

AGENDA

Clallam County Planning Commission

Regular Meeting of September 4, 2019

Clallam County Courthouse

223 East Fourth Street, Port Angeles

6:00 p.m.

(After hours Public Meeting Entrance is from Fourth St.)

- A. CALL TO ORDER.
- B. PLEDGE OF ALLEGIANCE.
- C. ROLL CALL.
- D. WELCOME.
- E. APPROVAL OF MINUTES: August 21, 2019
- F. ANNOUNCEMENTS.
- G. PUBLIC COMMENT – Please Limit Comments to Three Minutes
- H. UNFINISHED BUSINESS.
- I. PUBLIC HEARING: None
- J. WORK SESSION ITEMS:
 - 1. *Mineral Resource Lands Public Participation Plan Workshop Overview*
- K. PUBLIC COMMENT – Please Limit Comments to Three Minutes
- L. ADJOURNMENT.

Members:

Chair, Jane Hielman ♦ Vice-Chair, Scott Clausen ♦ Tom Montgomery ♦ Gary Gleason ♦

Robert Miller ♦ Leo Leonard ♦ Steve Gale ♦ Ron Long

Department of Community Development Staff:

Mary Ellen Winborn, Director ♦ Kevin LoPiccolo, Principal Planner



MEMORANDUM

Clallam County Department
of Community Development

Date: August 29, 2019
To: Clallam County Planning Commission
From: Kevin LoPiccolo, Principal Planner
Re: September 4, 2019 Planning Commission Meeting

Enclosed in your packet are the following general items:

1. Draft Minutes for the meeting of August 21, 2019
2. Overview of Forks Workshop
3. Approved Rock Pits in Clallam County

Forks Workshop

Staff will provide an overview of the September 3, 2019 Forks Workshop. As part of the presentation materials for all venues, staff will include the following materials:

- Mineral Resource Maps – East Clallam County and West Clallam County.
- General Application Rules for Mineral Lands.
- Survey on Mineral Extraction and Processing.
- DNR Map(s) of active mines in each of the geographic areas.
- Spreadsheet of active mines, per DNR.
- Information sheet on the Public Participation Plan, Workshops, Website, Contacts, etc....

Staff will provide a PowerPoint presentation to the Planning Commission that will be shown at all workshops.

Approved Rock Pits

Mike Shaw submitted an Email on August 22, 2019. This is a response to the spreadsheet that was reviewed at last meeting. Mr. Shaw's spreadsheet provides an analysis on abandoned mines, mines that were approved prior to the Critical Areas Ordinance, ownership, and mines that have expired due to inactivity.

Upcoming Public Hearings

September 18 – Comprehensive Plan/Zoning Map Amendment (Public Hearing)
October 2 – Six year Transportation Improvement Program (Public Hearing)
October 16 – Current Use Assessments – 1st Round (Public Hearing)

MINUTES

Clallam County Planning Commission

*Regular Meeting of August 21, 2019
Clallam County Courthouse
223 East Fourth Street, Suite 5
Port Angeles, WA 98362-3015
6:00 PM*

- A. CALL TO ORDER: The meeting was called to order at 6:00 p.m.
- B. PLEDGE OF ALLEGIANCE.
- C. ROLL CALL: Members present were Vice-Chair Hielman, Gary Gleason, Robert Miller, Tom Montgomery, Scott Clausen, Steve Gale, Leo Leonard and Ron Long. Mary Ellen Winborn, Director; and Kevin LoPiccolo; Principal Planner, represented staff from the Department of Community Development. Also present were David Alvarez and Greg Ballard.
- D. WELCOME: Vice-Chair Hielman welcomed all in attendance.
- E. APPROVAL OF MINUTES:

A motion was made and seconded to approve the August 7, 2019 meeting minutes, as submitted by staff. Following a vote, the motion carried 8-0.

F. ANNOUNCEMENTS:

Commissioner Gleason reported the following from the Trails Advisory Committee meeting regarding the Olympic Discovery Trail (ODT):

- The adventure route behind Joyce will be renamed to Discovery Adventure Route, and the paved ADA accessible trail will remain Olympic Discovery Trail. The adventure route implies that it is not a smooth, paved, ADA accessible trail
- Construction and work continues on various segments of the ODT, as previously discussed
- Signage was discussed, as well as the challenge of keeping motorcycles off the adventure route regardless of barriers in place

The first public participation workshop regarding mineral resource lands will be held September 3, 2019 at Forks City Hall from 6:00 p.m. – 7:30 p.m.

Brochures will be mailed tomorrow to mining operators and adjacent property owners within 1,000 feet of DNR specified active mines, to inform them of upcoming workshops.

At the October 2, 2019 Planning Commission meeting, staff and the Commission will review the proposed Six-Year Transportation Improvement Program, and Elizabeth Stanley, Clallam County Deputy Prosecuting Attorney, will be present to provide an overview of the Open Public Meetings Act.

G. PUBLIC COMMENT PERIOD:

Kenneth Reandeau, 181 W. Lyre River Rd., Port Angeles, WA

Spoke with concern regarding the necessity for an alternative route for horse traffic on the adventure route. Commissioner Gleason will bring this up at the next Trails Advisory meeting.

H. UNFINISHED BUSINESS: None.

I. PUBLIC HEARING ITEM: None.

J. WORK SESSION ITEMS:

Elect Interim Chair and Vice-Chair

A motion was made to nominate Commissioner Hielman as interim Chair. The motion was seconded. Following a roll-call vote, the motion carried 7-0. Commissioner Montgomery – Yes, Commissioner Gleason – Yes, Commissioner Miller – Yes, Commissioner Leonard – Yes, Commissioner Clausen – Yes, Commissioner Gale – Yes, and Commissioner Long – Yes.

A motion was made to nominate Commissioner Clausen as interim Vice-Chair. The motion was seconded. Following a vote, the motion carried 7-0. Commissioner Montgomery – Yes, Commissioner Gleason – Yes, Commissioner Miller – Yes, Commissioner Hielman – Yes, Commissioner Leonard – Yes, Commissioner Gale – Yes, and Commissioner Long – Yes.

Discussion on Mineral Extraction and Processing Activity

David Alvarez, Chief Civil Deputy Prosecutor, provided a summary of his professional background, and current involvement, due to the County being directed by the Western Washington Growth Management Hearings Board (WWGMHB) to improve its public involvement regarding Clallam County’s mineral resource land development regulations.

With regard to the WWGMHB Decision, the County is challenged with the following:

- Identifying mineral resource lands of long-term commercial significance (LTCS)
- Determining who could assist the County in identifying where LTCS lands are located
- Whether the County should offer protection to mineral resource land by creating what might be called a mineral resource district with additional protection from varied uses

Staff and Mr. Alvarez reviewed their recommendations, in response to citizen comments regarding Titles 26, 27, 31 and 33, as outlined in the matrix.

With regard to the October deadline as directed by the WWGMHB, staff will be requesting an extension, or series of extensions, in order to complete the work necessary in order to achieve compliance.

Greg Ballard, Clallam County Senior Planner, discussed the current mining application process, and distributed example information to the Commission.

Staff pulled up the recently built website titled “Mineral Resource Lands Update”, and reviewed the items and information on the website.

Discussion was had regarding the workshop schedule.

Finalize Survey for Public Input Re: Mineral Resource Lands

Following the Commission’s input at the last meeting, staff made changes to the draft questionnaire by altering the questions to appear less negative, added a comment box after each question, and created a balance of environmental, process, and operational questions. Staff reviewed the questions in the survey.

Staff also added links to some questions that have a direct relationship to the Revised Code of Washington, the Washington Administrative Code, Department of Ecology, and the Clallam County Comprehensive Plan and Zoning Regulations.

K. PUBLIC COMMENT PERIOD:

Gerry Lane, 29033 Beach Drive N.E., Poulsbo, WA

Commended County staff for their work produced so far, however he is concerned that the County's perception is that all we have to do is conduct public participation without change. When he began litigation against the County with Mike Shaw, they were told by experienced counsel, that that is exactly what the County will do. He indicated that this needs to be considered.

Chapter 31.08.305 indicates that there shall be a docketing procedure for citizen comments over the last 15 years with annual review, which has not been done or implemented by the County. This procedure should be done now, in preparation for the annual Comprehensive Plan amendment.

He is looking forward to attending the workshops.

Julia Smith, 386 Olympic Hot Springs Rd., Port Angeles

Ms. Smith complimented the department for developing the website.

She suggested Questions 4, 5 & 6, be amended individually to support each concern, and that the three questions remain in the survey.

With regard to the quantity and quality of aggregate located in the County, she inquired regarding the supply and demand, and asked when the County approves an application for a mining operation, is any consideration given to mines that already exist, as well as consideration to protect other natural resources.

She suggested that staff add a link to Question 11, clarifying applicable County Codes.

With regard to Question 18, perhaps staff could add language for residents located near a "proposed" mine.

Rick Head, 386 Olympic Hot Springs Rd., Port Angeles, WA

Mr. Head spoke with concerns regarding not combining survey Questions 4, 6 & 7, especially with regard to groundwater quality, as the individual questions allow citizens to get very specific when addressing each item.

Mike Shaw, 505 E. Silberhorn Rd., Sequim, WA

Mr. Shaw indicated that he has been in the rock crushing business for 50 years. During that time, he has crushed rock in approximately 250 different sources, and has never been cited for violations relating to water quality, air quality, and/or noise.

With regard to hours of operation as referred to in Question 1, he suggested asking what industry should mining operation match with regard to hours (i.e., logging, Dept. of Transportation, etc.).

He cautioned the County's involvement with air quality, water quality, and noise, as these are addressed by other agencies and State law.

Mr. Shaw suggested that staff consider production value over a 50 year period, when determining long-term commercial significance when two or more resources exist.

He further suggested that the County require mine operators to use best available science, which is a requirement of the Growth Management Act.

Keith Peters, 73 Mt. McDonald Rd., Port Angeles, WA

Mr. Peters commended staff on their work in satisfying the requirements directed by the VVWGMHB, and indicated that he has no opposition to the County code with regard to mining.

His concern is the local need for aggregate, as the area receives it by barge.

Roberta Stoneman, 1354 Herrick Rd., Port Angeles, WA

Ms. Stoneman asked who the brochure will be mailed to. Staff indicated that property owners within 1,000' of an active mine will receive the brochure. She feels there are a lot of residents well outside the 1,000' perimeter that are affected and would like to provide input.

L. ADJOURNMENT: The meeting adjourned at 7:55 p.m.

Respectfully submitted,

Kevin LoPiccolo, Principal Planner

LoPiccolo, Kevin

From: Mike Shaw <pssi@olympen.com>
Sent: Thursday, August 22, 2019 10:20 AM
To: LoPiccolo, Kevin
Cc: gerry lane
Subject: Active Clallam County Surface Mine Permit Sites Analysis (External Email: USE Caution)
Attachments: Active Clallam County Surface Mine Permit Sites Analysis Version 5 - DNR Data Base Current 1-31-2019.xls


Kevin,

In response to Greg's handout last evening (Approved Rock Pits in CC):

Attached is the analysis we prepared a while ago, updated to include case numbers from Greg's handout last evening, for ease of identification. The 2.2 acre approval, CRI 2012-00034, which was issued to Bob Reandean and myself, was too late for the bid and the conditions too ominous, so it was never used. WSDOT allows only 30 days from date of advertisement to bid opening, which is a huge problem for portable rock crushers, when no sources have been approved in advance.

Will you please distribute a copy of this analysis to each of the planning commissioners asap. Obviously it must be in color to make sense. Thanks!

Mike

 Virus-free. www.avast.com

DNR PERMIT NUMBER	Active Mine Map Comments	APPLICANT NAME	Active Clallam County Surface Mine Permit Sites	Analysis		AREA PERMITTED	DEPTH	COMMODITY	ZONED	CASE #	HYPERLINK
				MINE NAME	COUNTY						
1	10004	BLAKE SAND & GRAVEL INC	CAYS RD PIT	Clallam	48.1321	-123.1691	57	200 Sand and Gravel	NC		
2	10141	CITY OF FORKS	CAMPBELL	Clallam	47.9512	-124.3903	13	60 Sand and Gravel			
3	10284	LAFARGE PNW INC	TWIN RIVERS	Clallam	48.1632	-123.9610	200	Clay			
4	10470	DAVIS SAND & GRAVEL	DAVIS	Clallam	48.1076	-123.1099	48	75 Sand and Gravel	NC		
5	10554	CLALLAM COUNTY PUBLIC WORKS	MORSE CREEK	Clallam	48.0924	-123.3639	38.4	62 Sand and Gravel	VLDD		
6	10555	DNR OLYMPIC PRG 532	MARY CLARK	Clallam	48.0614	-124.2775	163	30 Sand and Gravel	CF		
7	10772	CLALLAM COUNTY PUBLIC WORKS	KIRNER PIT	Clallam	48.1231	-123.1221	40	100 Sand and Gravel			
8	11000	LAKEIDE INDUSTRIES INC	PLACE ROAD	Clallam	48.1191	-123.5682	37	40 Sand and Gravel	RCC3		
9	11153	DELHUR INDUSTRIES INC	HALLER	Clallam	48.0361	-123.1392	70	110 Rock and Stone	CF		
10	11280	BRUGH & BRUGH	BEAVER FALLS QUARRY	Clallam	48.0948	-124.2684	12.9	310 Rock and Stone	CF		
11	11356	CLALLAM COUNTY PUBLIC WORKS	WHITCOMB DIMMEL PIT	Clallam	47.9772	-124.3918	11.93	30 Sand and Gravel	CF		
12	11548	W E SETON/BRUCE B SETON	BLYN	Clallam	48.0219	-122.9981	5	80 Sand and Gravel	CEN		
13	11558	DNR OLYMPIC PRG 532	LOOP TAVERN	Clallam	48.0500	-124.3601	14.5	35 Sand and Gravel	CF		
14	11584	LAKEIDE INDUSTRIES INC	BLUE MOUNTAIN	Clallam	48.0961	-123.2819	33	40 Sand and Gravel	RCC3/CF		
15	12031	CLALLAM COUNTY PUBLIC WORKS	BLYN	Clallam	48.0207	-122.9990	18	110 Sand and Gravel	R5		
16	12087	DNR OLYMPIC PRG 532	PLACE ROAD/STRAITS DIST.	Clallam	48.1338	-123.5778	37	45 Rock and Stone	CF		
17	12327	DELHUR INDUSTRIES INC	RAINS PIT	Clallam	48.0809	-123.7328	10	60 Sand and Gravel			
18	12372	HENRY MYREN REVOCABLE TRUST	ELWHA ROCK	Clallam	48.1121	-123.5680	20	30 Sand and Gravel	RCC3		
19	12401	CLALLAM COUNTY PUBLIC WORKS	QUILLAYUTE	Clallam	47.9463	-124.5007	22.1	25 Sand and Gravel	CF		
20	12424	LAKEIDE INDUSTRIES INC	HIGHWAY 12 PIT	Clallam	48.1134	-123.5634	32	40 Sand and Gravel	RCC3		
21	12525	CLALLAM COUNTY PUBLIC WORKS	RANGER PIT	Clallam	48.1230	-123.5695	60	25 Sand and Gravel	RCC3		CUP 2012-00002
22	12560	LAKEIDE INDUSTRIES INC	ECLIPSE TIMBER PIT	Clallam	48.0721	-123.4843	25	30 Sand and Gravel	RCC5		
23	12828	DELHUR INDUSTRIES INC	SAPPHO	Clallam	48.0713	-124.2571	20	30 Sand and Gravel	CF		
24	12832	DELHUR INDUSTRIES INC	FLOE QUARRY	Clallam	48.0640	-124.1380	28.7	160 Rock and Stone			
25	12901	GREEN CROW TIMBER LLC	ELWHA	Clallam	48.1172	-123.5633	23	50 Sand and Gravel	RCC3		
26	12982	CLALLAM COUNTY PUBLIC WORKS	HERRICK GRAVEL	Clallam	48.0631	-123.5961	14	30 Sand and Gravel	R5		CUP 2012-00001
27	12990	DELHUR INDUSTRIES INC	PLACE ROAD PIT	Clallam	48.1203	-123.5737	58.26	70 Sand and Gravel	RCC3		CUP 2017-00002
28	13044	RAYONIER FOREST RESOURCES LP	OLD SMOKEY PIT	Clallam	47.9673	-124.4216	125.9	30 Sand and Gravel	CF		
29	13076	A&A ROCK INC	A&A ROCK INC	Clallam	48.0625	-123.6101	20	310 Sand and Gravel	CF		
30	13094	JIC RESOURCES LLC	SHOREROCK QUARRY	Clallam	48.0604	-123.4989	19	200 Rock and Stone	CFMS		CRI 2009-00048
31	13197	J & D TRUCKING INC	TOWNE ROAD GRAVEL PIT	Clallam	48.1287	-123.1321	12.8	35 Sand and Gravel	NC		REZ 2010-00002
32	13199	JONATHAN SHOTWELL	SHOTWELL SURFACE MINE	Clallam	48.0983	-123.4965	3	27 Sand and Gravel	RCC3		CUP 2014-00006
33	13213	JAMES W PFAFF	MT PLEASANT GRAVEL PIT	Clallam	48.0898	-123.3632	4.8	50 Sand and Gravel	VLDD		
34	13215	BRUGH & BRUGH	BRUCH AND BRUCH CON.	Clallam	48.0689	-124.0891	19.6	310 Rock and Stone	CF		CUP 2012-00006
7		Abandoned per MSHA records					1316.89	acres			
32		Existing prior to CAO review - based on archived aerial photos, permit review, personal knowledge									
6		Totally depleted - based on age, archived aerial photos, personal knowledge									
11		Government owned-No private use: 431.9 acres									
7		Active Commercial Forest - Private ownership: 287.4 acres									
10		Active Rural Lands - Private Ownership - 295.9 acres									
2		CUP expired: inactive for 18 months (CCC27.12.025(8))									

Notes: Only 21.8% of active sites are private; Rayonier Old Smokey Pit in Forks is 43.7% of that. MSHA is the federal "Mine Safety and Health Act", the federal mine safety watchdog.

Approved Rock Pits in Clallam County¹

Case #	Name	Size	Zoning	Critical Areas	Parcel#	Hyperlink	# of days ²
CRI 2009-00048	Andy Andersen Andersen Pit	45 Acres Basalt	Rural Low (R5)	Landslide hazard & Erosion Hazard	073029-320000, 310500, 310600, 310700 & 310800	CRI2009-00048	108
REZ 2010-00002	Andy Andersen	44 Acres	Rezone 44 ac from R5 to Commercial Forest (CF)	Landslide hazard & Erosion Hazard	073029-320000, 310500, 310600, 310700 & 310800	REZ2010-00002	114
CUP 2012-00001	Clallam County Herrick Pit	14 Acres Basalt	Rural Low (R5)	Critical Aquifer Recharge Areas (CARA)	073029-410000 & 410300	CUP2012-00001	110
CUP 2012-00002	Clallam County Ranger Pit	60 Acres Sand & Gravel	Rural Character Conservation (RCC3)	Critical Aquifer Recharge Area (CARA)	073003-230000, 200000, & 240050	CUP2012-00002	73
CUP 2012-00006	Bruch & Bruch Snyder Pit	23.56 Basalt & Sandstone	Western Rural Low (RW5)	Stream and Wetlands	113026-230000	CUP2012-00006	90
CUP 2014-00006	Jonathan Shotwell Shotwell Pit	17.25 Acres Basalt & Sandstone	Rural Character Conservation (RCC5)	Landslide & Erosion Hazard	063018-410010	CUP2014-00006	82
CRI 2012-00034	Mike Shaw Reandeau	2.2 Acres Sand & Gravel	Commercial Forest (CF)	Wildlife Habitat Conservation Areas, Landslide & Erosion Hazard, & CARA	053014-420000	CRI2012-00034	102
CUP 2017-00002	Del Hur Place Road	20 to 39 Acres Sand & Gravel	Rural Character Conservation (RCC3)	Type 4/5 Stream & CARA	073004-410000, 440010, 440020, & 440030)	CUP2017-00002	59
CRI 2018-35	Del Hur New Hansen Pit	19.35 Acres Sand & Gravel	Commercial Forest	Wetland & Landslide Hazard	073029-130110	CRI2018-00035	73

Note 1. Clallam County, WA State Department of Natural Resources and WA State Department of Ecology do not require permits for the mining of material exclusively used for forestry road (i.e. not for commercial sale).
 Note 2. Number of days excludes time awaiting for info from applicant