

UELAND TREE FARM – MINERAL RESOURCE DEVELOPMENT

CONDITIONAL USE PERMIT HEARING

Response to Written Comments submitted by Joel Adamson **dated December 14, 2009**

Introduction

This document was prepared by Parametrix, Inc. on behalf of Ueland Tree Farm (UTF) in response to the written comments submitted by Joel Adamson dated December 14, 2009 (marked as CUP Exhibit 132). These comments are identified as “A” through “H” in Exhibit 132, and each comment is addressed separately below using the same numeric identifier. The heading of each comment is also included for reference, as is a brief summary of the specific comment.

For the record, Mr. Adamson called Phil Struck at Parametrix several weeks prior to the hearing with unspecified questions regarding the stormwater technical analysis. Mr. Adamson was requested to submit his questions via email for UTF review and response. No comments were ever submitted. After the December 14, 2009 hearing, several additional emails were received by Parametrix from Mr. Adamson, as well as information related to contact Mr. Adamson had with the Kitsap Lake Neighborhood Association (KLNA). These emails and correspondence with KLNA continue to erroneously allege technical errors and are attached hereto for reference.

A. Major Error in Traffic Calculations – a full traffic study should have been required under Kitsap County Code.

Exhibit 132 contends a full TIA should be required because the peak hour vehicle count did not convert truck trips to passenger car equivalents.

Executive Summary: It is not appropriate to adjust project trip generation estimates by a PCE factor to determine whether a project exceeds the trip generation threshold for requiring a traffic impact analysis in Kitsap County. This is not standard practice in the traffic engineering profession nor is it specifically required by any jurisdiction in the Puget Sound region to our knowledge, including Kitsap County. It is, however, appropriate to adjust traffic volumes by a PCE factor for capacity and level of service calculations. This was done for the level of service analysis in the UTF traffic study. Mr. Adamson provides no specific information by a professional Traffic Engineer to refute the conclusions presented in the Traffic Analysis.

Detailed Response: The trip generation threshold for requiring a traffic impact study was 50 peak hour trips in Kitsap County at the time of vesting for this project. The threshold simply refers to the number of trips, not trips adjusted by a PCE factor.

The PCE concept is introduced in the Transportation Research Boards Highway Capacity Manual, as a way to account for the extra delay and travel time larger vehicles have when

determining capacity or level of service measures on roadways and at intersections. Four examples of standard language for trip generation thresholds related to traffic impact analysis requirements are cited below.

- 1) Kitsap County Code: Reference Ordinance 218-1998 and Section 20.04.040 “Concurrency Test” in Kitsap County Code. Telephone conversation with Kitsap County Engineer Jim Rodgers the week of December 14-18, 2009 verified the County does not require a PCE conversion of trips from planned developments when determining the threshold for triggering a traffic impact study. The code section states “in conducting the concurrency test, the county shall use standard trip generation rates, such as those reported by the Institute of Traffic Engineers (ITE) Trip Generation Manual, 5th Edition”—the ITE Trip Generation Manual does not mention or require the conversion of trips using a PCE factor.
- 2) King County Code: For the purposes of SEPA and Chapter 14.80 (Intersection Standards), Section 14.80.030; Significant adverse impacts states “thirty (30) or more added vehicles in any one hour period as a direct impact of the proposed development...”.¹ No mention of calculating trips using a PCE value is referenced.
- 3) The Washington State Department of Transportation (WSDOT): The Development Services Manual provides trip thresholds for fee-based and non fee-based mitigation as the addition of AM or PM peak-hour vehicle trips.² No mention of calculating trips using a PCE value is referenced.
- 4) Snohomish County: 4220.030: Traffic Studies provides general traffic study requirements for a number of land uses, all of which examine the peak hour trips generated by the land use. No mention of calculating trips using a PCE value is referenced.³

In the 25 years as a traffic engineer, John Perlic of Parametrix has completed hundreds of traffic studies and traffic impact assessments. In calculating trip generation, or the number of vehicles a land use could generate, he has not encountered a jurisdiction requiring the number of trips to be factored by a PCE.

One standard for determining trip generation for land use, as stated in Exhibit 132, is the Institute of Traffic Engineers (ITE) Trip Generation Manual. This manual is used when trip data about the intended land use is not available and a comparison to data collected at similar land uses is necessary. The calculations in this manual report the number of trips a land use could expect to generate based on a set of parameters (such as acres or gross floor area of building). It does not

¹ King County Code: Current through Ordinance 16674 passed on September 28, 2009. Visited December 15, 2009. Available at: http://www.kingcounty.gov/council/legislation/kc_code.aspx

² Washington State Department of Transportation, Development Services Manual; M 3007.00. Available at: <http://www.wsdot.wa.gov/publications/manuals/fulltext/M3007/M3007.pdf>

³ Snohomish County Department of Public Works Rules Adopted Pursuant to the Rulemaking Requirements of Chapter 30.82 SCC, Providing Detail and Specificity of the Traffic Mitigation and Concurrency Requirements of Chapter 30.66B SCC. Visited December 15, 2009. Available at: <http://www.co.snohomish.wa.us/documents/Departments/pds/admin/rules/dpw/4220.pdf>

include information about the type of vehicle making the trip (general purpose car, truck, motorcycle, etc) and does not require or recommend the use of a PCE factor to calculate trip generation from a new development.

PCE factors to adjust the number of vehicles on a roadway are used in determining roadway level of service and capacity measures of effectiveness, as Mr. Adamson stated. The PCE factor adjusts all vehicles to a common “passenger car equivalent” factor to account for large vehicles such as trucks and buses in capacity and level of service calculations. The Kitsap County Code states “the calculation of capacity will be done according to the most recent edition of the Highway Capacity Manual (HCM), or by alternative methods approved by the director of public works”⁴—the relevant HCM methodology current at the time of this study did factor PCEs in the operational analysis, as required.

Parametrix analysis used the Highway Capacity Software-Plus (HCS+) program, which is based on the Highway Capacity Manual (HCM) methodology. In the calculation of level of service and capacity, this program applies a PCE factor, as prescribed in the HCM, to report how an intersection or arterial would operate in terms of delay. The PCE factors were appropriately applied to the traffic volumes in the level of service calculations conducted for the UTF project.

B. The Project, in its current form, is in conflict with the Washington Program “Safe Routes to School” adopted by Washington State Legislature.

Comments contend that the project is in conflict with the state Safe Routes to School (SRTS) program.

Executive Summary: The intent of the “Safe Routes to School” program is to examine walking conditions around schools. The primary purpose of the SRTS program is to identify safe and unsafe walk routes to school and direct school children to the safe routes. The SRTS program also includes an educational component to teach children and parents safe walking behavior and avoidance of unsafe roadways and crossing locations. The SRTS program does not require or even suggest excluding the addition of new trips on roadways surrounding schools. Mr. Adamson provides no specific information by a professional Traffic Engineer to refute the conclusions presented in the Traffic Analysis or EIS.

Detailed Response: Parametrix is familiar with the intent and purpose of the Safe Routes to School (SRTS) program, having completed a SRTS Plan for the Kitsap Lake Elementary School, as part of the City of Bremerton Nonmotorized Plan and many other schools. This school is located in the vicinity of the UTF project site. Parametrix has supported jurisdictions throughout the region in developing and implementing SRTS programs and projects.

⁴ Title 20 Transportation. Chapter 20.04, Transportation Facilities Concurrency Ordinance; 20.04.020(4), Definitions: “Capacity”. Visited December 16, 2009. Available at: <http://www.codepublishing.com/wa/kitsapcounty/>

The referenced report, “An Analysis of Fatal Large Truck Crashes”, is generally an analysis on crash severity and not directly related to the rate of crashes⁵. However, this report does demonstrate a significant downward trend (rates have halved) in large truck fatal accidents per 100 million vehicle miles travelled. This study also does not preclude the addition of truck trips to a roadway based on surrounding land use.

C. The UTF Project documentation contains a significant amount of false information and misrepresentation of the facts.

This comment generally contends that several sentences in the staff report and DEIS regarding adjacent land use are “false” and “misrepresentations of the facts” because they do not include more expansive descriptions of adjacent areas.

Executive Summary: Given the vast number of reports and documentation it is not surprising that there may be a few inconsistencies between documents despite all the efforts made to ensure consistency.

Detailed Response: The staff report and DEIS sentences cited in the comments are typically general statements intended to provide approximate descriptions of adjacent land uses nearest the UTF site. For example, the statement regarding the “pocket of rural residential development approximately 7-acres in size” specifically refers to the “closest residential development”, which is zoned Rural Residential and is located along Lebers Lane. This general statement is neither false nor a misrepresentation of fact. Furthermore, photographs, maps, figures and text in the CUP application materials and SEPA documents depict adjacent zoning and land use in more detail, and as such provide additional information that expands on the general statements cited. Mr. Adamson is correct in pointing out that the statement on page 8-2 of the DEIS regarding the closest residence being approximately 1,000-ft from the site is inconsistent with other statements in the technical reports. As Mr. Adamson points out, other statements in the DEIS are correct in noting that the nearest residence off the UTF site is located about 600-ft from Gravel mine A.

D. Impacts to Dickerson Creek Hydrology are not sufficiently evaluated in the EIS.

This comment contends that infiltration will not help stream flows because groundwater will flow to a deeper aquifer and not feed Dickerson Creek. It also contends that the depressions formed by mining will intercept surface flow that would otherwise run overland to Dickerson Creek and that stream flows will be reduced by the amount of precipitation that currently is run off from that area and that this will therefore result in impacts to Dickerson Creek.

Executive Summary: Stormwater infiltration is proposed in Gravel Mines A and B to maintain existing hydrology and recharge conditions and thereby avoid adverse impacts to the hydrology

⁵ United States Department of Transportation: National Highway Traffic Safety Administration. DOT HS 809 569. An Analysis of Fatal Large Truck Crashes. June 2003. Available at: <http://www-nrd.nhtsa.dot.gov/Pubs/809-569.pdf>

of Dickerson Creek. It is technically well established that infiltration helps to maintain stream base flow through seasonal low flow periods.

Depressions formed by mining will not affect Dickerson Creek seasonal low flows as stated in Exhibit 132. Surface run off from the mine sites occurs during heavy precipitation periods when the forest duff layer and permeable sand and gravel soils are saturated. The Gravel “A” and “B” sites are relatively flat, underlain by permeable soil and set back from the top of Dickerson Creek slope. Surface flow from the mine sites that reaches Dickerson Creek therefore is likely significant only during periods when high stream flows already exist, i.e., during periods of heavy precipitation. Dickerson Creek seasonal low flow concerns are associated with low flows during dry periods in late summer and early fall when base flow is sustained primarily by groundwater recharge – not overland flow. Stream base flow and the relationship to the project site and project design is discussed in detail in the application materials as well as Parametrix’ testimony and shows that there is very low potential for the project to have any significant impact on seasonal low flows in Dickerson Creek.

The water balance provided by Mr. Adamson in CUP Exhibit 132 is incomplete; consequently, it cannot be used to assess hydrologic impacts to Dickerson Creek. The water balance is entirely conceptual in nature, and it provides no specific scientific information by a professional geologist or hydrogeologist to refute the conclusions presented in the EIS.

Detailed Response: Because the existing soils are permeable and support infiltration of surface water to groundwater, relying on detention facilities for discharge to the surface would be a violation of standard Ecology requirements and general engineering practice. Section 2.5.7 of Ecology’s Manual states: “Reduction of flows through infiltration decreases stream channel erosion and helps to maintain base flow throughout the summer months.”

The importance of infiltration in maintaining hydrologic functions is reflected in applicable County and state stormwater regulations that emphasize infiltration as the preferred stormwater management method, as well as the many project SEPA documents and testimony by both UTF and the project opponents. Parametrix testimony was very specific in that a key stormwater design objective is to mimic existing hydrologic functions by maintaining basin boundaries and discharge points. As such, precipitation will continue to recharge the aquifers below the site as currently occurs. In other words, there will be no significant change in aquifer recharge beneath the site.

The use of infiltration facilities for stormwater management is supported both by Ecology’s 2005 Stormwater Management Manual for Western Washington (2005 Manual) and by Ecology’s Sand and Gravel Stormwater General Permit. Section 1.5.4 of Ecology’s Manual states that construction of infiltration facilities is preferred over the construction of detention facilities. Section 2.1 of Ecology’s Manual quotes the Puget Sound Water Quality Management Plan as requiring that infiltration be used as the first consideration in stormwater management.

Depressions formed by mining will not affect Dickerson Creek seasonal low flows as stated in Exhibit 132. The surface run off component that is reduced in the “Water Balance Schematic Model – Before and After Development”, would likely only occur during heavy precipitation

periods when the permeable sand and gravel soils are saturated, and overland surface run off occurs. The Gravel “A” and “B” sites are relatively flat and underlain by permeable soil. They are also set well back (over 200-ft) from the top of Dickerson Creek slope. Overland flow from these sites that reaches Dickerson Creek therefore is likely to occur only during periods when high stream flows already exist, i.e., during periods of heavy precipitation. In contrast, Dickerson Creek seasonal low flow concerns are associated with low flows during dry periods in late summer and early fall when base flow is sustained primarily by groundwater recharge – not overland flow. Proposed stormwater infiltration facilities will help sustain Dickerson Creek base flow during dry seasons by allowing precipitation that falls on the site to contribute to groundwater recharge to the maximum extent possible. The stream base flow issue and relationship to the project site and project design is discussed in detail in the application materials as well as Parametrix testimony and shows that there is very low potential for the project to have any significant impact on seasonal low flows in Dickerson Creek.

The water balance provided by Mr. Adamson in CUP Exhibit 132 is incomplete; consequently, it cannot be used to assess hydrologic impacts to Dickerson Creek. The water balance discussion and the conceptual sketches do not document any parameters associated with surface flow, interflow or groundwater losses. The water balance is entirely conceptual in nature, and it provides no specific scientific information by a professional geologist or hydrogeologist to refute the conclusions presented in the EIS.

Mr. Adamson states incorrectly that Mr. Struk (sic) and Mr. Coop testified that the infiltrated water would not seep back into Dickerson Creek. Parametrix testimony specifically discussed the value of infiltration to assist in maintaining base flows to Dickerson Creek. Parametrix testimony also discussed that seepage surveys did not identify significant seepage during seasonal low flow periods – which is very different than saying “infiltrated water would not seep back into Dickerson Creek”. The seepage survey results support UTF’s conclusion that the Gravel A and B sites contribute little recharge to Dickerson Creek during low flow conditions.

E. Errors in Wetland Hydrology Analysis.

The comment contends that the Wetland 1 hydrologic analysis used faulty assumptions that underestimate the change in hydrologic contributing area because the assumptions do not correctly account for a groundwater flow gradient from the west.

Executive Summary: Mr. Adamson provides comment that “It is not appropriate to use this computer model for Wetland #1” is incorrect. A continuous simulation model was created for analysis of Wetland #1 in accordance with Ecology’s 2005 Manual. Mr. Adamson provides no specific information by a Professional Wetland Scientist or Certified Wetland Biologist to refute the conclusions presented in the Wetland Report.

Detailed Response: Mr. Adamson suggests that the Quarry A area will act as a barrier to groundwater that would otherwise flow into Wetland 1, and that the area contributing this groundwater flow exceeds the 30 percent contributory area used in the hydrologic model. This assumption is not correct and is not supported by site-specific topographic information. The

boundary for the contributing area to Wetland 1 was based on topographical contours of the existing ground surface. The area of Quarry A that discharges toward Wetland 1 is located along the upper portion of the contributing basin near a topographic drainage divide. The statement in the Wetland 1 analysis about flow being generally from west to east is based on a site-specific context; that is, flow is generally from the west side of the area contributing to Wetland 1 (under existing conditions) in an east direction toward Wetland 1. Flow from west to east is not to be interpreted that any random point west of the drainage divide will flow toward Wetland 1. This would require surface and/or interflow to flow uphill over the basalt and over the ridge toward Wetland 1.

The basalt layer that is near and in many cases at the ground surface determines groundwater flow direction in the upper soil layer. This basalt layer generally follows surface topography. Shallow groundwater flow direction therefore follows direction of surface topography. This hydrology is reflected in the formation of depressional wetlands around the perimeter of the quarry site. Because the contributing area in question is near a ridge line, it is unlikely that Quarry A will block any subsurface flow from areas west of Quarry A. Consequently, the hydrologic analysis for Wetland 1 is considered valid and appropriate.

The comments in CUP Exhibit 132 correctly identifies that the analysis is based on 42.0 acres and 29.4 acres of contributing area for existing conditions and active mining conditions, respectively. This results in a loss of $((42-29.4)/42=)$ 30% of the contributing area. This area is reported in Section 4.3.4 of the Wetland Delineation and Stream Identification Report and Section 2.7.4 of the Preliminary Drainage Plan.

The comment that “It is not appropriate to use this computer model for Wetland #1” is incorrect. A continuous simulation model was created for analysis of Wetland #1 in accordance with Ecology’s 2005 Manual.

F. Concerns about Air Quality Analysis.

Mr. Adamson contends that wind information from the Silverdale weather station should not have been used and, rather, wind information from the Bremerton Airport or Bremerton Meadowdale station is more appropriate. He also contends that based on weather station wind data, dust and contaminants from Gravel mine A will blow dust directly toward neighbors. He also asserts that the project should be required to comply with Ecology’s Air Quality General Order of Approval.

Executive Summary: Weather station prevailing wind direction is helpful for understanding the general conditions in the project vicinity; however, it is not the determining factor for whether air quality impacts are likely to occur. Site-specific air quality modeling using conservative regulatory agency approved models show that the site will meet applicable air quality standards. The mitigation and controls specified in the CUP, in combination with regulatory oversight from PSCAA, will ensure that potential air quality impacts are controlled to the highest level possible and that only minimal level of dust and particulate will leave the mine site. Mr. Adamson

provides no specific information by a professional air quality expert to refute the conclusions presented in the Air Quality report.

Detailed Response: There are four elements of the response to this comment:

1) The location of weather stations used to characterize wind direction at the site as listed in the Air Quality Assessment are 5 to 6 miles from the Gravel A site for the Meadowdale and Silverdale stations, respectively. The Bremerton Airport station referenced by Mr. Adamson is about 6 miles from the site, and importantly it is separated from the site by several significant topographical features. Parametrix therefore used the Silverdale and Meadowdale wind rose diagrams to help describe existing wind conditions. The Silverdale station and Meadowdale station wind rose diagrams show winds from the north to the south (from Northlake Way area toward UTF site) approximately 40% of the time. Wind from the south toward the north occurs between 35% and 40% of the time, depending on the station used. In general, winds speeds at the site are relatively light and rarely exceed 10 mph. As shown in the wind rose diagrams, the prevailing wind direction is not strongly oriented in any one direction; however, the statement that the prevailing wind direction is from the north-northeast predominantly away from the nearest receptors is consistent with the wind rose diagrams.

It should be noted that weather station prevailing wind direction is helpful for understanding the general conditions in the project vicinity; however, it is not the determining factor for whether air quality impacts are likely to occur. Site-specific air quality modeling using conservative regulatory agency approved models show that the site will meet applicable air quality standards.

2) Ecology's "General Order of Approval" (GOA) is an alternative to the Notice of Construction air quality permit issued by PSCAA. The mitigation measures for the UTF concrete plant meet Ecology's GOA criteria for "best available control technology" (BACT). Furthermore, the General Order document provides a "worst-case" ambient air quality analysis showing that the proposed mitigation measures (i.e., BACT) maintain ambient air quality standards for a concrete plant site located on a much smaller site that has over double the annual production level proposed by UTF. Ecology's modeling analysis included both particulate and toxic air pollutants, assumed a smaller buffer area than the UTF site, and assumed higher winds (30 mph sustained over a 24-hr period).

3) The site-specific modeling presented in the EIS for concrete plant emissions and truck diesel emission used conservative meteorological assumptions that were designed to represent "worst case" type conditions from up to 72 different wind directions. These conservative assumptions are detailed in the EIS and technical reports, and they are not dependant on prevailing wind direction as measured by an off site weather station. Air quality modeling, analysis and conclusions presented in the EIS are reinforced by air quality analysis conducted by Ecology as described above.

4) The project design and mitigation seeks to first prevent dust and air quality impacts by controlling particulate sources using a variety of well established mitigation measures that are described in detail in the EIS documents and technical reports. These mitigation measures represent a comprehensive program to prevent air quality impacts.

In addition to all CUP related mitigation measures, UTF will be required to obtain air quality permits from Puget Sound Clean Air Agency (PSCAA) for the site, including both fugitive dust and concrete batch plant emissions. In order to obtain these permits, UTF must demonstrate that project will comply with all local, state and federal regulations. The mitigation and controls specified in the CUP, in combination with regulatory oversight from PSCAA, will ensure that potential air quality impacts are controlled to the highest level possible and that only minimal level of dust and particulate will leave the mine site.

G. Concerns that the citizens of the impacted neighborhoods have not had proper technical representation by the Kitsap County DCD.

Exhibit 132 contends that citizens in the area have not had adequate technical representation by Kitsap County DCD and that there are many technical errors in the project technical documents.

Detailed Response: The residents in the vicinity of the site and the citizens of Kitsap County have been represented by professionals at:

- Kitsap County
 - ESA Adolfson, the County's third party technical reviewer and EIS consultant
- Department of Natural Resources
- Department of Ecology
- Department of Fish and Wildlife
- Puget Sound Clean Air Agency
- Department of Transportation
- United States Navy
- USF&W
- Army Corp of Engineers
- Suquamish Tribe
- Adjacent landowners and municipalities
 - City of Bremerton
 - Mountaineers Foundation
 - Kitsap Lake Neighborhood Association
- Environmental organizations
 - Great Peninsula Conservancy
 - Tom Donnelly and Kitsap Citizens for Rural Preservation
 - Audubon Society

All of these organizations were sent notices and the majority of them sent back comment letters. UTF and professionals representing community or government groups have agreed on 160 separate mitigation conditions. In fact, the only proposed condition remaining to be agreed is the extent of Northlake Way shoulder improvements. To date, UTF has not received an appeal or opposition from any of the above-named regulatory agencies, stakeholder organizations or environmental groups. Thus, UTF feels that the local neighbors and the citizens of Kitsap County

have been represented adequately, and more so than is typical for a project of this size and scope in Parametrix' experience.

H. Conclusions/Recommendations.

Mr. Adamson offers 9 conclusions and recommendations, generally described as follows:

Conclusion/Recommendations 1, 2 and 3 address "transit" (including Northlake Way, the south access, and a "rail to truck" option).

Response: Northlake Way has been addressed in detail in project documents and testimony, and it has been shown to be, with mitigation, suitable and appropriate for the proposed use. Similarly, the south access has been shown to be neither feasible nor appropriate due to a variety of environmental, engineering and economic factors. The "rail to truck" option issue is not a viable option due to numerous uncertainties.

Conclusion/Recommendation 4 contends that Gravel Mine A mining, crushing and batch plant operation should be prohibited due to proximity to residential development and sensitive environmental receptors (Kitsap Lake).

Response: Analysis presented in the EIS and herein show that potential impacts are being appropriately mitigated. Mitigation measures are comprehensive and include the use of BACT for concrete plant air emissions, air quality monitoring, transport equipment emission and noise controls, berms around the perimeter of the site and around crushing operations, maintaining vegetation in buffer areas, site development and reclamation in 10-acre increments, access road improvements, limits on operating hours and days, and many other measures designed to avoid and mitigate impacts to adjacent areas and natural resources.

The great majority of residences along Kitsap Lake Road are located more than 1,000-ft from the Gravel A site. The nearest residences along Kitsap Lake Road are between 1,000-ft and 800-ft from the Gravel A site, and are separated from the mine site by the US Navy railroad, and a berm and excavated slope that ranges from 50-ft to more than 70-ft high. Noise and air quality studies show very low potential for impacts to residences along Kitsap Lake Road. There will be no surface water discharge from Gravel Mine A to Kitsap Lake. As stated in the DEIS, local groundwater flows are toward Kitsap Creek, and groundwater monitoring will be conducted to ensure water quality standards are maintained.

Conclusion/Recommendation 5 contends that gravel mining and batch plant operations at Gravel Mine B would reduce impacts.

Response: As a result of recent developments, Gravel Mine B will not be developed and will instead be included as part of the UTF Conservation Easement area. The conservation easement prohibits mining, which precludes locating extraction, processing or batch plant operations at the Gravel B mine site. Information on the conservation easement is described in the CUP Hearing Testimony Rebuttal and Closing Statement that was submitted by UTF on December 21, 2009.

Conclusion/Recommendation 6 states that Ecology's GOA document regarding concrete batch plants control technology should be added to UTF's conditions of approval.

Response: The agreed mitigation condition meets Ecology's BACT definition as described in response to comment (F) above. Ecology's GOA is considered equivalent to a Notice of Construction that would be issued by PSCAA. UTF will obtain all applicable permits from PSCAA, so by definition, UTF will also meet the BACT provisions of Ecology's GOA as requested in this conclusion/recommendation.

Conclusion/Recommendation 7 asserts that new documentation needs to be prepared to correct major errors and omissions.

Response: This conclusion is not supported by the facts or expert testimony that refutes UTF's or Kitsap County's expert testimony, as described in the application materials, testimony at the hearing, and the responses contained herein.

Conclusion/Recommendation 8 relate to Kitsap County DCD review

Response: Addressed in response to comment "G" above.

Conclusion/Recommendation 9 suggests establishing a fund that could pay for a variety of off-site features.

Response: UTF is committed to being a good steward and neighbor. In addition to implementing all required mitigation, UTF will continue to take other measures - including employing other on-site best management practices - that serve to protect the area's natural resources and reduce impacts on neighboring property owners.

Phil Struck

From: J&A [jandaadamson@generalmail.com]
Sent: Tuesday, December 15, 2009 9:32 PM
To: Phil Struck
Subject: Meeting together

Phil,
I was glad to meet you at the hearings. I don't enjoy publicly exposing errors in others' work, but in that situation I don't think I had much alternative. I would much rather we get together, you and some of your engineers, and we discuss the project between us engineers. I would hope there are some compromises and alternatives that will make the project profitable for Mr. Ueland as the owner, while also minimizing impact to the local neighborhoods. I understand you've been working on this for years, but I still hope that working together we could come up with a win-win engineered situation for your client and for the neighbors.

I have many questions and some ideas and options I think we should discuss. I'm sure this will be an iterative process, but hopefully it will be constructive to both parties. Maybe the first step would be set a meeting date and time. Then I can work up an agenda of items I'd like to discuss, and I'm sure you might have a list also you could add to the agenda.

The hearings are closed (or the record will be in a few days), so I would think that during these next 60 day while the H.E. is working to a decision, you and I could be meeting to try to reach some compromises. Regardless of the H.E.'s decision, an open dialogue would be helpful, as these 100+ neighbors are not planning on moving away and their concerns must be dealt with. I'm going on vacation from the 20 to the 27th of December, but I'd be available to meet anytime after the 27th. If you want to meet some day between the 27th and new years, that is fine with me.

I hope you didn't take personally the comments I made for the H.E., I was just trying to look after the health and welfare of the adjacent population.

Thanks for your consideration.



Joel Adamson
Senior Environmental Engineer, P.E.
WA State PE License #45366
Environmental Impact Assessment Group (EIAG)
A 501(c)3 non-profit organization helping people with their environmental consulting needs since 1993.
Tel: 360-308-0075
Cell: 360-621-0768
7721 Beacon Place NE, #101,
Bremerton, WA 98311

Phil Struck

From: J&A [jandaadamson@generalmail.com]
Sent: Wednesday, December 16, 2009 11:41 AM
To: Phil Struck
Subject: My continued investigation into EIS errors

Phil,
On another note, I really have only begun my work on error checking the DEIS. There was much project information that was not available to me on the internet before the hearings (air quality computer modeling input data, metrological data you used, all the data input for your hydrology modeling, etc.). I will start compiling a list of the data that I will need. It is my understanding that the data used for the calculations of the EIS is open to the public, and I'm sure you wouldn't want to be hiding anything from the public. So if Mr. Ueland does not want to meet to discuss constructive improvements/options/alternatives, then I will just continue my research into each and every project report, document, and computer model that has been run on this project. I would prefer to take the high road rather than the low road. And from my conversation with Mr. Ueland on the phone Friday, December 11th, I got the impression he would like us engineers to work together to come to a good compromise. Hopefully at the end of the day we'll end up with a better project that benefits all the citizens of Kitsap County as well as Mr. Ueland.
Thanks,



Joel Adamson
Senior Environmental Engineer, P.E.
WA State PE License #45366
Environmental Impact Assessment Group (EIAG)
A 501(c)3 non-profit organization helping people with their environmental consulting needs since 1993.
Tel: 360-308-0075
Cell: 360-621-0768
7721 Beacon Place NE, #101,
Bremerton, WA 98311

Kitsap Lake Neighborhood Association

Community Information Education

[Skip to Content ↓](#)

- [Home](#)
- [KLNA Commitees](#)
- [Around the Area](#)
- [Kitsap Lake Boating](#)
- [About](#)



Ueland Mining Operation-IMPORTANT Time Sensitive!

Dec 16th, 2009

by [tom](#).

[No comments yet](#)

I received a call the other night from a concerned citizen about the Ueland Mining Opreation. This citizen is Joel Adamson Senior Environmental Engineer,P.E. He became interested in the project after hearing about it and started doing research on his own and was shocked at what he had found. He went on to make a presentation at the public hearing this past monday in Port Orchard.

In his findings he alerted me to some facts that need passing on to you. First for those of you on the west side of Kitsap Lake Road, Gravel Mine 'A' will be about 600' from your backyard. And those on the lake side of Kitsap Lake Road, the Mine will be about 1500' from the lake. This will be an audible operation. Here is a quote from Mr. Adamson.

As you can see in my last point "G. Conclusion/Recommendations", I state, "**GRAVEL MINE 'A'**: Due to insufficiently mitigated impacts and close proximity to densely populated areas, mining, rock crushing, or batch plant operations at Gravel Mine A location should be strictly prohibited. It is too close to human receptors (600 feet away) and too close to sensitive environmental receptors (i.e. Kitsap Lake 1,500 feet way). Office buildings could be located at this location.

Those close human receptors are the homes along Kitsap Lake Road, their backyards are 600 horizontal feet from the mine (not from the property line, but the mine). It is only 1,000 horizontal feet away from Kitsap Lake Road, and 1,500 horizontal feet from the lake shore.

The folks on North Lake Road may not have enough influence to get the county to modify the project, they really need the help of all the homeowners of the Kitsap Lake Homeowners Association.

I recommended to the Hearing Examiner that Ueland Tree Farm (UTF) put their office buildings at the current site of Gravel Mine A, and instead they move their mine and concrete plant further back 2,500 feet to the Gravel Mine B location. They own over 1,500 acres of property and there is no need for them to be so close to the lake and the homes on Kitsap Lake Road.

He is recommending that we 'ALL' consider sending in an email to the County Commissioners to let them know we are not happy about the proximity of the mine. you have five days to send in an email. I am including a format for the email to help make this easy for you and cut down on the time to get this sent in.

"My name is _____. I am a resident of (address) and a member of the Kitsap Lake Home Owners Association. I was not able to attend the public hearing on December 14th, but I am concerned about Gravel Mine "A" being located so close to Kitsap Lake and the homes adjacent to the Lake. I would request that the mine location be further back on the UTF property away from the lake and homes." Put in the Subject heading something like "Comments Re UTF Gravel Mine Project from Mr [or Mrs.] (your name)."

They should email their comment to Ms. Karen Ashcraft (clerk of the Kitsap County Hearing Examiner) at kashcraf@co.kitsap.wa.us

I am also including the presentation that Mr. Adamson used on monday so you are as informed as possible. Please review the documents and take a few moments to generate an email with your concerns.