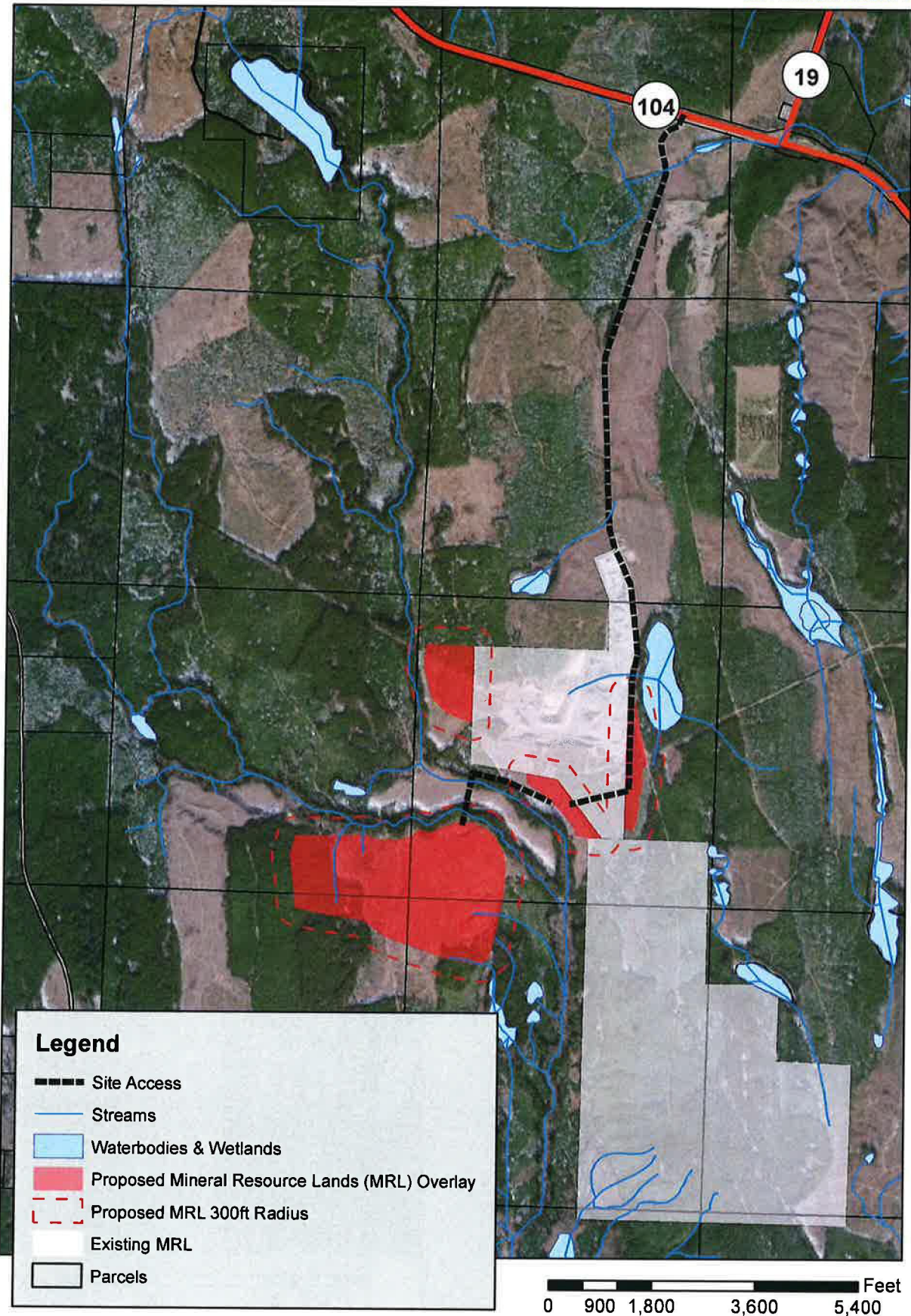
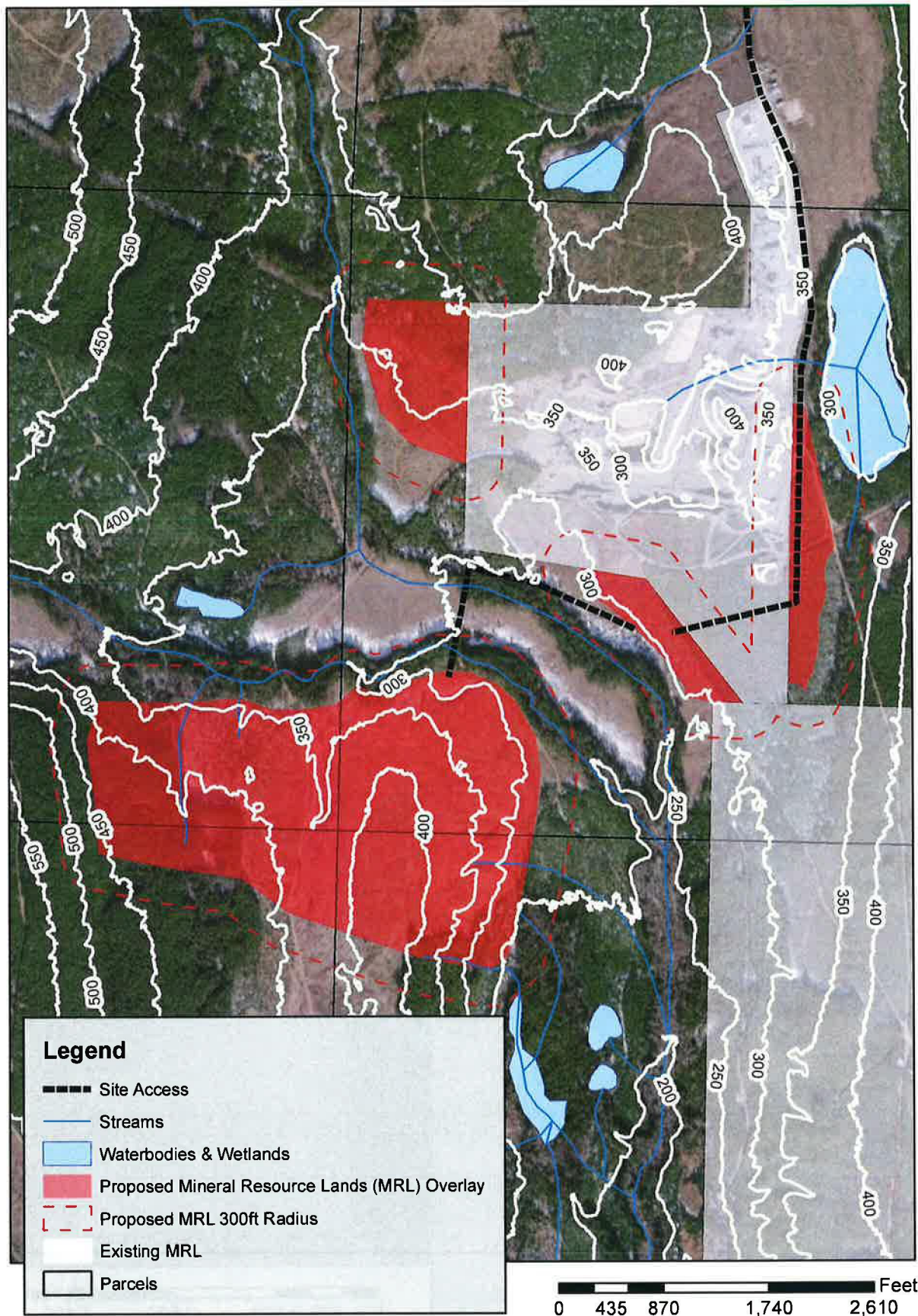


Exhibit C 2 - Vicinity Map

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Exhibit E

- a) Is growth and development as envisioned in the Comprehensive Plan occurring faster or slower than anticipated, or is failing to materialize?
 - a. There has been larger than anticipated market for construction aggregates in the local markets due to generalized growth in the area. In order to meet the future demand it is necessary to increase areas of MRL overlay within Jefferson County.
- b) Has the capacity of the county to provide adequate services diminished or increased?
 - a. The capacity has not changed.
- c) Is sufficient urban land designated and zoned to meet projected demand and need?
 - a. Not applicable.
- d) Are any of the assumptions upon which the Jefferson County Comprehensive Plan is based no longer valid, or is new information available which was not considered during the adoption process or any annual amendments of the Jefferson County Comprehensive Plan?
 - a. The assumptions in the Jefferson County Comprehensive Plan are still valid. For example on page 2-7 of the Jefferson County Comprehensive Plan it states that "At present, the Mineral Resource Lands overlay covers a relatively small area compared to the extent of the potential mineral resources available in the county." Designating the proposed MRL overlay will begin to help close the gap between designated property and available mineral resources.
- e) Does the proposed amendment reflect the current widely held values of the residents of Jefferson County?
 - a. The need for Sand and Gravel is recognized by the Jefferson County Comprehensive Plan, and also by the Growth Management Act that shapes it. Past amendments in Jefferson County for expansion of the MRL overlay have been met with both positive and negative responses. It is possible the expansion of the MRL overlay could be met with mixed support by the residents. The expansion areas are adjacent to or very near existing mining operations and are isolated from potentially sensitive uses. This presents an opportunity for the County's mineral resource needs to be met with greater sensitivity the values of residents.
- f) Do changes in county-wide attitudes necessitate amendments to the goals of the plan and the basic values embodied within the Comprehensive Plan Vision Statement?
 - a. No, MRL overlay designation and mineral resource use is supported in the Comprehensive Plan and Vision Statement.
- g) Do changes in circumstances dictate a need for amendment?
 - a. Not applicable.

- h) Do inconsistencies exist between the Comprehensive Plan and the GMA or the Comprehensive Plan and the County-wide Planning Policy for Jefferson County?
 - a. The proposed amendment is consistent with the Comprehensive Plan and County-wide Planning policy for Jefferson County.
- i) Does the proposal meet concurrency requirements for transportation?
 - a. Not applicable directly but the sites are near transportation arteries that currently serve mineral extraction uses.
- j) Does the proposal adversely affect adopted level of service standards for public facilities and services other than transportation (e.g., sheriff, fire and emergency medical services, parks, fire flow, and general governmental services)?
 - a. No.
- k) Is the proposal consistent with the goals, policies and implementation strategies of the various elements of the Jefferson County Comprehensive Plan?
 - a. Yes. The Jefferson County Comprehensive Plan states that mineral resources should be protected for future use (pg 2-7). This proposed MRL overlay designation will reserve this area for future mineral resources extraction.
- l) Will the proposal result in probable significant adverse impacts to the county's transportation network, capital facilities, utilities, parks, and environmental features that cannot be mitigated?
 - a. For this proposal there are no impacts to the county's transportation network, capital facilities, utilities, parks, and environmental features. Any future potential impacts will be evaluated specifically during project specific permit review and the SEPA process.
- m) Will the proposal place uncompensated burdens upon existing or planned service capabilities?
 - a. No. Evaluation of service capabilities will be evaluated during project specific permitting and SEPA for future uses.
- n) How is the subject parcel(s) physically suitable for the requested land use designation and the anticipated land use development including, but not limited to the following:
 - a. Access: See Map Exhibit C1. Access is from SR-104. This is the access for existing mineral resource extraction facilities on Wahl Lake Rd.
 - b. Provision of utilities: necessary utilities will be evaluated further at the project specific level.
 - c. Compatibility with existing and planned surrounding land uses? The existing zoning is CF-80; the proposed MRL overlay designation will be on CF-80 zoned land, and the use will remain forestry until mineral extraction activities occur. At reclamation the property will revert back to forestry which will remain the underlying use. All property abutting the proposed MRL overlay is forestry use.
- o) Will the proposal, if adopted, create a pressure to change the land use designation of other properties?

No.

If the answer is yes, how would such change of land use designation on other properties be in the long-term best interests of the county as a whole?

- p) Does the proposed site-specific amendment materially affect the land use and population growth projections that are the bases of the Comprehensive Plan?
 - a. No, an MRL overlay is a temporary use, the property will revert back to CF-80 once reclaimed. The property is commercial forestry and is not intended to be inhabited.
- q) If the proposed redesignation/rezone is located within an unincorporated urban growth area (UGA), would the proposal materially affect the adequacy or availability of urban facilities and services to the immediate areas and the overall UGA?

The proposal areas are not in the UGA.

- r) Is the proposed amendment consistent with the Growth Management Act (Chapter 36.70A RCW), the Countywide Planning Policy for Jefferson County, and other applicable inter-jurisdictional policies or agreements, and any other local, state or federal laws?

Yes. The GMA governs the Jefferson County Comprehensive Plan. Both plans supports designation of mineral resource land for future commercial use.

SEPA ENVIRONMENTAL CHECKLIST

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Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals: [\[help\]](#)

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [\[help\]](#)

1. Name of proposed project, if applicable: [\[help\]](#)
Shine 2021 MRL Overlay
2. Name of applicant: [\[help\]](#)
Jefferson County Department of Community Development
3. Address and phone number of applicant and contact person: [\[help\]](#)
400 Valley Ave NE Puyallup WA, Patricia Larson, 253-833-3705 x461
4. Date checklist prepared: [\[help\]](#)
March 1, 2021



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5. Agency requesting checklist: [\[help\]](#)
Jefferson County
6. Proposed timing or schedule (including phasing, if applicable): [\[help\]](#)
2021 Jefferson Comprehensive Plan Amendment Cycle
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [\[help\]](#)

Yes. Once the proposed MRL (Mineral Resources Lands) overlay is in process and/or approved, application of site specific plans for mineral extraction will be submitted.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [\[help\]](#)

Environmental information will be prepared for mineral extraction during site specific permitting process.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [\[help\]](#)

None known.

10. List any government approvals or permits that will be needed for your proposal, if known. [\[help\]](#)
Ordinance review, public hearing by the Jefferson County Planning Commission and transmission from Planning Commission to the Jefferson County Board of Commissioners. Ordinance review, public hearing and adoption by the Jefferson County Board of Commissioners. Review by the Washington State Department of Commerce and other agencies, per the Growth Management Act.

This is proposed is a MRL overlay designation which requires an amendment to the Comprehensive Plan and Zoning Map for Jefferson County. Approval from Jefferson County is required for this amendment.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) [\[help\]](#)

The Applicant requests an amendment to the Jefferson County Comprehensive Plan and Zoning Map to designate approximately 200 acres to include in MRL overlay.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. [\[help\]](#)

The project is located 3.5 miles south-southwest of the State Route 19 and State Route 104 intersection. The nearest address is 1500 Wahl Lake Rd, Port Ludlow WA.

B. ENVIRONMENTAL ELEMENTS [\[help\]](#)

1. Earth [\[help\]](#)

a. General description of the site: [\[help\]](#)

(circle one): Flat **Rolling**, Hilly, steep slopes, mountainous, other _____



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b. What is the steepest slope on the site (approximate percent slope)? [\[help\]](#)
40%

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. [\[help\]](#)

Silty sand and sandy loam are found on the site. There are no agricultural land of long-term commercial significance within the proposed area.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. [\[help\]](#)
None known.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. [\[help\]](#)

The proposal is to designate approximately 200 acres of area with the MRL overlay designation for future mineral extraction. Quantities of any filling, excavation, and grading proposed will be addressed in a project specific permit.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. [\[help\]](#)
No, N/A. This is a Comprehensive Plan and Zoning Amendment.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? [\[help\]](#)
None, N/A. This is a Comprehensive Plan and Zoning Amendment.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: [\[help\]](#)
None, N/A.

2. Air [\[help\]](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. [\[help\]](#)

None, N/A. This is a Comprehensive Plan and Zoning Amendment.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. [\[help\]](#)
No, N/A.

c. Proposed measures to reduce or control emissions or other impacts to air, if any: [\[help\]](#)
None, N/A. This is a Comprehensive Plan and Zoning Amendment.

3. Water [\[help\]](#)

a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. [\[help\]](#)



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Wetlands, Thorndyke Creek and associated tributaries are in the vicinity of the project. Thorndyke Creek flows into Hood Canal via Thorndyke Bay.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. [\[help\]](#)
No, N/A. This is a Comprehensive Plan and Zoning Amendment.

Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. [\[help\]](#)

None, N/A. This is a Comprehensive Plan and Zoning Amendment.

Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. [\[help\]](#)

No, N/A. This is a Comprehensive Plan and Zoning Amendment.

- 3) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. [\[help\]](#)
No.
- 4) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. [\[help\]](#)
No. This is a Comprehensive Plan and Zoning Amendment.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. [\[help\]](#)
No, N/A. This is a Comprehensive Plan and Zoning Amendment. Water use will be addressed at the project specific level.
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. [\[help\]](#)
None, N/A. This is a Comprehensive Plan and Zoning Amendment. Discharges, if any, will be addressed on the project specific level.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. [\[help\]](#)
None, N /A. This is a Comprehensive Plan and Zoning Amendment. Impacts storm water and other runoff will be addressed at the project specific level through Jefferson County and Washington State Department of Ecology.
- 2) Could waste materials enter ground or surface waters? If so, generally describe. [\[help\]](#)
No, N/A. This is a Comprehensive Plan and Zoning Amendment. Any impacts to groundwater and surface water will be addressed at the project specific level.
- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. [\[help\]](#)
No, N/A. This is a Comprehensive Plan and Zoning Amendment. Any impacts to

drainage patterns and surface water will be addressed at the project specific level.

- d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: [\[help\]](#)

None, N/A.

4. Plants [\[help\]](#)

- a. Check the types of vegetation found on the site: [\[help\]](#)

- ☒ deciduous tree: **alder**, maple, aspen, other
☒ evergreen tree: **fir**, cedar, pine, other
☒ **shrubs**
☐ grass
☐ pasture
☐ crop or grain
☐ Orchards, vineyards or other permanent crops.
☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
☐ water plants: water lily, eelgrass, milfoil, other
☐ other types of vegetation

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- b. What kind and amount of vegetation will be removed or altered? [\[help\]](#)

None, N/A. This is a Comprehensive Plan and Zoning Amendment.

- c. List threatened and endangered species known to be on or near the site. [\[help\]](#)

Whitebark Pine, Golden Paintbrush

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: [\[help\]](#)

None, N/A.

- e. List all noxious weeds and invasive species known to be on or near the site. [\[help\]](#)

None, N/A. This is a Comprehensive Plan and Zoning Amendment.

5. Animals [\[help\]](#)

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. [\[help\]](#)

Hawks, songbirds, deer, bear, elk, coyote and other small mammals.

Examples include:

birds: hawk, heron, eagle, songbirds, other: mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other _____

- b. List any threatened and endangered species known to be on or near the site. [\[help\]](#)

None known.

- c. Is the site part of a migration route? If so, explain. [\[help\]](#)

None known.



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- d. Proposed measures to preserve or enhance wildlife, if any: [\[help\]](#)

None, N/A.

- e. List any invasive animal species known to be on or near the site. [\[help\]](#)

None known.

6. Energy and Natural Resources [\[help\]](#)

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. [\[help\]](#)

None. N/A

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. [\[help\]](#)

No, N/A.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: [\[help\]](#)

None.

7. Environmental Health [\[help\]](#)

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. [\[help\]](#)

No.

- 1) Describe any known or possible contamination at the site from present or past uses. [\[help\]](#)

None known.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. [\[help\]](#)

None known.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. [\[help\]](#)



None, N/A.

- 4) Describe special emergency services that might be required. [\[help\]](#) JEFFERSON COUNTY DCD

None, N/A.

- 5) Proposed measures to reduce or control environmental health hazards, if any: [\[help\]](#)

None.

b. Noise [\[help\]](#)

What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? [\[help\]](#)

None, N/A.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. [\[help\]](#)

None for this proposal. Mineral extraction site specific permits and SEPA would evaluate and adhere to Jefferson County Code requirements for any future long term noise.

- 3) Proposed measures to reduce or control noise impacts, if any: [\[help\]](#)

None.

8. Land and Shoreline Use [\[help\]](#)

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. [\[help\]](#)

The current use of the proposed MRL overlay is CF-80 (Commercial Forestry). All property adjacent to the proposed overlay is commercial forest zoning.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? [\[help\]](#)

The site is zoned and used as commercial forest land (CF-80). The MRL overlay is an interim use, after reclamation the property will revert to its underlying zoning. After project specific permits for mineral extraction are approved, Miles Sand & Gravel will work with the property owner on conversion of forest properties to mineral extraction area, then upon reclamation, the property will be restored to underlying zoning, currently commercial forestry.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: [\[help\]](#)

No.

- c. Describe any structures on the site. [\[help\]](#)



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None.

- d. Will any structures be demolished? If so, what? [\[help\]](#)

No.

- e. What is the current zoning classification of the site? [\[help\]](#)

CF-80 (Commercial Forestry)

- f. What is the current comprehensive plan designation of the site? [\[help\]](#)

CF-80 (Commercial Forestry)

- g. If applicable, what is the current shoreline master program designation of the site? [\[help\]](#)

None.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. [\[help\]](#)

Some wetlands are shown in the County's mapping system near the proposed MRL overlay area. These wetlands and any other critical areas will be taken into consideration, along with any required buffers during the project specific application process.

- i. Approximately how many people would reside or work in the completed project? [\[help\]](#)

None for this proposal.

- j. Approximately how many people would the completed project displace? [\[help\]](#)

None.

- k. Proposed measures to avoid or reduce displacement impacts, if any: [\[help\]](#)

None, N/A.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: [\[help\]](#)

The proposed MRL overlay is adjacent to previously approved MRL overlay designation properties, as well as adjacent to existing mineral extraction facilities. The property is within and surrounded by commercial forestry property. After reclamation the property will revert to its underlying use, as mineral extraction is a temporary use.

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any: [\[help\]](#)

None. The property will revert to commercial forest zoning upon reclamation.

9. Housing [\[help\]](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-

income housing. [\[help\]](#)

None.



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- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. [\[help\]](#)

None.

- c. Proposed measures to reduce or control housing impacts, if any: [\[help\]](#)

None, there are no impacts.

10. Aesthetics [\[help\]](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? [\[help\]](#)

None for this proposal.

- b. What views in the immediate vicinity would be altered or obstructed? [\[help\]](#)

None for this proposal.

- c. Proposed measures to reduce or control aesthetic impacts, if any: [\[help\]](#)

None.

11. Light and Glare [\[help\]](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? [\[help\]](#)

None, N/A.

- b. Could light or glare from the finished project be a safety hazard or interfere with views? [\[help\]](#)

No.

- c. What existing off-site sources of light or glare may affect your proposal? [\[help\]](#)

None.

- d. Proposed measures to reduce or control light and glare impacts, if any: [\[help\]](#)

None.

12. Recreation [\[help\]](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity? [\[help\]](#)

None.

- b. Would the proposed project displace any existing recreational uses? If so, describe. [\[help\]](#)

No.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: [\[help\]](#)

None.



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13. Historic and cultural preservation [\[help\]](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe. [\[help\]](#)

No.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. [\[help\]](#)

None known. Historic and cultural preservation will be evaluated at the project specific level.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. [\[help\]](#)

This proposal only addresses Jefferson County Comprehensive Plan amendment and Zoning Amendment. Historic and cultural preservation will be evaluated further at the project specific level.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. [\[help\]](#)

None, N/A.

14. Transportation [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. [\[help\]](#)

SR 104 will be the access to the MRL overlay area. Wahl Lake Road though Miles Sand & Gravel's existing facility will be the primary access to the site, along with existing logging roads.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? [\[help\]](#)

No. Public transit is not available within or near the site.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? [\[help\]](#)

None.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). [\[help\]](#)

Not at this time.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. [\[help\]](#)

No, water, rail or air transportation are not proposed.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? [\[help\]](#)

None for this proposal.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. [\[help\]](#)

No.

- h. Proposed measures to reduce or control transportation impacts, if any: [\[help\]](#)

None.



JEFFERSON COUNTY DCD

15. Public Services [\[help\]](#)

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. [\[help\]](#)

No.

- b. Proposed measures to reduce or control direct impacts on public services, if any. [\[help\]](#)

None.

16. Utilities [\[help\]](#)

- a. Circle utilities currently available at the site: [\[help\]](#)
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other ____

No utilities are currently available at the site.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. [\[help\]](#)

None proposed as part of this application.

C. Signature [\[help\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: *Patricia Larson*

Name of signee Patricia Larson

Position and Agency/Organization Corporate Programs Manager/Miles Sand & Gravel Company

Date Submitted: 3/1/2021



D. supplemental sheet for nonproject actions [\[help\]](#)

JEFFERSON COUNTY DCD

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal is a request for an amendment to the Jefferson County Comprehensive Plan and Zoning Map. Project specific evaluation will evaluate discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise. Mineral extraction under a project specific permit would be the future use.

Proposed measures to avoid or reduce such increases are:

General mitigation measures for site specific mineral extraction are described below. Project specific impacts will be evaluated under the future site specific permits and future SEPA:

- A site specific stormwater plan will be prepared for mineral extraction facilities under DOE NPDES Permit and Jefferson County Public Works.
- A clean air permit will be obtained from the appropriate authority.
- A Spill Control Plan is included in the Site Management Plan as required by the DOE NPDES Permit.
- Noise levels for specific mineral extraction activity will be evaluated for the site, and will comply with Jefferson County Code.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal is a request for an amendment to the Jefferson County Comprehensive Plan and Zoning Map. Future mineral extraction will require the removal of trees as an interim use, some animals may become displaced into the surrounding commercial forest lands.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Mineral extraction is an interim use, after mineral extraction is complete, the property will revert to the underlying use which is currently commercial forestry (CF-80).

3. How would the proposal be likely to deplete energy or natural resources?

The proposal is a request for an amendment to the Jefferson County Comprehensive Plan and Zoning Map which will not have any impact on energy and natural resources. Future use of mineral extraction

will use fossil fuels to power equipment used in excavation and reclamation of the site. Mineral extraction in itself will process and deplete the mineral resource.



JEFFERSON COUNTY DCD

Proposed measures to protect or conserve energy and natural resources are:

Electrical equipment is used when practical and all equipment using fossil fuels will be properly maintained to make them as efficient as possible. Mineral extraction is an interim use, after mineral extraction is complete, the property will revert to the underlying use which is currently commercial forestry (CF-80).

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposal is a request for an amendment to the Jefferson County Comprehensive Plan and Zoning Map. For the subsequent use, site specific permits and SEPA will be necessary.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Evaluation of the impacts will be addressed under the site specific permits. Site specific SEPA will identify and determine any necessary protection levels for parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains or prime farmlands.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposal is a request for an amendment to the Jefferson County Comprehensive Plan and Zoning Map. Subsequent use could consider any shoreline impact in the SEPA process through buffering.

Proposed measures to avoid or reduce shoreline and land use impacts are:

For the subsequent use, site specific permits will be necessary and required buffer of shorelines will be determined per Jefferson County Code during the SEPA process.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal is a request for an amendment to the Jefferson County Comprehensive Plan and Zoning Map. For the subsequent use, site specific plans will be necessary to determine impacts to transportation or public services and utilities.

Proposed measures to reduce or respond to such demand(s) are:

Evaluation of the impacts will be addressed the site specific permits and SEPA in regards to transportation or public services and utilities.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

None known.

RECEIVED
Mar 01 2021

JEFFERSON COUNTY DCO

**JEFFERSON COUNTY
STATE OF WASHINGTON**

IN THE MATTER OF ESTABLISHING
THE 2021 COMPREHENSIVE PLAN
AMENDMENT DOCKET AND
ESTABLISHING DEADLINES FOR
LEGISLATIVE ACTION

}
}
}
}
}

RESOLUTION NO. 72-21 _____

WHEREAS, RCW 36.70A.130(2)(a) and WAC 365-196-640(6)(a) require Jefferson County to allow interested persons to suggest amendments to the Jefferson County Comprehensive Plan or its development regulations during annual amendment cycles; and

WHEREAS, RCW 36.70A.130(2)(a) requires that local governments consider their annual amendments, together, no more than one-time per year; and

WHEREAS, the Jefferson County Comprehensive Plan's Plan Foundation and Chapter 18.45 Jefferson County Code ("JCC") incorporates the requirement to allow interested persons to suggest amendments to the Jefferson County Comprehensive Plan or its development regulations during the annual amendment cycle; and

WHEREAS, Chapter 18.45 JCC establishes a preliminary and final docketing process for the annual amendment cycle; and

WHEREAS, JCC 18.45.050 establishes a preliminary docket which requires the following proposed amendments to be placed on the preliminary docket: (1) formal site-specific amendments and (2) suggested text or site-specific amendments; and

WHEREAS, JCC 18.45.040 requires that suggested amendments be submitted to DCD no later than March 1st of each year for consideration in the final docket; and

WHEREAS, adoption of the final docket does not constitute a decision or recommendation that the substance of any docket item should be adopted by the BoCC; and

WHEREAS, on April 21, 2021 the Planning Commission held a duly noticed public hearing to accept testimony regarding the suggested text amendments on the preliminary docket, and after deliberations on the hearing record, the Planning Commission voted 7-0 to recommend two amendments (MLA21-00018 & 19) be placed on the 2021 final docket; and

WHEREAS, on May 10, 2021 the Planning Commission's recommendations for the Comprehensive Plan Annual Amendment Final Docket were presented to the BoCC for consideration, deliberation and possible adoption, at which time the BoCC moved and voted to accept the Planning Commission's recommendations for the final docket; and

WHEREAS, in the past year, DCD lost its director and planning manager, and as a result, operated much of the year with interim management, which meant that the duties and projects normally performed by interim management were impacted; and

WHEREAS, DCD has experienced other staffing shortages due to COVID-19 and other reasons; and

WHEREAS, these DCD staffing limitations have resulted in workload and time constraints that make it impossible to meet the deadline established JCC 18.45.080(2)(d) and handle its existing workload at the same time; and

WHEREAS, it is in the best interest of the County, considering COVID-19 and its impacts on residents, businesses and DCD staff, and significant staff reductions, to suspend all remaining deadlines regarding the review, recommendation and final adoption of the 2021 docket items for DCD staff, the Planning Commission and the BoCC; and

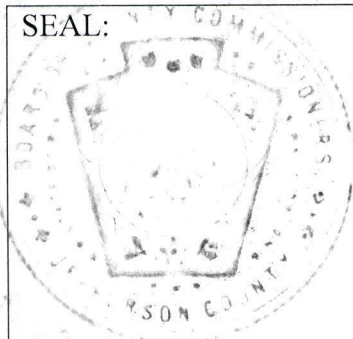
NOW, THEREFORE, BE IT RESOLVED, by the BoCC that in response to the reduction in DCD staff, the 2021 Comprehensive Plan Amendment Cycle shall be revised as follows:

1. All deadlines in Chapter 18.45 JCC for the processing and adoption of 2021 docket items, which occur after the adoption of the Final Docket on May 10, 2021, be suspended; and
2. The Planning Commission hearing, report and recommendation to the BoCC on all items on the 2021 final docket shall be completed no later than May 18, 2022; and
3. The BoCC shall take final legislative action on 2021 docket items by July 5, 2022, unless extended by the BoCC consistent with WAC 365-196-640(3)(a).

(SIGNATURES FOLLOW ON NEXT PAGE)

APPROVED this 6th day of December, 2021.

SEAL:



ATTEST:

Carolyn Gallaway
Carolyn Gallaway,
Clerk of the Board

JEFFERSON COUNTY
BOARD OF COMMISSIONERS

Approved telephonically
Kate Dean, Chair

[Signature]
Greg Brotherton, Member

[Signature]
Heidi Eisenhour, Member

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA REQUEST

TO: Board of County Commissioners

FROM: Brent Butler, Director, Community Development
David Wayne Johnson, Interim Planning Manager, Community Development

DATE: December 6, 2021

SUBJECT: Resolution to Modify the 2021 Comprehensive Plan Docket Schedule Due to Department of Community Development (DCD) staff limitations.

STATEMENT OF ISSUE:

Chapter 18.45 Jefferson County Code (JCC) contains a process for the annual Comprehensive Plan Cycle. Due to DCD staffing limitations, that schedule cannot be met. DCD staff presented this issue to the Board of County Commissioners (BoCC) on October 11, 2021, during a workshop at which the BoCC agreed to the extended the timeline for processing of the 2021 Comp Plan Amendment Cycle (CPAC) by resolution (attached) to suspend the current cycle for 2021, and establish new deadlines for BoCC review and action.

ANALYSIS:

In April and May this year, DCD's Director and Planning Manager resigned respectively, necessitating staff to fill those positions on an interim basis. Management resigned soon after acknowledging record-setting permit activity as outlined below and submitting a request for Special Personnel Authority.

<u>1st Quarter Year</u>	<u>Building Permits</u>	<u>Land Use Permits</u>
2021 – 1 st quarter	300	153
2020 – 1 st quarter	183 (2021 is 164% of 2020 levels)	163 (2021 is 94% of 2020 levels)
2019 – 1 st quarter	148 (2021 is 202% of 2019 levels)	138 (2021 is 111% of 2019 levels)
2018 – 1 st quarter	220 (2021 is 136% of 2018 levels)	109 (2021 is 140% of 2018 levels)

The authority waived the 2-year experience requirement for the Permit Tech II, converted two existing clerk hires to two-year term assistant planners, authorized lead status to an Associate Planner to support Energov, and resulted in the hiring of a new Planning Tech. As a result, valuable planners were retained and the department's work stabilized. Upon the management team's resignation, an Associate Planner Lead was named interim planning manager and his current planning duties and projects reassigned. This restructuring impacted the CPAC. Since this time, planning staff have been operating with a one full time employee (FTE) deficit. DCD staffing limitations have resulted in workload and time constraints that make it impossible to meet the deadline established JCC 18.45.080(2)(d) and handle its existing workload at the same time.

In April 2020, the Board of County Commissioners (BoCC) adopted a resolution No. 25-20, suspending deadlines in the Chapter 18.45 JCC schedule for the CPAC due to impacts from COVID19, extending the deadline for processing the 2020 CPAC to February 26, 2021. Due to additional items (2) added to the final docket and reduced time in which to complete the work, the BoCC extended that deadline again through resolution No. 69-20, for final action to April 30, 2021 consistent with WAC 365-196-640. These actions are consistent with the proposed action and are a result of impacts beyond the control of DCD.

ATTACHMENT:

Resolution to 2021 CPAC

FISCAL IMPACT:

No significant impact by adopting the revised resolution. To the extent cost estimates to complete the work which involve general fund supported activities at a level that exceeds the staffing and budget already supported by the General Fund, the Board may be asked to appropriate additional General Fund transfer dollars to support that work through the extended deadlines.

RECOMMENDATION:

Review, consider and adopt the attached resolution

REVIEWED BY:


Mark McCauley, Interim County Administrator


Date



JEFFERSON COUNTY

DEPARTMENT OF COMMUNITY DEVELOPMENT

621 Sheridan Street | Port Townsend, WA 98368

360-379-4450 | email: dcd@co.jefferson.wa.us

<http://www.co.jefferson.wa.us/260/CommunityDevelopment>

**NOTICE OF INTENT TO AMEND THE COMPREHENSIVE PLAN
RELATING TO PROPOSED AMENDMENT IN APPLICATION MLA22-00035
AND
NOTICE OF ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENTS AND
PENDING SEPA DETERMINATION OF NON-SIGNIFICANCE (DNS)
AND
NOTICE OF SEPTEMBER 21, 2022 PUBLIC HEARING BEFORE THE JEFFERSON
COUNTY PLANNING COMMISSION ON PROPOSED COMPREHENSIVE PLAN
AMENDMENT**

Pursuant to the Washington State Growth Management Act (GMA) and State Environmental Policy Act (SEPA), Jefferson County is issuing an integrated GMA/SEPA document per WAC 197-11-210 through 197-11-235, relative to proposed amendment to the Jefferson County Comprehensive Plan. Jefferson County has determined that it is the appropriate SEPA lead agency for the proposal. Adoption of any amendments through this action would be a Non-Project Action under SEPA, Chapter 43.21C RCW.

Summary of Proposed Changes: COMPREHENSIVE PLAN AMENDMENT—MINERAL RESOURCE LAND OVERLAY EXTENSION. Miles Sand & Gravel Company (Applicant) requests an amendment to the Jefferson County Comprehensive Plan and Zoning Map to include additional land adjacent to an existing Mineral Resources Land (MRL) overlay which would allow the Applicant to seek additional project-specific approvals for sand and gravel extraction and processing. This application was received March 1, 2021, and was carried over to 2022.

The proposed extension to the MRL overlay designation will add approximately 200 acres to the existing 165-acre MRL overlay in the Wahl Extraction Area to access contiguous existing resources. The proposed additional area for the MRL overlay is located in the vicinity of and contiguous to existing MRL overlay areas where there is an existing mineral extraction facility. Processing will be in the same area as currently done and no additional truck traffic is planned.

The underlying land use designation of Commercial Forestry (CF80) remains and forestry is managed on areas not being actively mined. Forestry is the subsequent land use after mineral resource extraction and reclamation are complete.

Applicant: Miles Sand & Gravel Company, 400 Valley Ave. NE, Puyallup, WA 98163. Owner: Rayonier Forest Resources, 3033 Ingram St., Hoquiam, WA 98550

GMA Notice: This document serves as the 60-day Notice of Intent to Amend the Jefferson County Development Regulations and is being circulated per WAC 365-196-620 to State agencies responsible for reviewing proposed amendments to comprehensive plans and/or County Development Regulations.

SEPA Notice: The proposed amendment will be reviewed under SEPA as a Non-project Action involving decisions on policies, plans, or programs (WAC 197-11-704). The Department of Community Development (DCD) has assumed the responsibility of Lead Agency under SEPA, has reviewed the proposed project for probable adverse environmental impacts and expects to issue a Determination of Non-Significance (DNS). This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date of this notice. The proposal may include mitigation measures under applicable development regulations, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared.

Mitigation measures may include provisions already in Ch. 18.20 JCC for use-specific performance standards and Ch. 18.30 JCC for development standards.

Comments on the SEPA Threshold Determination must be submitted to the Department of Community Development, Attn. MLA21-00019 Miles Sand & Gravel Mineral Resources Overlay Extension, 621 Sheridan Street, Port Townsend, WA 98368, by the close of Jefferson County Planning Commission Hearing, which begins at 5:30 pm on September 21, 2022. A copy of the subsequent final threshold determination for the specific proposal may be obtained upon request.

Adoption of Existing Environmental Documents: This announcement also serves as a notice of adoption of existing environmental documents. After review of the suggested amendment and existing environmental documents, the SEPA Responsible Official at DCD has determined that existing environmental documents provide adequate environmental review to satisfy the requirements of WAC 197-11-600.

The following existing environmental documents are being adopted:

- 1997-1998 Draft and Final Environmental Impact Statements (DEIS/FEIS) and addenda prepared in anticipation of adoption of the Comprehensive Plan in 1998. The DEIS and FEIS are dated February 24, 1997 and May 27, 1998, respectively, and examined the potential cumulative environmental impacts of adopting alternative versions of the Comprehensive Plan.

- 6/30/1999 Draft Supplemental EIS (DSEIS)--Comprehensive Plan 1999 Amendments (Task III of Tri-Area/Glen Cove Special Study)
- 8/18/1999 Final Supplemental Environmental Impact Statement. Jefferson County Comprehensive Plan 1999 Amendments. Tri-Area/Glen Cove Special Study Task IV.
- 6/11/2001 Glen Cove/Tri-Area Special Study Supplemental EIS Final Decision Document, June 11, 2001
- 2002 Integrated Growth Management Act/State Environmental Policy Act Document Environmental Review of a Non-Project Action: Draft Supplemental EIS August 21, 2002, to Supplement the Comprehensive Plan Draft and Final EIS (1997) and Comprehensive Plan 1999 Amendments Draft and Final SEIS. November 25, 2002 Integrated FSEIS 2002 Amendment Docket.
This FSEIS was appealed before the Western Washington Growth Management Hearings Board (WWGMHB) of which the WWGMHB issued a Final Decision and Order (FDO) and remanded it back to the Department for additional environmental review.
The county hired Wheeler Consulting, to prepare additional environmental review based on the FDO. A DSEIS to the 2002 CPA SEIS was issued on March 3, 2004. A FSEIS to the 2002 CPA SEIS was issued on May 12, 2004 as part of the review and in consideration of MLA02-00235.
- 2004 Staff Report and SEPA Addendum to 1998 EIS for UGA Amendments to the Comprehensive Plan issued May 19, 2004.
- 2004 Comprehensive Plan Amendment Docket Department of Community Development Integrated Staff Report and SEPA Addendum issued September 22, 2004.
- 2009 Integrated GMA/SEPA Addendum Staff Report, September 2, 2009. Adopted by legal notice: 1998 DEIS/FEIS, September 22nd Staff Report 2004, 2005, 2006, 2007, 2008, "and all supplementary information...supporting record, analyses, materials."
- 2018 Jefferson County Comprehensive Plan Update 2038 SEPA Addendum to 1998 Draft and Final Jefferson County Comprehensive Plan Environmental Impact Statements and subsequent Supplemental EISs and Addenda. April 4, 2018

Planning Commission Public Hearing: NOTICE IS HEREBY GIVEN that the Jefferson County Planning Commission will hold a **public hearing on Wednesday, September 21, 2022** to take oral and written comment on the proposed amendments to the Comprehensive Plan before making a recommendation to the Board of County Commissioners on whether to adopt the proposed amendment. The Planning

Commission meeting and public hearing will be held on-line beginning at **5:30 PM, Wednesday, September 21, 2022.**

COVID-19 NOTICE: At this time, we are planning an on-line hearing with no in-person attendance allowed. Please check the Jefferson County Calendar for updated information about hybrid meetings:
<https://www.co.jefferson.wa.us/Calendar.aspx>

You can join the Planning Commission hearing by using the following methods:

Zoom Meeting: Meeting ID: 886 7104 7253

Passcode: 894561

<https://us02web.zoom.us/j/88671047253?pwd=OU8vTWZGWTVRRGNRVEQ1c2k0WDVadz09>

This link is also provided electronically at the Community Development page.

This option will allow you to join the meeting live. You will need to enter an email address. If you wish to provide public comment, click on the hand icon at the bottom of the screen to “raise your hand.”. Participation will be up to the Chair of the meeting

Please sign on 5 to 10 minutes before the official start of the meeting to check sound and video quality. This video will be closed-captioned enabled for persons with disabilities.

Audio only: 1-253-215-8782, Meeting ID 88671047253, Passcode 894561.

Public Comment Period: The Department of Community Development and the Planning Commission are accepting general comments on the merits of this suggested amendment to the Comprehensive Plan. Written comments will be accepted through the close of the Public Hearing on Wednesday, September 21, 2022. Any written comments on these suggested amendments submitted after the close of the public comment period will be forwarded to the Board of County Commissioners (BoCC) for consideration in its legislative decision. The BoCC may also hold a public hearing before taking action. Formal notice would appear in this newspaper. Written comments on the proposal may be submitted to the Department of Community Development, Attn. MLA21-00019 Miles Sand & Gravel Mineral Resources Overlay Extension, 621 Sheridan Street, Port Townsend, WA 98368 or via email to jpeterston@co.jefferson.wa.us.

Availability of Documents: For more information or to inspect or request copies of the original application for the proposed amendments, the adopted existing

environmental documents or the Staff Report and Recommendation, visit the Department of Community Development webpage, <http://www.co.jefferson.wa.us/commdevelopment> and follow the link to Public Notices. You can also access the project documents directly from the Laserfiche Web Portal for 2021 case files, case MLA21-00019, at: <https://test.co.jefferson.wa.us/WeblinkExternal/Browse.aspx?id=4080581&dbid=0&repo=Jefferson>.

[end]