



Okanogan County Board of Adjustment Meeting Minutes

A regular meeting of the Okanogan County Board of Adjustment was held on May 21, 2013 at 7:30 p.m. in the Commissioners' Hearing Room, 123 5th Avenue North, Okanogan, Washington.

BOARD OF ADJUSTMENT MEMBERS present included: Chair Steve Kunkel, Board Member Dan DeWeert, Board Member Loren Holthaus, Board Member Dave Hanna, Board Member Dan Christensen, and Board Member George Hoksbergen,

OKANOGAN COUNTY STAFF in attendance included: Director of Planning Perry Huston, and Administrative Secretary Sharon McKenzie.

APPELLANT/APPLICANTS OR THEIR REPRESENTATIVES in attendance: Reed Sherar

OTHERS in attendance: Matt R. Newell, Bob Notsen, Dianne Anderson, Rick Anderson, Peggy Hill, Stewart Hill, Bonnie Siegfried, J. W. Ford, Spurlin Soya, Roger Sawyer, Lori Sawyer, and Bryan Sawyer.

The meeting was called to order by Chair Steve Kunkel at 7:30 p.m.

Approval of the Agenda

Board Member DeWeert moved to approve the May 21, 2013 Board of Adjustment Agenda. Board Member Holthaus seconded the motion. Motion passed.

Approval of July 17, 2012 Meeting Minutes

Board Member Hoksbergen moved to approve the July 17, 2012, meeting minutes as presented. Board Member DeWeert seconded the motion. Motion was passed.

Election of officers:

Board Member DeWeert moved for a unanimous ballot for the slate of officers as follows: Chair Steve Kunkel and Vice Chair Harlan Warner. Board Member Holthaus seconded the motion. Motion passed.

Old Business

There are no continuances for this meeting.

New Business

Public Hearing #1

- **Columbia River Carbonates CUP 2013-1 (Amendment to CUP 2007-12)**

Chair Kunkel asked Director Perry Huston to present the history and project summary of the **Columbia River Carbonates CUP 2013-1 (Amendment to CUP 2007-12)**. Chair Kunkel requested the Staff Report be entered into the record.

Director Huston explained an application was submitted by Columbia River Carbonates (CRC) of Woodland, WA to amend Conditional Use Permit CUP 2007-12. Director Huston explained:

- Proponent proposes to relocate their crushing operations.
- The proposal is within the footprint of the original CUP.
- A Mitigated Determination of Non-Significance (MDNS) was issued and noticed.
- The conditions for the mitigations are incorporated in the amendment.
- Most of the findings are a reiteration of existing regulation.
- Proponent will construct a new haul road into the crushing site.
- Proponent will lower the mining excavation 100 feet from the current maximum elevation of 3,775 feet to 3,675 feet.
- The site is located off of Toroda Creek Road 5 miles north of Wauconda
- There was one comment by an adjoining landowner expressing concern with the value of her property. It was noted no condition was imposed to address this issue as land value is difficult to quantify.
- A final SEPA was issued, noticed and not appealed.

Chair Kunkel asked the Proponent to come forward to speak to the issue.

Reed Sherar, General Counsel CRC residing in Woodland, WA, came forward and presented a power point presentation on the company and the proposed project. The presentation included:

- A brief summary of Columbia River Carbonates.
- The products made from the high quality calcium extracted from the Wauconda location.
- Production and site statistics on the Wauconda site
- Reviewed the permit history on the Wauconda site.
- Noted the permit proposal of 2007 was abandoned due to the discovery of poor quality material and the new proposal is for much high quality material.
- Explained proposal included:
 - New location for crusher pad
 - Haul road
 - Office trailer at west side of pad
- Revision will extend the quarry life from 7 years to 15-20 years. .
- Department of Natural Resources has no problem with increased depth but requires a new reclamation plan.
- Noted mining operations cannot go into ground water

There was further discussion on the perceived impacts:

Traffic

- There would be no increase in number of trucks.
- Production will be the same
- No additional mitigation for traffic is required.

Air Quality

- Stationary rock crusher will be required
- Ferry County PUD brought in 3 phase and diesel emissions have been eliminated.
- CRC has revised existing plan regarding fugitive dust.
- Speed limit is in place
- Water truck is on sight
- Screen cover is required
- Misters will be used
- If winds exceed 30 mph, the operation will be shut down

Water

- The wetland is fenced.
- There is no ground water being affected as determined through test drilling.
- There is no run off to Meadow Creek
- Storm water runoff is channeled and contained.

Wildlife

- 700 acres of undisturbed land surrounds permitted site
- Required reclamation will enhance wildlife and area will be re-vegetated.
- Top soil is kept in berms for the re-vegetation

Lighting

- There will be 3 lights for the pressure pad area to be used only in early mornings/evenings in winter and in emergencies.
- They will be shielded and be lower down on the natural terrain.

Noise

- Current location creates noise off high walls into valley and to the north/east.
- Lowering elevation 200' will shield noise.

General

- All conditions will remain in effect
- All permit requirements for Department of Ecology (DOE) will be met
- All permit requirements for DNR will be met.

Mr. Sherar asked if there were any questions.

Matt Newell, who works for CRC came forward to address the question on the depth of the groundwater. He said he has done core drilling of 14 – 15 test holes and did not encounter any ground water. He noted the test holes were 100 ft. lower than the intended depth of the proposal mining operation.

Chair Kunkel asked if there were any questions from the Board. There being no further questions, Chair Kunkel asked if anyone wished to testify.

Spurlin Soya residing in Wauconda said she was there before the mine. She said they are working within the law and are good neighbors. She said the mining site is an industrial park. Ms. Soya said this impacts her quality of life. She noted the work has been done, the pad is in and it remains to be seen what affects the noise and lights will have.

Chair Kunkel asked if anyone else wished to testify. There being no further testimony, Chair Kunkel closed the hearing to public testimony.

Chair Kunkel asked if there were any questions or discussion from the Board.

Addressing the question of noise, it was noted the relocation should reduce noise and Mr. Sherar said CRC can create a berm if needed which should help. He said he will communicate with Ms. Soya regarding the noise issue. He noted the State has specific limits to the noise levels. He said CRC had an engineer taking tests. It has been determined CRC was within the ordinance levels.

Director Planning noted he cannot enforce "working with her" and suggested the Board make the berm a condition of the project.

The Board requested the addition of the berm for noise abatement be added as a condition.

There being no other questions or discussion, Chair Kunkel said he would entertain a motion.

Board Member Dan DeWeert moved to approve the **Columbia River Carbonates, Conditional Use Permit, 2013-1 (an amendment to CUP 2007-12)**, and direct the Staff to draft a resolution which will approve the conditional use permit adopting findings of fact, conclusions of law and the conditions of approval which will include the noise abatement mitigation. Board Member Holthaus seconded the motion. Motion passed.

Chair Kunkel adjourned the meeting 8:38 PM.

Summary of Motions

Board Member DeWeert moved to approve the May 21, 2013 Board of Adjustment Agenda. Board Member Holthaus seconded the motion. Motion passed.

Board Member Hoksbergen moved to approve the July 17, 2012, meeting minutes as presented. Board Member DeWeert seconded the motion. Motion was passed.

Board Member DeWeert moved for a unanimous ballot for the slate of officers as follows: Chair Steve Kunkel and Vice Chair Harlan Warner. Board Member Holthaus seconded the motion. Motion passed.

Board Member Dan DeWeert moved to approve the Columbia River Carbonates, Conditional Use Permit, 2013-1 (an amendment to CUP 2007-12), and direct the Staff to draft a resolution which will approve the conditional use permit adopting findings of fact, conclusions of law and the conditions of approval which will include the noise abatement mitigation. Board Member Holthaus seconded the motion. Motion passed.

Respectfully submitted,
Sharon S. McKenzie
Administrative Secretary