

Jake Kinsman
218 Brim RD.
Onalaska, WA 98570

October 31st, 2022

Mindy Brooks
Senior Long Range Planner
2025 NE Kresky Ave
Chehalis, WA 98532

Rebuttal to Mining Opt-in rezone

Dear Ms. Brooks,

I am writing this letter in testimony to the opposition of the Mining Opt-in rezone that has been proposed by Mr. Good and the Avapollo land corporation.

I would like to start off by expressing my feelings regarding “private property” rights. I am a firm believer in property rights and the rights of landowners to use the land as they see fit and or desire, especially when it pertains to making a living off the land.

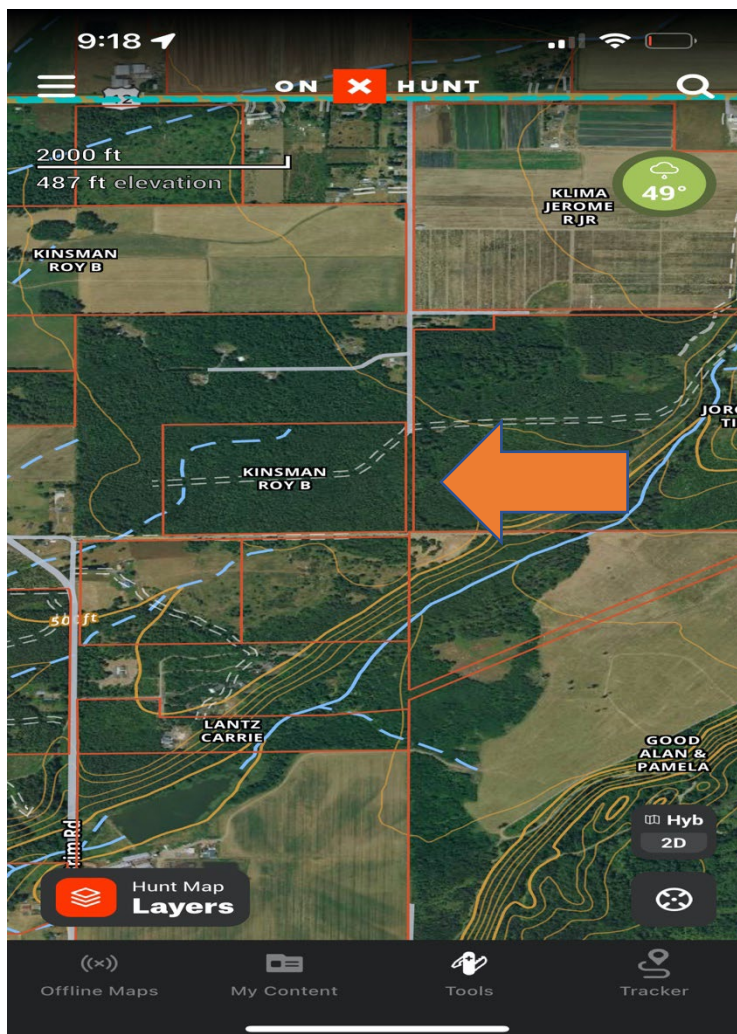
However, the land in question sits within the community myself and my family have lived in for five generations and your decision on the matter could greatly impact our way of life.

Over the course of several years my career was in mining. Starting in my late teens and going into my 20s I worked for the Goods. From there I went on to work for the largest producer of sand and gravel in the nation at the time. During this time, I gained lots of knowledge in mining operations, especially large sand, and gravel mines, much like this one could become. I have seen firsthand the impacts created from mining. Both positive and negative. Depending on the quality of the material, a source of this size has the potential of being a large scale mine. And that means a large sum of dump trucks. A safe number to assume would be 100+ trucks per day. That’s 200+ trucks back and forth through a quiet country neighborhood daily!

My home is located at 218 Brim Rd. It’s a little farmhouse that was built in the very early 1900’s. In fact, this home was one of three original homesteads on the Brim Rd. It was built before automobiles were even in the area. Therefore, it sits relatively close to the roadway. 48ft from the center line to my front door to be exact. And if you have ever driven down Brim Rd., you will be sure to notice the infamous curve in the roadway. Yes, that is my home that sits right on the corner. In my lifetime there have been over 30 major accidents on this part of the roadway. Including rollovers, motorcycles, cars on fire, cars hitting the front steps of my home, semi-trucks tipped over in yards, log trucks hauling logs from the very piece of property in question, and even a fatality. So to say there is great concern about the traffic created by a large-scale mining operation is an understatement. I am VERY concerned! You cannot calculate the probability of a major accident happening on this stretch of roadway, because the probability is 100%. It has already happened and will continue to happen if not planned for correctly.

You are probably also aware of the dangerous intersection of Brim and US HWY 12. The speed of the vehicles traveling on HWY 12 and the busy four-way intersection make it nearly impossible to cross as it is. Adding another 100 large vehicles per day and it becomes a recipe for disaster.

I am not one to complain about an issue unless I have a suggestion for a solution. I suggest the right-of-way that connects the property in question to the Brim Rd be changed. Referring to the map below, you will notice that there is another right-of-way perpendicular to the current one being used. This right-of-way would connect the property in question to the Pinkerton Rd. in a perfectly straight line. The Pinkerton Rd. is much more suitable for truck traffic, the intersection at US 12 is much safer, the population is far less dense, and it's a perfectly straight line. As you are aware, the Pinkerton Rd. is a dead-end road. Therefore, a road (at owner's expense) would have to be built to connect the two over the distance of roughly 400 yards, an easy task for a mining company. I am not sure who owns the right-of-way (it is not noted on the County PATS), but the fact is that it exists.



Another concern regards our water table. Sand and Gravel operations are different compared to hard rock mining in the way that the rock and sand are segregated and washed. This process uses a substantial amount of water. Where is this water coming from? If it's a well then what are the effects going to be on the landowners who are also tied into the aquifer? How will the water table be monitored? If it's a pond or a stream, then what will be the effects on wildlife?

I would like to thank you for taking the time to consider the points and concerns of myself, my family, and all my neighbors. Again, I am a supporter of individual property rights and persons right to do what they desire with their private property. I understand the need for resources such as sand and gravel and the value it could bring to our community. However, this is

something that cannot be rushed through. Mining is permanent mark on the earth and the communities involved. Please consider the negative impacts the traffic alone could inflict upon

many longtime residents of Brim Rd. There are other solutions, and it would be best to consider an alternative.

Sincerely,

Jake Kinsman

Good / Avapollo land Corp Oct 24, 2022

Harold Powell 360-520-2095
134 Poplar Ln, Onalaska, Wa.

I and 4 other families live in the Stanley subdivision 115' above the Good property. When we purchased this property we had to sign a document stating we understood we were bordering agricultural lands. Our views are forest, fields and the Cascade mountains. I can't imagine seeing, hearing, and smelling a gravel pit operation in front of my home, let alone a huge loss in property value.

Blue creek runs though the Good property and is the drainage for several tributaries contributing to the flow of Blue Creek during the fall and winter storms. Blue Creek routinely floods a large portion of Good property. They claimed they could build a berm along the creek to contain the flooding. When it floods the berm will surely wash dirt, clay' and silt into Blue Creek which is an active Salmon and Steelhead Spawning Stream. Many Bald Eagles congregate there for several weeks of the winter to eat the spawned out Salmon. This berm would also prevent the tributary streams from reaching Blue Creek. These streams are very visable on Google Earth, and run water most of the year. To prevent flooding, these streams would need to be trenched to the south over the next bench onto neighboring properties below. That would limit the flow of Blue Creek and cause several other problems.

As temporary caretakers of the lands we shouldn't even consider turning flat agricultural land into a gravel pit. This pit will need to be 60-100 feet deep and approximately 11/2 million loads to reach their stated goal. Reclaiming any pit for agriculture is impossible because a mixture of clay, silt, and rocks mixed with topsoil make it impossible to plow or grow crops. Any farmer would know that. We have 1000's of years of gravel in area hillsides, that are abundant, unfarmable, with no spawning streams. Why aren't we choosing those places for our gravel source. To destroy this land and jeopardise a valuable spawning stream, for gravel, should be unthinkable. Are we going to make our grandchildren and future generations farm the mountain sides because we used bad judgement today.

The proponents say they will create 10-12 jobs, but for every person hired, someone at a current gravel site will lose their job. The same goes for gravel sold. The county won't gain anything. It would be taking from a current gravel pit, and given to the Good family.

It would be a sorry day for our subdivision and everyone on Brim road to Highway 12, if this mining operation is ever granted. Also numerous bus stops and little children don't mix well with gravel trucks on dark mornings. The Good family would be the only one to gain, at the demise of the rest of us. There isn't any way State and Federal Fisheries, or the E.P.A. will ever permit this to go forward. The Cowlitz Indian Tribe are also very concerned. This needs to be nipped in the bud and not waste a lot of time and energy for everyone involved.

Thankyou

10/4/2018

Hi neighbors, I'm sure some of you have noticed the activity along the easement on the north side of my property in the last two summers, which was originally an access sold to the Wallaces (Jason Good) before I purchased the property, so they could get to 8 acres of timber on this side of Blue Creek. Their other access was off Spencer Rd to the other 400+ acres of timber. According to Woods dairy, they lost their Spencer rd access last summer due to non-compliance with their agreement with the owner of that easement. They then tried to bully Woods into using their access, which didn't go far. They then turned the dairy in to Dept of Ecology which led to nothing.

We have been back in there & they have totally cleared the wet land area & put a bridge over Blue Creek & cleared along it. Last summer I contacted the Dept. of Ecology about this and did not get a response back. I called again earlier this summer and talked with Brian at Dept of Ecology. He had notified Bill Teitzel at Lewis County, Zach Meyer (wetlands), Fish & Wildlife etc. last summer and did again this summer. I talked with Bill in September & he was going to attempt to get into see the area. I have emailed Bill Teitzel again today & he hasn't been able to access the property to see what is happening but would attempt again today or tomorrow.

We have not gotten any answers on if they are planning on developing this property or what. I hope this isn't the case. We have heard what sounds like blasting in the last month & they have hauled rock out & built the easement up the last two summers. If you would like to voice your concerns & ask questions here are the contact #'s & case #.

CASE # : ERTS 675901

Bill Teitzel: Bill.Teitzel@lewiscountywa.gov 360-740-1261

WA State Dep. Of Ecology SW regional office 360-407-6300 (Brian)

Zach Meyer-Wetlands 360-407-6167

Feel free to contact us if you'd like.

Jodi Urich Sayad 360-520-5850

Dan Sayad 360-304-8411

133 GRIFFIS RD ONALASKA, WA 98570

Jodi Urich Sayad
David Sayad
133 Griffis Rd
Onalaska WA 98570

Mindy Brooks, Senior Long Range Planner
Lewis County Community Development
2025 NE Kresky Ave
Chehalis WA 98532

August 22nd, 2022

We are writing this letter in opposition to the rezoning application located at 0 Spencer Rd, permit # RZ21-0002 and SEP21-0039 from Agriculture resource to Mineral resource lands.

I own the two parcels which the easement is adjacent to off Griffis Rd including parcel # 028025002000 and 028024022003. I initially reached out to Lewis County Community Development, William Teitzel, Brian at Wa Department of Ecology and Zach Meyer with Wetlands. Case # ERTS 675901 during the summer and fall of 2018 regarding the easement. I was concerned at the time due to the fact the easement had been rebuilt with a new bridge over Blue Creek and new culverts in other streams that travel through my property. Since this time my creeks have been drying up much sooner. I used to have a month or two without water flowing and now go up to six months a year without water flowing. This has environmentally impacted my property in a negative way not only for my cattle but to all the wildlife that visit my property. Mr. Teitzel stated he was unable to access the property due to "no trespassing signs" and would try again another day.

Besides the constant air and noise pollution that would be introduced into this peaceful, quiet farming community, would be the dust continually blowing onto my entire North and East property lines. I would propose the easement would have to be paved if allowed. Also, our little county Griffis road is not wide enough and would not hold up to constant large equipment and dump truck traffic. Along with the concerns of many small children often playing along our Brim Road and crossing back & forth between the many family dairies.

I recently lost my mom to Covid and my only surviving sibling, my sister, has plans to build a home with the existing beautiful view. We have concerns regarding the level of the proposed pit, the water table level and depth of our wells with risks of contamination. Rezoning to Mineral resource land would financially devastate the value of my back parcel as it is bordered both on the North and East property lines. Besides the constant noise and air pollution my property would lose a beautiful view as would all the neighbors along it who primarily purchased their properties for this reason.

I was born and raised on this property and able to buy it back in 2004, after losing two brothers, 20 years after my parents lost it. I am sentimentally attached to my property for many of these reasons and plan on staying here on the front parcel for the rest of my life and passing it on to my children. It would be financially and emotionally devastating for this rezoning to be approved. My neighbors and I all chose to live here for many reasons including view, clean air, peaceful and quiet country setting which would all be adversely affected. The property in question, along with all the surrounding

properties has been zoned for agriculture for years and my request is that remain that way and not be turned into a large environmentally unfriendly industrial site, greatly devaluing all of our properties.

I also have grave concerns regarding the environmental impact a rock quarry would have on a small, protected stream with salmon spawning like Blue Creek which runs through the back of my property. We often see numerous waterfowl, birds, deer, elk, bald eagles, coyotes, bear and bobcats in our field and can't imagine the impact mining the 440+ acres adjacent to us would have environmentally on all of the wildlife, devastating their safe and fragile habitat. Since 2004 I have watched a herd of over 40 elk that used to wander through my field, spending much of their time on the property requesting rezoning, dwindle to 12-15 because of hoof rot. An environmental change of this magnitude would be devastating and detrimental to this small herd that has been fighting and struggling to survive already.

Thank you for reconsidering.

Jodi Urich Sayad

David Sayad

From: [Kay Crawford](#)
To: [Mindy Brooks](#)
Subject: New Quarry rezone in Ethel WA
Date: Wednesday, November 2, 2022 10:50:05 AM

Dear County Commissioners,

I am very opposed to the proposed rezone allowing a large parcel of rural Ethel, Lewis County to be turned into another unnecessary rock quarry. This is bad for our rural quality of life, water quality of the Cowlitz River watershed, local traffic on inadequate and dangerous roads, local wildlife and neighboring properties; all in order to benefit a few corporate owners. Please deny this rezone application.

Thank you!

Kay

Kay Crawford
www.KayCrawfordStudio.com
360-880-0663

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Lewis County Planning Commission
c/o Ms. Mindy Brooks
2025 NE Kresky Avenue
Chehalis, WA 98532

November 3, 2022

246 Brim Road
Onalaska, WA 98674

Dear Commissioner Swope, Commissioner Pollock and Commissioner Grose,

Please accept this letter of opposition for the Mining Opt-rezone application of Good / Avapollo Land Corp. I have great respect for what you do as commissioners, as I am sure it is not an easy job having to make decisions that often times have significant implications for the community and individuals. I just attended the November 1st hearing regarding the Mining Opt-rezone and am very impressed by the questions you asked and time you have invested into this decision, especially hearing Vice-President Swope's comment that he (and possibly you all?) had visited communities who were significantly impacted by these type of mines. I cannot thank you enough.

Please allow me a few moments to express my concerns regarding this re-zone application. As you read, understand that this is all new to me as I have just heard about this just days ago, so I am sure I am speaking to a small picture of information that you have access to.

Three months ago I purchased a home on 25 acres, right on Brim Road, about a half-mile from the land in consideration of re-zoning and half way in between Highway 12 and the proposed mining site. I have spent my savings purchasing this home and property so that I may support my aging family as time goes on. I chose it because it is in a farming community, it is peaceful and beautiful. It is so quiet you can hear coyotes and owls at night and bald eagles talking to each other during the day, and the night sky is black and you can see the Milky Way. This may not seem very important, however words cannot adequately express how much this all means to me.

I am truly impressed by the caliber of people that live in this community. This place and its people are truly an incredibly rare gem. All of my neighbors are the most welcoming, hardworking, generous, wonderful people you could ever meet. It is a close knit community where neighbors watch out for each other and care for each other.

On Sunday, October 30th, when a neighbor brought this situation to my attention I began to research what I could find on line. I was completely shocked by what was submitted to the county by Mr. Good and his Rock Crushing company and the Las Vegas mining company, Avapollo Land. In the SEPA checklist Mr. Good refused to answer numerous questions stating instead that this critical information "will be addressed through a separate SEPA review process associated with an SUP application to Lewis County...". When asked how many vehicular trips per day would be generated in Question 14.f., the applicant defiantly responds; "This proposal is strictly to designate the property as MRL." Why are these mining companies being evasive? What are they hiding? The applicants are long established mining companies, who know that there is more than 30 million tons, more than 18 million cubic yards of possible aggregate to be hauled out by truck. That is 1.8 million truck loads if each truck carries 10cuyds. So what Mr. Good is saying is that in all of his years of experience in mining and with the knowledge and experience of the mining company from Las Vegas, they have no idea how many truck loads they could potentially be producing each day. This is beyond absurd, and mocks the County, you as commissioners and the people being impacted.

The application asked if soil would be removed. Mr. Good answered; "The current proposal does not propose to remove any soil, as the proposal is to designate the property as MRL." Once again, when

asked a critical question about the impact upon environmental hazards, he refuses to answer, he again deflects and says the proposal is about a zoning change, not mining activity. Why require answers to questions when applicants are allowed to refuse to answer? When the applicant is asked to list all animals near the site he did not list bald eagles and great blue heron which frequent the site daily and the salmon and trout in Blue Creek that runs on his property and in the Cowlitz River just a few hundred feet away. Mr. Good, I am told grew up here and is fully aware of the wildlife existing in this area, including the herd of elk that winter on this land. He additionally left out the fact that the grass he mentions isn't just wild grass land, the grass that is grown is harvested twice a year to provide desperately needed hay for the local dairies. Agriculture land is what is needed here, not mines. Mr. Good also states that "no vegetation will be removed ... under this proposal. How is he going to create a 350 acre, 100 foot deep hole in the ground and not remove vegetation? To me, the vague answers and the defiance in refusing to answer basic questions, shows an utter disrespect for the laws and established parameters that govern these situations and the people that created them.

So my question is; how do you as Commissioners make a determination that would have detrimental impacts upon the environment and all the families that live in this community with just a vague idea of what these mining companies have planned? Ms. Brooks stated that this decision is not project based, and I understand what she is saying, however, how can two long-established mining companies purchase 450 acres of land, put in two wells and pave an access road, I'm told, just in the off-chance they may mine it, without only a vague idea of how they will mine it and what impacts it would have on its community. Just approving this rezoning will have implications on homeowners for decades to come, impacting home values, salability and the ever present threat of mining activity here. The applicant is making a mockery of the established processes that serve to protect this County and its peoples.

There is no transparency here by Mr. Good. When there is no transparency there is no honesty nor integrity. Just look at the misleading and incomplete information the applicant provides, just on the SEPA checklist? In question 1.c. Mr. Good stated soil removal would be "temporary", how is a decades-long mining operation temporary?

These 450 acres contain a significant fish-bearing stream, Blue Creek and is a mere few hundred feet from the Cowlitz River. They want to potentially dig a 300+ acre, 100 foot deep pit right next to these sensitive water ways. There are five large wetland areas of hydric soils and two Category II Critical Aquifer Recharge Areas. Category 2 CARA lands are critical areas in which aquifers of potable water can be shallow and easily contaminated. The people of this community drink from this aquifer. What assurances do we have that contamination won't happen? Why is an Environmental Impact Statement, an EIS, not required on the front end to answer these questions so that you may be able to make an educated decision and one that is in the very best interest of our County and my community?

The potential impacts of the environment is astounding to me, and yet, by this incomplete application, a determination of non-significance was issued. It stated "the (*proposed mining*) does not have a probable, significant adverse impact on the environment", which means an EIS wasn't required. The county's response to this was that there may be an EIS required in the future. But how are you supposed to make a decision on the use of this land if you do not know the full implications? It is not right nor prudent of you to be asked to make such a greatly impactful decision in light of the lack of information. I would respectfully say it would be irresponsible and negligent of anyone to make this type of decision without accurate and complete information.

Impacts to this community don't end here. We can be assured if the mine goes in, we will have rock crushers working all night long for the rest of our lives. Mr. Good states the noise would be sporadic. How are these mining companies going to mine the volume of aggregate equaling nearly half of what Lewis County now produces, with sporadic operations? Gone are the days when we can cool our homes

in the summers by opening windows at night, which means expensive and unnecessary use of air conditioners, not to mention just the noise pollution we would be forced to live with. We also will have light pollution, even with the glare guards they say "might be needed if they have to work at night". Gone are the days when we will enjoy the beautiful night sky that we have now. Also with never ending parade of heavy rock trucks rumbling by my home, I get to smell diesel exhaust, listen to heavy trucks and listen to the incredibly loud noise of a rock crusher and possible blasting. I would have to live on a dangerous street from a constant stream of heavy trucks flying by my home. This is not the home nor the environment I wanted. In fact, this is just the opposite. I am sickened by the possibilities.

It is my hope you understand that I am not trying to over emotionalize the situation nor am I trying to misrepresent what little information I have. I just know that these potential impacts are real and they are significant. As one neighbor mentioned to me after oral testimony on Monday, we only get two minutes to plead for our lives. It initially sounded comical, but there is great truth in that statement. We feel like we are being victimized, having little if any power to change it. I hope you will take all of these letters from my community and our oral testimony into serious consideration. I beg you, please, please be diligent about making decisions with all the information and understanding all the potential risks and impacts. My way of life and my neighbors' depend upon it.

I plead with you, please protect our families. Please protect our homes and our peaceful way of life. By granting the application to rezone, you will forever alter our community, our assurance of a peaceful life. Home is a sacred place. Please don't sell cheap something that has great value to each of us. For some of us it is a view that will forever be impacted. For some of us it will be the value and salability of our home and property that will forever be affected negatively. I write hoping to not be emotional nor exaggerate the facts. If this agriculture land is rezoned into mining, it is a fact that there will be life-long, detrimental impacts to those people who live here.

We are hard working farm families. We are retired couples living in our dream homes. We are young families raising children in a safe, peaceful environment. We are individuals born and raised here, hoping to have the peaceful way of life continue for generations to come. We are individuals who scrimped and saved to be able to have the life we always wanted to live and have for our families. Please do not take this away from us.

Thank you for the opportunity to share with you who we are and how your decision may have lasting impacts on us and our way of life for generations to come.

With sincere respect,



Michele Heckroth

November 3, 2022

Re: YMCA Mineral Lake Rezone

Dear Ms. Brooks:

I am writing to offer my support for the YMCA's proposed overnight camp at Mineral Lake, and to urge your approval of the proposed rezone and comprehensive plan amendment.

I grew up getting to enjoy the outdoors through summer camp and through other experiences. Summer camp greatly impacted my life, through helping me build friendships, learn leadership through activities and leadership programming, gain life skills and general skills- like how to advocate for myself and others. Camps are also incredibly enriching in the social/emotional context, I felt that especially as a teenager, when my camp counselors changed my life and helped me realize what path I wanted for myself. Camp helped me grow into a responsible, respectful, caring, and thoughtful adult.

Because of the YMCA's ability to deliver experiences like mine to young people of today, I believe that this proposal is the best possible use for this property. Approving this proposal would also offer one of the lowest developmental impacts to the surrounding community, while providing both economic and educational benefits.

Finally, the proposed camp would help address the growing need for outdoor education opportunities for local students and those from around the state. A recent study conducted for the Legislature found that more must be done to equitably meet the needs of K-12 students in providing outdoor education experiences. The YMCA camp at Mineral Lake would help provide those opportunities for schools and students from Lewis County and around the state.

For these reasons, I urge your approval of this rezone and comprehensive plan amendment. Thank you.

Sincerely,

Bailey Nelson
nelson.bailey.n@gmail.com

From: [Heather Engstrom](#)
To: [Mindy Brooks](#)
Subject: Proposed Mining Opt-In Rezoning Public Comment
Date: Friday, November 4, 2022 2:42:18 PM

Hello Mindy

I would like to express my concerns about the proposed rezoning of the property off of Brim Road/Blue Creek Area from Residential to Mining. While I am a firm believer in Private Property rights, I also believe that those rights cannot detrimentally harm others rights and the overall community. I am concerned about a number of issues including the increased traffic, noise and water quality issues. As I said I am not against private property rights, however that is not what this was zoned as and I hope the commissioners will think long and hard about how this rezoning will change this area.

Sincerely
Heather Engstrom
256 Brim Road
Onalaska, WA 98570
hengstrom11@gmail.com

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November 4, 2022

Regarding: Proposed Chehalis-Green UGA Expansion

Dear Honorable Lewis County Commissioners:

Please give careful consideration to the concerns that I and other property owners have expressed to you regarding the proposed Chebster-Breen UGA expansion. Our concerns are well-founded. Please take the time to read our letters and listen to our testimony at both the Planning Commission meeting and at your November 1, 2022 hearing.

Enclosed are copies of my July 26, 2022 letter to The Planning Commission and my September 12, 2022 comments on the City's Mitigated Determination of Non-Significance, along with a transcript of my oral testimony to you on November 1.

Please do not approve the Chehalis-Breen UGA expansion. If you contemplate approving it, please require adequate additional analysis to fully understand the impacts before they occur.

Thank you for your consideration.
Respectfully,

Mary B. Verner

423 Newaukum Valley Rd.
Chelalis, WA 98532

verner mary @ gmail.com
509-994-7206

RECEIVED
Board of County Commissioners
Lewis County Washington

NOV 04 2022

3	Enclosures	7/26/22	Letter to Planning Commission
		9/12/22	Comments on MDPS
		11/1/22	Oral Testimony Transcript

November 4, 2022

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Respectfully,

Mary B. Verner

423 Newaukum Valley Rd.

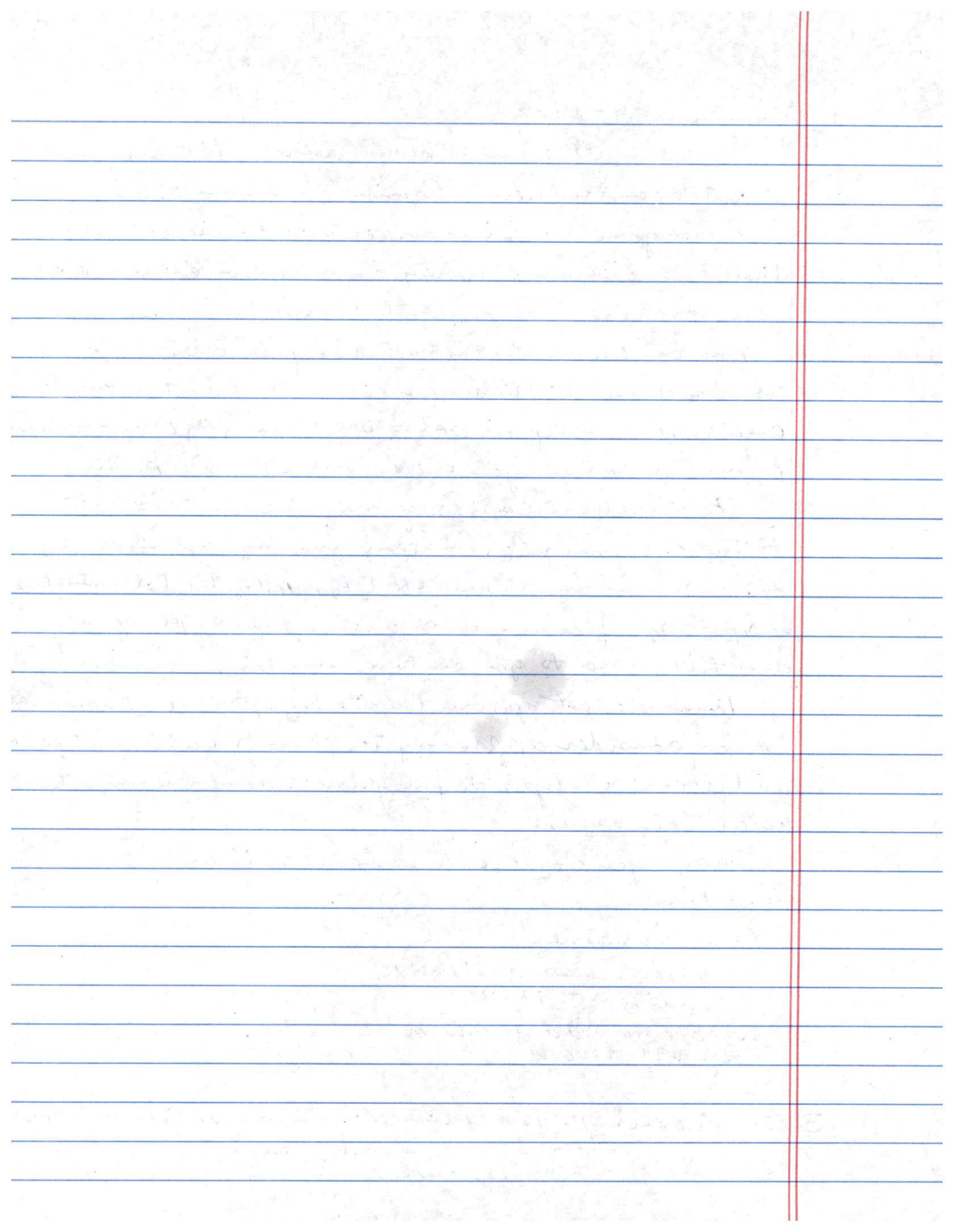
Chehalis, WA 98532

verner.maryb@gmail.com
509-994-7206

3 Enclosures - 7/26/22 Letter to Planning Commission

9/12/22 Comments on MDNS

11/1/22 Oral Testimony transcript



July 26, 2022

Dear Lewis County Planning Commission, c/o Mindy Brooks

Please accept this written testimony regarding the **City of Chehalis proposal to expand the Chehalis-Breen UGA** to include a 109.8 acre parcel, bound on the north by Hamilton Road and east by Interstate 5.

My name is Mary Verner, a resident of unincorporated Lewis County. My street address is 423 Newaukum Valley Road, Parcel No. 018056002002, Sec 22 Twnshp 13N Range 02W PTW2 NW4LT2 3324395, 29.7 acres, Use Code- Agriculture. My small family farm is one parcel over to the west of the proposed UGA expansion. My neighbors to the north and east abut directly up to the southwest boundary line of the proposed UGA expansion area.

Please accept these comments in opposition to the Chehalis-Breen UGA expansion, incorporating my recommendations for the City to undertake further analysis, and my request to extend the public comment period.

The City of Chehalis proposes a significant conversion of land use

As I understand the proposal, the City supports the request of the estate of Virginia Breen to convert an old 110-acre family farm on the Newaukum River into a high-density multi-family residential development. The parcel has historically been agricultural, located within Lewis County Rural Development District RDD-20, 1 unit per 20 acres. If the city's UGA expansion is granted, the old Breen farm will be built out to 12 units per 1 acre, for a total of 456 new residential units on 38 acres of the farm, the remaining 72 acres being in the floodplain.

Under GMA regulations, counties should locate urban growth first in areas already characterized by urban growth. The area surrounding this parcel is not urban in character, and should not become urban through piecemeal expansion of city limits and high-density development.

To the west and southwest of this parcel, other parcels like mine are currently zoned 1 unit per 20 acres or Agricultural Resource Lands. The City correctly states that the specific parcel to be annexed is currently zoned for rural residential and no resource land conversion is analyzed. Despite this technicality, the likely practical effect of the proposed high-density development on this parcel will be creeping rezoning proposals moving further along the I-5 corridor to encompass the rest of the lower Newaukum River valley.

This is not a good location for build-out of high-density multi-family housing

The city's goal with this UGA expansion is well-intended – to accommodate projected population increases with additional affordable multi-family housing. However, cramming 456 affordable housing units onto 38 acres – boxed in by I-5, Hamilton Road, existing commercial development, and a river that frequently floods – is not a good solution to the housing problem.

Although the City says that future zoning will not create an island of land use that is not similar to that surrounding it, the proposal would result in a high-density multi-family residential development on 38 acres of farm land adjacent to a heavily-traveled I-5 frontage road. Adjacent properties on Hamilton Road are built out with tractor, trailer and logging supply businesses where large vehicles and equipment connect between two I-5 access points at the LaBree Road and Rush Road interchanges. Future multi-family housing at this location might or might not be affordable, but it also may not be livable for residents packed close together beside incessant traffic, noise, lights, and activity, adjacent to a frequently-flooded area.

Traffic infrastructure in the area is failing and cannot accommodate the proposed new uses

The City's proposal provides only cursory analysis of transportation issues. Vehicle counts are deferred until development begins, but it is reasonable to expect that traffic will increase significantly when 456 new residential units are added to local surface roads. I ask the County to require more detailed transportation analysis before approving the proposed UGA expansion.

- What are the traffic control plans at the new development's intersections with Hamilton Rd S and Hamilton Rd N?
- There are no sidewalks or bicycle lanes or bus routes along either of the Hamilton Roads. Does the city plan to require developers to provide safe passage from the new high-density residential development to the commercial attractions at the Rush Road interchange?
- What are the proposed emergency ingress/egress points from the 456-unit residential development? The upper end of Hamilton Rd S is not a feasible option; it is narrow, cuts 90 degrees in a 15 mph turn, and is underwater whenever the river floods. This leaves only Hamilton Rd N, the busy I-5 frontage road, to provide one way access in and out of a densely-populated housing development.

There is already an urgent need to implement traffic flow and safety improvements at the dangerous I-5 Rush Road Exit. As new businesses have been added to the Exit 72 area, very little has been done to address the corresponding increases in traffic. Both sides of the freeway are in constant snarls of heavy trucks, passenger vehicles, and a few bold pedestrians. Passage through the failing intersections creates multiple risks of collisions from all directions.

Meaningful investments in traffic controls are urgently needed just to try to rectify the unsafe conditions that already exist, even without increasing the volume of vehicles and pedestrians by allowing a new high-density residential development.

Going up Rush Road from the heavily congested Exit 72 area toward Napavine, the first turn to the north is onto Newaukum Valley Road, a rural residential county road where I live. Already, Napavine's growth along Rush Road and Somerville Road is leading to increased spillover and bypass traffic, as drivers cut through Newaukum Valley Road to avoid traffic jams around the I-5 interchange. Traffic controls are already needed on Newaukum Valley Road, even without traffic increases that will inevitably result from nearby high-density residential development.

The City's proposal indicates Lewis County will be responsible for road repair until such time as the site is annexed. As a Lewis County taxpayer, I would like to see additional transportation

impacts analysis and capital infrastructure plans sooner, instead of allowing the UGA to expand and make the situation worse.

Flooding and critical areas

The city's proposed UGA expansion disregards the community's experiences with devastating flooding of the Newaukum and Chehalis Rivers. Flooding throughout the lower Newaukum valley is a serious concern and should not be treated as an insignificant factor when considering whether it's wise to build dense housing on a parcel that is transected by the Newaukum River.

As you know, the entire Chehalis Basin, including the stretch of the lower Newaukum River that passes through the proposed UGA expansion area, is the subject of significant public and private investment to reduce the impacts of flooding. As a landowner and taxpayer, I have a vested stake in those efforts and oppose developments that are inconsistent with those investments.

My next door neighbor's pasture directly abuts the proposed UGA expansion parcel. Every year, my neighbor's pasture is flooded. The foundations of my neighbors' homes are being washed out from below as the river changes course during each rainy season. Recently, the county had to install large pilings on the river bank to halt erosion that threatens to undermine Newaukum Valley Road when the river roars through the area at flood stage. The back of my 25-acre pasture almost abuts the proposed UGA expansion parcel. Every year, my pasture is flooded, with flood crests topping my fences and strong currents overwhelming my culverts. The land for miles around is frequently flooded - along Rice Road to Stan Hedwall Park, along Rogers Road and Shorey Road by the Veterans and RR museums, to the Newaukum River's confluence with the Chehalis.

The 110 acre parcel proposed for high-density residential development is not immune from the natural forces of water, especially since the Newaukum River runs right through it. The City acknowledges that 72 acres of the 110 acre parcel are within the flood zone. By designating 38 acres to be outside the 100 year flood plain, the City technically avoids expanding the UGA into known critical areas. But as a practical matter, the river will flood wherever it wants to go and it will not recognize an imaginary boundary around the 72 acres that fall within a formal floodplain designation. It seems unwise to site 456 new residential units within the meander zones of a river that is already causing devastating and recurring flood damage to properties that already exist.

In its proposal, the City gives little attention to critical area concerns by pointing to the UGA and WAC 365-196-310 provisions that allow UGA expansions into a floodplain when rights to the development of the land have been permanently extinguished, use of the land is limited, and development will not decrease flood storage, increase stormwater runoff, discharge pollutants to fresh waters, or increase hazards to people and property. The City says it will require a conservation easement and compliance with critical area development restrictions in the future. But the proposal lacks analysis of best available science to protect critical area functions and values. How will the river, streams, and groundwater be protected from stormwater runoff from the new high-density development? How will fish and wildlife corridors be kept intact? How will landowners be protected from hazards of unstable river banks? Additional analysis is

needed now, *before* the land use changes are approved, *before* problems are compounded and become too difficult and costly to fix.

This proposal will have a negative effect on neighboring property rights

I have serious concerns about the detrimental impacts of this proposal, and I expect some of my neighbors will also have concerns if they understand what will happen to our property values if this proposal is approved.

The direction of future growth should be toward compatible land uses. High-density residential growth on this parcel is not compatible with surrounding low-density commercial, rural residential and natural resource land uses. The area is already feeling the deteriorating effects of increasing noise and light pollution and a decreasing sense of safety. If the City is allowed to convert this historic farm parcel from rural to urban, the inevitable result will be gradual designation of other nearby forest and agricultural lands to make way for even more mixed-use high-density urban development.

If the Chehalis UGA is expanded and the old Breen farm is built out as intended, there will be permanent changes to the character of other properties along the lower Newaukum River valley. The UGA expansion proposal does not indicate how nearby natural resource lands will be preserved and protected.

At this time, my neighbors and I enjoy rural lifestyles in unincorporated Lewis County. But the UGA expansion map depicts a gradual squeeze being applied on us as Napavine builds out its city limits from the south and west, and Chehalis expands from the north and east.

Urbanization of our rural lands is taking place without adequate planning and investment in traffic controls, and without sufficient consideration of environmental and quality of life impacts. Incremental urban conversion is not healthy for the surrounding community and will reduce the rural land base, adversely affecting families and businesses that rely upon agricultural and forest lands. Piecemeal expansions of urban growth areas should be avoided and site-specific proposals like the Chehalis-Breen proposal should be deferred until they are accompanied by full area-wide analyses of impacts.

I urge Lewis County to step in and protect the property rights of others in the vicinity. Please do not allow piecemeal UGA expansions to erode the long-term agricultural and commercial values of other properties to meet the City's need to accommodate future population growth. I am asking the County to protect family farms and to not allow conversion of valuable rural land to urban housing.

My property rights and contractual commitments are put at risk by this proposal

I bought my farm in 2017 with full intention to maintain the land as it has been farmed by four generations of Gleason family members before me. I have kept the land in agricultural production - harvesting hay, fruits, and vegetables; pasturing beef cows, goats, and layer hens, maintaining a clean water supply. I am investing in the property as a farm in an agricultural area, not as a speculative real estate purchase to be subdivided for dense urban development.

Based on the zoning and known conditions when I purchased my farm, I have made commitments that depend upon a rural agricultural land area, including:

- A long-term lease to a rancher to demonstrate rotational-grazing practices for pasture rehabilitation
- A long-term lease to a restoration ecologist to protect riparian and forest plantings along the two creeks that run across my property to the Newaukum River
- A long-term NRCS farm plan, and a partnership with the Lewis County Conservation District for riparian and forest restoration using native species as part of a carbon offset project
- A preservation easement in return for a Washington State Historic Preservation grant to stabilize my three-story barn that is listed on the Historic Barn Registry due to its agricultural significance and location in a rural agricultural setting.

The proposed UGA expansion will lead to land uses in the area that are not compatible with my investments in my agricultural property. Nearby urbanization will negatively affect my property values and put my existing long-term contractual commitments at risk.

Please extend comment period

On July 17, 2022, I received a Notice of Public Hearing by mail, and right away sent an email to the Lewis County Community Development Office requesting paper copies of all documents related to this proposed UGA expansion. I received in response an email with digital attachments and an offer to mail hard copies. In the interest of time, I took time vacation leave on Friday July 22 to personally visit the Community Development Office for assistance interpreting the map associated with the City's proposal.

The turnaround time for comments has been very short, and I have had a limited amount of time to research and better understand this proposal and its impacts on my property rights and our rural agricultural area. My comments are based on initial impressions and I have many questions. I respectfully ask you to consider extending the comment period so that I and other nearby property owners can better understand both the proposal and the review process that will result in this important decision.

At a minimum, please notify me at each step of the SEPA review process. Also, please notify me when the County Commission schedules a hearing on amendments to the comprehensive plan if the city proceeds with its Chehalis-Breen UGA expansion proposal.

Respectfully submitted,

Mary B. Verner
423 Newaukum Valley Rd
Chehalis, WA 98532
509-994-7206, mary@maryverner.com

September 12, 2022

Lewis County Community Development

Attention: Preston Pinkston

By hand delivery to

2025 N Kresy Avenue

Chehalis, Washington 98532

RE: City of Chehalis Breen UGA Expansion – MDNS SEP22-0032

Dear Mr. Pinkston:

Lewis County should reject the City of Chehalis' lead agency determination that the proposed Breen UGA expansion and intended future land use does not have a probable, significant adverse impact on the environment. The City's mitigating measure - establishing a conservation easement on the floodplain at time of UGA expansion - is entirely inadequate. Please require the City to complete a full environmental impact statement.

The environmental checklist presented to the Lewis County Planning Commission does not indicate any serious level of effort to identify and address several very obvious impacts of this proposal, including:

- **Traffic.** More and more traffic. It is inevitable that adding commercial and high-density housing (up to 456 new housing units) on this parcel will further snarl the knot that already ties up truckers and motorists at the Rush Road I-5 interchange. An independent traffic study should be required and the City should propose realistic mitigating measures to address traffic increases that will result from this conversion.
- **Flooding.** Almost the entire parcel frequently floods under the Newaukum River, not limited to the FEMA designated floodplain. Flooding has been made more severe by other land use changes in the vicinity, including prior dredging and filling for commercial development around the nearby I-5 interchange. Development in the floodplain has accelerated within the City of Napavine's expanded limits, and the City of Chehalis has not exhibited any better recognition of flood risks in its own willingness to encourage dense development in a frequently flooded area. Lewis County can halt this risky approach by requiring thorough analysis and mitigation planning before the County allows Chehalis to expand into this area.
- The complex flood hydraulics of the lower stretch of the Newaukum River make it difficult to predict future edges of flood zones.
 - The Washington Emergency Management Division has warned the County to protect the community from hazards by avoiding inappropriate development in

flood hazard areas. The EMD has advised the Lewis County Planning Commission that designating the corridor from Napavine to Chehalis as UGA is inappropriate, saying, "This corridor is some of Western Washington's most Frequently Flooded Area, yearly accumulating depths measured in feet in some of these areas, not inches."

- The EMD asked, "How are future citizens, and future industries unfamiliar with the local flooding history, to be protected in this area, when it has been designated as the most appropriate place to site urban growth? ... If Lewis County encourages the in-filling and further urban growth in the outlying areas along the I-5 corridor where it frequently floods, then the many federal and state agencies that have invested millions in this area, through the rebuilding of infrastructure as well as flood mitigation projects, will have no choice but to come back time and time again."
- The EMD pointed out that millions of federal and state dollars have been invested in flood control assistance in Lewis County. Where is the cost-benefit analysis of allowing the City to expand its UGA and allow this parcel to be developed with 456 housing units in an area that already should not have been developed?
- The County's own Master Program has prohibited fill in the floodway and required a shoreline permit for any development 200 feet landward of the floodway.
- The County's Community Development Director sent a letter to residents adjacent to this parcel dated November 6, 2020 warning: "Your property is located in or near a floodprone area. ... [F]looding in Lewis County is a real hazard." This same letter advises that different construction rules apply in the Special Flood Hazard Area. The Chehalis threshold MDNS determination does not make any reference to such construction rules that the City would apply if this parcel is built out in the expanded UGA.
- The County has recently invested in an expensive bank stabilization project to protect a county road downstream of this parcel. The river has already tested that project's limits. A full EIS should include flow projection modeling to estimate ongoing costs to Lewis County taxpayers when build-out of this parcel pushes the river's current onto public property.
- The City's civil engineers and FEMA should once again evaluate the potential for development of this parcel to increase water elevation and velocity changes. Build-out of this parcel as proposed could cause flooding and erosion of the Newaukum River bed and banks adjacent and downstream, flooding, eroding, and devaluing the property of other landowners.
- The MDNS is woefully inadequate and a full EIS is needed to thoroughly evaluate the proposal's increase to flood hazards.

- **Habitat.** The waters of the Newaukum River and its riparian zones are fish and wildlife habitat for fish species that the public is spending millions to protect. This parcel's trees and open fields are wildlife corridors and nests for both resident and migratory species.
 - The State's Area Habitat Biologist has fully disclosed to the Lewis County Planning Department that: the Newaukum River provides year-round spawning and rearing habitat for spring and fall Chinook, coho salmon, steelhead, and cutthroat trout; the Newaukum River provides foraging habitat for osprey and bald eagles which are protected by Bald Eagle Protection Rules. The City should provide actual field verification of current critical area conditions and not gloss over the entirely foreseeable impacts of its proposal on fish and wildlife populations and habitats.
 - The City also should describe how it will prevent development of this parcel from attracting more people into the banks and waters of the river. The State Habitat Biologist has recommended to the County that public access to the river should not be developed.
- **Water quality.** The City has not provided any evaluation of uncontrolled discharge of stormwater from impervious surfaces such as parking lots and roof tops. Oils, heavy metals, sediments, and other substances are introduced to water from parking lots, streets, and activities that occur in developed areas. Stormwater can have significant impacts on fish life and habitats. The City has not provided the environmental analysis that would be needed to obtain State permits.
- **Noise, lights and congestion.** If approved, the City's Chehalis-Breen UGA expansion will dramatically change the scale and intensity of human activity in the lower Newaukum River valley. Commercial development that has already occurred has already deteriorated the rural character of the area, and more is not better. The County has not enacted/enforced any conditions on new developments to reduce the impacts on long-time residents who were already here. The City should conduct site evaluations of how its proposal will increase noise, lights and congestion, factors that damage the aesthetics and livability of the area and devalue other properties.
- **Critical agricultural lands.** The parcel proposed for the UGA expansion is historically agricultural land. Its conversion to mixed commercial and multi-family residential use is inconsistent with the County's Agriculture and Farmland Enhancement Plan. The City has provided no analysis of how this critical agricultural land and its agricultural uses will be replaced.
- **GMA.** Allowing this UGA expansion encourages sprawl, which conflicts with the Growth Management Act. The City should provide not only its population growth projections, but also its assessment of other available lands that are within the existing city limits. The parcel proposed for expansion is far from the downtown core and will only

September 12, 2022
Lewis County Community Development
Re Chehalis Breen UGA Expansion – MDNS SEP22-0032

encourage sprawl of residential and commercial uses. Space is available for such uses within the existing City without the need for this UGA expansion.

The SEPA Checklist does not adequately characterize the impacts of the Breen UGA Expansion proposal, and the MDNS does not contain adequate protection or mitigation to prevent significant adverse environmental harm. A full Environmental Impact Statement should be required.

Thank you for considering these comments and retaining them in the record.

Mary Verner
423 Newaukum Valley Rd
Chehalis, WA 98532
509-994-7206
vernermaryb@gmail.com

cc.: Lee Napier, Director, Lewis County Community Development
Washington State Departments of Commerce, Ecology, Fish & Wildlife, and
Emergency Management



Community Development

2025 NE Kresky Avenue
Chehalis WA 98532

November 6, 2020

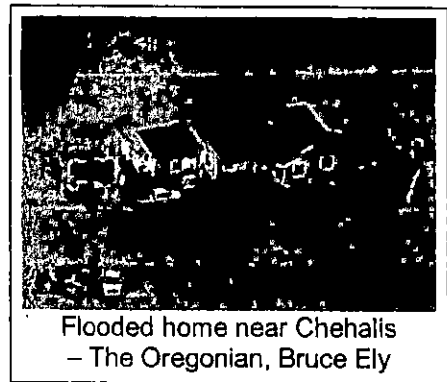
Dear Lewis County Resident:

Your property is located in or near a floodprone area. We want you to know about your flood hazard and what you can do about it.

First, note that flooding in Lewis County is a real hazard. We've seen it all too much. At the Centralia river gage, the Chehalis River has gone higher than flood stage 10 times in the last 25 years. The record flood was as recent as 2007.

At the Newaukum River gage, south of Chehalis, flood stage has been exceeded 9 times in the last 25 years. The Cowlitz River downstream of the Mayfield Dam had its highest recorded flood in 1995.

Attached is a brochure on things you can do to protect your family and property from flooding. If you don't read it now, please keep it to refer to when you hear of a flood warning.



Flooded home near Chehalis
– The Oregonian, Bruce Ely

Flood damage is more likely to occur to properties like yours. Therefore, I want to stress the importance of having a flood insurance policy to cover the costs of cleaning up, repairing and rebuilding after the next flood. Some key points about flood insurance are noted in the brochure.

The County Commissioners and I recommend that you talk to your insurance agent about getting flood insurance. If you have a policy, make sure you have enough coverage. See if you are "elevation rated" and how you can reduce your premiums.

Another concern is that different construction rules apply in the Special Flood Hazard Area. Call Lewis County Community Development at 360/740-2696 to determine if you are in that area and what that means if you want to build, remodel, regrade, or fill your property.

Please read the attached brochure, take steps to protect your family and your property, and call us if you have questions.

Sincerely,

Lee Napier, Director
Lewis County Community Development

Attachment

November 1, 2022 Oral Testimony

Mary Verner

To Lewis County Board of Commissioners

Hearing regarding proposed Chehalis-Breen UGA Expansion

Hello, Commissioners. My name is Mary Verner.

I am a property owner downstream of the parcel proposed to be annexed.

I have submitted written comments to the Planning Commission, which voted to deny the Chehalis-Breen UGA expansion. And I submitted comments to your Community Development Department regarding the City's superficial environmental assessment. I ask you to consider all comments I previously submitted, as well as my oral testimony today.

And I ask you to deny the Chehalis-Breen UGA expansion.

The City proposes to mitigate the severe impacts of this proposal by merely establishing a conservation easement on the floodplain. This would be entirely inadequate.

I do not know who will benefit from the development of this farm land. Please do not ignore or dismiss the obvious impacts that dense development on the Breen farm will have on many of your constituents.

Virginia Breen's farm is diagonally across the Newaukum River from my farm. I, and all the

November 1, 2022 Testimony Mary Verner (Cont'd)
re: Chehalis Green UGA Expansion

other property owners along this stretch of the river can tell you - This is not the right location for additional development. All the upper forks of the Newaukum enter their last reach along here headed swiftly to the Chehalis River nearby.

Ask your County Roads Department about the challenges of maintaining roads that are under water with their banks washed out by floods.

Please do not waste our taxpayer dollars by ignoring the obvious flood risks and all the millions that are being invested to deal with developed properties getting damaged, and lives put at risk, by floods.

Please do not shift the City's burden onto the rest of us who are already living in the area. The City has other lands available that are already in its city limits and UGA and that are more suitable for development.

The impacts of flooding, traffic, congestion, and loss of agricultural land are predictable and preventable.

Please deny and disapprove the Chehalis Green UGA expansion.

Thank you for your consideration.

November 4, 2022

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

Attention: Mindy Brooks

Applicant Rebuttal
Good/Avapollo Property
Lewis County, Washington
File Numbers: SEP21-0039, RZ21-00002

INTRODUCTION

On behalf of the applicant, NV5 submits this letter to Lewis County for the proposed rezone of the Good/Avapollo property. This letter is intended to respond to public testimony received by the Board of County Commissioners (BOCC) at a public hearing held on November 1, 2022 and during previous steps of proposal review, as well as respond to comments from the BOCC during the hearing.

PROJECT PROCESS AND EVALUATION

The path to potentially permit a mine site at the Good/Avapollo property is an extensive endeavor and requires multiple steps through the County's land-use process and with other agencies. The applicant is in the midst of the first phase of this process, where the zoning for the land is proposed to be changed from Agricultural Resource Land (ARL) to Mineral Resource Land (MRL). If the property is rezoned, the next phase would be to apply for a County Special Use Permit (SUP) for a specific mine project, which would include a public hearing overseen by the County hearing examiner and requiring environmental review through a SEPA process. If an SUP is approved, the next phases of project permitting would be to obtain a surface mine reclamation permit from the Washington Department of Natural Resources (DNR) and coverage under the Washington Department of Ecology's Sand and Gravel General Permit. Each permitting phase requires agency review and approval to ensure project designs meet regulatory standards and avoid significant impacts to the surrounding area. For DNR and Ecology, the mine would be regularly inspected during its life to ensure compliance with standards and permit criteria.

For this first phase, the County has clear code criteria to evaluate whether a potential mine property deserves rezoning to MRL. The applicant provided a mine resource evaluation report prepared by a licensed geologist that demonstrated the site has potential aggregate resources far greater than the County's criteria for rezone consideration. Other characteristics of the site, including the large size of adjacent parcels and the preponderance of rural resource use in the site vicinity, outside of any urban growth area, meet additional criteria for rezoning to MRL.

County staff reviewed the application materials submitted for the proposal including a SEPA checklist and made a Determination of Non-Significance (DNS). Based on their review, County staff concluded that the site meets the code criteria and recommended approval of the proposed rezone to MRL. It is noteworthy that during the County's application review, the proposal was noticed to the public and other agencies, including all property owners within ¼-mile of the Good/Avapallo property boundaries. The County received comments back from the public that were reviewed prior to the County making their SEPA determination and recommending approval.

The proposed rezone was then presented to the County Planning Commission for their evaluation, which included an initial workshop and then a public hearing. Again, the public was noticed for both meetings, and written comments were again received by the County ahead of the hearing. Several members of the public also provided verbal testimony at the hearing. Informed by the application materials, County staff's review, and the public testimony, the Planning Commission unanimously approved the proposed rezone.

Many comments and concerns presented throughout this process have focused on potential impacts from a hypothetical mine project. While the applicant, Alan Good, is an experienced mine operator and has worked in the County for decades providing aggregate materials, a mine project is not yet being proposed that could specifically address the comments presented by the public. Concerns for impacts to Blue Creek, for example, would require understanding the habitat and wetlands around it and designing mitigations including appropriate buffers in accordance with County code.

To develop a mine plan for the site, several studies must be conducted to evaluate potential impacts and provide recommendations, which will become an integral part of the SEPA checklist that must be prepared for a County SUP application. Some of these studies have been mentioned in the record, either by the applicant or by commenters such as the Cowlitz Indian Tribe and the Washington Department of Transportation. We anticipate developing a specific mine project will require a wetlands delineation and critical areas determination; a traffic impact study for Brim Road and the intersection with Highway 12; evaluation of potential cultural resources in consultation with the Cowlitz Indian Tribe; a sound analysis to evaluate proposed mining activity with respect to County noise thresholds; and other supportive studies. These studies are significantly expensive, which is why they have been left for a later phase of project development until the applicant is assured the underlying zoning can be changed to allow pursuit of a County SUP.

Despite the lack of specific details to address most of the concerns raised by commenters, the applicant would like to address one issue at this time. During the public testimony, Brim Road was characterized as a residential street. Brim Road is a rural county road that collects both

residential and commercial traffic onto Highway 12. Southwest of the proposed site, on the east side of Brim Road, there are two older mine excavations. Refer to the maps provided with this letter (Attachments A and B). Sand and gravel resource similar to that underlying the proposed rezone site was mined in these pits. One is the former Woods pit and is no longer active. The other was previously mined by the County and continues to be actively used as a storage yard for aggregate materials for road construction and maintenance. Alan Good worked in that mine when it was active years ago, as stated in his letter under separate cover. The County currently uses Brim Road both for deliveries of aggregate products to this site and for distribution of the stored materials to County projects. Both activities require use of haul trucks on Brim Road to and from Highway 12. While a future project will need to evaluate the increase in truck traffic from active commercial mining, there is at least a baseline use of the road by trucks for hauling aggregate materials.

MINE SITES IN THE REGION

In addition to preparing the application package for the rezone proposal, NV5 provided a series of three maps and a summary table ahead of the Planning Commission hearing. The maps and table are also attached with this letter for ease of reference (Attachments C through F). The maps show the locations of currently permitted mine sites within a 20-mile radius of Ethel, Washington, based on permit information available from the DNR. These represent the majority of sites permitted in Lewis County and the mines that serve the majority of County residents. DNR requires that a mine site continue to hold and be compliant with a reclamation permit until it is fully reclaimed. Consequently, some of the permitted sites are no longer active, are being reclaimed, or are complete but still permitted (shown in red). Others are too remote, small, or are not commercial mine sites. Such permitted sites are removed from the third map (Attachment E), which then shows the locations of commercial mine sites that currently serve the region, consisting of three sand and gravel pits and four bedrock quarries (one of which is in Cowlitz County).

Based on this information, the Good/Avapollo property is favorably located to serve communities along Highway 12 up into the Chehalis/Centralia market as well as Napavine, Winlock, and Toledo. The proposed site is underlain by glacial sand, gravel, and cobbles, providing aggregate products that can differ from bedrock sites. The variety of development applications in the County requires that both types of aggregate materials be available for construction projects. The nearest sand and gravel sites to the Good/Avapollo property are located in the Cowlitz River floodplain. These are “wet pits” that mine sand and gravel from below groundwater and, being located in the floodplain, have a greater potential to impact prime salmonid habitat. In contrast, the proposed rezone site is located on a glacial terrace above the Cowlitz River floodplain and has only a seasonal stream (Blue Creek), which should be easier to avoid impacts and does not pose the same floodplain risks such as river channel avulsion.

Aggregate materials are a finite resource. As the County continues to grow – including through approvals of urban growth areas such as those currently being considered by the BOCC – the existing mineable resources available to the County will be depleted. Rezone and eventual permitting of the Good/Avapollo property as a mine site would create a significant mineable resource to help the County replenish its available aggregate supply needed for development

and commerce. The site is well placed logistically near Highway 12 and Interstate 5, in a dominantly rural resource area, and in a topographic location that does not pose as significant an environmental risk as sites in major river floodplains or on steep hillsides. We suggest that the County give this site serious consideration as a future mine to help continue to meet its aggregate resource needs. At this time, that requires rezoning the property to MRL to allow the permitting process to advance to the next phase.

◆ ◆ ◆

If you have questions concerning the information provided, please feel free to contact our office.

Sincerely,

NV5



Erick J. Staley, L.E.G.
Principal Engineering Geologist

cc: Alan Good, Good Crushing Inc. (via email only)

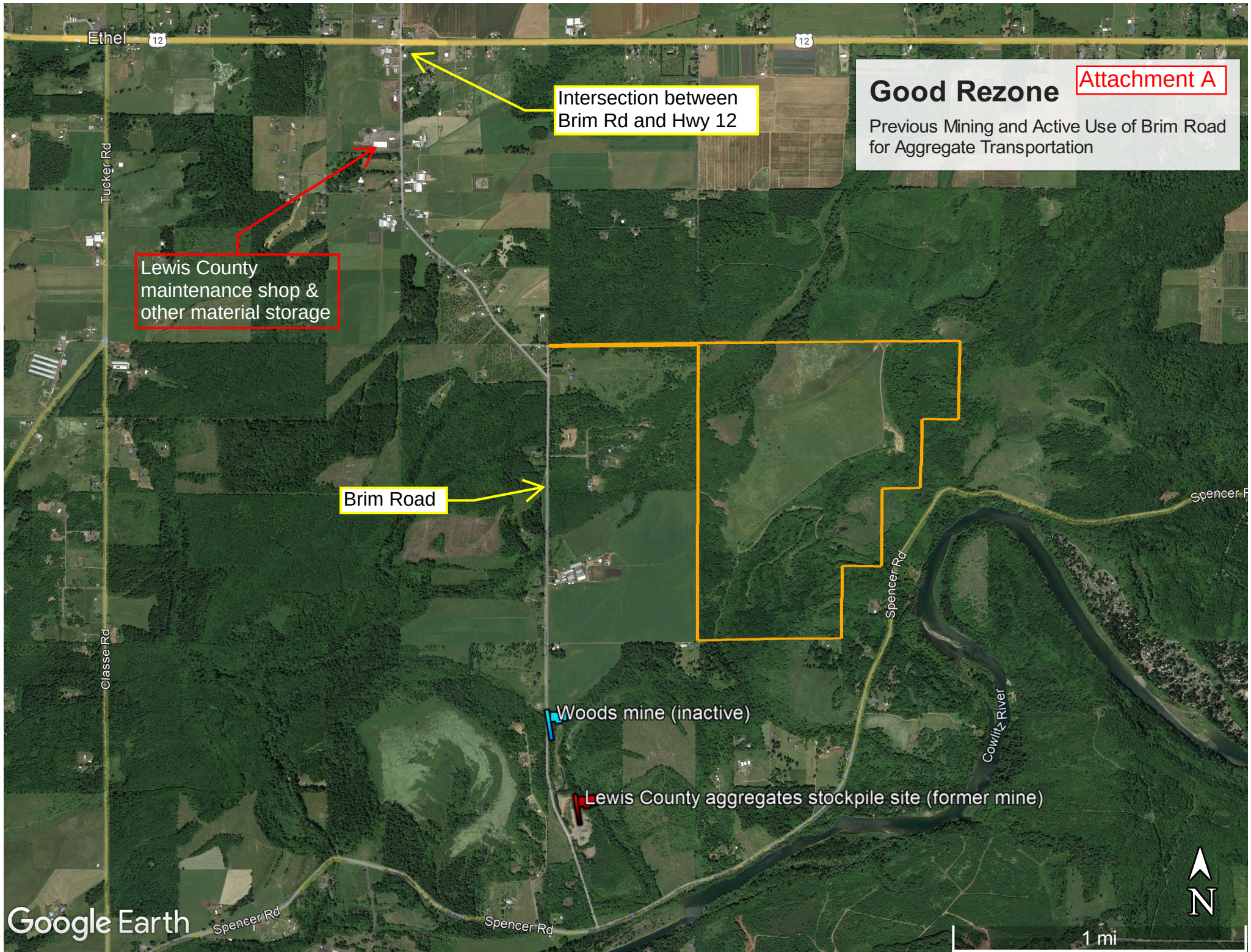
Attachments

One copy submitted (via email only)

Document ID: GoodCrush-4-01-110422-geolr.docx

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ATTACHMENTS



Good Rezone **Attachment A**

Previous Mining and Active Use of Brim Road for Aggregate Transportation

Lewis County maintenance shop & other material storage

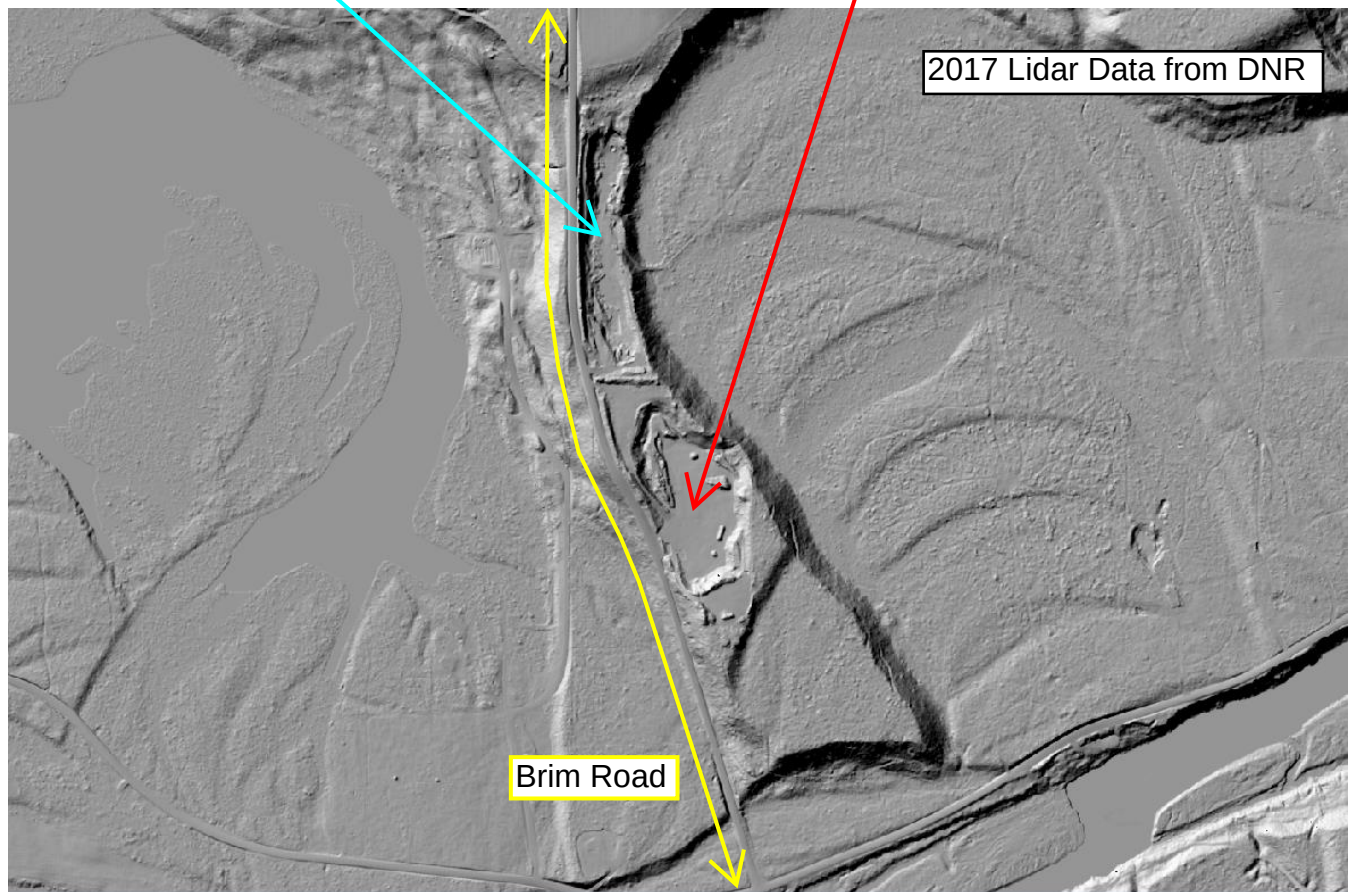
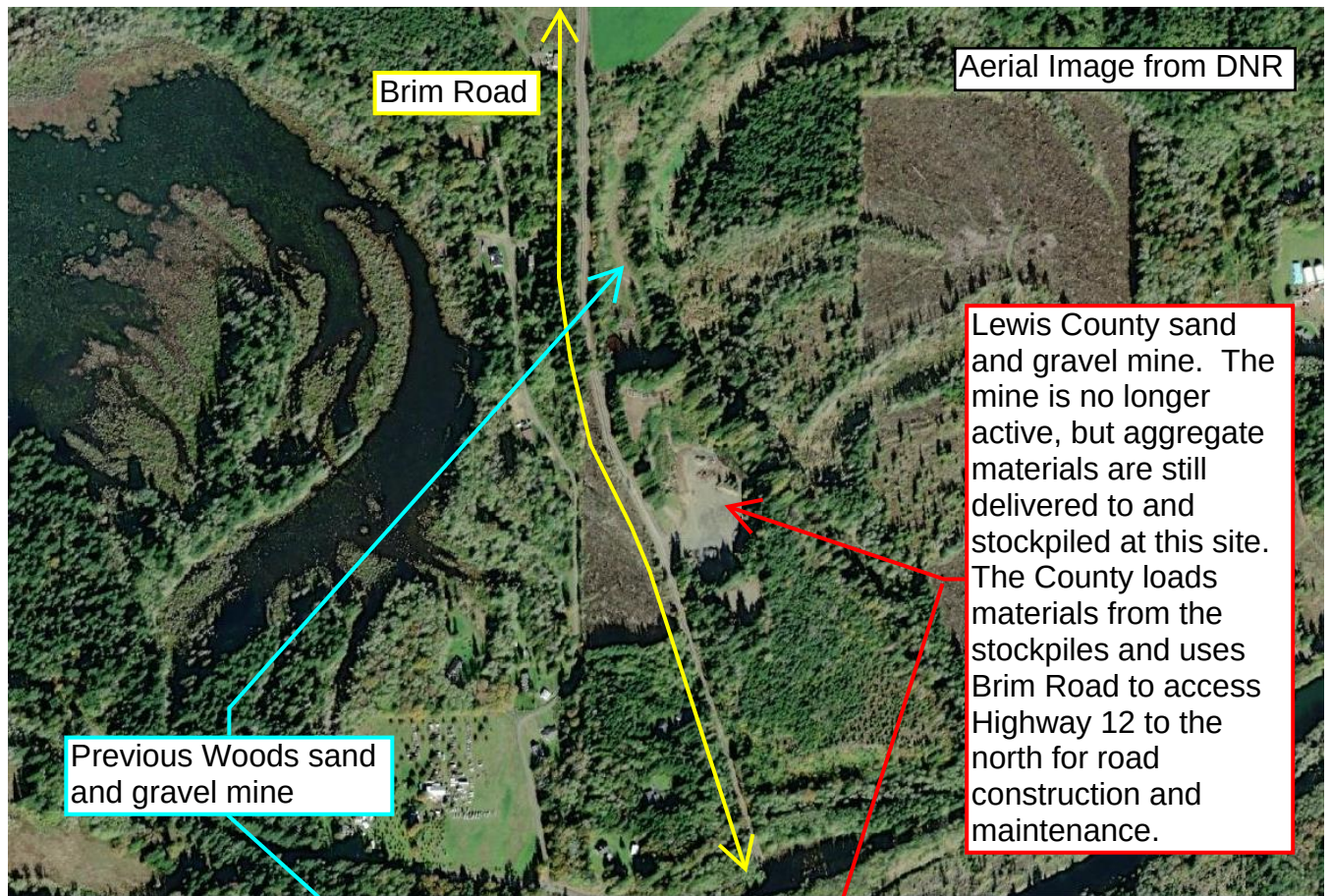
Intersection between Brim Rd and Hwy 12

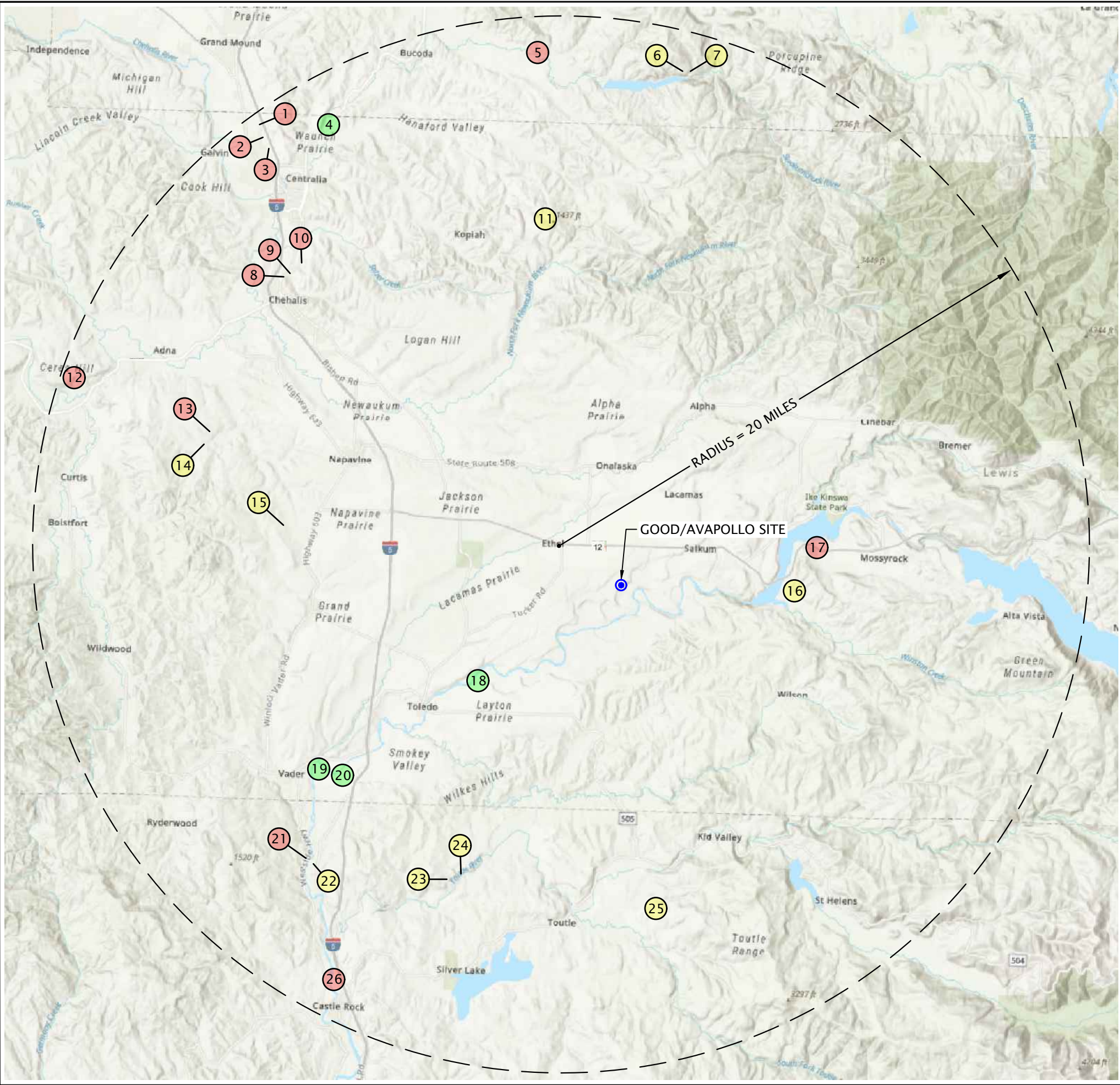
Brim Road

Woods mine (inactive)

Lewis County aggregates stockpile site (former mine)



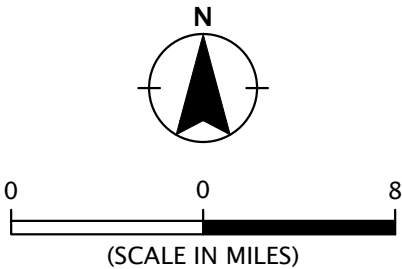




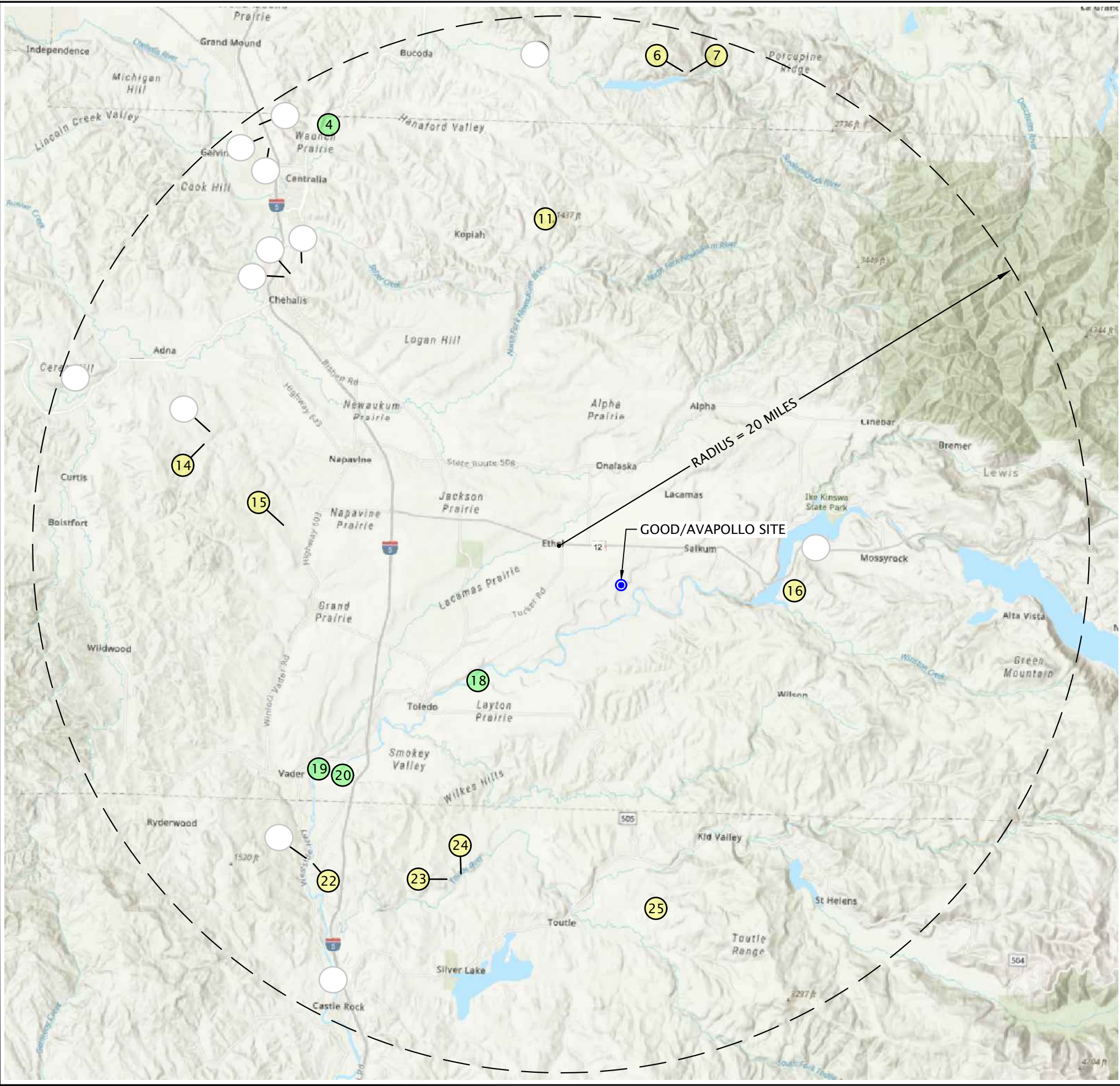
LEGEND:

- 1 MINING INACTIVE/IN RECLAMATION/COMPLETE
- 4 ACTIVE SAND AND GRAVEL PIT
- 6 ACTIVE BEDROCK QUARRY

I.D.	PERMIT NUMBER	MINE NAME
1	11629	FORAN ROAD N
2	10177	FORAN ROAD S
3	10327	CENTRALIA
4	11712	HILPERT PIT
5	12602	SKOOKUMCHUCK
6	13200	COLUMBIA VAIL QUARRY LLC
7	12899	COLUMBIA GRANITE
8	12953	CONWELL HILL
9	13073	CARPET HILL
10	13248	KRESKY MINE
11	13052	MERIDIAN HILL
12	11839	CERES HILL
13	12665	BROWN RD QUARRY
14	12913	ALDERBROOK QUARRY
15	12859	GOOD QUARRY
16	13079	WINSTON QUARRY
17	10382	MOSSYROCK
18	11516	COWLITZ RIVER
19	11145	MANDY RD PIT
20	12730	FOSTER CREEK PIT
21	12741	OLEQUA QUARRY
22	12933	BARNES DRIVE
23	12959	PHIPPS QUARRY
24	13161	TOWER RD PIT
25	13025	GARDNER QUARRY
26	12205	LANG



SITE PLAN BASED ON IMAGE AND INFORMATION OBTAINED FROM
WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES

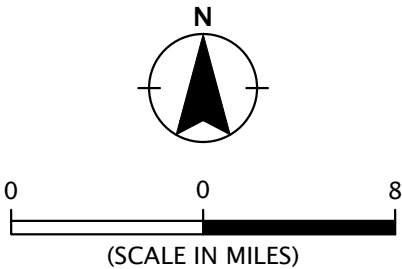


LEGEND:

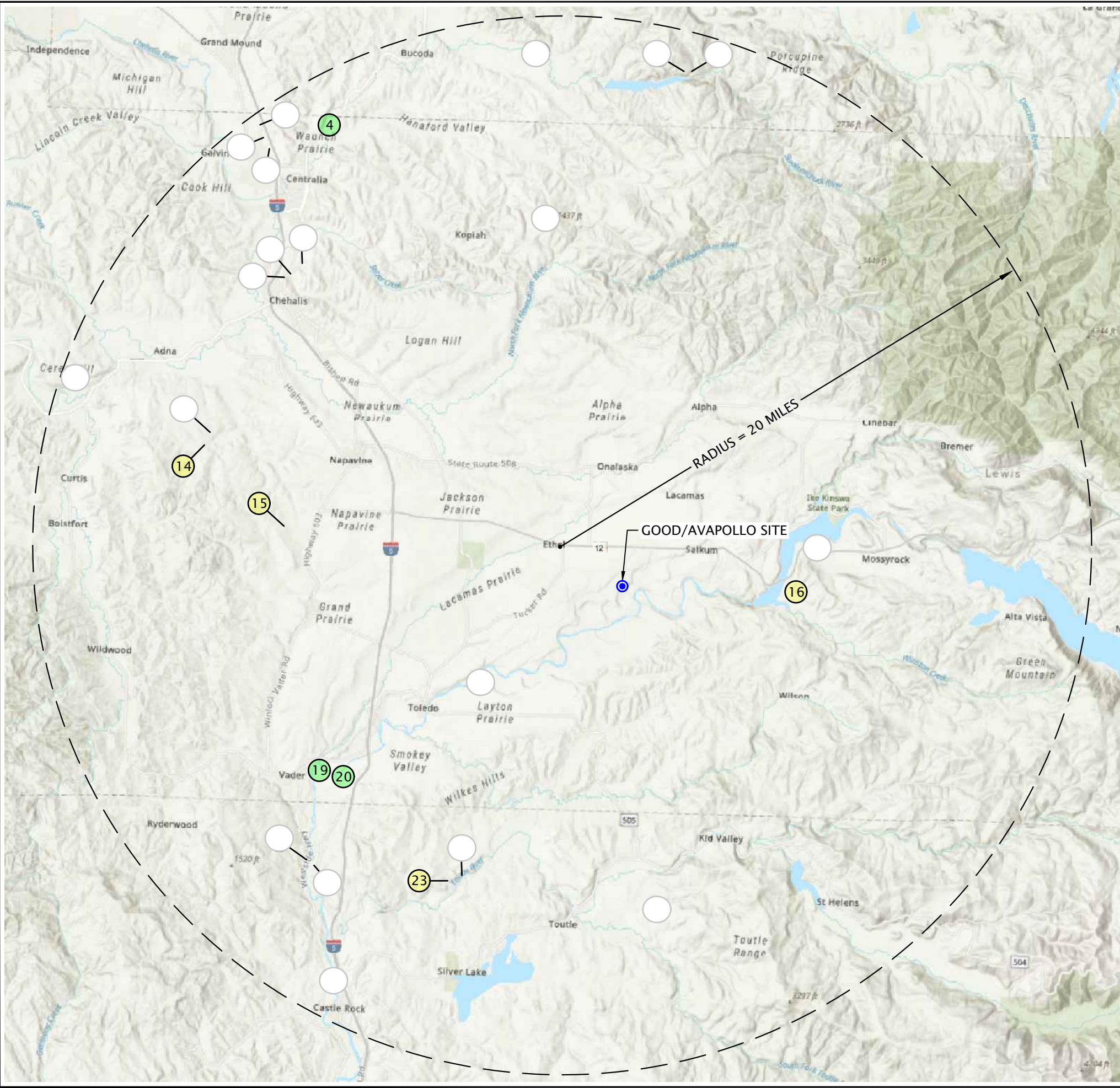
- ① MINING INACTIVE/IN RECLAMATION/COMPLETE
- ④ ACTIVE SAND AND GRAVEL PIT
- ⑥ ACTIVE BEDROCK QUARRY

Removing Depleted Sites / In Reclamation

I.D.	PERMIT NUMBER	MINE NAME
1	11629	FORAN ROAD N
2	10177	FORAN ROAD S
3	10327	CENTRALIA
4	11712	HILPERT PIT
5	12602	SKOOKUMCHUCK
6	13200	COLUMBIA VAIL QUARRY LLC
7	12899	COLUMBIA GRANITE
8	12953	CONWELL HILL
9	13073	CARPET HILL
10	13248	KRESKY MINE
11	13052	MERIDIAN HILL
12	11839	CERES HILL
13	12665	BROWN RD QUARRY
14	12913	ALDERBROOK QUARRY
15	12859	GOOD QUARRY
16	13079	WINSTON QUARRY
17	10382	MOSSYROCK
18	11516	COWLITZ RIVER
19	11145	MANDY RD PIT
20	12730	FOSTER CREEK PIT
21	12741	OLEQUA QUARRY
22	12933	BARNES DRIVE
23	12959	PHIPPS QUARRY
24	13161	TOWER RD PIT
25	13025	GARDNER QUARRY
26	12205	LANG



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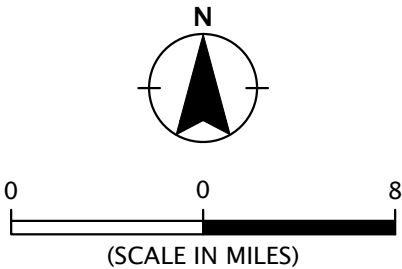


LEGEND:

- ① MINING INACTIVE/IN RECLAMATION/COMPLETE
- ④ ACTIVE SAND AND GRAVEL PIT
- ⑥ ACTIVE BEDROCK QUARRY

Removing Non-Commercial / Small / Remote Sites

I.D.	PERMIT NUMBER	MINE NAME
1	11629	FORAN ROAD N
2	10177	FORAN ROAD S
3	10327	CENTRALIA
4	11712	HILPERT PIT
5	12602	SKOOKUMCHUCK
6	13200	COLUMBIA VAIL QUARRY LLC
7	12899	COLUMBIA GRANITE
8	12953	CONWELL HILL
9	13073	CARPET HILL
10	13248	KRESKY MINE
11	13052	MERIDIAN HILL
12	11839	CERES HILL
13	12665	BROWN RD QUARRY
14	12913	ALDERBROOK QUARRY
15	12859	GOOD QUARRY
16	13079	WINSTON QUARRY
17	10382	MOSSYROCK
18	11516	COWLITZ RIVER
19	11145	MANDY RD PIT
20	12730	FOSTER CREEK PIT
21	12741	OLEQUA QUARRY
22	12933	BARNES DRIVE
23	12959	PHIPPS QUARRY
24	13161	TOWER RD PIT
25	13025	GARDNER QUARRY
26	12205	LANG



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DNR Permitted Aggregate Mine Sites
20-Mile Radius from Ethel, Washington

Attachment F

Site Location	Permit #	Applicant Name	Mine Name	County	Latitude	Longitude	Permit Acreage	Permit Depth (ft)	Commodity	Aerial Review / Notes
1	11629	DULIN CONSTRUCTION INC	FORAN ROAD N	Lewis	46.758	-122.991	45	100	Sand and Gravel	Mining complete, in reclamation.
2	10177	DULIN CONSTRUCTION INC	FORAN ROAD S	Lewis	46.751	-122.988	52	70	Sand and Gravel	Mining complete, in reclamation.
3	10327	LAKESIDE INDUSTRIES INC	CENTRALIA	Lewis	46.745	-122.983	39	90	Sand and Gravel	Mining at site is complete, pond is being backfilled. Aggregate imported from other sites.
4	11712	STERLING BREEN CRUSHING INC	HILPERT PIT	Lewis	46.759	-122.936	100.7	115	Sand and Gravel	Active sand and gravel resource; located at north edge of Lewis County, north of Centralia.
5	12602	ROCK SERVICES INC	SKOOKUMCHUCK	Thurston	46.802	-122.771	20	264	Rock and Stone	Mining complete/inactive.
6	13200	COLUMBIA VAIL QUARRY LLC	COLUMBIA VAIL QUARRY LLC	Thurston	46.794	-122.655	53.7	440	Rock and Stone	Active bedrock resource (jetty stone); remote site.
7	12899	COLUMBIA GRANITE LLC	COLUMBIA GRANITE	Thurston	46.794	-122.649	39.39	350	Rock and Stone	Active bedrock resource (jetty stone); remote site.
8	12953	CB NATIONAL LLC	CONWELL HILL	Lewis	46.675	-122.968	11.4	280	Rock and Stone	Mining complete. Retirement community constructed at the site.
9	13073	QUIGG BROS INC	CARPET HILL	Lewis	46.677	-122.963	15.6	170	Rock and Stone	Mining complete/inactive. Site is mostly vegetated.
10	13248	RAINDROP PROPERTIES LLC	KRESKY MINE	Lewis	46.683	-122.954	42.7	80	Sand and Gravel	Mining complete, in reclamation.
11	13052	ALCO HOLDINGS LLC	MERIDIAN HILL	Lewis	46.711	-122.761	64	300	Rock and Stone	Forestry pit (and/or aggregate for TransAlta coal mine?)
12	11839	HEADWELL LLC	CERES HILL	Lewis	46.616	-123.132	10	165	Rock and Stone	Mining complete, in reclamation.
13	12665	LAURA MOERKE JONES	BROWN RD QUARRY	Lewis	46.589	-123.023	36	120	Rock and Stone	Mining complete/inactive.
14	12913	LAURA MOERKE JONES	ALDERBROOK QUARRY	Lewis	46.582	-123.027	30	120	Rock and Stone	Active bedrock resource.
15	12859	GOOD CRUSHING INC	GOODS QUARRY	Lewis	46.539	-122.962	141.8	120	Rock and Stone	Active bedrock resource, recently expanded to include Johnson Quarry to south.
16	13079	WINSTON QUARRY INC	WINSTON QUARRY	Lewis	46.511	-122.555	38.2	215	Rock and Stone	Active bedrock resource.
17	10382	GOOD INC	MOSSYROCK	Lewis	46.535	-122.538	25	60	Sand and Gravel	Mining complete/inactive.
18	11516	ROBERT J THOMPSON	COWLITZ RIVER	Lewis	46.457	-122.804	75	40	Sand and Gravel	Active sand and gravel resource; located in Cowlitz River floodplain; minimal activity.
19	11145	WALLACE ROCK PRODUCTS INC	MANDY RD PIT	Lewis	46.406	-122.928	163	50	Sand and Gravel	Active sand and gravel resource; located in Cowlitz River floodplain.
20	12730	EAGLE CLIFF NORTHWEST LLC	FOSTER CREEK PIT	Lewis	46.403	-122.909	60	50	Sand and Gravel	Active sand and gravel resource; located in Cowlitz River floodplain.
21	12741	CRAIG OPSAHL ROCK & CONST	OLEQUA QUARRY	Cowlitz	46.357	-122.936	6.9	130	Rock and Stone	Mining complete, in reclamation.
22	12933	FARWEST PORTABLE CRUSHING INC	BARNES DRIVE	Cowlitz	46.354	-122.93	30.6	100	Rock and Stone	Active bedrock resource; minimal activity.
23	12959	J L STOREDAHL & SONS INC	PHIPPS QUARRY	Cowlitz	46.348	-122.824	178	150	Rock and Stone	Active bedrock resource.
24	13161	TIM BROWN LOGGING INC	TOWER RD PIT	Cowlitz	46.351	-122.813	3	120	Rock and Stone	Minimally active forestry pit; not a commercial site.
25	13025	GARRY GARDNER	GARDNER QUARRY	Cowlitz	46.335	-122.658	60	100	Rock and Stone	Active bedrock resource; remote site.
26	12205	SEGALE PROPERTIES LLC	LANG	Cowlitz	46.291	-122.911	27	52	Sand and Gravel	Excavating (St Helens) dredge spoils; not a commercial aggregate site.

KEY

	Mining inactive / in reclamation / complete
	Active sand and gravel pit
	Active bedrock quarry

NOTES

Permitted aggregate mine sites identified using DNR's Washington Geologic Information Portal (<https://geologyportal.dnr.wa.gov/2d-view#erpl?-13939287,-13000029,5803322,6244822>).
Aerial reviews conducted using Google Earth aerial imagery.
Notes compiled using aerial reviews, interviews with local mine professionals, and NV5's experience in the region.

Dear Commissioners Pollock, Grose and Swope:

I am Alan Good. I write in response to the public comments made before the BOCC on November 1, 2022 regarding my request to re-zone my land, which greatly exceeds 400 acres, to allow gravel extraction. The comments fell in three categories: traffic, the neighborhood character, and Blue Creek. I want to address each. Let me address traffic first.

Lewis County from years past has put out crushing projects around the county on their own rock resource properties. In the mid 1970's Wallace Brothers was the low bidder on Brim Road crushing project where I worked on their crusher. We crushed over 50,000 tons of rock and stockpiled it at the Brim Road site for future county projects. The county itself extracted thousands of tons of rock out of their own gravel pit. The Wood's Dairy to this day extracted rock from their property which borders the county gravel pit. They sublet a rock crusher to crush rock on their own property in the years past, but was eventually shut down because of permitting issues. These land properties have already been known for mineral resource areas by the county for years, as well as the property owners. The land should have already been designated mineral resource-agricultural land.

To this day thousands of tons of various rock is stockpiled for upcoming county projects at the Brim Road gravel pit. Good Crushing, Inc has been awarded county contracts in the years past and has delivered to Brim Road, as well as other rock quarries around the county using truck and pup trailers. The property owners are all aware of the county's own truck traffic to their gravel pit-stockpile site.

The county to this day has a vehicle maintenance facility down the road from my proposed re-zone property. We have a 60-foot fee simple access to the property. It is close to Highway 12. I can't think of a location that would present fewer traffic concerns than this location. Traffic is not a serious concern.

The second complaint was that a gravel extraction operation would diminish the quality of the life in the neighborhood. My site is remote with no immediate next-door neighbors. This is the perfect location for a gravel quarry.

The final complaint regarded Blue Creek. I operate quarries. I am well aware of the conditions imposed to protect the environment. When I seek and receive a special use permit to mine gravel on this site both DNR and the County will insist that conditions are in place to protect Blue Creek.

This is not a project proposal. That will come later. This is a re-zone request and the question is: is this parcel an appropriate parcel to be zoned mineral. Clearly the resource is present. The site is huge and mining will proceed incrementally. And there is no parcel of land that is not in some water shed. This parcel is near Blue Creek. That creek will be protected.

You have the job of protecting the environment while respecting private property rights and allowing owners to make viable economic uses. The use I propose helps the county by providing accessible high quality rock products, close to the growth areas of Toledo, Winlock, Napavine and Chehalis. Emotional appeals are aimed at disabling your reason and getting you to act out of sympathy. There have only been emotional appeals made to you. I ask that you exercise your reasoning and if you do I am certain you will recognize that this re-zone is not just appropriate, but a very good idea.

Thank you,
Alan Good