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6 **OFFICE OF THE HEARING EXAMINER**
SKAGIT COUNTY

7 *In re:*)
8 Application for Mining Special Use) Cause Nos.: PL16-0097, PL16-
Permit and Forest Practices Permit by) 0098, PL22-0142
9 Concrete Nor'West/Miles Sand and)
Gravel,)
10 and) PERMIT HEARING 8-26-22 12:40 PM
11 Appeal of Mitigated Determination of)
Significance by Central Samish Valley)
12 Neighbors)

13 Transcription Date: April 12th, 2024

14 Present: Andrew Reeves, Brandon Black, Bill Lynn, Jason D'Avignon, Kyle
15 Loring, Tom Ehrlichman, Leah Forbes, Mona Kellogg, Catherine Fitzgerald,
16 Robert Walsh, Patrick Gould, Katheryn Longfellow, Steve, Kenady, Renee
17 Kenady, Monty McIntyre, Mic Sawatzky, Mr. Eleazer, Dennis Whitcomb, Marie
18 Whitcomb, Tristan Shaffer, Paula Shafransky, Rachel Reim-Ledbetter, Richard
19 Grange, Michael Cole, Russell Feay, Danielle Haugland, Ken Wheeler, Don
20 Jonasson, Leslie Mitchell, Ellen Martin, Mary Kay Barbieri, Frances Woerner,
21 Molly Doran, Jane Zillig, Ingo Lemme, Dawn Benedict, Mike Benedict, Michael
22 Sheedy, James Koran, Debra Anderson, Larry Hedgpeth, Jennifer Aven, Kathy
23 Reim, Amy Boettcher, Richard Brumfield, Kathleen Grimbly, Unidentified Male
24 1-16, Unidentified Female 1-15

25 FEMALE 1: [Background chatter] what's that's noise from?

1 MALE 1: Somebody needs to mute their mic.

2 FEMALE 1: No.

3 MALE 2: Uh, I think it was that you all had actually cleared and

4 everybody start fresh.

5 REEVES: Uh, I've been accused of being aa jack something else, but never

6 a jackhammer. So I just wanted [inaudible] all right.

7 LORING: Just realized we forgot to put on our Hawaiian shirts for the

8 afternoon session.

9 REEVES: I, I, you know, I, I'm assuming that, uh, you know, uh, Bill Lynn

10 has one ready in his office. I, at home, I have about 40 in my closet, but,

11 uh, you know, probably, for a land use application, regular hearing, uh, I

12 might do it, but, you know...

13 BLACK: I think there's someone's supposed to...

14 FEMALE 2: Uh, Mr. Black...

15 BLACK: Convey myself in a respectable manner.

16 FEMALE 2: [Inaudible] we give testimony.

17 BLACK: All right. Let's see, am I, I'm not muted, okay. Because I sit

18 for those things.

19 REEVES: Uh, when you get a chance, if Mr. Black can come to the podium,

20 I'd...

21 BLACK: Yeah. And you'll want to give them to the [inaudible].

22 REEVES: [Inaudible.]

23 FEMALE 2: Okay.

24 BLACK: I work for the Planning Department.

25 FEMALE 2: Okay.

1 BLACK: This is actually their proceeding.

2 FEMALE 2: Okay. All right. Just making sure that someone [inaudible].

3 REEVES: [Inaudible] I certainly have no issue, um, going straight to our

4 County website, right on the first page, so...

5 MALE 3: If, if you have written comments that you want to leave, if you

6 don't want to stick around and talk all of that time...

7 REEVES: [Inaudible.]

8 MALE 3: [Inaudible] Monday. You can leave those with Mona over here with

9 the Hearing Examiner's Office.

10 REEVES: We haven't...

11 KELLOGG: What's your name?

12 REEVES: Yet. I just was going to check in...

13 MALE 4: Yes. Um, it's on the new list there.

14 REEVES: With the room. Uh, I don't believe...

15 MALE 4: Since it's a brand new paper over there.

16 REEVES: I was sent an attendee list, which is fine, we'll make it work. I

17 just, if it was something that was sent, I want to check because then I can

18 read the names off, but...

19 KELLOGG: Thank you.

20 MALE 5: Yeah, why is [inaudible].

21 REEVES: And, Leah Forbes, I just want, oh, here she comes. As our new

22 resident tech expert and, man, you're going to regret that, uh, I think we're

23 all set. I just wanted to check with you and ensure that as far as, uh, you

24 know, uh, and the team you're working with there, that we seem to be in good

25 shape at this point, in terms of folks being able to join?

1 FORBES: Yep. We do. Uh, I see [inaudible] 45 folks, while we started,
2 started out with 30, 31. So it looks like there are a couple of phone numbers
3 on the list now as well, so the phone log-in seems to be working now.

4 REEVES: Excellent. Um, well, again, thank you very much, uh, for the
5 help, it is truly appreciated. And then, when Brandon comes back, and, and
6 just to verify, I don't think I was sent, uh, the list of folks that wanted
7 to testify, right? Which is fine, I just wanted to verify.

8 BLACK: Uh, M-, Mona has the list, uh, of the folks that have signed in
9 here.

10 REEVES: Okay.

11 MALE 5: I want to testify.

12 REEVES: And, well, we'll get started shortly. Uh, uh, at the outset, I
13 had said, you know, if there's anyone there in the room, uh, that is, you
14 know, for whatever reason, uh, would not be able to provide their public
15 testimony in the future, um, and need, need that physical space available, we
16 would like to start with them today, this afternoon. Uh, so you in the room
17 there, if you can, I don't know if that was verified or just as you're
18 working through the list, uh, does that make sense, Mr. Black? I'm sorry if
19 that was confusing. You have a look like...

20 BLACK: That was confusing. At the same time, I was talking to Mona. So
21 far, we have a list of 47 people who have signed up to testify. And then
22 there are four, uh, written, uh, comment letters that are being Exhibited or
23 been submitted thus far. And I did indicate...

24 REEVES: Okay.

1 BLACK: A few minutes ago to folks to leave their written testimony, uh,
2 with Mona, um, if, if they can't stick around. So, we'll collect all of
3 those, Matt [phonetic] is going to give those to you.

4 REEVES: Sure. And so what, what I was asking, uh, Mr. Black, was,
5 essentially, if there's anyone that's physically there in the room, we only
6 have a physical room this afternoon and Monday. Uh, I, I expect we'll get
7 through everything, uh, in terms of members of the public, but can you just
8 quickly, right now, uh, have folks in the room raise their hands so you can
9 go check in with them if, if this is the one day they can be in the room and
10 they can't participate any other way or Monday would be the only other
11 option? Because we would like to hear from them first, uh, if you can do that
12 real quick, we'll wait another second, okay?

13 BLACK: Is there anybody here who can only testify today?

14 FEMALE 3: Yes.

15 BLACK: There are about, uh, ten hands.

16 REEVES: Okay. Can you, uh, sorry, I was hoping we can make this easy, but
17 if you want to just, I would hope, if you can direct traffic, or have someone
18 in the room direct traffic for me, another member of County staff, uh, we
19 would like to deal with those ten folks first. I'm going to give a, just a
20 couple of minutes of opening, uh, remarks and, and then we'll work through
21 those folks first and then move on after that. Does that hopefully make
22 sense?

23 BLACK: Sounds good. Yeah. I can, uh, since Mona is going to be on the
24 other side of the room monitoring this, will help direct traffic for these
25 folks.

1 REEVES: Thank you. Okay. So I think we're recording already, does that
2 seem right?

3 BLACK: Uh, yes, it says it is already.

4 FEMALE 4: Will we go...

5 REEVES: All right.

6 FEMALE 4: [Inaudible] to...

7 REEVES: Good. I'll just gavel us officially back to order. Uh, again, we
8 are here in, in, uh, Skagit County. And it is August 26th, 2022. Uh, after our
9 lunch break, so it's about 12:40. And, uh, we are now moving onto the Public
10 Testimony portion of, uh, this hearing. And so with the outset, I just want
11 to once again note, uh, first off, for those that are participating, would
12 like to participate, uh, I can't stress enough the importance of treating
13 everyone with respect, uh, even if, uh, you're upset about something, just do
14 your best not to, uh, turn, turn things ugly or, or any personal attacks,
15 that would not be acceptable. So that's the one, I, hopefully will not be, be
16 an issue. Uh, the second, just to clarify on who I am, I know I didn't speak
17 at length at the outset, but I'm not an employee of, of the County, I'm, I'm
18 appointed, uh, by the County, uh, to hold hearings like this. And I do this
19 work in about 50 cities and counties. Uh, so, you know, just sometimes I like
20 to clarify for folks that I'm not on one team or another. I, I'm an
21 independent quasi-Judicial Officer. Uh, and my role is to, again, collect the
22 testimony and the evidence, uh, in, in terms of the exhibits. And then
23 ultimately, in terms of the SUP, uh, there are very specific criteria that
24 are laid out, that my decision will ultimately address. And those criteria
25 will serve as the foundation for my decision. Uh, for those that are

1 interested in seeing what those criteria are, uh, it's fairly well delineated
2 in, uh, the Staff Report that, uh, Mr. Cricchio had prepared. Uh, but those
3 criteria can, can be located in, uh, Chapter 14.16.900, uh, and 14.16.440 of
4 the Municipal Code, uh, specific to an SUP and Mining Resource Overlay. Um,
5 SEPA is slightly different, but, but, uh, I just want to stress that and I do
6 also want to clarify that the, I think I noted it was something like 1500 or
7 2000 pages of comments I did review in advance of the hearing. I'll probably
8 look at them again, uh, in the course of writing my decision. Um, but, and I
9 certainly do not want to, uh, stop anyone or discourage anyone from
10 testifying, but I need to be abundantly clear on the process, such that it is
11 not a weighing process where if 22 people all indicate I'm opposed because of
12 traffic issues, uh, having a 23rd person say the same thing is not ultimately
13 going to impact, you know, it's not a balancing scale, as it were, it's, I'm
14 focused on the criteria. And so, when you testify, I, I would say, you know,
15 for, for you to help me, as it were, uh, if you focus on, sort of, unique
16 aspects that your testimony would provide, especially, if possible, as they
17 relate to those criteria, uh, that is particularly helpful. Uh, in addition,
18 uh, if you have sort of a written, uh, print out or something, uh, I am happy
19 to have that included, uh, in the record, uh, in lieu of having you come up
20 and, and read it off. In, in my experience, that's, in some ways, preferable,
21 because, you know, then I have it to sort of look at as a transcript, as
22 opposed to trying to, uh, keep track of it live. Uh, so that's certainly an
23 option. And then, ultimately, if, if you're later in the day and you agree
24 with, uh, others you heard from, but you'd still like, at least, to be on the
25 record, you certainly can come up and get sworn in and say, I am so and so, I

1 agree with, you know, what I heard from others, you know, thank you, and move
2 on. So that, that's sort of the ground, uh, ground rules as it were. We do
3 try to limit to about three minutes. And I also note this is somewhat unique
4 in that we do have, uh, two attorneys, Kyle Loring and, uh, uh, Mr.
5 Ehrlichman, uh, that, that have sort of experts they'll be putting on later,
6 uh, and, you know, they, they are not specifically representing the public at
7 large, but they are certainly, they have, uh, you know, an opportunity to
8 present information, um, later in the hearing, uh, that, that will elaborate
9 on some of the issues that have been discussed. So, uh, that's kind of how
10 we're going and the plan is to, by the way, to hear from the folks in the
11 room first and then if we have time, we'll go to those that have joined us,
12 uh, via remote access technology. Um, but, again, we, we set out several
13 days, knowing that this is, uh, something with a lot of interest and
14 accommodating that. So, I think with that, we, we're ready to start. I just
15 want to check with our attorneys before we, we dive right back in, to see if
16 anyone had anything they wanted to quickly address? I'll start with, uh, Bill
17 Lynn, anything on your end?

18 LYNN: No.

19 REEVES: No? Okay. Kyle Loring, anything from you?

20 LORING: Nothing here. Thank you.

21 REEVES: Okay. Jason D'Avignon, do you have anything?

22 D'AVIGNON: Uh, no, thanks.

23 REEVES: And, finally, uh, Mr. Ehrlichman? I don't see...

24 EHRLICHMAN: Uh, nothing, nothing here. Thank you.

1 REEVES: Thank you very much. Okay. So, with that, uh, thank you. And, and
2 I also note when you do come up, uh, I don't need you to read your address
3 into the record, I will swear you in and ask you to state and quickly spell
4 your name for the audio recording. Um, but, but no need to, to provide your
5 full address, like at a Council Meeting. So, with that, Mr. Black, if you
6 want to let me know who our first person is, we'll get started.

7 BLACK: Definitely. I will direct traffic. I'm going to start with the
8 front. Folks that had raised their hand saying they can't give testimony
9 another day, come up and then we'll move to the back, so...

10 MALE 6: So you're saying...

11 FEMALE 4: Oh, no, that's okay.

12 BLACK: Get your name and address, sir? I'm going to mark you also off of
13 the list.

14 REEVES: You need their addresses?

15 FITZGERALD: Okay. Catherine, C-a-...

16 REEVES: One sec.

17 FITZGERALD: Oh.

18 REEVES: Sorry, I heard Mr. Black just say your address, does the County
19 need me to get those addresses? I should ask that.

20 Male 7: Uh, they wouldn't be a party of record, they wouldn't receive
21 notices if they weren't.

22 REEVES: Okay. So they don't put their address when they sign in. We'll,
23 we'll fix that for future hearings.

24 FITZGERALD: I did put my address.

25 BLACK: Some of them did, yes.

1 REEVES: All right. Just, we'll have you quickly do your address. So I'm
2 going to swear you in. So when you come up, this will be the process, you
3 ready? Hello, do you swear or affirm to tell the truth in the testimony you
4 give here today?

5 FITZGERALD: Yes.

6 REEVES: Now, you can state and then spell your name and quickly give your
7 address. And then go with your testimony.

8 FITZGERALD: Okay. Catherine Fitzgerald, C-a-t-h-e-r-i-n-e, Fitzgerald, F-i-t-
9 z-g-e-r-a-l-d. And then did you say address, too, or not?

10 REEVES: Up here, yes.

11 FITZGERALD: Yeah? Okay. 19328 Prairie Road, Sedro Woolley.

12 REEVES: And then go right ahead with your testimony.

13 FITZGERALD: Okay. Um, so my family resides on Prairie Road, we're on the west
14 end, near Old 99, where's there's two 90 degree, um, corners. We've lived
15 here for seven years, although this property has been in our family from,
16 like, the 1940's. So I have a lifetime of memories of all of the calls from
17 the Sheriff about missing the corner. Um, so my concern is primarily safety,
18 with the traffic, and then also, um, noise. The, um, Proposal, I s-, for my
19 opinion, will cause undue noise, uh, for the surroundings dwellings, and will
20 not maintain the character, landscape and lifestyle of our area, um, as a
21 result of hauling from this mine. Our property borders, um, through these 90
22 degree corners, and then on the straightaway, so we will be impacted by noise
23 from the trucks using their compression brakes as they approach those corners
24 to slow down. In addition to going across the Friday Creek bridge, I don't
25 know the name for it, but those, like, joints on the bridge, every truck and

1 trailer that goes across those, is, you know, extremely loud, as they bounce
2 over it. So, um, then, in regards to the safety issue, um, so our health and
3 safety is in conflict. Um, my utmost concern is for our community members
4 along this narrow road, which is also shared with bicyclists, pedestrians and
5 farm equipment. Um, again, I can't count how many times people have missed
6 these corners and driven through our fence, in our yard, or landed in our
7 neighbor's yard. Um, people cross over the center line on these corners, they
8 clip bumpers, so we've had many crashes, um, screeching tires and honking
9 horns if somebody with a travel trailer comes around the corner, crosses the
10 line, somebody else in the other direction has had to slam on their brakes
11 from a logging truck. Um, it's dangerous as it stands and to add these
12 additional gravel trucks, um, we are jeopardizing lives. And I'm terrified to
13 add this additional, uh, large vehicles to our road. And it is going to
14 result in fatalities and deadly situation. Um, I don't know, um, Examiner, if
15 you've seen the road firsthand, but I urge you to come and drive this road
16 before you make your decision. To truly, firsthand, see the impacts. Um,
17 think about yourself driving one of these large trucks, um, as you have to
18 navigate these sharp corners with pretty much nonexistent, um, shoulders. Um,
19 think about you round that corner, you hit the straightaway, um, only to find
20 out you've got a farm equipment in front of you, you slam on your brakes, um,
21 people behind you line up, they start to get impatient, these cars want to go
22 around you. They misjudge it right as you're coming up to a blind corner with
23 an oncoming semi. We've had somebody try to pass us when we've driven our
24 tractor. And, you know, lives are more important than the revenue from the

1 gravel pit. Um, we need road improvements if this is going to go through
2 because people's lives aren't worth it.

3 REEVES: Okay.

4 FITZGERALD: And that's it.

5 REEVES: Okay. Thank you so much, Ms. Fitzgerald. She did that perfectly,
6 for everyone else, right about three minutes. Very specific. Uh, all right.
7 Thank you for being here. Do you swear or affirm to tell the truth in the
8 testimony you give here today?

9 WALSH: I do. My name is Robert Walsh, R-o-b-e-r-t W-a-l-s-h. I live at
10 21710 Prairie Road.

11 REEVES: Go ahead, sir.

12 WALSH: Okay. I have lived on Prairie Road since 1991. And I am a
13 professional truck driver. My property shares the border with the gravel mine
14 parcels. And I've been driving truck for 40 years, experience, had 16 years
15 working in the mining industry. I've drove dump trucks and trailers, operated
16 heavy equipment such as excavators, dozers and loaders. I know firsthand how
17 loud equipment is combined with the noise of rocks hitting the metal truck
18 beds. Noise is a documented adverse impact. It must be litigated to comply
19 with several Special Use Permit criteria. These combined noises can carry a
20 long distance and they exceed allowable limits. Regardless of the MRO, when I
21 worked in the mines in Skagit County, there were strict regulations put on
22 hours for mining, which include excavation and all transportation of ma-,
23 materials mitigated necessary to be compatible and to protect the Public per
24 County regulations. Even accumulated noise that does not exceed allowable
25 limits can have an adverse impact when we are exposed to it daily. And I am

1 very familiar with those levels of noise that Miles Sand and Gravel will be
2 creating during these operations. There, there will be, in our environment,
3 that has so such levels of noise impact before in these areas, that there
4 will be a great deal of on and offsite noise created. Not only by mining
5 operations, but offsite truck transportation. Many of our community members
6 live just feet from the road which these heavy trucks will be using and will
7 definitely shake and be extremely loud. My mom lived on Prairie Road for
8 years, just an occasional large truck going by would rattle her house. And we
9 could hear them coming long before they went by. Level of noise is supposed
10 to be measured at the property owner's line. The noise study did not measure
11 the level at our shared property line, but instead measured the noise level
12 thousands of feet across our property at Prairie Road. As far as truck
13 safety, these high number of trucks, with or without trailers will greatly
14 increase the risk to au-, auto accidents. I drive these roads out there daily
15 and are narrow and many sharp corners, blind intersections and with my years
16 of commercial driving experience, I know these trucks and trailers will not
17 be able to stay in their lanes. Then add the fact that there is no shoulders
18 and the sway of the road, there will be serious wrecks. I am counting on the
19 County to protect my rights to have safe roads and allow transportation when
20 and if if can be done safely. The occasional truck or farm equipment that we
21 use using our roads right now doesn't come close to presenting the safety
22 hazard multiple dump trucks and trailers will burden us with. Even
23 professional truck drivers cannot make up for the fact that rural roads do
24 not meet County codes for the US-, SUP and are unsafe for the high intensity
25 use due to the fact that these roads are chip-sealed, they will require a lot

1 more repairs when the heavy trucks and traffic. I am also concerned about the
2 negative impact to my property value, environmental and the quality of rural
3 life. 25 years is not temporary. And this Proposal is not compatible with the
4 current land use. Thank you.

5 REEVES: Thank you, Mr. Walsh.

6 BLACK: Anybody else in these rows that can't be here another day to
7 testify?

8 KELLOGG: I assume you're on the list?

9 GOULD: Yes, that's correct. Yes. I'm on the second paper back there.

10 REEVES: All right. Thank you. Do you swear or affirm to tell the truth of
11 the testimony you give here today?

12 GOULD: Yes.

13 REEVES: Okay.

14 GOULD: My, my name is Patrick Gould [phonetic], G-o-u-l-d. And I'm at
15 22069 Grip Road, and that's Sedro Woolley. Um...

16 REEVES: Okay.

17 GOULD: What I want to bring up is every year I let the fisheries come
18 onto my property to do a salmon count from my property upstream. And I'm
19 upstream from, uh, the Miles job. Uh, this year, they counted 89 salmon, uh,
20 in the month of November. Uh, March 1st, I made a video of steelhead salmon, I
21 mean, steelhead spawning in the creek. So that creek is vital for the salmon
22 and all the others. Um, and then I want to add real quick, when you see the
23 video of Grip Road going down the hill from the proposed mine, I hope you'll
24 see and recognize just how dangerous it's going to be. And, uh, someone will
25 get hurt.

1 REEVES: And sorry, Mr. Gould, can you, do you, is the creek you were
2 talking about, is it a named creek or...

3 GOULD: Oh, um, yes, I'm sorry. Swede Creek.

4 REEVES: Okay. Thank you. I, I just wanted, there's quite a few bo-,
5 bodies of water...

6 GOULD: Yeah.

7 REEVES: In the areas and I just wanted to verify.

8 GOULD: Yeah. I know what it is. I just didn't refer to it. But, uh,
9 anyway, Mr. Reeves, thank you for being here.

10 REEVES: Thank you, sir.

11 LONGFELLOW: [Background chatter] hello, I'm Kathryn Longfellow.

12 REEVES: I'm sorry. I can't see, I don't know if it's my screen, but, oh,
13 there you are. Hi.

14 LONGFELLOW: Uh-huh.

15 REEVES: Do you swear or, do you swear or affirm to tell the truth in the
16 testimony you give here today?

17 LONGFELLOW: I do. Kathryn, K-a-t-h-r-y-n, Longfellow, L-o-n-g-f-e-l-l-o-w.
18 5318 Cedar Ridge Place.

19 REEVES: Thank you. Go right ahead.

20 LONGFELLOW: This Proposal does not meet the criteria for a Special Use Permit
21 in many ways, but I'm only going to speak to the statement that the proposed
22 use is not to cause potential adverse effects on the general public health
23 safety and welfare. A few years ago, I was contacted by an employee of Miles
24 asking for help. They had detected damage to their property and asked if I
25 people entering their property. I'm certain I wasn't the only one called.

1 Now, I'm asking you to keep our lives from undue harm. I, my family, friends,
2 neighbors, community members, will be less safe by the addition of the many
3 log and gravel loaded trucks on Grip Road. If you turn right out of Miles on
4 Grip Road, there's a 15 mile per hour curve, I don't think the hauling trucks
5 are designed to efficiently manage a 15 mile per hour curve remaining in
6 their lane. Also, this Prairie Road to the ridge is approximately goes from
7 about 100 feet to 400 feet, the majority of that incline is right there where
8 the mine is proposed or where the road comes out. I've encountered two gravel
9 trucks on Grip, one with a 20 mile an hour curve and one with a 25 mile an
10 hour curve, each truck was well over the center line, pushing me off the
11 road, thus endangering myself and passengers. And if the drivers can't keep
12 their trucks and [inaudible] within their lane on a 20 mile per hour curve,
13 how will they ever do it on a 15 mile per hour curve headed downhill on a
14 very, very steep, windy, curvy, sight-impaired road? I ask you to, to, if
15 possible, check out what road looks like. Thank you.

16 REEVES: Okay. Thank you, uh, Ms. Longfellow. Do you swear or affirm to
17 tell the truth in the testimony you give here today?

18 S. KENADY: Yes, I do.

19 REEVES: Okay. Give them your name?

20 S. KENADY: I'm Steve Kenady [phonetic]. I live at 5319 Cedar Ridge Place.
21 Uh...

22 REEVES: Can you just spell your name, for the record as well?

23 S. KENADY: It's K-e-n-a-d-y.

24 REEVES: K-e-n-a-d-y. Thank you. Got it.

1 S. KENADY: So I agree with, uh, everything I've heard so far. And the, the
2 major concern is, is traffic and traffic safety and road maintenance. In, in
3 that regard, one thing I wanted to mention is that in both directions, um,
4 east and west on Grip from the mine, there really isn't any center line. I
5 mean, it wears off, it's not well maintained and I, I think road improvement
6 would be, um, much improved if they'd just put a rumble strip or had some
7 kind of guarantee of where the middle of the road is. Because, uh, uh, it's
8 really hard to judge for some people and it's also hard to prove which side
9 of the road you're on when you had the accident. So that is sure to be an
10 issue. Um, one reason I start to think about that is because this whole mine
11 thing and the traffic, it prompted me to buy a, a dashcam because there are
12 going to be accidents, I want a record of what happened to prove that I was
13 on my side of the road, if that's necessary. Um, think a lot of are going to
14 wind up doing the same thing. And when a truck comes toward you, there's no,
15 there's no clear marking on the front of the truck which truck it is and
16 where it's from. So even if have a record of what happened, you don't know
17 if, you know, there's a lot of deniability in that, well, that wasn't our
18 truck that ran you off the road. So, I'd like to see identification
19 requirements on all vehicles that, that use the mine so they can be easily
20 identified. Thank you.

21 REEVES: Thank you, Mr. Kenady. [Background chatter] second pad of paper
22 of the day. Second pad of paper of the day.

23 R. KENADY: [Background chatter] there we go. Sorry.

24 REEVES: Do you swear or affirm to tell the truth of the testimony you
25 give here today?

1 R. KENADY: Yes.

2 REEVES: Okay. If you can state and spell your name?

3 R. KENADY: My name is Renee Kenady [phonetic], um, K-e-n-a-d-y. Live at 5319

4 Cedar Ridge Place, my husband.

5 REEVES: Right.

6 R. KENADY: Um, I also...

7 REEVES: Sorry, can you, can you spell your first name? Renee is a name I

8 know can spelled multiple ways.

9 R. KENADY: R-e-n-e-e.

10 REEVES: Okay. Now accent off an e or anything that, uh, you want me to

11 include when I write this up? You're just R-e-n-e-e is good?

12 R. KENADY: Yes.

13 REEVES: Okay. Go right ahead. Thank you.

14 R. KENADY: All right. So I do also agree with everything that's been said to

15 day, but a few things to add. Um, some of this is just a personal response to

16 this and, uh, it has to do with Miles Sand and Gravel and their response to

17 us. In their, uh, communications, I feel like it's been dismissive and

18 patronizing and arrogant and I don't think they care for our community, which

19 brings up a lot more concerns. Um, this is not all farm land and it's not

20 [inaudible] most of us live on five-acre parcels that we bought, that we

21 developed and that we built our dream homes on. Um, my husband and I just

22 retired. We live in our dream home, we don't want to move and we want to feel

23 safe. Um, we drive these roads daily to take care of our personal needs. Our

24 children drive these roads, our grandchildren drive these roads. [Inaudible]

25 drive these roads and buses full of children are driven on these roads. Um,

1 we've talked about how curvy it is, but it's, when you go right and you go
2 down the hill, that's terrifying, but if you go left towards where we live,
3 there are two 90-degree turns that even a school bus can't make. You have to
4 stop when you come across a car that is, uh, pulling a trailer or is too long
5 to navigate that curve. And that happens regularly. I don't mind doing that
6 occasionally, and especially not for school buses. But, um, these are
7 necessarily. Um, even the straightaway, not long ago, a gravel truck passed
8 us and row flew out, hit our windshield and cracked it. So there's another
9 element, even on a straight stretch, uh, where gravel r-, gravel trucks can
10 impact us. Um, not long ago, when they were working on the Cook Road bridge,
11 I commuted that road to Bellingham every day, uh, for ten years and I watched
12 traffic build and build and build. Um, and then one days I was trav-, uh,
13 following one these trucks up Bow Hill from Prairie, or from Old 99 up to Bow
14 Hill and I videotaped it and I think an average speed might have been ten
15 miles an hour. So it's about the same distance on our Grip Hill, Grip Hill is
16 steeper and it's curvier and I figured at ten miles an hour, it would take
17 about two minutes for a truck to reach the top. And then if you put 30 trucks
18 per hour, where's the, you know, it's going to be a bottleneck. Uh, I also
19 wonder about emergency vehicles and what they're going to do. Um, I also
20 oppose that our tax dollars be paid to improve the roads for this gravel
21 mine. I'm not okay with that. Um, I think the language regarding the
22 extenuating circumstances for them to expand their hours, who's going to
23 monitor that? I don't trust them. I don't think they care about our
24 community. And, uh, I would want to make sure if that happens, that it's
25 closely monitored. It was recommended that they notify the county, it wasn't

1 demanded in the language. Um, we live, like, three or four five-acre width
2 parcels away from this mine. Um, it's going to be noisy, when big trucks back
3 up, they beep, you know, I don't know how you're going to monitor that kind
4 of a noise. Uh, anyway, it's, it's, um, it's just going to be loud. I don't
5 know if they're going to do blasting. Uh, I'm worried, I'm glad that they're
6 not going to be processing gravel on the plan, I wasn't clear about that. But
7 digging within ten feet of our water table is frightening to me. We all
8 depend on wells out there. We're not on City water. If they're contaminated
9 or, or if they use water, then it's just not okay. So I plead with the County
10 to think of us as a community, we are a community, we're not industrial,
11 we're not a bunch of farms. We're a community of people that drive these
12 roads every day for every need. And I just hope that you will protect the
13 value, the sanctity and the serenity of the homes and property.

14 REEVES: Thank you, Ms. Kenady.

15 BLACK: If you wanted to provide those comments in writing, you can take
16 those over...

17 R. KENADY: Yes.

18 BLACK: [Inaudible] is there anybody in this row that can only testify
19 today? Uh, how about you first and we've got this row as well, if you're on
20 this row. Maybe the next person can come up on the stage here when this
21 gentleman is on the floor.

22 MCINTYRE: My name is Monty McIntyre, M-o-n-t-y, M-c-I-...

23 REEVES: Whoa, stop, stop, please. I got to swear you in. do you swear or
24 affirm that, I'm just, please, do you swear or affirm to tell the truth in
25 the testimony you give here today?

1 MCINTYRE: Yes.

2 REEVES: Okay. Now, please go ahead.

3 MCINTYRE: My name is Monty McIntyre, M-o-n-t-y M-c-I-n-t-y-r-e, and I am a
4 party of record, I've written a couple of letters. I own property at 22243
5 Grip Road. So far as the truth goes, versus opinion, I note that the, uh,
6 people who did that environmental assessment in May 18th, 2015, August 20th,
7 2015 and then updated in April of 2017, considered that an opinion. They
8 never mentioned 6PPD, which is a very toxic chemical that has been killing
9 Coho salmon, and most likely other salmon, besides other dwellers in those
10 riparian zones. And I wonder why the County has not contacted WDF and gotten
11 an update from them. This, uh, news has been coming out the last couple of
12 years, it's a very timely thing since we're experiencing huge declines in
13 Coho Salmon, in particular, rainbow trout and some of these other ones that
14 live in Swede Creek, Friday Creek and I've heard up to 21 streams that may
15 be, um, affiliated with the proposed site. I urge you to decline these
16 Special Use Permit because of the criteria is not met. The proposed use will
17 create undue noise, odor, heat, vibration, air, a lot of pollution, impacts
18 on serenity [inaudible] potential use. Well, the attorney for Miles talked
19 about gravel, how we all need it so desperately, we also need air and we also
20 need water. And who owns those and who has the right to defile them. Well, if
21 you put six PPD from all the tires on Miles' truck schlepping off, and that's
22 where it comes from, I would like to know if they can have up to 720 trips a
23 day, how many tires, how many miles, how many pounds? They say it's 2% of the
24 tire content in six PPD that once it's released in schlepped off rubber, it
25 becomes a [inaudible] which is more resistant to the evaporation that occurs

1 with just six PPD. Again, the County needs to contact the WDF and consult
2 with them over this very important issue at this moment. We talked about
3 heat, well, absolute removal from the treetop down, say you got an 80 foot
4 tree on that site, there's maybe an evening grosbeak up there, a couple of
5 lichens, some oxygen-producing needles, you got a squirrel in there, down in
6 the ground there's some other trees where birds nest, sure if the birds can
7 fly off, what about the newts and the other things that are living there?
8 Well, then you go down and remove the roots, they're just stumps at that
9 point, why not? You go 60 feet down, you go through gravel, the sand
10 [inaudible] after a, you know, a 1,000 years that's deposited up there,
11 eventually you get ancient gravels. So from an 80 foot tree, you come all the
12 way down 60 feet, everything is gone. That's kind of like when a Putin's
13 bumper busters would do, you go down 60 feet into the ground and blow it all
14 out well, this is even worse, it's more intense than that. It's absolute
15 removal of all living material from the treetop down 60 feet. That is
16 intense. It's not medium, it's intense. In fact, it can be defined as a
17 warzone if you have a Putin bumper buster. Okay. There's a lot of other
18 criteria in here. Adverse effects include lower property values. Some of
19 those people that have built their dream home, or me that plan on retiring
20 there. Do I want to be aggravated? Well, there's an unmentionable thing here,
21 it's called mental health. And the criteria is supposed to help and protect
22 the citizens in their health. What about these people have been fighting for
23 six years that have legal fees, how is their mental health? You know, there's
24 a lot of good people here trying to protect what little of a good thing is
25 left. Gravel is everywhere, you can recycle concrete. And one thing about all

1 of this is when that gravel is removed by these one or two people working,
2 the fact that there's 720 trucks a day, what it's going to be put into? We
3 talked about asphalt patching, we talked about concrete patching. Concrete is
4 a heat sink, and in every casing environment that's lower, hotter, less rain,
5 you got that concrete slab, some of you guys have been around here long
6 enough to remember, don't pave over Skagit County farmland.

7 REEVES: I appreciate...

8 MCINTYRE: Did you say something?

9 REEVES: I appr-, I appreciate, I appreciate your passion, we're running,
10 we're running passed our three minutes and...

11 MCINTYRE: Okay. You want to cut me off, that's fine.

12 REEVES: If you've got, sorry. Okay. I wasn't, I was...

13 MCINTYRE: Here is something I'd like to have in. Here are some facts sheets
14 here about, um, bunker busters, how deep they go. There's some facts sheets
15 here about PPD.

16 REEVES: The testimony [inaudible].

17 MCINTYRE: There is three of them and then here are some criteria with some
18 handwritten notes during this meeting that I would like to give you. Thank
19 you very much.

20 REEVES: Okay. Sorry. I, I...

21 MCINTYRE: Yeah. I'm sorry, too.

22 REEVES: [Inaudible] noise.

23 MCINTYRE: [Inaudible] I spent a lot of time here and it seems all so
24 futile.

25 MALE 8: Thanks for your testimony.

1 FEMALE 4: Uh-huh.

2 MALE 9: Thanks.

3 MALE 8: Thank you.

4 REEVES: All right. Folks, we're going, we, we need be quiet so that the
5 new, uh, gentleman that's entered the screen here can testify. Your name,
6 sir, was?

7 SAWATZKY: My name is Mic Sawatzky, that's M-i-c S-a-w-a-t-z-k-y. My
8 concerns, um, are relating, the gravel trucks, trucks seem to have a habit of
9 not putting a net over their load either, which is what busted my windshield
10 that I just replaced like a week earlier. Um, also, debris on the roads, I
11 ride a motorcycle and I don't know exactly how much debris these are going to
12 be releasing. But, um, that provides a significant risk to a lot of the
13 motorcycle riders around this area. It's very common in this area. Um, not to
14 mention the fact that people have a habit of cutting corners and passing very
15 quickly on the highways in this area. And that can, that, that poses a risk
16 for me as a, as a biker, especially because they don't see me coming. And
17 oftentimes, I have to swerve or slam on my brakes to avoid them and this is
18 going to aggravate that. Also, I was born with weak lungs and I don't know,
19 also how much this is going to affect our air quality, but, um, that, that is
20 a concern for me, personally. Um, not to mention noise, dawn to dusk, Monday
21 through Saturday seems fairly consistent, that's a lot of noise all the time.
22 Um, also, my water on my property is on a well. And, um, I'm concerned about
23 water contaminates in my well. Um, it's also going to lower my property value
24 and I'm inheriting my parents' property soon and I don't want to lose what I

1 would think a considerable about of my property value. Um, and I think, yeah,
2 that, that's it, that's it.

3 REEVES: Okay. Thank you for your time, sir.

4 SAWATZKY: No problem.

5 REEVES: All right. Do you swear or affirm to tell the truth in the
6 testimony you give here today?

7 ELEAZER: Yes. I'm Rick Eleazer, E-l-e-a-z-e-r. I live at 22134 Grip Road.

8 So, I wanted to say that, uh, right now, the way the situation with the road
9 is, the right-of-way is from the, the [inaudible] are in the ditches, both
10 sides of this road. So the roads cannot be widen or improved, the way these
11 are right now. It's the County or the people who own the property, sell the
12 property to Miles Sand and Gravel for the improvement of the roadways. Um,
13 there's a blind intersection there, there's been lots of multiple accidents
14 there, serious injuries. Uh, these roads are not designed for heavy traffic,
15 traffic use. They're for light-duty, they're chipped-sealed roads. Um,
16 there's the, for fugitive dust, talking about water, watering down the dust
17 on the roads, well, that's going to create turbidity, which is eventually
18 going to get into creeks and streams and choke out the habitat. So there's a
19 lot more impacts than what's being really said in this Proposal. Okay. That's
20 all I have.

21 KELLOGG: What's your address?

22 ELEAZER: 22134 Grip Road.

23 REEVES: Hi. Do you swear or affirm to tell the truth in the testimony you
24 give here today?

1 D. WHITCOMB: I do. Um, I'm Dennis Whitcomb [phonetic], it's spelled W-h-
2 i-t-c-o-m-b. And I live at 19117 Prairie Road.

3 REEVES: Okay. Thank you. All right.

4 D. WHITCOMB: Um, thank you for this time allowing me to speak today. I
5 live on a route that trucks from the proposed mine would regularly take, on
6 the corner of Prairie Road and Highway 99. As a community member, I have
7 serious concerns about the safety of this proposed operation. I also have
8 serious concerns about the mine developers' application documents, in
9 particular their private impact analysis, their geotech report and their
10 critical areas evaluations. Let me start with those documents. To make a long
11 story short, the local community has banded together and employed technical
12 experts to review those documents. And, and it turns out, those documents
13 have a wide range of clear inaccuracies, as well as many important omissions.
14 Do not take my word on this, instead please see the documents submitted by
15 Ross Tillman [phonetic], Dan McSheen [phonetic] and Matt Mahathy [phonetic].
16 Those documents bring out the mine developers' errors and omissions in
17 scientific and technical detail. Now, onto something that which I have more
18 intimate and personal expertise, the safety of the roads I drive every day. I
19 proudly raise my daughter in this community. She took the bus to Burlington
20 Edison High School from 2016 to 2020. In those years, she told me several
21 times about near accidents between school buses and rock trucks. She
22 explained a particularly harrowing one of those near misses in her comments
23 to the County early on, shortly after it happened. Here's what she wrote. I'm
24 a student at Burlington Edison High School. Every day I take the bus to and
25 from school. On the way home, the bus goes down Prairie Road, along the

1 section where it intersects with Grip Road. Last week, the bus was on that
2 curve on Prairie, near the Grip intersection. A gravel truck was coming down
3 the road in the opposite direction. This truck was a bit over the line into
4 our lane and it nearly hit the school bus. The bus driver had to swerve and
5 go as far out on the shoulder as she could. If the travel truck had been even
6 a little bit further over the line, the bus driver would have had nowhere to
7 go and the bus would have been hit. I'm concerned about the safety of
8 children on school buses, if the gravel permit is accepted. That comment was
9 received and recorded by the County in May of 2017, five years ago. It has
10 been publicly available ever since. Nonetheless, and amazingly, no mention of
11 school buses appears in the traffic analysis on offer from the mine
12 developer. This glaring omission, like many others, is outlined in the
13 technical letters submitted by the scientific experts representing the
14 community. I believe that those letters show that the mine developer has not
15 met the criteria for Special Use Permit under SCC 14.16.900, especially
16 sections E and G. Those sections require that the proposed mine not adversely
17 affect public safety. But it will most certainly do that. I encourage you to
18 deny the mining Special Use Permit on that account. Again, thanks for
19 allowing me to speak here today.

20 REEVES: Thank you for your time, Mr. Whitcomb. Hi. Do you swear or affirm
21 to tell the truth in the testimony you give here today?

22 M. WHITCOMB: I do. Um, my name is Maria Whitcomb [phonetic]. And I also,
23 um, live at 19117 Prairie Road.

24 REEVES: You, you might know that guy.
25

1 M. WHITCOMB: I might know that guy. Um, thank you for, um, for hearing
2 our comments today. Um, I want to say, um, first of all, that, um, I was born
3 in Skagit County, I'm as local as it gets. Um, I'm a farmer, I'm a parent,
4 I'm a grandparent. And I've lived and worked on my farm on Prairie Road for
5 the last ten years. I care deeply about the safety of our community. I live
6 near the b-, busy intersection of Prairie Road and Old Highway 99 where it
7 meets Bow Hill Road. It's a main road used by commuters on their way to and
8 from work. The Special Use Permit application says that the Applicant shall
9 have the burden of proof to provide evidence in support of the application.
10 That criteria for approval or denial, shall include the following, and I'm
11 reading on some of this, it says the proposed use will not create undo noise,
12 odor, vibration or air pollution impacts on surrounding building units. It
13 will not cause potential adverse effects on the general, general public
14 health, safety and welfare. It is not in conflict with the health and safety
15 of the community. And it will maintain the character, landscape and lifestyle
16 of the rural area. I have a number of concerns, but since I have limited
17 time, I'm going to address what I believe is most critical in relation to
18 those topics. It astounds me that anyone could assert that hauling gravel in
19 trucks weighing up to 105,000 p-, ton, ton, pounds, rather, sorry, um, will
20 not have the potential to adversely affect me and my neighbors' lives in
21 terms of odor, vibration and air pollution and impacts on our homes, public
22 health, safety and welfare. If this is approved, trucks will pass by my house
23 five to seven days per week. At the intersection, where we regularly serious
24 wrecks, we hear honking, yelling, tires screeching multiple times per day,
25 every single day. The noise from traffic and especially commercial trucks

1 brakes and engine noise is always so loud that I frequently cannot carry on a
2 conversation while sitting on my own back deck. It's a considerable distance,
3 that deck is a considerable distance from the road. Allowing an additional 30
4 large commercial rock trucks trip per hour would absolutely have the
5 potential to adversely affect the public health safety and welfare as
6 outlined in Section C of the Special Use Permit requirements. And it will
7 clearly be in conflict with the health and safety of the community talked
8 about in Section G. I may not be an expert, but I am intimately familiar with
9 the day-to-day activities in my neighborhood. Every day I see the people who
10 live, work and recreate in our community, including farmers, myself included,
11 who have to drive their tractors on the road in order to do our jobs. We see
12 bicyclists riding on our roads. I assure you, people are going to die if this
13 project goes forward as it stands. I urge you to deny the Special Use Permit,
14 unless the Applicant can meet all of the criteria to ensure the safety and
15 wellbeing of the public. Thank you for your time.

16 REEVES: Thank you, Ms. Whitcomb. Hi, do you swear or affirm to tell the
17 truth on the testimony you give here today?

18 SHAFFER: I do. My name is Tristan Shaffer, T-r-i-s-t-a-n S-h-a-f-f-e-r.
19 And I live at 22452 Prairie Road in Sedro Woolley. Um...

20 REEVES: Sorry, was it S-c-h or S-h?

21 SHAFFER: S-h, no c.

22 REEVES: Okay. Okay. Sorry. Thank you. Thank you. We're ready.

23 SHAFFER: Thanks. Um, you know, just to start off, um, Mr. Lynn mentioned
24 the, the Growth Management Act, um, and so I just wanted to relay, um, uh,
25 the little piece of Skagit, uh, history that I learned, uh, recently. So, the

1 GMA was, um, adopted by the, uh, State Legislature in 1990. And Prairie Road
2 was built in the 1880s by a guy named Cap, uh, cap Warner [phonetic] and so
3 this area is named Warner Prairie after, um, his, um, in his name. So, his,
4 um, his actual original, um, uh, homestead is still, uh, there on the north
5 side of Prairie, uh, Road, opposite the, the mine and there's two amazing,
6 um, trees there that he, um, that he planted back in the day. So, I, I think
7 [inaudible] should seek that out if you're looking for a new, um, or
8 something. Um, and also, most of the subject, uh, properties, um, in this
9 area, predate the Growth Management Act by decades. Um, so I'm a newcomer to
10 this area. Um, I'm amazed by the amount of birds and wildlife. Encounters
11 with hawks, eagles and owls are so common that they're no longer a
12 conversation at the dinner table. I didn't know what a night hawk was until I
13 began hearing their evening calls of summer. Last weekend, our Doorbell
14 captured a video of bats hunting insects on the back porch. So I'm concerned
15 about the impacts of excavating and transporting 4.2 million cubic yards of
16 material would have on local wildlife, whether it's endangered or not. I
17 think about what the impacts will be on the users of Prairie and Grip Roads,
18 especially pedestrians and bicyclists. Prairie has no shoulder or turn outs
19 to speak of. The sharp curves and high speed straight sections that make it
20 popular with motorcyclists, make it difficult for large trucks and equipment
21 to navigate without encroaching on the opposite lane or impeding traffic. The
22 first time I drove Prairie Road in the dark was just this past October. As I
23 was approaching F and S Grade from the west, a pickup overtook me at an
24 incredibly high rate of speed. At the time, I didn't realize this was this
25 the last opportunity to pass for the next four miles. I think about my

1 neighbors on Prairie that have seasonal farm stands selling fresh eggs,
2 vegetables and flowers. Will their customers still feel it's safe to stop or
3 will they think about having to merge back into traffic with heavy trucks and
4 trailers, making that not seem worth the risk? Whatever economic and
5 [inaudible] will they face from the increased noise vibration and diesel
6 emissions? These trucks have current emissions controls that control the
7 particulate, certainly the rural character and lifestyle they currently enjoy
8 will be affected. These impacts seem hard to measure and the Applicant would
9 argue that they aren't required to measure them. But I'd like to draw
10 attention to a study they had done, particularly the traffic volume study in
11 Exhibit 18. This analyzed peak hour turning movements along proposed haul
12 routes during dates collected between December 17th and December 20th of 2019.
13 Level of service was determined from those values and using a software
14 package to sync. Traffic in Washington State has a degree of seasonal
15 variation, due in part to agricultural operations and earning systems.
16 There's a lot of variations due to school schedules and National holidays. So
17 it's interesting that these dates were chosen for the traffic study,
18 considering the proximity to the Christmas holiday. They, they are also the
19 shortest days of the year, with only about eight hours of daylight. Sunset
20 would have occurred around 4:15 p.m. and the peak hour accounts from the
21 study would have occurred during twilight. This may have effected pedestrian
22 bicycle counts, both of which [inaudible] in the level of service
23 calculation. This study also does not evaluate the intersection at Bow Hill
24 Road and Dark Lane by the casino. The current traffic study doesn't account
25 for population growth [inaudible] it doesn't evaluate traffic impacts during

1 an extended operation and address the current traffic volumes. The comparison
2 to data collected in July of 2013 is inadequate, which I don't have time to
3 explain, but is detailed in my written comments. The Proposal would add
4 300,000 truck trips to County roads over the next 25 years. These decisions
5 need to be made using the best possible data and more comprehensive traffic
6 study is required to address these needs. Thank you.

7 REEVES: Thank you, Mr. Shaffer.

8 BLACK: Is there anybody back here that can't speak at another time? So
9 let's continue on with the row thing. Who will be next after this person to
10 come on up on the stage. Okay.

11 REEVES: Swear to tell the truth in the testimony you give here today?

12 SHAFRANSKY: I do. My name is Paula, P-a-u-l-a, Shafransky, S-h-a-f-r-a-n-s-k-
13 y. I live at 22461 Prairie Road.

14 REEVES: Shafransky. Thank you, go ahead.

15 SHAFRANSKY: Thank you. Um, as a 29-year resident of Prairie Road, I'm here to
16 express my great concerns about the proposed Grip Road Mine Project. Because
17 this mine is my neighborhood, I've been following these developments for six
18 years. I believe the criteria for Special Use Permit are consistently being
19 ignored. In my opinion, this Proposal does not meet at least six of the
20 criteria for Special Use Permit. Um, and I'm going to talk about three of
21 them. The first one, the proposed use will not create undue noise, odor,
22 heat, vibration, air pollution impacts on surrounding existing or potential
23 dwelling units. There is going to be air pollution from diesel exhaust, noise
24 from compression brakes, as well as from the machinery at the pit. Vibration
25 from so many trucks on the road and water pollution from road run off and

1 erosion in Swede Creek. Number two, the proposed use will not cause
2 potential adverse impacts on the general public health, safety and welfare.
3 This is what so many people have spoken about before me. This issue is
4 paramount with safety on the roads will be greatly affected. All you have to
5 do is drive the haul road to see, yourself, what the impact there will be,
6 especially at the intersection of Grip and Prairie Road, as well as along
7 Prairie Road that has, um, a guardrail on the south side. There's no wiggle
8 room, no shoulder if the big truck is over the line. Number three, the
9 proposed use will maintain the character, landscape and lifestyle of the
10 rural area. I've always had significant concerns about the assessment and
11 application documents to supposedly address the environmental protections
12 from wildlife and fish, as well as our rural landscape. These concerns
13 include substandard buffers on the river and wetlands, disruption to wildlife
14 corridors and specifically the intrusion into the peace and quiet of our
15 community. I don't understand how these criteria can be so blatantly
16 disregarded. Miles's application for this mine was denied in 2018 due to the
17 incomplete application materials and factual inaccuracies. In reviewing the
18 current documents, I have the same environmental concerns in 2018 and these
19 still don't be, don't appear to be being addressed or taken into
20 consideration. My husband and I moved to this area to enjoy a rural setting
21 with quiet living, clean air and wildlife viewing in our backyard. This mine
22 will drastically change all that. I don't believe the County is doing its due
23 diligence in the oversight of this project and it's not following its own
24 critical areas ordinance. This whole project seems to be about ignoring
25 public comments and legitimate concerns in order to facilitate Miles's

1 business interest at the expense of the environment and public safety issues.
2 It doesn't take much digging to discover how Miles's record of ignoring
3 Special Permit reg-, regulations is abysmal. We know this mine doesn't belong
4 in our neighborhood and so does the County. Thank you.

5 REEVES: Thank you for your comment. Do you swear or affirm to tell the
6 truth in the testimony you give here today?

7 LEDBETTER: I do. Uh, my name is Rachel Reim-Ledbetter. It's, uh, R-a-c-h-e-l
8 and R-e-i-m, hyphen, Ledbetter, L-e-d-b-e-t-t-e-r. And I live with my family
9 at 23262 Meadowview Lane, Sedro Woolley, Washington. Uh, I'm a manager at
10 People's Bank in Mount Vernon. And for over ten years, I have driven the
11 entire length, east to west, of Prairie Road at least once a day, usually
12 three or four. Um, we are told in this Application, that the maximum daily
13 traffic of the trucks will be from, uh, the new mine is limited to an average
14 of 46 trips daily, not to exceed 30 trucks per hour, under extended hours of
15 operation. While, I understand my observation, experience and knowledge of
16 this route does not, in the eyes of this hearing, make me an expert, I know
17 average could mean zero trips one day and 92 trips the next. Citing averages
18 does not set a standard of mitigation that makes sense. I'm clear how 30
19 trucks per hour would impact my safety and create adverse effects for me, and
20 my aging parents, and they do live with me, at some of the most dangerous
21 intersections of Skagit County. On winter days, I follow or meet school buses
22 from both Burlington and Sedro Woolley school districts filled with many
23 children who live in this populated Samish Valley. This Permit is not
24 transparent or specific. It lacks the kind of good-faith effort to address
25 clear expectations and strategies for accountability that do not burden the

1 Skagit County taxpayers over the next 25 years. I am requesting, sir, that
2 you make the effort to drive these roads as a part of a fair process and
3 evaluation. This is the kind of expectation I was raised to believe is the
4 essence of good local government. It honors the role of County government to
5 keep those of us who live here safe on our roads. Thank you.

6 REEVES: Thank you. And I trust, uh, you, uh, you understand math and I
7 thank you and appreciate the averaging, no need to be an expert to understand
8 the math concept. Yeah. Averaging concept. Do you swear or affirm to tell the
9 truth in the testimony you give here today?

10 GRANGE: I do.

11 REEVES: These are voluntary. So I apologize, sometimes it's good to laugh
12 a little bit. I, I thought she, she had a good, good math joke, I just wanted
13 to acknowledge it, I will stop interrupting. Please, sir, go right ahead.

14 GRANGE: Richard Grange [phonetic], G-r-a-n-g-e, uh, 20183 Prairie Road.

15 REEVES: Thank you, Mr. Grange.

16 GRANGE: Um, I wrote this down because I get shaken, I can't read. In
17 making your decision on this matter, you have, I would assume, looked at the
18 traffic studies, the ecological impact studies, the water quality impact
19 studies, the salmon level impact studies and all other relevant and required
20 studies that are done, prior to making your determination of feasibility of
21 this project. As opposed to you, I have done, have not done nor read any of
22 those studies, maybe I should have. What I have done is lived along Prairie
23 Road, with my wife, since the mid-1970s. I've watched the area grow in the
24 level of traffic and the traffic noise increase on a yearly basis. Here's
25 where I come down on the project, when we, we could down to our old barn,

1 along the road, in the '70s, stand there and, and work inside the barn doing
2 something, you wouldn't hear a vehicle go by in 30 minutes. I swear you could
3 set a time, a watch now, it wouldn't be 30 seconds and there'd be a vehicle
4 going by. It's only going to get worse. That, that's one of the problems. In
5 all the 50 years that we've lived along Prairie Road, other than a sporadic
6 chip-seal, a ditch clean out or repainting of the road stripes, nothing,
7 absolutely nothing has been done to make the road wider. I did see, this past
8 year, that a minimal bank cut out was done at the intersection of Prairie and
9 Grip Roads. But if that was done to actually impact the safety of that
10 intersection, it has fallen woefully short. A serious widening of those
11 corners at that intersection would be required. I did see, this past year,
12 guardrails installed on the west end of Prairie. Since those guardrails were
13 installed prior to any widening of the road, they have created a safety
14 hazard instead of reducing it. There is nowhere to go. It's a white-knuckle
15 ride. Road safety is my key issue. Prairie Road needs to be widened to have
16 any chance to avoiding real serious accidents if this operation is allowed to
17 start. Money, more money will need to be spent to ensure this project doesn't
18 create multiple serious accidents. The company opposing this project, or
19 proposing this project, has a very long time to recoup the money spent now
20 and still have a big profit, so I say do it right. Until you personally, and
21 I mean, personally, have gone out and driven Prairie Road, and set up a
22 loaded gravel truck coming west when you're driving east, either around the
23 corners by the Grip Road intersection along the, uh, guardrails along toward
24 the west end of that road. Until you've done that, you really haven't done
25 this job justice. That's what needs to be done. It will ensure you, that if

1 you're going to do it, and feel comfortable with it, you got to deal with
2 part of that widening of that road. And that's, that's pretty much it.

3 REEVES: Okay. Thank you.

4 GRANGE: Yeah.

5 REEVES: And if you, for the record, I have driven Prairie Road, never in
6 a gravel truck, but, uh, but...

7 GRANGE: I'm talking about one coming the way, the opposite way of the way
8 you're going.

9 REEVES: I just wanted to point out, uh, I am familiar with, with that
10 area. I, I have served as the Hearing Examiner for, for Burlington and, and
11 Sedro Woolley, in addition to Skagit County, in, uh, quite a few spots up
12 there, pre-COVID. So, I'm familiar, uh, with that area. So, just wanted to
13 note that. Uh, moving to our next person. I, I don't, is he there?

14 COLE: I'm here.

15 REEVES: You're there. I can't see you, but you're, oh, there we are.

16 COLE: Oh.

17 REEVES: That's fine.

18 COLE: I'm Mike Cole [phonetic], I swear that everything I'm about to
19 say is the truth.

20 REEVES: All right. Perfect.

21 COLE: I live at 5236 Park Ridge Drive, which is about a quarter of a
22 mile east of the snake curve that you come off of...

23 KELLOGG: Can you please just state your name? Please state your name.

24 REEVES: Someone was moving the camera...

25 COLE: Michael Cole, C-o-l-e. I got ahead of myself.

1 REEVES: Yeah. I, I apologize, someone was moving the camera. Uh, so one
2 more time, your name, I apologize?

3 COLE: Michael Cole [phonetic], C-o-l-e.

4 REEVES: Thank you, Mr. Cole. Go right ahead, now.

5 COLE: Okay. I live at Park Ridge Place, uh, which is about a quarter
6 mile out of snake curves, coming from 99. I, uh, there's Park Ridge Place,
7 Park Ridge Lane and Park Ridge Court. There's 60 families that live up there.
8 And that just happens to be the turnaround for both Sedro Woolley and
9 Burlington school district school buses. So that's twice a day those buses
10 are turning in there and having to pull out of there. And at noon, there's a
11 bus with kindergarten kids also turning around there. Those semi-trucks are
12 going to be coming down that road because it's a straightaway once you get
13 passed F and S. And they're hauling butt until they get to the curves, that's
14 if they slow down. So we beat the, the, the traffic to death. Well, I'm going
15 to get to something else. Those fields that are east of Prairie Road, those
16 farmers' fields, Skagit County won't let them guys clean out their ditches
17 because they're considered spawning streams for salmon coming out of the
18 river. They come across the river, the road somehow, through the gutter
19 pipes, there is a fish ladder right there in our road so they can get up to
20 Weir Creek [phonetic]. So if they're finding salmon in those ditches, and
21 I've seen them catching rainbow trout fingerlings when the County was
22 cleaning out the ditch to the north, we're going to do a lot of damage with
23 all of those trucks on that road polluting the waterways. Something else we
24 don't need. As far as the noise goes, I'm an ex-Navy airplane mechanic, I
25 lived with that for 20 years. When I first moved to my house and they built

1 that gravel pit across the interstate, I thought I was hearing the jet cell
2 over at Whidbey Island the air was that clean. Turns out, they have a blast
3 furnace over there that they make cold patch with. It's basically a jet
4 engine. And I've had my neighbors complain to me, Mike, did you hear them
5 airplanes flying over the house at night? I said, that ain't airplanes flying
6 over your house at night, it's that blast furnace that's across. So noise
7 travels. If they start working in that gravel pit, and I have never seen a
8 gravel pit that only needed two or three people to load 70 dump trucks. I
9 don't think that's going to work. Add five or six more and maybe I'll start
10 believing. The traffic that's going to be on that road, it's going to be a
11 hazard to all of us. Thank you.

12 REEVES: Thank you, Mr. Cole. And, as Mr. Cole just pointed out, I, I
13 think we've heard quite a bit on noise, traffic, uh, I have written down as
14 well, obviously safety and the 90-degree corners, Prairie Road, noise
15 especially related to compression brakes, noise from going over the bridge,
16 consider neighborhood, neighborhood character, the hours of operation for
17 mining, concern of property values, concern over impacts, in particular to
18 salmon, salmon and others fish, especially protected species. Concern again
19 over road safety. Uh, the water table, the debris that could, uh, come from,
20 uh, the trucks in transit themselves, uh, let's see, uh, concern over impact
21 to neighboring farms, farm equipment, night driving and economic impacts, uh,
22 heard quite a bit already and I just want to point that out. And as we move
23 forward. And you're good, Mr. Cole, you...

24 COLE: I want to add one more thing, sorry.

25 REEVES: Do it quick.

1 COLE: The County charged me \$8 to get a building permit to build my
2 barn where I live. And the reason was, I live in a slide hazard area. Have
3 any of you heard about that?

4 REEVES: All right. We're, Mr. Cole, thank you. We're going to move on.

5 COLE: [Inaudible.]

6 REEVES: [Inaudible] okay, so next person, do you swear or affirm to tell
7 the truth in the testimony you give here today?

8 FEAY: I do. My name is Russell Feay [phonetic], F as in Frank, e-a-y. I
9 live at 3897 Sage Lane of Sedro Woolley. I've been there since 1974. Um, what
10 I want to talk about is emergency services. I spent 30 years with Skagit
11 County Fire District #8, which is the Fire District that serves the north end
12 of, uh, Prairie Road, Sedro Woolley. Um, I would like to remind you or
13 everyone that the fire service in this area is rural and it's all volunteer.
14 The, um, daytime response that we had goes to the city of Sedro Woolley
15 because all of the volunteers are at work, uh, during working hours Monday
16 through Friday. So, when you have an incident, and we've had several at the
17 intersection of Grip and Prairie or F and S and, uh, Prairie, your primary
18 response is going to be coming out of Sedro Woolley. And that's time for
19 those guys to get in those rigs, fire them up and, and travel the, what ten,
20 12 miles out to this place. So I just wanted to, uh, make sure that, that
21 fire service and emergency responses get the attention that, that they
22 deserve. Because it's not like living in town, this is a rural area and it
23 takes, and if we've got somebody that's, that's critical, those critical, uh,
24 golden hour of their survival, um, you use a lot of it just getting to them.
25 And that's just what I wanted to say.

1 REEVES: Thank you, uh, thank you for your thoughts.
2 FEAY: Okay.
3 HAUGLAND: Hello.
4 REEVES: Hi, do you swear or affirm to tell the truth in the testimony you
5 give here today?
6 HAUGLAND: I do.
7 REEVES: Okay.
8 HAUGLAND: Hi, Danielle Haugland. I live at 21422 Prairie Road. Uh, my
9 property is immediately adjacent to the proposed mine, so...
10 REEVES: And...
11 HAUGLAND: Definitely...
12 REEVES: Can...
13 HAUGLAND: Have...
14 REEVES: Can you spell your name for me?
15 HAUGLAND: Oh, yes.
16 REEVES: For the...
17 HAUGLAND: Both? First and last?
18 REEVES: Please.
19 HAUGLAND: Danielle, D-a-n-i-e-l-l-e, last name Haugland, H-a-u-g-l-a-n-d.
20 There's a lot of cameras so I'm not sure which way to look, or a lot of...
21 REEVES: All right. That's perfect, the one you were just looking at.
22 HAUGLAND: Okay. Are you good, are we good?
23 REEVES: Yes, we're great. Go right ahead.
24 HAUGLAND: Okay. Um, before I jump into my, um, very modestly prepared
25 remarks there on my, literally on my cell phone, um, I just wanted to really

1 quickly address, um, your statements just a minute ago about all of, you
2 know, you've heard a lot about the traffic, you've heard a lot about the
3 safety, um, to me it sounded kind of like an implication that you don't need
4 to hear anymore. Um, I take great issue with that, because in six years, this
5 is the only opportunity this community has had to come out and talk about how
6 we feel about this proposed mine. In six years. So, please everybody, take
7 the time to come up here and tell us, tell the mine, tell the County how you
8 feel, I don't care if it's repetitive. Every single person, you all have your
9 own reasons for being here. I live immediately adjacent to this property, I
10 have my reason for being here. So please don't tell me, I've heard enough.
11 I've heard enough about traffic, I've heard enough about environmental
12 safety. Please don't tell me that. So everybody in the community, honestly,
13 whether you, you can testify in another day or not, this is our best chance,
14 this is the biggest crowd we're going to get. Everybody get your butt up here
15 and tell us how you feel. Uh...

16 REEVES: I just need to clarify, it is a different process than a Council
17 meeting, that was sort of the point I was trying to make. I am limited in, in
18 my ability and what I'm looking at and there are specific criteria. So, I
19 apologize, I didn't mean to offend anyone.

20 HAUGLAND: No, no.

21 REEVES: Obviously, uh, but go ahead, um...

22 HAUGLAND: I'm just saying that that's how I took it, that you had heard
23 enough of that. So I'm certain that other members of the community took it
24 that way as well. And I wanted to make sure that everybody understood this is
25

1 your opportunity to get up here and say exactly your piece, whatever that
2 piece is.

3 REEVES: Okay. Please go ahead.

4 HAUGLAND: Okay. Thank you. Um, so, uh, my family has lived at that property
5 for over 40 years. Uh, we took over from my parents. Um, we own, uh, property
6 on both sides of Samish River and we enjoy, um, our time on both sides of
7 Samish River. We are raising our four school-aged children there and hope
8 that, uh, one of our kids is going to take on after us to continue to enjoy
9 the property as much as we have. Um, all of my children have ridden the bus
10 to and from school. My two older girls are now of driving age, so they drive
11 themselves to and from school. My two younger children still ride the bus.
12 Oftentimes they get on the bus in the dark, oftentimes they get off the bus
13 in the dark. I have seen firsthand near misses with my own children on that
14 road, waiting for the bus stop. It is frightening. I genuinely, I walk them
15 out to the bus stop, which is just at the end of our, uh, driveway every
16 single morning, because I am terrified of the traffic on that road. Um, we,
17 we are not opposed to the development itself, but we, as I said, we are very
18 concerned about the impact on our lives and the safety for our children. Um,
19 the roads just aren't built to handle this type of traffic, they're not. And
20 it's not a matter of if somebody is going to get hurt or die, it's a matter
21 of when. It's not a matter of if, it's a matter of when. Um, so, I, I urge
22 you to d-, to deny the Special Use Permit as it stands, like I said, people
23 are going to die otherwise. Thank you.

24 REEVES: Okay. Thank you.

25 WHEELER: Hi.

1 REEVES: Do you swear or affirm to tell the truth in the testimony you
2 give here today?

3 WHEELER: I do. My name is Ken Wheeler [phonetic]. I live at 21199 Grip
4 Road.

5 REEVES: Uh, and if you can just spell your last name, sir?

6 WHEELER: W-h-e-e-l-e-r.

7 REEVES: Okay. Go right ahead.

8 WHEELER: So, bear with me, this isn't easy for me to speak in front of
9 people, it's actually extremely hard, but, uh, obviously, something I'm very
10 passionate about. Uh, this lady here was absolutely correct in what she said
11 with, uh, the fact that people are going to get hurt or die. Uh, I work for
12 municipality, drive a dump truck and trailer. And I travel Grip Road
13 regularly. My kids get on the bus, uh, at the bottom of Grip Road hill and
14 every day there's approximately, on average, I'd say five cars behind the bus
15 that are following the bus that come to a stop. Now, if there is a dump truck
16 and trailer after that, it ends, it ends up extending up the hill, right?
17 I've come down that hill before thinking this as I'm coming down the hill
18 with my j-brake off. If the log truck, or I'm sorry, if the dump truck is
19 loaded and it's hauling a trailer with rock, it's going to be impossible for
20 that truck to stop on that grade, with that many vehicles backed up the hill,
21 impossible. I've been driving a dump truck for a lot of years, I know it's
22 impossible. At the rate that some of these guys go, you know, some of these
23 drivers are, uh, confident in what they do, they're, you know, they do this
24 route every day so they're going at a rate of speed that is maybe safe on
25 normal circumstances, but not necessarily if there's back up. And so that's

1 one thing that I wanted to, uh, touch on. There is going to be an accident
2 there. Uh, so think for the County to allow this to go through is just, I, I
3 can't even believe that we're here. Uh, the other thing I wanted to mention
4 is, uh, going to gravel mines and being around dump trucks and industrial
5 type, uh, industry, I guess, uh, there is a lot of contaminants that are
6 going to be introduced into Swede Creek, into Samish. And they are going to
7 impact fish and residents. Uh, so I just wanted to go on record and say these
8 things. And I hope that the County is, uh, taking these things very
9 seriously. And I urge that they deny this Permit, as well. And that's all I
10 have to say.

11 REEVES: Thank you for your thoughts and your time. And right about 2
12 o'clock, I think we'll hear one more, take a quick restroom break, and then
13 we'll come back for those last couple of hours. Just a quick five-minute
14 break for folks that need the restroom.

15 BLACK: Uh, before this gentleman is coming up, I think there's just
16 three more, uh, two here and one via Teams, so just to note for you.

17 REEVES: Oh, okay. Well, why don't we do those, the room ones, I do need a
18 restroom break, however we do this.

19 BLACK: We will leave that to your discretion. This camera is not
20 operating, here's the next gentleman.

21 REEVES: Okay.

22 BLACK: [Whispering] could you put these in the record, please? Thank
23 you.

24 REEVES: Oh, hi, do you swear or affirm to tell the truth in the testimony
25 you give here today?

1 JONASSON: I do. My name is Don Jonasson and w-, I grew up on Prairie Road
2 before, since before the age...

3 REEVES: Sir, Mr. Jonasson?

4 JONASSON: Yes.

5 REEVES: I apologize. Could you spell your name for me?

6 JONASSON: Oh, yes. J-o-n-a-s-s-o-n.

7 REEVES: Thank you very much. Go right ahead. Sorry.

8 JONASSON: Uh, the Grip Road mine proposal generates intrusion on the
9 privacy of surrounding areas 100% without maintaining the character landscape
10 and lifestyle of the rural area. It's, the result of hauling from the mine.
11 The Grip Road mine proposal is also in conflict with the health, safety of
12 our community. As there 100% will be fatalities. It is a question of not, it
13 is not a question of if, but when. Prairie Road does not meet the Standard
14 Use Permit and will cause adverse effect on the general health, safety. Have
15 you come drive the road. Thank you.

16 REEVES: Thank you, Mr. Jonasson. Okay. I am going to institute a five-
17 minute, uh, bathroom brea-, break for those that, uh, need it. And, uh, we'll
18 be back, uh, here at about just shortly before 2:10, it's about 2:03 right
19 now. Thank you.

20 [Background chatter.]

21 FEMALE 5: [Inaudible.]

22 KELLOGG: Thank you.

23 FEMALE 5: Tires and this is just about mining and floods and how it all
24 works...

25 KELLOGG: Very good.

1 FEMALE 5: Works together.
2 KELLOGG: Thank you.
3 [Background chatter.]
4 FEMALE 6: Can we turn these into you?
5 KELLOGG: Certainly.
6 FEMALE 6: Okay. There you go.
7 KELLOGG: Thank you.
8 FEMALE 6: Thank you so much.
9 [Background chatter.]
10 FEMALE 7: I spoke, but I can't turn in comments because I don't have it
11 written down.
12 KELLOGG: Okay.
13 FEMALE 7: So, I mean, it's still on the record, right?
14 KELLOGG: People just don't, right. He heard it. Yeah.
15 FEMALE 7: Okay. I just wanted to be clear on that.
16 KELLOGG: What's your email?
17 FEMALE 7: Because my printer died last night, so...
18 KELLOGG: Oh.
19 FEMALE 7: Yeah. It was great. Ten-year old printer. Works great normally,
20 but it's like, so, thank you so much. Have a good day.
21 [Background chatter.]
22 BLACK: Okay. He's coming back on. Back in session.
23 REEVES: [Inaudible] you guys pretty good?
24 BLACK: Looks like we are.

25

1 REEVES: All right. Hi, do you swear or affirm to tell the truth during
2 the testimony you give here today?

3 MITCHELL: Yes. Uh, my name is Leslie Mitchell, L-e-s-l-i-e M-i-t-c-h-e-l-l.
4 And I live at 4929 Ida Drive in Sedro Woolley. And that's about, uh, 1.5
5 miles east of the proposed, uh, Grip Road mine. Um, first of all, I just want
6 to thank everyone here for putting in the time, the detailed comments that
7 they give, it's amazing. And I'm really appreciative. And I thank, thank, um,
8 thank you for this opportunity to speak, as well. Um, I moved to this area,
9 I'm kind of a newbie, I moved to this area about two years ago. Um, and I've
10 really enjoyed, I moved from Seattle, so I've enjoyed the peaceful farming
11 community that will be impacted by the mine. The scene up here are marked by
12 the return of eagle and salmon in the late summer and fall and by nourishing
13 rains and snows in the winter and spring. There's a quiet and slow pace of
14 life here that is cherished by long-time and new residents alike. This way of
15 life and the surrounding environment will be impacted significantly by the
16 development of the proposed Grip Road mine. And I'd like to outline these
17 impacts in relation to the requirements of Skagit, Skagit County Special Use
18 Permit, SCC14.16.19-, 900, 900. So, regarding letter L, the proposed use will
19 maintain the character, landscape and lifestyle of the rural area. This is an
20 agricultural area that experiences low level of traffic, at least in my mind,
21 from, you know, coming from Seattle. Um, and development of a 51-acre, 60-
22 foot deep open pit mine just 200 feet from the Samish River, does not
23 maintain the quiet and peaceful character and landscape and lifestyle of the
24 rural area. Prairie and Grip Roads are, as we've heard, a route for school
25 buses, farm equipment, bicyclists, walkers, runners and daily commuters.

1 Prairie and Grip Roads are narrow, two-lane roads with little to no
2 shoulders. These roads are also flooded on an annual basis. The act, the
3 addition of a gravel truck and trailer traffic to these country roads, up to
4 60 truck trips per hour, does not meet the requirements maintain the
5 character and lifestyle of this rural area. Regarding letter E, the proposed
6 use will not cause potential adverse effects on the general public health,
7 safety and welfare. Prairie and Grip Roads are two-lane rural byways, not
8 intended for this industrial use. There are numerous winds, 90-degree turns
9 on these roads. The current proposal allows for more than 5,800 fully loaded
10 truck and trailer combos per year to travel Grip Road and navigate a 90-
11 degree, uphill turn onto Prairie Road. As, as mentioned, this a template for
12 disaster. So in order to maintain at least some amount of the character,
13 landscape and lifestyle, this rural area, and not cause potential adverse
14 effects on the general public health, safety and welfare, as required by the
15 County regulations that already exist, I submit the following request, if
16 indeed this SUP is approved, set firmer limits on hours of operation and
17 daily numbers of gravel trucks. Restrict trucks to a designated haul route,
18 no public roads that haven't been adequately improved for safety. Protect the
19 Samish River with at least a 300 foot buffer as required by County Code for
20 industrial size projects like the Grip Mine Road, the Grip Road mine. Fully
21 protect fish and wildlife habitat along the two, habitat, along the two-mile
22 long internal haul road, especially including where it crosses unstable
23 slopes in Swede Creek gorge. And implement and monitoring, especially and
24 importantly, implement and monitoring enforcement plan with periodic permit
25 review to ensure compliance with permit requirements. And one thing I just

1 wanted to lastly bring up, as somebody mentioned keeping down the dust with,
2 uh, water, well, where was that water going to come from? Was that a ground
3 water source or is that, are they going to take directly from the Samish
4 River. Um, somebody needs to monitor, monitor that and take care of that as
5 well. So, thank you.

6 REEVES: Okay. Thank you. And bravely admitting a recent Seattle
7 transplant, too, that's, hi, do you, do you swear and affirm to tell the
8 truth in the testimony you give here today?

9 MARTIN: I do. I wish you could see me, though.

10 REEVES: I, I stand, I can at least see...

11 MARTIN : All right. My name is Ellen Martin, E-l-l-e-n M-a-r-t-i-n.
12 I live at 4929 Ida Drive. Um, I believe the intensity classification of this
13 Proposal of meeting is inaccurate, according to the Appendix C of Washington
14 DOE Publication number 05-06-08. Strip mining is high intensity and should
15 require a greater buffer to the wetlands, instead of the 200 foot requested.
16 I believe the environmental review is not adequate. The water pollution from
17 the road runoff and erosion to Swede Creek provides risk to fish and other
18 aquatic animals, including the endangered Oregon spotted frog, the salmon
19 bearing streams, including Swede Creek and Samish River will subject, will be
20 subject to much additional contamination from the haul truck tires. The toxic
21 6 PPD leaches out the particles that tires shed onto the pavement. Even small
22 doses can kill a Coho salmon in the lab. This violates the Special Use Permit
23 Paragraph C. Additionally, it is estimated over 700 metric tons of carbon
24 dioxide equivalent per year will be generated by the mining operation, while
25 also removing 68 acres of forest that would help absorb the emissions, 600,

1 or 860 acres of forest would need to be protected in order to observe the CO2
2 admitted. This violates the Special Permit Use Paragraph G. I believe the
3 rural character, landscape and lifestyle of the area will be affected by this
4 proposal. The peace and quiet and the impacts to fish and wildlife of the
5 Samish Valley substandard buffers on the river and wetlands and the loss of
6 wildlife, habitat and wildlife migration corridors violate Special Use Permit
7 Paragraph I. I think there should be firm limit on the hours of operation, on
8 the number of trucks allowed, a designated haul route should be established.
9 All roads should be fixed by Miles to meet County standards. A plan to fully
10 protect the fish and wildlife habitat along the haul road, including across
11 the bridge across Swede Creek gorge. And a plan to address and mitigate the
12 climate impacts, potentially permanently protecting a portion of the
13 Applicant's adjacent forest, additionally, clear monitoring plan enforcement
14 must be in place. Thank you for your time and consideration.

15 REEVES: Does my, sorry, that very first thing you were talking about was
16 the intensity classification and you, you cited something, but you, you spoke
17 a little too quickly, I wasn't able to write it down, and you restate what
18 that was a little slowly for me?

19 MARTIN: It's Appendix B, Appendix 8C of Washington DOE Publication number
20 05-06-008.

21 REEVES: Great. Thank you very much.

22 MARTIN: Thank you.

23 REEVES: Hi.

24 BARBIERI: Am I on camera?
25

1 REEVES: [Inaudible] so he sets it up and then nobody else can, can be
2 seen, so, do you swear or affirm to tell the truth of the testimony you give
3 here today?

4 BARBIERI: I do. My name is Mary Kay Barbieri, M-a-r-y K-a-y B-a-r-b-i-e-r-
5 i, good Italian name, lots of vowels.

6 REEVES: Sounds like a good wine, Barbieri.

7 BARBIERI: I agree. I live at 16002 Colony Road in Bow, Washington. Which is
8 a rural community, um, a ways away. I, um, I brought notes and I've, I've
9 submitted written testimony. But I, I'm not going to repeat the really moving
10 and very knowledgeable, detailed statements, um, of my concerns about those
11 statements because you heard clearly and passionately about them. I, I think
12 what I want to say is, I'm here because I care about how my County government
13 functions. I live in Bow, I'm not a neighbor to this project. I do have
14 plenty of occasion to take Bow Hill Road to Prairie Road to Grip Road so I,
15 I've driven the road commonly, uh, and when, when I, um, heard about this
16 mine Proposal, and then as I followed it and saw that the County was not
17 requiring, um, a SEPA hearing, I, I was just stunned. And at that time, my
18 experience was being stunned because I had driven the road and I think it's a
19 scary road. I, and then as I listened to people who live on that road, I
20 just, I cannot understand the way my County is making this decision. So,
21 without listing all of my concerns, environment and otherwise, and I want my
22 County to pay close attention to and not going on and on about the safety
23 concern, which I think is inviting a fatal accident, I'm just going to say
24 that I, I want my County to apply the criteria for a Special Use Permit
25 carefully, very carefully. Thank you.

1 REEVES: Thank you, uh, Ms. Barbieri.

2 BLACK: So, bear with me here a second, Mr. Hearing Examiner.

3 REEVES: No problem.

4 BLACK: I'll try to fix the camera, um, and I want to ask, is there

5 anyone else here who is unable to come at another date to speak, as in

6 Monday? One more person. Okay. So we have one more hand up. And we do also

7 have Molly Doran [phonetic] on, um, on the line who would be the last one,

8 then, apparently, for today.

9 REEVES: Well, I mean, I think we've...

10 BLACK: The c-...

11 REEVES: Ready to go til 4:00, uh, but, yes, and...

12 BLACK: Yes.

13 REEVES: And there's some folks on Zoom, I'm sorry, Teams, that are

14 raising their hand. But you said Molly Doran on the line, is that the phone

15 number as opposed to, okay.

16 BLACK: Molly...

17 REEVES: So Molly came on as well. Well, here, whoever is in the room

18 with...

19 BLACK: Hang on one sec, we got to fix this camera.

20 REEVES: I, I'm sorry, Mr. Black, I feel like you just keep moving it

21 around on us.

22 BLACK: We think we might have it.

23 REEVES: Excellent. Okay. So we're going to hear from this person and then

24 we'll go to, uh, Molly Doran and, and then sort out, uh, further from there.

25 WOERNER: Hi, can you see me?

1 REEVES: Hi. Yeah. Do you swear or...

2 WOERNER: Oh. I swear.

3 REEVES: Do you swear to tell the truth [inaudible].

4 WOERNER: My name is Frances Woerner, that's F-r-a-n-c-e-s, and Warner is

5 W-o-e-r-n-e-r.

6 REEVES: Thank you for being here.

7 WOERNER: And I hope to make this very short. I am pleased to hear that I

8 agree with 99% of all of you people saying about our roads and our dangers

9 and all of this. But I think that the one thing that we really need to stress

10 is that this is a rural community. We do not want, I do not want, the

11 government, any government or any corporation moving in, taking over and

12 destroying our rural life. Not only does it destroy the rural life of us

13 individuals, it takes away all our wildlife, our trails, our hikes and

14 eventually, if the government, be it the, uh, County, the City, the State or

15 whatever, says, hey, this is great, we can get a Special Permit, and pretty

16 soon our roads will be bigger, our co-, our population will have grown, and

17 we will become the Seattle of Western Washington. We don't need that. We need

18 rural ground to grow our crops, we need places to hunt, we need places to go

19 and be quiet to hear, we need rural land in this Country. In this County, in

20 this State. One of the things that people come, when they visit, they come to

21 Washington State and they see how beautiful we are, how beautiful the Puget

22 Sound is. And then we have a mine, we have, uh, all sorts of stuff. I just

23 want a rural community to live in peace and quiet and have what I read is

24 Skagit County has one of the best agricultural growing ground in the world,

25 in the United States. We need food to eat, also. Thank you.

1 REEVES: Thank you. Okay. So, uh, Brandon Black told me that Molly Doran,
2 Brandon, is that right?

3 BLACK: Yes.

4 REEVES: Okay. So we're going to go to Molly on Teams next and then I'd
5 like to emphasize there are folks patiently waiting on teams that have hit
6 the raise hand feature and I'm, my plan would be, after Molly Doran, I'm
7 going to go to the folks that have already put their hands up, I see two of
8 them on the Teams and then we'll sort it out after that, okay? Okay. So
9 Molly, go ahead. Thank you. I think I see you on the screen there.

10 DORAN: Yeah.

11 REEVES: I'm going to ask, do you swear or affirm to tell the truth to the
12 testimony you give here today?

13 DORAN: I do. Okay.

14 REEVES: Okay.

15 DORAN: Um, my name...

16 REEVES: And if you could...

17 DORAN: Molly Doran, D-o-r-a-n, Molly, M-o-l-l-y. I'm the Executive
18 Director of Skagit Land Trust at 1020 South Third in Washington. Um, Skagit
19 Land Trust also owns the Tope Ryan Conservation Area that's at the corner of
20 Grip Road and Prairie Road. This is also essentially where Swede Creek and
21 the Samish River overlap, they come together at that point. Um, our
22 conservation area has 1800 feet of shoreline. The land was donated to us in
23 two separate transaction from property owners who wanted to conserve wildlife
24 habitat and nature. We're really concerned about the potential adverse
25 impacts of this operation as laid out, both to the Samish River and Swede

1 Creek and also to the safety of the visitors that we had that come to our
2 conservation area because of the number of heavy truck traffic we anticipate
3 passing our, uh, driveway and parking area. The conservation area is accessed
4 off Grip Road and is opened to the public, which includes school groups who
5 use it as a conservation classroom. That's an outdoor classroom where, um,
6 generally, younger school grades come. I agree with many of the comments that
7 I've heard today, but I'm going to, uh, specifically talk about two that have
8 to do with our conservation area. So, Tope Ryan is a wonderful place to see
9 salmon in a natural habitat. And that's why many school children come to see
10 them, because it's easy to get to. This is their first experience seeing
11 salmon often. We're very concerned with the truck traffic impacting the
12 safety of children, and these visitors, who come to enjoy this. And our
13 parking area was not designed to have this many trucks passing by. So we
14 would need to, uh, figure out something to make it safer for our visitors.
15 But, overall, Grip Road, does not appear to be adequately, adequately
16 designed for heavy truck traffic. It doesn't have shoulders, it doesn't have
17 the ability to widen it, and it has many curves and other issues that people
18 have brought up. It just doesn't seem an appropriate road for heavy truck
19 traffic. We're also concerned because of the contaminated water entering,
20 that will enter Swede Creek and thus the Samish River. In front of our
21 property, Swede Creek actually runs in the ditch alongside the road, often,
22 not, not every once in awhile, often. We worked with the County on this
23 problem for decades. So Grip Road and Swede Creek are one in this part of
24 Grip Road. The contaminates from trucks and dust will go right into the
25 Skagit River because of this. The road bed here is also eroding due to this

1 water and this will only be exacerbated by heavy truck traffic. I concur with
2 all the comments about the further view expressed today about the
3 environmental impact and the road and traffic impact of this project. Thank
4 you.

5 REEVES: Thank you, Ms. Doran. Okay. Uh, so moving to, again, some folks
6 on Teams that have patiently been waiting with the raised hand feature. Uh,
7 the first name I see is Jane Zillig and Paul Eagles.

8 ZILLIG: Am I on?

9 REEVES: You're on. Are you ready?

10 ZILLIG: Yay. Yes.

11 REEVES: Do you swear or affirm to tell the truth in the testimony you
12 give here today?

13 ZILLIG: I do. My name is Jane Zillig, J-a-n-e Z as in zebra, i-l-l-i-g.
14 And I lived in the Skagit Valley for over 40 years, oh, my address is 24238
15 Alexander, Sedro Woolley. And I've, uh, lived in the Skagit Valley for 40
16 years and I've been in the Sedro Woolley area for over 30 years. I'm very
17 familiar with this area, while I don't live in the community, we drive it to
18 go get our coffee from our local roaster, we have friends that live up there.
19 So for 30 years, we've used these roads. Um, I object to the Grip Road Gravel
20 Mine as I feel the Applicant has not provided sufficient ev-, sufficient
21 evidence that this project would not, one, cause noise, air and water
22 pollution, two, cause intrusions and financial impacts on surroundings uses
23 of private land, and three, cause pot-, potential adverse effects on public
24 safety. We've gone over the dangers on these roads quite a bit. I still want
25 to be heard, though, so, um, I feel like public safety is a big issue on

1 these narrow roads. And as Molly said, there are, and other speakers have
2 said, there are no shoulders, there are no ways to expand the roadway. Forget
3 about any bicycling or walking along the road should this gravel mine open.
4 The diesel fumes would be bad enough, but there's no possible way a bike
5 could safely be on the road along with the proposed eight-foot wide truck
6 hauling trailers every hour. No one can pass these trucks safely on these
7 curvy roads. Who will pay for the damage to the County roads throughout the
8 gravel truck routes in this area? Who will cover the cost of loss of property
9 and life when emerg-, emergency vehicles are behind these trucks, unable to
10 safely pass and with no place for the trucks to pull over? I strongly feel
11 the Applicant needs to define exactly what route they will use and provide
12 whatever improvements can be done along these stretches of road, until it
13 meets up with an adequate road with shoulders. Applicant, the Applicant
14 should also have some measure, such as required for construction site
15 entrances, for keeping Grip Road free of gravel that will either be carried
16 by truck and trailer tires onto the pavement from the haul road or that fall
17 out of those truck and trailers anywhere along the route. I also am familiar
18 with the topography of this area, as we saw from the County map, it's a very
19 hilly area. These surrounding hills magnify the s-, sounds and carry them
20 long distances. The noise from gravel trucks hauling empty or full trailers,
21 traveling through neighborhoods every six minutes, and applying compression
22 brakes as needed, will be a major impact. The CDC says continual exposure to
23 noise can cause stress, anxiety, depression, high blood pressure, heart
24 disease and many other health problems. I do not believe that the Applicant

1 has proven or provided sufficient evidence that harm will not occur on these
2 above issues and that this Special Use Permit should be denied. Thank you.

3 REEVES: Thank you, Ms. Zillig. The next person that had used the raised
4 hand feature, uh, was waiting was Ingo Lemme, I may have mispronounced that,
5 I apologize. All right. You'll need that...

6 LEMME: Okay. Hi.

7 REEVES: Hi, do you, do you swear or affirm to tell the truth in the
8 testimony you give here today?

9 LEMME: I do. Okay. So I believe...

10 REEVES: Sorry.

11 LEMME: Oh.

12 REEVES: State and then spell your name and give your address?

13 LEMME: Okay. The first name is Ingo, that's I-n-g-o, last name Lemme, L-
14 e-m-m-e. Address 5856 Park Court.

15 REEVES: Thank you. Go right ahead and I'm glad I didn't totally butcher
16 your name, so...

17 LEMME: You did fine. Uh, okay. So, um, I, uh, feel like this project
18 should definitely not be granted a Special Use Permit. It goes against
19 virtually every criteria, uh, every, all of the criteria that are listed. It
20 will create undo noise and odor, uh, odor would be the diesel fumes. These
21 trucks going up and down this, uh, uh, route along Grip Road and Prairie Road
22 and then either up Bow Hill Road or down Old 99, a constant steady stream of
23 trucks, it's, it's just going to be a, a continual, continuous pall of diesel
24 fumes, which are very unhealthy. Um, there are lots of issues with the
25 critical area along the haul route, but I'm not going to address those, but

1 those are there also. Um, the, the criteria that it will not cause potential
2 adverse impacts on health, safety and welfare, I do not believe that this,
3 uh, project will meet that criteria, especially related to the traffic
4 safety. Lots of people have talked about this, Grip Road is a ridiculously
5 narrow, steep, winding road. And the idea of having these heavy trucks and
6 trailers going up and down that road just seems inconceivable to me because
7 of the safety hazards. Prairie Road is narrow, has no shoulders at all. I'm a
8 bicyclist, I ride Prairie Road and it's scary as it is. And the idea of being
9 on the section on, especially where the guardrail is and there's absolutely
10 nowhere to go and a truck is coming and a car is coming and I'm on my bike is
11 really a very scary thought. And then if they go down Old 99, they will have
12 to not have the trailer. If they want to have the trailer, they'll have to go
13 up the Bow Hill Road to I-5. The Bow Hill Road up to I-5 is very steep, you
14 would be, uh, going five to ten miles an hour behind one of those trucks.
15 There's a lot of traffic that uses that, they will get impatient, there will
16 be all kinds of traffic, uh, hazards because of that. Um, the, this, uh,
17 project will definitely change the character, uh, landscape and lifestyle of
18 our rural area. I've lived here for 30 years. I love the quiet, rural area
19 and this is not a small project, 51 acres is roughly about the size, for
20 those of you who know, uh, are in the area, Cascade Mall and its parking
21 area, the whole Cascade Mall and parking area, that's about 50 acres, that's
22 about what the size of this pit. This is not a small pit, this is a huge
23 project. And so I do not feel that this project meets, uh, any, really, of
24 the criteria the Special Use Permit and therefore it should be denied. Thank
25 you.

1 REEVES: Thank you for your thoughts. All right. Next, I'm going to go to,
2 uh, Dawn Benedict.

3 D. BENEDICT: Hi. Oh, there.

4 REEVES: Hi, I don't know why I can't see you, but, uh, I was seeing you
5 and then you moved. Uh...

6 D. BENEDICT: Can you hear me?

7 REEVES: I can hear you so I'm going to swear you in. Do you swear or
8 affirm to tell the truth of the testimony you give here today?

9 D. BENEDICT: Yes, I do.

10 REEVES: And then if you could state and then spell your name and, uh,
11 give us your address for the record, as well?

12 D. BENEDICT: My name is Dawn Benedict, D-a-w-n, Benedict, B-e-n-e-d-i-c-
13 t. I live at 6476 Lillian Lane.

14 REEVES: Thank you. Go right ahead.

15 D. BENEDICT: Uh, we've talked about several things here. Um, and we're
16 worried about our kids, uh, the bus going down these winding roads as it is.
17 I want to bring our attention to our first responders. Do we really need to
18 have them come up on the carnage that would be left behind the bus and one of
19 those double trucks? I don't think it's fair to, to them, to the parents, um,
20 let's think of those people that have to respond to the accidents. And to
21 come up with something with that, to see that, is something we can avoid by
22 stopping this.

23 REEVES: Great. Did that conclude your remarks?

24 D. BENEDICT: That concludes my remarks. Um, Mike Benedict has a
25 statement.

1 REEVES: Oh, I see him in the room with you, then, okay. Perfect.

2 D. BENEDICT: Yeah. Go ahead, Mike.

3 REEVES: Hi. And I'm going to swear you in. Do you swear or affirm to tell

4 the truth in the testimony you give here today?

5 M. BENEDICT: I do.

6 REEVES: And it's Mike, M-i-k-e?

7 M. BENEDICT: Yes.

8 REEVES: And I assume Benedict is spelled the same and the address is the

9 same, is that right?

10 M. BENEDICT: Exactly. Exactly.

11 REEVES: Okay. You two know each other, obviously, go right ahead.

12 M. BENEDICT: Uh, my main concern is, is the road, as well as many of

13 these people. Um, it just, um, there's not enough room around these corners.

14 It, it's, um, I don't know if you've personally you've seen the, uh, roads

15 and driven it, or and the site, but, um, I think it would behoove you to do

16 that, to, to really see how terrible these, this, this is, uh, situation

17 would be. And, uh, I also don't think that it's met the criteria, the 200

18 feet buffers, it should be 300 feet. There's thing that just don't seem right

19 here. And, um, I think they need to be dealt with and, and looked into a

20 little deeper. Uh, that's about all I have to say. Thank you very much.

21 REEVES: Thank you, Mr. Benedict. Okay. And then, we're going to go back

22 to the room, if, uh, there's Brandon Black. Uh, so Brandon, were there other

23 folks there in the room interested in testifying today? I now see another

24 raised hand feature on, on Teams, but my, my intent was to normally folks

25 that have gone to the room, I sort of let them go first, uh, so...

1 BLACK: I've seen one hand.

2 REEVES: Okay.

3 BLACK: Two hands, three hands. Go on up. You ready? Okay.

4 REEVES: Hi. Do you swear and affirm to tell the truth in the testimony
5 you give here today?

6 SHEEDY: I do. My name is Michael Sheedy, uh, it's S-h-e-e-d-y. We live at
7 5203, no, 5043 Wildlife Acres Lane. I'm sorry, 530-, yeah, little bit.

8 REEVES: Just to be sure, make sure that the County gets the right
9 address. But, uh, Mr. Sheedy, go right ahead.

10 SHEEDY: Thank you. Okay. There's two issues that I haven't heard anything
11 about today, that's why I wanted to get it in because my wife can't come back
12 another day. But, uh, where does the material come from and how long will it
13 take to refill this big hole? So is it another 25 years' worth of trucks,
14 trailers to refill and who's going to monitor that material since the water
15 flows right into the Samish, the gravel below where the water table is. And I
16 would like to see some traffic enforcement on Prairie Road because we all
17 know how crazy people drive on Prairie Road. We've all seen very, very close
18 encounters with bicyclists, cars passing on the curves and high rates of
19 speed. So add trucks and trailers into this and it's a forgone conclusions
20 we're going to need more traffic enforcement, I don't see any on Prairie
21 Road. So those are my two comments that I believe, uh, I agree with
22 everything else that's been heard today with testimony. Thank you.

23 REEVES: Okay. Thank you, Mr. Sheedy.

24 D. BENEDICT: I'm sorry.

25 SHEEDY: Good day, sir.

1 REEVES: Do you swear and affirm to tell the truth in the testimony you
2 give here today?
3 KORAN: I do.
4 D. BENEDICT: I'm just trying to get [inaudible].
5 REEVES: Hold on one sec, uh..
6 SHEEDY: Yes, I've already signed in.
7 REEVES: Dawn Benedict, maybe if you could mute yourself. If we can mute,
8 it was, someone was, we're hearing some background. Okay. I think we're good.
9 And I apologize, sir. So you just said you swear to tell the truth. Now,
10 could you state and spell your name, uh, and give us your address?
11 KORAN: My name is James Koran and that's J-a-m-e-s K-o-r-a-n.
12 REEVES: Thank you. Go right ahead, sir.
13 KORAN: And my address is, uh, uh, let's see, 22-, 21655 Prairie Road. I
14 don't use it as the mailing address. I very seldom have to repeat it. So,
15 it's a, uh, uh, south side of Anderson Mountain. So I object on all the noise
16 from everywhere, now we're going to have a gravel pit, uh, within a mile of
17 my house, across the street and the nose is going to improv-, uh, increase
18 dramatically. But, um, I've been living there for 20 years. It's been very
19 nice. The, uh, traffic, I want, uh, go along with all the other, uh, uh,
20 parties that have stated that. And I want to, uh, add my, my two cents worth
21 in. Uh, the road itself, the roadwork, there was a gentleman earlier that,
22 that went through the road work, the fact that there hasn't been any
23 roadwork, a bit of note, in 30 years, and I, I thought I was only going to
24 say 22. But, uh, uh, the posted speed on the road, uh, goes, uh, 50 to, from
25 50 to, uh, 40, in a couple of spots, and then to 35 and 15 or 25 down at the,

1 at the end of Prairie Road. But, uh, so, um, I, I think that should be, if
2 they're going to allow any traffic along this side, I'd like to see the, uh,
3 uh, posted speeds lowered significantly. Uh, 30, 35 throughout the entire,
4 throughout the entire road. Uh, there is a County study that was done, uh,
5 uh, for a quote 9:00 to 5:00 corridor that monitored traffic, uh, on Prairie
6 Road. And, uh, those study notes should be available so they can, they can
7 determine whether the number of trucks that they're to run, uh, in a, in a
8 high, in a high, uh, volume time, time frame would be, uh, even reasonably
9 feasible to, uh, to, uh, be able to do that. Uh, the, the haul route, uh,
10 there has been no designated haul route, and that's, that's a, a problem, one
11 I see. And, uh, if they're going to do a haul route, they need to specify if
12 it Prairie and on Grip, uh, road improvements need to be made for those
13 periods where they're going to be able to do a haul route. There is also no
14 monitoring established, uh, they can run cameras, uh, for the County to
15 determine whether the haul route is being, whether they, the haul activity
16 is, is actually, uh, being, uh, uh, complied with. There's also the, uh, uh,
17 and I, there's nothing stipulated in, in anything that talks about
18 consequences for, uh, not following the guidelines. I, nothing, there's
19 nothing that can be done, that I know of, if, if the permit is, uh, uh,
20 approved, initially. So, and a last comment that there was nothing in any of
21 the studies that I read regarding blasting. And I understand that the County
22 is, uh, to be notified if, uh, by Miles Sand and Gravel if they're going to
23 start blasting or have to, have to do anything, uh, uh, uh, blasting in the
24 area. But that blasting, uh, with the, uh, uh, the, okay, with the, uh, the,
25 the ground that we're on, I live on a hill, as I mentioned earlier, and, uh,

1 the, the, it's a, it's a sand, uh, uh, fill so I could lose my home. So if
2 they blast and there is, uh, repercussions from the blasting. Okay. That's
3 it. Thank you.

4 REEVES: Thank you, Mr. Koran.

5 BLACK: Anybody else in here?

6 REEVES: Yeah. Uh, so while, oh, I was going to say, I'll go to Debra
7 Anderson next on, uh, Teams.

8 BLACK: Yes. And then we have a few more.

9 REEVES: Okay. So Debra Anderson, looks like we're unmuted now. All right.
10 Thank you. Do you swear or affirm to tell the truth in the testimony you give
11 here today?

12 ANDERSON: Um, I swear.

13 REEVES: And if you could state and then spell your name for the audio and
14 give us, uh, your address as the party of record?

15 ANDERSON: Um, Debra, D-e-b-r-a, Anderson, A-n-d-e-r-s-o-n. I live at 7374
16 Herbal Lane. Um, this morning, while I was in the meeting, I heard them
17 mention, um, that there were sporadic family resources in the area. Um, I
18 live in the, in the neighborhood with 18 homes. And my concern was with the
19 ground water. Um, we have, uh, community wells in our area. And this is going
20 to be, they said this morning, down to within ten feet of the ground water.
21 And I'm very concerned about what's going to happen to, um, our wells and our
22 wa-, water quality, which, at this time, we don't have to treat at all, we
23 have good water. And I wanted to mention that concern and make sure it go on
24 the record. Um, secondly, um, I'm already nervous driving Gri-, Grip Road,
25 um, down to the corner where it joins with Prairie, without these big trucks

1 on the road. And I can't even imagine what it's going to be like if, if this
2 Special Permit passed. That's all I have to say. Thank you.

3 REEVES: Thank you, Ms. Anderson. Brandon Black, you said there were a
4 couple more folks in the room?

5 BLACK: Yes, sir. Staging now.

6 REEVES: Staging now. Yeah. Doing a great job with traffic, uh,
7 management, Mr. Black.

8 BLACK: [Inaudible] come up and...

9 REEVES: Oh, never mind, other than the camera, you did a good job, so...

10 BLACK: Yeah.

11 REEVES: Do you swear or affirm to tell the truth in the testimony you
12 give here today?

13 HEDGPETH: Yes, I do. My name is Larry Hedgpeth [phonetic], H-e-d-g-p-e-t-h.
14 I live at 5809 Brookings Road, Sedro Woolley, Washington.

15 REEVES: Okay. Uh, H-e-d-g-p, there's no a...

16 HEDGPETH: H-e-d-g, p like Paul...

17 REEVES: Okay.

18 HEDGPETH: E-t-h.

19 REEVES: Great. Thank you. Sorry. Just want to make sure I get things
20 right. Go right ahead, sir.

21 HEDGPETH: Like a bunch of people here, I am not used to public speaking and
22 it shows so give me some slack. Um, I'm also, uh, feeling a lot of emotions.
23 It's some people have it better than others and I'm not one of the bad ones
24 so I'm going to talk a little bit about my place. And then I want to talk
25 about our County and you, sir, and what I'm hoping from you. So I live on

1 Swede Creek west, uh, 15 years. It runs right through our property. We have
2 a, a driveway that crosses it. We go out there and watch the creek and we
3 didn't watch the fish because we only seen one or two fish, but the creek is
4 beautiful. Well, our property was one of a Hun-, of 475 of lower Skagit basin
5 that was a fish blockage and, um, there are programs for that and they've
6 got, we got another, uh, bridge over it now. You walk down it now and it's so
7 beautiful, I mean, it's just, you know what a culvert looks like, well, a
8 bridge looks totally different and there's a creek now. And there is variety,
9 it's just swarming with fish. And I talked to the people who did the work and
10 she said, yeah, we don't have anything firm or official about it yet, gave
11 them two out of five on, on Swede and they're just chock full, uh, that's the
12 idea, obviously. Um, so here we're talking about a project that's going to
13 have impact, it's going to have a negative impact. There's no way to avoid
14 it. I mean, it's just too big and too wide spread, Swede Creek goes right
15 through this project, as well as going right through my land. Um, I'm not
16 going to say it's going to be a disaster, it's not going to be, it's not
17 going to help these, any of these fish. So there's Coho in there, that's the
18 ones that I recognize sometimes. Um, there's a couple others, others and
19 there's also a threatened species that I've never heard talk about, that's
20 the, that's the, um, river steelhead, Puget Sound Steelhead. They do use this
21 creek and they are threatened. That's what I've been told, again, by the
22 folks who do the work. Um, and I've, I've done a little bit of numbers, I
23 just, I like to do numbers and so 46 trips a day, that's the average, so even
24 if it's high and low, average out, over 25 years. That is 419,750 trips,
25 that's not a typo, that's a lot of traffic over, over that, and I, I know

1 that my bridge is solid, when they put it together, they spent a lot of money
2 on it. But I don't know whether that bridge over the Swede Creek is solid
3 there. It doesn't matter, if the bridge is fine, there's, there's going to be
4 serious impacts. Uh, I'm worried about the safety, I'm worried about a lot of
5 other things besides the, the salmon. Um, but they've all been talked about.
6 Um, we haven't talked very much about how we got here. What we've got here is
7 a room full of people. And everyone who is here, um, could have brought more,
8 we've been doing this for six years and dammit when this started hitting the
9 streets, again, people were telling me, and everybody here that's been
10 active, what's going on, we haven't heard about this. Well, they haven't
11 heard about it because the County has made zero effort to get public input
12 and public buy-in. These questions that we have, perhaps there's reasonable
13 answers. How would I know? Perhaps the County has it all figured out, but
14 they sure haven't written it down to show us. There haven't been any public
15 meetings. They haven't done anything to bring the community along. Nothing.
16 There's been one meeting and we did it and we paid to rent the place we did
17 it in. We, being the, who, Upper Skagit County, Sensible Samish Valley Folks.
18 Yep. We've spent \$40,000 of hours of everywhere we go trying to get this far.
19 And we still haven't had a chance to talk to the County about what they're
20 talking about. They do th-, they seem to just ignore things. It looks like
21 they're just ignoring things that are obvious, and people have brought them
22 up, what does it say, SEPA says, you're not supposed to do any development
23 that's going to do unduly impact public health, safety or welfare. Well,
24 dammit, I would love that if this thing did not impact public health, safety
25 or welfare, I'd be, I wouldn't object to it. But it does impact, so the

1 question is how much and what limits do you put on it. And that's what I
2 leave to you, sir.

3 REEVES: I was going to say, we're getting...

4 HEDGPETH: I want, I want, I'll make it in 30 seconds. You're our only hope.
5 The County won't talk to us. The, the mine never approached us with any
6 effort to have any kind of, we've been, we've been raised like mushrooms over
7 this for six years. And you know what that means, right? You're our only
8 hope. If you take this seriously, shall not, shall not adversely impact
9 public health, safety or welfare. The rural, the environment. If you take
10 that's seriously, sir, we will be pleased with your results. But you're our
11 only hope, really, because we can't afford to go to the next step. We can't
12 afford to appeal you, what you say. We're out of money. We're broke. So,
13 you're our, your our last best hope. And I thank you for coming. And I hope
14 you...

15 REEVES: Thank you.

16 HEDGPETH: I hope you do right by this.

17 REEVES: Thank you, sir.

18 AVEN: Hard act to follow that.

19 REEVES: Hi. Do you swear or affirm to tell the truth in the testimony you
20 give here today?

21 AVEN: I do. Um, my name is Jennifer Aven, first name J-e-n-n-i-f-e-r,
22 last name Aven, A-v-e-n. I live at 6478 Lillian Lane. Um, I've lived there
23 for about 16 years now and my parents live next door. Uh, well, thank you for
24 the opportunity to speak today. I was surprised and a little disappointed
25 that the person from the County that stands by these previous decision to

1 allow this, wasn't physically here in the hearing room today. That seems a
2 little bizarre to me. But I wanted to thank all of the neighbors who have
3 taken the day off and traveled here. Um, and they want to describe us as
4 sporadically populated area, but we clearly have a full and cohesive
5 neighborhood and it's just really nice to see so many people here that live
6 just beyond the tress or down along driveways, like, there's a lot of us
7 buried in the woods back there. Um, so, to decide this project of this size,
8 in the middle of this neighborhood, as non-significant is truly a dereliction
9 of duty. And ignoring the evidence that puts profit over everything else.
10 It's a 51 acre, 60 foot deep, open pit mine 200 feet from the Samish River.
11 Uh, it can potentially add 60 additional 50-ton trucks an hour to our narrow,
12 twisting, winding back roads. And I know this is all redundant, but so will
13 all the trucks be, so here we are. Um, this is significant. I appreciate all
14 the small efforts that they're saying, but the flashing light will not keep a
15 dump truck out of my lane and keep me out of a ditch. I'm asking for more.
16 I'm begging you to listen to my neighbors and all of the experts that they
17 have hired, and not just the ones bought by Miles, who's just a company whose
18 only focus seems to be on money, no matter what the real environmental and
19 safety impact may be. Uh, as a mom, my main concern is the flow of the very
20 large heavy trucks and trailers running along Prairie and Grip, especially
21 along those S curves. Anyone who has driven up and down that hill has seen
22 vehicles cross the center lane when navigating turns. In fact, it happened to
23 me just on my way home to write this statement from the meeting the other
24 week. I had to hit the brakes and swerve out of the way. Uh, sorry, nervous.
25 Um, so, I've personally witnessed trucks and school buses crossing the line,

1 um, all the way from Lillian out to I-5. I've been run off the road several
2 times from oncoming, coming traffic. There's very little room for evasive
3 maneuvers, in many places the road is too narrow for a white fog line, let
4 alone a shoulder. Uh, sometimes there's a deep ditch, a steep hillside or a
5 guardrail. Uh, when an oncoming truck is coming at you, there is little room
6 to get out of the way. It's absolutely terrifying to know that your decision
7 to allow this pit, without mitigating those conditions, would put me, my
8 husband, my parents and my kids, my friends and all my neighbors in danger
9 multiple times a day. My son, he rides the school bus along these roads and
10 I, as far as I can, tell it hasn't even been addressed how a school bus can
11 navigate, especially down that S turn, especially with an oncoming truck. Um,
12 my understanding is there isn't even a designated haul route, so how can you
13 assure us that we will be safe, if we don't even know exactly which direction
14 the trucks will be going? My son will be driving with a learner's permit in
15 18 months and you cannot imagine my fear of having a new driver traversing
16 these narrow winding roads with 50-ton trucks and trailers that cannot manage
17 around the corners. A few years back, about two weeks before my daughter's
18 16th birthday, I received one of those calls that no mother really wants to
19 hear, I could hear her sobbing in the background while my husband assured me
20 that everybody was okay, but the car was totaled. There was almost, they were
21 almost home from a practice drive when an oncoming vehicle came a little too
22 far over the lane and, since there's not even room for a white fog line, when
23 she moved over, she got pulled into the ditch and slammed into a driveway
24 culvert. So turning down that road and seeing flashing emergency lights, a
25 totaled car, airbags, airbags deployed and the windshield shattered, my

1 daughter crying on the side of the road was upsetting to say the least. I'm
2 so grateful that they were able to walk away with bruises and [inaudible] but
3 may not be so lucky next time, especially with the steep hill sides. I'm
4 inviting you to take a few more drives around our neighborhood. It's even
5 changed since COVID because the barrier hasn't been up. And I don't know if
6 you've ever driven on there after a heavy rain, but there's water over the
7 road in multiple places and I don't feel like any of that has even been
8 addressed. Um, and I just need you to imagine what it's like with a truck
9 coming at you, are you going to go into the guardrail, are you going to go
10 into the ditch or are you going to slam into the truck. Clearly, the stuff
11 hasn't been addressed. It needs to. And, uh, yeah, I'm just asking you to
12 really consider the safety of our community. So, thank you.

13 REEVES: Okay. Thank you, Ms. Aven. Hi. Do you swear or affirm to tell the
14 truth in the testimony you give here today?

15 REIM: I do. My name is Kathy Reim, K-a-t-h-y R-e-i-m. And I live at
16 23262 Meadowview Lane, Sedro Woolley, 98284. We built our home 30 years ago
17 at the eastern end of Prairie Road, close to Samish Elementary School. And
18 while I think it, it's very important to note that Prairie is a, is actually
19 a very busy thoroughfare that goes all the way from, uh, Highway 9 over to,
20 um, to the Interstate. I think it's important to say to this group that in
21 1972, Commissioner Howard Miller [phonetic] explained to my ninth grade
22 students that our County Agreement has as its first obligation to protect us
23 from decisions that put the health and safety of the community at risk. And
24 through the years, they have tried to demand and, and create standard to
25 maintain the beauty of this rural area. The burden of proof around this issue

1 is on the mine and what it's going to do to our community. We have worked
2 with a good faith effort as a group of neighbors in a time when the era of
3 cynicism towards government has been so intense. And so I'm speaking to the
4 process as a longtime teacher who stood in front of people and said, let us
5 try to believe in this system and that we're here because we're trying to
6 believe in you and the way this is going to play out. I've had my child here,
7 I have former students here. And I'm speaking to the need to make sure that
8 this process is fair and honest and, and transparent so that we can
9 understand what's going on. These have been long six years that we have been
10 coming together. And there are things about today that I've heard that have
11 been distressing. And I don't understand the use of the work sporadic housing
12 because that's not what our art-, area, area is. And I think that that's, um,
13 is, is a term that's, that denigrates the fact that so many of us live here
14 and the fact that you may not be able to see that is something that needs to,
15 to be addressed. I'm also concerned about the long-term accountability over
16 time. We see things happen here and ten years later, nobody is being held
17 accountable. And that might be something that be placed as part of this
18 process. And lastly, I want to say that Howard Miller would be delighted to
19 see all of us working so hard together, as a community, to make the change
20 and to be heard over all of this time, through all of this effort. And I know
21 you've driven out here and I'm glad that you are a person that lives here
22 locally, but I want to ask you to, uh, to do as Atticus Finch would have
23 said, and I'm going to ask you to drive out here again and I'm going to ask
24 you to drive a few miles in our footsteps. Thank you.

1 REEVES: Thank you. I don't recall using the term sporadic housing. If, if
2 I said that, I apologize. I, I think I just was, if I did use that term, I
3 don't recall ever saying that today.

4 FEMALE 8: It wasn't you. It wasn't...

5 MALE 10: That was in the County...

6 REEVES: Sorry, I heard you and I thought it was directed to me. So I just
7 wanted to, I know sometimes I put my foot in my mouth and when I do, I like
8 to apologize right away.

9 BLACK: Is there anyone else here who would like to speak? I think that
10 covers the comments from the public in the room.

11 REEVES: Okay. Uh, thank you. Do we have other folks on Teams that have
12 not yet used the raised hand feature? Uh, if you are interested in
13 participating, please use that raised hand feature. And, actually, while I'm
14 waiting on that, because you can't use the raised hand feature on your phone,
15 I do have one phone caller in and that is a phone number ending in 38. And I
16 believe on Teams, you have to hit *6, I think. So if you're the person that
17 is calling in and your number ends in 38, meaning you're not using your
18 computer to do this, uh, and you wanted to testify, uh, *6 on your phone and
19 this is your opportunity. Give that person a sec. Okay. Well, if you turn out
20 having a tech issue, just keep trying, we'll figure it out. But the next name
21 I see is an Amy, I'm sure I'll butcher this, I'll go with, uh, Becker,
22 probably totally wrong.

23 BOETTCHER: Amy Boettcher.

24 REEVES: Boettcher. I wasn't too bad. Okay. So do you swear or affirm to
25 tell the truth in the testimony you give here today?

1 BOETTCHER: I do.

2 REEVES: Thank you. And can you just spell your name?

3 BOETTCHER: Sorry. Uh, B as in boy, o-e, double t as in Tom, c-h-e-r.

4 REEVES: Thank you. And your address, for, uh, record keeping?

5 BOETTCHER: 1969 Highway 9, Sedro Woolley.

6 REEVES: Okay. Thank you. Go right ahead.

7 BOETTCHER: So, I, uh, where I live is, um, about two-minute drive from

8 Samish. I usually go Upper Samish, you know, to Prairie, pass Grip to Prairie

9 on my way to work. In fact, that's where I'm my car now, I just got off work.

10 Um, and one of the, well, what I want to say is I went through the website

11 and I read as much as possible, all the, the environmental reports,

12 everything that the, uh, Concrete Nor'West has submitted, as much as I could

13 that the Skagit, or the County has submitted. And it's quite extension and

14 I'm, I'm actually really proud of that, as I'm sure a lot of people have

15 said. Um, one thing that I am concerned about is something that we're all

16 concerned about and that is I'm going to say climate change. And the reason I

17 say that is because last year, on my property, the Samish River goes right

18 through it. And I work with the conservation district, I'm profusely

19 protective of doing right by my land, planting trees, following all the

20 rules, keeping everything safe so I can pass it down to my son. But with the

21 flooding last year, the Samish River went 33 feet above the flood line, okay?

22 And I was lucky enough to get a grant to fix some of the damage that was

23 brought. Um, but I know many farmers, especially along Samish going through

24 Prairie, didn't have that luxury. And the reason I bring this up is because

25 when I'm reading the environmental reports, I don't get any sensation or any

1 sense of what happens when, in these 25 years, when the climate or Mother
2 Nature does what it wants, what's going to happen with the accountability
3 from the mine, from the County? Are these, the people that live on Samish
4 River through Prairie, are they going to have their properties cared for? Or
5 are they, is it going to be a situation like in Lyman where, um, you know,
6 flooding and erosion happens and houses go into the river? Um, I, again, I
7 worked with the conservation district, I continue to work with the science
8 and scientists, and nobody predicted the Samish River to flood that bad. So
9 my concern is how do I know in all the environmental reports that this
10 company has submitted through all of their professionals and, and third
11 parties, how do I know that the 25 years isn't going to be, um, you know, all
12 those, those climate changes isn't going to be protected and, and looked at.
13 And we don't know. And I, and practically speaking, we don't know, we can't
14 control acts of God, we can't control these things. Um, but then there's that
15 accountability. Say the Samish River floods, say there's erosion, say there's
16 things that this mine produces on the environment, that nobody can control,
17 if the community, including myself, even though I don't live on Prairie or,
18 or near Grip, that it's going to be out there with the excavator, they're
19 going to be out there with, um, you know, working with the County, working
20 with scientists, whoever we can, to help these disasters, if they come about?
21 And these disasters, these historical floods, they're no longer a long-term
22 philosophical vague entity, they're happening, they happened last year. And
23 when, um, specifically with my farm and through ACME and Sumas, when the
24 County and the State could not come in, when businesses who own those lands
25 could not come in, it was our community, individual people, that were out

1 there doing all the work. So, um, I just wanted to bring that up. I don't, I,
2 I think that wasn't an issue that was talked about enough, um, but I wanted
3 to bring that up, so.

4 REEVES: Great.

5 BOETTCHER: Thank you.

6 REEVES: Thank you very much. Okay. Uh, any other folks there on the Teams
7 meeting, uh, that were interested in testifying? If you hit the raised hand
8 feature. And I also see another call in. We have a number ending in 61. Uh,
9 if you're the number ending in 61 and you were hoping to testify. Okay. And
10 then, sorry, I do see Rick Brumfield using an old-fashioned raised hand
11 feature, I apologize. We can go to Mr. Brumfield. Uh, all right. Thank you
12 for being here. Do you swear or affirm to tell the truth in the testimony you
13 give here today?

14 BRUMFIELD: Thank, thank you, am I on? Can you hear, can you hear me?

15 REEVES: You're on. And you do swear to tell the truth, is that right?

16 BRUMFIELD: I do swear. I don't know where the, I don't know where the raised
17 hand feature is.

18 REEVES: No, no problem at all. No, I figured it out, finally. Uh, could
19 you state and spell your name, uh, for the record and then give us your
20 address?

21 BRUMFIELD: Sure. My name is Rick Brumfield [phonetic], B as in boy, r-u-m,
22 like the drink, rum, and then field, regal name is Richard Bruce [phonetic],
23 but most people go, call me Rick, Rick, go by that.

24 REEVES: Okay. Thank you. Go right ahead, sir.

1 BRUMFIELD: So, uh, I live at 5318 Cedar Ridge Place, uh, you heard from my
2 wife earlier today. Uh, we moved here in, uh, 2003. We live in our house
3 with, uh, Kathy [phonetic], my wife and we have a granddaughter who just
4 turned 18. And she lives with us fulltime and has since, uh, day one, almost.
5 So, anyway, she's with us, she's driving these roads now. Um, I, up front, I,
6 I need to be clear with you that I'm not, uh, in favor of this project at
7 all. Uh, at least as it's currently defined. Um, uh, one of my main, main
8 concerns is about the dangers on the roads, we've heard quite a bit about
9 that today. Um, my issue is primarily with the center line issue and crossing
10 over that. Uh, I think what we've heard and from myself, it's not an
11 exaggeration, it's not hyperbole, uh, we, myself and my wife have, have been
12 run off the road specifically by gravel and, um, gravel trailer combinations.
13 Um, also, uh, we heard from a neighbor, uh, within the last week or two, uh,
14 up here at the next door, uh, software that lets us know what's going on in
15 the neighborhood and, uh, one of our neighbors, uh, almost got run off the
16 road also. She lives down by, uh, uh, just before the, uh, Prairie/Grip
17 intersection, I think near that little bridge that's actually on Grip, just
18 little bit south of the, uh, Prairie/Grip intersection. So it, that is real,
19 it's, and, uh, the interplay with the school buses, uh, some of those buses
20 cannot make those turns. So what happens when a truck trailer combination and
21 a school bus try to make the turn at the same time. There, somebody is going
22 to get killed. We're going to have a wrongful death, wrongful injury. And
23 then how, where is the dollars to play, uh, it just takes one person to get
24 multimillion dollar settlement these days. You see it in the news all the
25 time. What's going to happen if you get several children killed or maimed in

1 a bus wreck? Figure that out. Okay. I think we should use that money, if
2 we're going to put this mine in, use the money to improve the roads first, so
3 we don't have to have such a tragedy. Okay. Move on. Good. Different issue,
4 um, somewhere in all this paperwork, I think it was the Traffic Impact
5 Analysis maybe that talks about weight issues with the bridge on Old 99 going
6 southbound from, uh, uh, Prairie/Old 99 intersection, down towards the
7 Bellevue, uh, Belldale, I think is that name of it? Uh, [inaudible] area. And
8 the solution that was suggested, no, go on up over Bow Hill Road, go
9 southbound on I-5 and then get off at the Cook Road exit. That is absolutely
10 crazy and really bad judgement to go that route. Have you ever gone through
11 the intersection of Cook Road, the railroad, Old 99 and I-5? It's an absolute
12 mess right now and that's without adding this traffic that we're talking
13 about. So, today, let's see if we can figure that one out. I'm almost done
14 here. Let's see, the, the, the EI-, or the, the MDNS, it lists, I think, I'm,
15 my awareness is 19 different mitigations, that seems ridiculous that there's
16 that many, it seems like that many called for a full EIS just by itself. So,
17 um, for what it's worth, I think the County is exposed from a liability
18 standpoint, both on, um, on money-wise, from, um, could be on what is
19 significant to the MDNS, says and also for a wrongful injury and, or, uh, uh,
20 wrongful death or injury. So, uh, there's that. Uh, the County does know how
21 to make things safe, we have roundabouts throughout the County. They did an
22 excellent job of fixing the road between, um, Prairie, uh, uh, Bow Hill, Old
23 99 and Prairie/Bow Hill and then up the road, up, up to I-5, they've widened
24 those, they put in, uh, they widened the shoulders, it's much better now. I'm
25 sure that cost a little bit, but, hey, that's a lot better to spend money

1 making the roads safe before having a tragic accident. That's just not worth
2 it. Uh, I'm all done. How am I doing on my minutes?

3 REEVES: Uh, you're over, you're over three for sure. I'll give you one
4 more point, if you'd like to make one more?

5 BRUMFIELD: Uh, I, I think that that's it. Thank you, uh, I really appreciate
6 the opportunity to have this, uh, input. Uh, I'm really hard of hearing and
7 so these mechanics made it so I can hear today. If I was there in, in person,
8 I wouldn't have been able to hear. So, and thank you to my neighbors for all
9 of their input, too.

10 REEVES: Okay. Thank you, Mr. Brumfield. Uh, I see Brandon there in the
11 room. Brandon, were there others in the room or were you just checking in on
12 things?

13 BLACK: Yep. Uh, we're, we've completed all the testimony from the room.

14 REEVES: Okay. Uh, anyone there, uh, on, and if we, let's see, there we
15 go. Anyone else on the Teams meeting, uh, that wanted public, members of the
16 public that wanted to testify, if you hit the raised hand feature, now is the
17 opportunity. And while we're waiting on that. Okay. I have someone identified
18 as Kathleen [phonetic].

19 GRIMBLY: All right. Question, sir, if, um, the testimony is through for
20 the day, does that mean there will not be a Monday meeting in Sedro Woolley?

21 REEVES: Sorry, no, to be clear, there is quite a bit more that will
22 ultimately be happening, it's just the segments of how we'll...

23 GRIMBLY: Okay.

24 REEVES: So, were, were you interested in testifying?

25 GRIMBLY: Sorry, well, I have an email in about testifying on Monday.

1 REEVES: Well, to be clear, the way this process works is we're going to,
2 once we're done with the segment that is public testimony, that's, that's it
3 and then we're moving to expert testimony after that. So...

4 GRIMBLY: So, is, is this the end of public testimony?

5 REEVES: That's what we're trying to sort out. So if you would like to
6 testify, now is certainly the time to do it.

7 GRIMBLY: Okay. Well, I'm not really prepared, but I'll go ahead.

8 REEVES: I'll swear you in. Do you swear or affirm to tell the truth in
9 the testimony you give here today?

10 GRIMBLY: I swear to tell the truth.

11 REEVES: And if you could state and then spell your name for me?

12 GRIMBLY: Kathleen Grimbly, G-r-i-m-b-l-y.

13 REEVES: And Kathleen, uh, with a K, right?

14 GRIMBLY: Yes.

15 REEVES: Okay. And then if you could provide your address, uh, for the
16 folks there at the County that are going to keep that?

17 GRIMBLY: 4658 Blank Road, like drawing a blank.

18 REEVES: Okay. Perfect.

19 GRIMBLY: And named after the Blank family. And, um, I've lived there since
20 1958.

21 REEVES: Thank you. Go right ahead.

22 GRIMBLY: Um, I regret I had to miss the other testimony and from previous
23 in the day, uh, but I haven't seen this addressed in any of the environmental
24 use. There's a lot of talk about wetlands, but there's no discussion about
25 what's going to happen to water quality by moving the forest and the topsoil

1 that is only going to be within 200 feet of the Samish River. I don't see how
2 that's not, anyone knows that if you take out trees, those aren't, those
3 trees aren't up-taking the water. If you take out topsoil and go down 60
4 feet, that's going to become a giant water collection basin for 25 years.
5 Right above a salmon stream that includes fall Chinook runs, they are the
6 most important food for the southern resident killer whales, which are all
7 endangered listed. So, I don't believe that that issue has been addressed. I
8 don't believe the Applicant has shown that, um, water quality is going to be
9 affected by the removal of those materials.

10 REEVES: Okay. And did that conclude your remarks, Ms. Grimbly?

11 GRIMBLY: You've probably heard enough today.

12 REEVES: It's been a long day, uh, I'll, I'll admit it, but, uh, I
13 appreciate you taking the time to testify today.

14 GRIMBLY: Thanks. And I, I admire your patience, I wouldn't have it.

15 REEVES: Wait until the lawyers, the lawyers are the ones that really try
16 my patience.

17 GRIMBLY: I [inaudible].

18 REEVES: [Inaudible.]

19 GRIMBLY: From the beginning and I had a little taste.

20 REEVES: You might see some eye rolling, but it's all, it's, you know,
21 they, they are colleague of mine, I, barely, but sometimes appear on the
22 other side of things and, and so I know how it goes. So, um...

23 GRIMBLY: And I'd like to add, I have all of the other concerns that
24 everybody has been repeatedly talked about. But there are no, I mean, I rode
25

1 these roads, roads as a kid on my bike and no kids are going to be riding
2 these roads on their bikes. Um, so, thank you.

3 REEVES: Thank you, Ms. Grimbly.

4 GRIMBLY: Okay.

5 REEVES: Okay. So with that, just checking in one final time on the Teams
6 side of the meeting, uh, if you were interested in testifying, use that
7 raised hand feature. Okay. I'm not seeing anyone. Uh, and I believe, Mr.
8 Black clarified that in terms of the room, uh, we've addressed all of the
9 testimony in the room, is that, again, accurate, Mr. Black?

10 BLACK: That is correct.

11 REEVES: Okay. So, um, looking at our plan of attack as it were, I know
12 that the next segment was going to the presentation of witnesses, uh, by the
13 Applicants, and I think there are ultimately, the Applicant had quite a few,
14 Mr. Lynn, I'm verifying my, ultimately will be about 15 folks, potentially,
15 that, that were going to be called by the Applicant?

16 LYNN: There, there will be more, like, half that.

17 REEVES: So...

18 LYNN: Uh, go ahead.

19 REEVES: The question was, uh, I was going to leave it up to you, I think
20 we're actually moving, uh, a bit ahead of schedule, uh, in a, in a good way.
21 But, uh, you, are you ready to move forward? We're, we have about a half hour
22 left on our allotted time for the day. Or if you prefer, I have no issue with
23 starting fresh with, with expert witnesses on Monday, but...

1 Lynn: Uh, it, it really doesn't matter to me. Our first witness would
2 be Brad Martin from Miles Sand and Gravel, uh, but, and he's available, but
3 we could also just wait until Monday when we're all maybe a little fresher.

4 REEVES: I guess my one concern is, you know, with the experts, the sort
5 of path forward is, obviously, you'll direct questions for your expert
6 witness, but then you'll have, uh, cross-examination from others, uh, and I,
7 I would rather, on a Friday afternoon, not stop mid-witness, uh, then move
8 forward. But, do you have a sense on the timing on this?

9 LYNN: Uh, he will likely be longer than the rest of today. So he would
10 run into Monday.

11 REEVES: Okay.

12 LYNN: So he would be stopping mid-witness, I guess.

13 REEVES: Sure. Mr. Loring, I see you nodding, does that approach make
14 sense in your mind?

15 LORING: It does, it does. It makes sense to me. You know, it always feels
16 like there's more times in the beginning of our series of days for hearing
17 than at the end. Uh, so needless to say, since we go next, you know, there's
18 a little concern, but I, I agree, let's try to make sure we can start with
19 witnesses and keep them together as much as possible.

20 REEVES: Sure. Uh, Mr., uh, D'Avignon, your thoughts there?

21 D'AVIGNON: I concur, I think it would be, uh, better for everybody if we're
22 listening to witnesses all in one chunk.

23 REEVES: Yeah. Okay. And Mr. Ehrlichman, uh, you're still...

24 EHRLICHMAN: No, that, we've all worked hard today. And I just wonder if we
25 can wear [inaudible].

1 REEVES: There might have been a good joke, but I didn't hear it, 'cause
2 you cut out. What was, what was the request, Mr., Mr. Ehrlichman?

3 EHRLICHMAN: [Inaudible] on Monday.

4 FEMALE 9: Hawaiian shirts.

5 REEVES: Hawaiian shirts on Monday? Fine with me. I, I fully support
6 Hawaiian shirts. I certainly never, uh, fault anyone for wearing a Hawaiian
7 shirt whether it's a Friday, a Monday or not. I will admit that at one point
8 in the last, uh, you know, two years, I, I had a period where I was working
9 from Hawaii, uh, and you can, every now and again, I probably forgot, you
10 would see in the background the ocean and, uh, but, uh, not, not the case
11 these days, but, yeah, that would be great. So, uh, in terms of procedures,
12 uh, Mr. Black, if I can get you back, I just want to clarify, the plan had
13 been, and has been this entire time that, uh, we wanted to ensure we had a
14 publicly available space, uh, for witness testimony from the public, uh, in
15 case they were unable to, uh, use the technological aspects. Because we have
16 now, uh, moved through all of the witness, uh, public, uh, testimony, I guess
17 my question is, is the room going to be needed on Monday? Um, my
18 understanding from all of the attorneys, uh, uh, was that their witnesses
19 would all be appearing remotely, along with themselves, um, but can you just
20 speak to what, what would be staff's preference? I, I have no problem if you
21 guys are there on Monday, I just, I just want to make sure we're all on the
22 same page.

23 FEMALE 10: Can I make a comment about that, Brandon?
24
25

1 BLACK: If, if, Andrew, if you're addressing that to me, I wasn't sure if
2 you were, but it has been advertised that we will meet on Monday so, um, we,
3 we probably...

4 REEVES: Which advertisement?

5 BLACK: Well, and, and just the housekeeping item. We've had some, uh,
6 request, is it possible to keep the record opened if there were folks here
7 earlier or that could not, uh, with the technological challenges get their
8 voices heard to be allowed to still submit some testimony? Um, and then along
9 with that, um, this is probably more of a technical issue for the IT folks,
10 or maybe Mona, but folks would be wondering how they can view this recorded,
11 uh, session, or both of them, if it is broken up into two?

12 REEVES: Sure, in terms of if folks, uh, had to leave earlier, uh, and, or
13 had technological challenges, I certainly have no, no issue with them
14 submitting their comments as written comments instead of, uh, in lieu of, uh,
15 the public testimony. To be clear, though, I, I am not inviting or requesting
16 that we had 37 or 8, is the number I had, uh, folks we heard from today, I'm
17 not asking that folks submit additional, uh, uh, written comments. This is
18 more directed toward those that either for a technological reason because we
19 had the call-in issue earlier, uh, that folks had to leave the room earlier,
20 um, that would not be a problem on my end. Um, so, so I, I will grant that.
21 In terms of how the tech works on viewing this, uh, certainly I, I know I
22 [inaudible] but, uh, I don't know if it's actually running the Teams meeting.
23 I know with Zoom the, the link for the meeting, even a long one like today is
24 usually ready by three or four hours after the meeting. Uh, so I suspect,
25 even with Teams, that there would be a way once that link is ready, it could

1 be uploaded to the County's website, I would expect. But, please ask your
2 tech team or, worse comes to worse, is our unfortunate techpert [sic]
3 available still, I'm looking online here to see. Ms. Forbes, are you still
4 there?

5 FORBES: I am, I am still here. Uh, I will work with, uh, with our r-, our
6 Hearing Examiner's Office, uh, to see what we need to do to get that
7 available.

8 REEVES: Thanks, Leah. Okay. So, yeah, I believe that, uh, folks would be
9 able to, uh, fairly quickly be able to, uh, get the link to download and
10 watch, uh, what we heard today. Uh, it was so much fun the first time, you
11 want to watch it again tomorrow, you might be able to do that. It might not
12 be until Monday, to be honest. Uh, but, uh, it sounds like the County is
13 certainly, uh, able and willing to do that. Okay. So to be clear, Monday, the
14 plan is, uh, the room will be available for members of the public that, that
15 would like to watch the proceedings, uh, from the room there. Uh, but what
16 will happen on Monday and I think 9:00 is the start time Monday as well, does
17 that sound right? I don't think I have my thing out in front of me.

18 FEMALE 11: Yes.

19 BLACK: Yes.

20 REEVES: I'm getting nods from, the plan is on, uh, on Monday, we'll,
21 we'll get called to order, uh, and we will dive right in with, uh, the
22 Applicant expert, uh, witnesses, uh, as directed by Attorney Bill Lynn. Uh,
23 and that will be the plan. So, I think, and Hawaiian shirts are welcome, I
24 think we already established that. Uh, let me just quickly run around our
25

1 attorneys, uh, uh, Bill Lynn, anything, anything you wanted to cover before
2 we conclude today?

3 LYNN: No, I'm fine. Thanks.

4 REEVES: Thank you. Jason D'Avignon?

5 D'AVIGNON: No, thank you.

6 REEVES: Okay. Uh, Kyle Loring?

7 LORING: Uh, just one quick point, I just want to make sure you're able to
8 get those Exhibits that we had uploaded, so obviously, uh, let's follow up in
9 case somehow it got lost...

10 REEVES: I...

11 LORING: In the ether.

12 REEVES: Uh, 100% will ensure that happens, uh, when this is, for folks
13 wondering what that is in reference to, there was an initial X number of
14 Appellant exhibits, I thought I had everything, and in my review of, uh,
15 everything, uh, last night through this morning, I, I, it occurred, I may be
16 missing just a few things. Uh, we're going to ensure certainly that I have
17 everything. And so we'll make sure that happens, no problem there. And then
18 finally, Mr. Ehrlichman, any, any final, anything you wanted to...

19 EHRLICHMAN: [Inaudible] two, I have...

20 REEVES: Hold, hold on, Mr., Mr. Ehrlichman, you're...

21 EHRLICHMAN: Can you hear me?

22 REEVES: Not very well, maybe turn your, your video feed off, that might
23 free up the bandwidth.

24 EHRLICHMAN: Is that better?

25 REEVES: Maybe. Go ahead and give it a try.

1 EHRlichman: Um, when will the County's traffic experts be on the stand?

2 REEVES: I, I truly couldn't guarantee a time. I, you know, we, we
3 delineated in advance sort of the order things would go in. Um, and so I know
4 that we have several witnesses we'll be hearing from that the Applicant is
5 bringing. Is there a timing issue you're, you're concerned with, Mr.
6 Ehrlichman?

7 EHRlichman: No. I'm just trying to see, um, how the order goes. The Applicant
8 goes and with the County and then the Appellant and then our case?

9 REEVES: Sorry, I know we had, something was printed out, I believe, uh,
10 Jason, uh, D'Avignon has prepared a nice summary of what we talked to and you
11 are included on that email, yeah. So, Applicant, Appellant, and then County.
12 So I suspect, I will be amazed and thrilled if, uh, on Monday, we got all the
13 way down to the County's traffic experts. I, I suspect that is not going to
14 be the case, um, but, uh, you'll just have to follow, check in, periodically,
15 I suppose, if, if it is not your intent to participate.

16 EHRlichman: No, I, I just wanting to [inaudible] thank you for that
17 clarification. And the second item is that one of my witnesses would be
18 available Monday and Friday, but more difficult for him the following week.
19 So, uh, his testimony would be brief if you could just keep us in mind Monday
20 or Friday to have him pop up, perhaps out of order.

21 REEVES: Sure. And if you can remind us, uh, Monday, of that issue, uh,
22 that would be great. Um, uh...

23 EHRlichman: Thank you.

24 REEVES: Okay.

25 EHRlichman: Great. Thank you.

1 REEVES: Great. Thank you. Okay. So just, just, I think, I think we're
2 set. So, um, Brandon Black, just to verify the plan over there, you guys are
3 all set? I think we know what's happening, uh, next on Monday, uh, again, the
4 plan is, the expert witnesses, other parties we're going to call will be
5 appearing remotely, but folks are certainly welcome to watch, uh, watch the
6 meeting, uh, from the room, uh, there. I can't remember is it, are you in
7 Burlington today? Where, where did it end up being today?

8 KELLOGG: Mount Vernon.

9 MALE 11: Mount Vernon.

10 KELLOGG: Mount Vernon today.

11 REEVES: Okay.

12 KELLOGG: Sedro Woolley Monday.

13 REEVES: There we go. So...

14 MALE 12: Burlington or Sedro Woolley on Monday?

15 KELLOGG: Sedro.

16 FEMALE 12: Sedro Woolley on Monday.

17 KELLOGG: Sedro Woolley on Monday.

18 MALE 12: Sedro Woolley on Monday.

19 MALE 13: City Council Chambers.

20 MALE 14: Council Chambers.

21 KELLOGG: Metcalf Street.

22 REEVES: Okay. After that, we have, uh, [inaudible] so thank you,
23 everybody, uh, for taking the time to provide, uh, testimony. Oh, Brandon?

1 BLACK: One, one thing here, uh, and, and give me a second, we have a
2 question come up and I want to make sure I understand the question before I,
3 I ask it. And I think it's...

4 REEVES: Okay.

5 BLACK: Probably the same thing she has as well.

6 MALE 15: Yeah. It's the same question. You were saying that...

7 FEMALE 12: Uh-huh.

8 MALE 15: People that couldn't come back...

9 FEMALE 12: Yep.

10 MALE 15: To testify, to testify today, those who could come back will
11 probably come back Monday to testify.

12 FEMALE 13: They took it as that.

13 BLACK: That is true. So some, some folks may have taken the fact that we
14 wanted to get those that testified today, that couldn't come back, to testify
15 tomorrow, I mean, Monday, I'm sorry, um, some of those folks may have taken
16 that as that they were going to be able to testify on Monday.

17 FEMALE 13: Yes, that's...

18 REEVES: Okay. Unsort-...

19 BLACK: That is the question that has been raised.

20 REEVES: Yeah. That is unfortunate. You have a sign-in sheet, they would
21 have signed in at the beginning.

22 BLACK: A majority of those folks did, uh, speak. There are a few that,
23 just a handful, I believe that, that did not.

24 FEMALE 13: And they would have...

25

1 REEVES: So what I was going to suggest is, we can cross that bridge
2 Monday, but essentially, if folks had signed in today to testify and there
3 was that misunderstanding, you know, uh, they would have an opportunity on
4 the onset Monday, uh, if, if they so desire. Alternatively, uh, you know,
5 those folks would, would be able to submit their written comments in lieu,
6 but, um, I don't know how they're going to know what happened one way or the
7 other, so, but we'll, we'll work against that list to the extent that, uh,
8 you know, process-wise, uh, that, that is what make sense. Does that track?

9 BLACK: Yes, that's, sounds reasonable.

10 REEVES: And if someone could copy that list, at some point, and send it
11 to the Hearing Examiner's Office, uh, and perhaps the, the other parties,
12 just so we have names and everything, that would helpful as well.

13 BLACK: There will also be, Mona will also be scanning in, sending along
14 to you and all the parties, any written comments that were submitted to, to,
15 into the record today, as well.

16 REEVES: Excellent. Okay. So, I think, then, we will conclude things. Just
17 making sure, Brandon, you, you turned your head there. Okay. Uh, Brandon is
18 ready for a Mai Tai, uh, thank you for helping direct traffic, even more,
19 though, uh, I'm going to reiterate, uh, the idea that, uh, Leah Forbes, uh,
20 probably deserves a raise or someone buy her a nice tiki drink of some kind
21 at some point for, uh, doubling up and helping with all the tech issues. I
22 truly appreciate it. And thank you, everybody, for, uh, uh, expressing your
23 thoughts, uh, in, in such respectful ways. It's great to, to work in a
24 community where clearly everyone cares. And, uh, we will come back on Monday,
25 uh, for next sort of stage of process. And Monday we'll be hearing from, uh,

1 the Applicant's, uh, expert witnesses. So, with that, uh, happy weekend,
2 everybody. Uh, stay safe and, uh, we'll end today's meeting. Thank you,
3 everybody.

4 FEMALE 14: Thank you.

5 [Background chatter.]

6 MALE 16: I need to stop the recorder.

7 FEMALE 14: Well, the sheets were all there this morning.

8 FEMALE 15: No, no, the...

9 [The tape ends.]

10 **The undersigned being first duly sworn on oath, deposes and says:**

11 I, Janet Williamson, declare under penalty of perjury, under the laws of the State of Washington
12 that the following statements are true and correct: I am over the age of eighteen (18) years and not a party
13 to this action. That on April 12th, 2024, I transcribed a Permit Hearing, conducted by Andrew Reeves, that
14 took place on 8/26/22 at 12:40 pm., regarding the above-captioned matter.

15 I certify and declare under penalty of perjury under the laws of the State of Washington that the
16 aforementioned transcript is true and correct to the best of my abilities.

17 Signed at Mount Vernon, Washington, this 12th, April of 2024.

18 Janet Williamson

19 Janet Williamson