

# ENVIRONMENTAL CHECKLIST

## "USE BLACK INK ONLY"

1. Proponent (c): Thurston County  
Address: 2000 Lakeridge Drive SW  
Olympia, WA 98502  
Phone: 360-754-5490
2. Representative: Olivia Story  
Development Services  
Address: same  
  
Phone: 360-754-3355 ext. 5477
3. Property Address or location  
(e): County-wide
4. 1/4 S/T/R (f): n/a
5. Tax Parcel # (g): n/a
6. Total Acres: N/A

* * * * OFFICIAL USE ONLY * * * *
SEPA # (a): <u>12 101777</u>
Case # (b): <u>2012100594</u>
Related Cases: _____
Date Received: <u>2/28</u> By: _____
Submittal: Complete <input type="checkbox"/> Incomplete <input type="checkbox"/>
Information Requested: _____
Proposal (d): <u>Non-project Code</u> <u>Amendments for Mineral</u> <u>Lands designation</u>
* * * * OFFICIAL USE ONLY * * * *

7. Permit Type: Comprehensive Plan and associated development regulation amendments
8. Zoning: varies
9. Shoreline Environment: n/a
10. Water Body: n/a
11. Brief Description of the Proposal and Project Name:

Mineral Lands of Long Term Commercial Significance Designation – This project is in response to WWGMHB Case No.10-2-0020c

The goal of this amendment is to respond to the decision issued on May 23, 2011, by the Western Washington Growth Management Hearings Board (WWGMHB) that Thurston County's comprehensive plan does not comply with the Growth Management Act (GMA).

October 17, 2003 – The Board of County Commissioners (Board) approved Ordinance No. 13030 which enacted a moratorium on new mineral lands designations, mineral extraction or their accessory uses on sites outside of already designated mineral lands of long term commercial significance, and new asphalt plants (except in the Rural Resource Industrial zoning district). The Board then established a task force to review the issues and recommend changes. The mineral lands task force met from January through June 2004. Their final recommendations report was reviewed by the Planning Commission several times during their review process.

The Planning Commission formed a sub-committee and made their final recommendation to the remaining members of the Planning Commission on October 21, 2009. The Planning Commission then held a public hearing in November 2009 and made their recommendation to the Board in January 2010.

After several work sessions in early 2010, and a public hearing, the Board adopted regulations on September 7, 2010 to change the mineral lands designation criteria. Resolution No. 14401 amended the designation criteria in the Comprehensive Plan for designating mineral lands of long term commercial significance. Ordinance No. 14402 amended the associated Thurston County Code designation criteria. Ordinance No. 14402 also prohibited mineral extraction outside of sites designated as mineral lands of long term commercial significance. Designating

new mineral lands of long term commercial significance now requires a comprehensive plan amendment.

In its Final Decision and Order dated May 23, 2011, the Western Washington Growth Management Hearings Board found Thurston County must reconsider seven of the 23 issues brought by the challenge. In summary, the Hearings Board found that Thurston County:

- **Failed to show record that Thurston County considered minimum state guidelines.** While jurisdictions are not required to follow minimum state guidelines, they are required to show record that they at least *considered* them. According to the Growth Management Hearings Board, Thurston County showed inadequate record of its consideration of the minimum guidelines, particularly when the county barred the co-designation of mineral-resource lands and forest lands, and prohibited land from being designated as mineral-resource land if it contained certain types of critical areas. The minimum guidelines are discussed on the following page. Among other things, the plaintiffs held that Thurston County's prohibition against mining in forest-resource lands barred the expansion of one of the state's primary quarries that provides a unique type of rock used in marine jetties. Thus, the plaintiffs claimed, Thurston County violated the goals of the GMA to maintain and enhance the mineral resource industry.
- **Failed to comply with the Growth Management Act's requirements for protecting critical areas.** In summary, the Hearings Board found that Thurston County's prohibition on designating mineral resource lands if they contain certain types of critical areas amounts to a defacto type of critical areas protection that is not supported by Best Available Science.
- **Violated standards for public participation** as set forth in RCW 360.70A.035(2): The Growth Management Hearings Board found that, after holding public hearings, Thurston County made significant revisions to the drafts of Resolution No. 14401 and Ordinance No. 14402 and then approved them. (Those revisions banned the co-designation of mineral lands of long-term commercial significance and forest lands of long-term commercial significance.) The Hearings Board found that, because of those significant revisions, Thurston County should have provided the public with an additional opportunity to review and comment.

The County was not found out of compliance for requiring a comprehensive plan amendment for the designation of mineral lands of long-term commercial significance, nor was the county found out of compliance for limiting mineral extraction to designated mineral lands.

The seven compliance issues were thoroughly reviewed by the Thurston County Planning Commission during several work sessions through 2011 and January of 2012. The Planning Commission held a public hearing on February 8, 2012. After the hearing, the Planning Commission went into a work session, considered the merits of the Best Available Science and other information provided by staff and the public during the work sessions, and made its recommendation accordingly. The Planning Commission recommended amendments include changes to:

- Chapter 3 Natural Resources in the Thurston County Comprehensive Plan
- Chapter 20.30B.030 of the Thurston County Code

The proposed changes are briefly outlined below. A more detailed explanation of the changes and the reasoning for the changes can be found in attached staff report and memorandum. Also attached for reference is the full draft amendment to Chapter 3 Natural Resources in the Thurston County Comprehensive Plan, and Chapter 20.30B.030 of the Thurston County Code.

- The requirement for a Department of Natural Resources Permit Subsection 20.30B.030(1)(d) TCC may be deleted as it is no longer necessary.
- In Title 20, Subsection 20.30B.030(1)(f) TCC, and in the Comprehensive Plan, Chapter 3 (9), prohibit the designation of mineral resource lands in designated forest lands, thus making the County's rules

consistent with the intent of Ecology's SEPA and climate change goals as identified in the Department of Ecology's Implementation Working Group (IWG) recommendations report (October, 2008).

Climate change refers to the changes in modern climate which are likely to have been in part caused by human action. Development can contribute to climate change in the following ways:

- The manufacture and transportation of materials used in construction
- The use of machinery during construction that burns gasoline and diesel
- The use of energy to heat and light completed structures
- The use of gasoline and diesel for transportation of people and goods to and from the development
- Loss of forest and vegetation for the purposes of carbon sequestration.

Forests serve a valuable function in the sequestration of carbon. Forest conversion affects carbon storage in multiple ways:

- currently stored carbon in trees and other biomass is released
- potential for future carbon sequestration is lost
- soil disturbance releases additional carbon

There is compelling research demonstrating the benefits of conserving intact forested lands, among them carbon sequestration, air and water quality, recreation, and habitat. In an attempt to sequester greenhouse gases in the large and valuable forests, Thurston County will prohibit the designation of mineral lands of long term commercial significance in the forested areas.

- Title 20, Subsection 20.30B.030(1)(i) TCC, and the Comprehensive Plan, Chapter 3, may prohibit mineral resource lands shall within the Zone 1 (one-year) or Zone 2 (five-year) Horizontal Time of Travel boundaries for any Group A Public Water System.
- In title 20, Subsection 20.30B.030(1)(iv) TCC, and in the Comprehensive Plan, Chapter 3, mineral resource lands shall not include habitats of primary association to species listed as endangered or threatened under the Endangered Species Act or state law and their buffers as established by the Critical Areas Ordinance at the time of designation.
- In title 20, Subsection 20.30B.030(1)(i) TCC, and in the Comprehensive Plan, Chapter 3, mineral resource lands shall not include agriculture lands of long term commercial significance, historical/cultural preservation sites, and any Federal Emergency Management Agency (FEMA) one hundred-year floodplain.
- In title 20, Subsection 20.30B.030(1)(ii) TCC, and the Comprehensive Plan, Chapter 3, mineral resource lands shall not include Category (class) One (1) or Two (2) wetlands or their protective buffers, but may include Category (class) Three (3) and Four (4) wetlands.
- In title 20, Subsection 20.30B.030(1)(vi) TCC, and the Comprehensive Plan, Chapter 3, mineral resource lands shall be located away from geologically hazardous areas such as marine bluffs, the bluff area in the Nisqually Hillside Overlay, or areas that would cause a public safety hazard, but may include steep and/or unstable slopes as provided by the Critical Areas Ordinance.

12. Did you attend a presubmission conference for this project? No.

If yes, when? \_\_\_\_\_

13. Estimated Project Completion Date: April 17, 2012

14. List of all Permits, Licenses or Government Approvals Required for the Proposal (federal, state and local—including rezones): Approval by Western Washington Growth Management Hearings Board

15. Do you have any plans for future additions, expansion or further activity related to or connected with this

proposal? If yes, explain:

No.

16. Do you know of any plans by others which may affect the property covered by your proposal? No If yes, explain:

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17. Proposed timing or schedule (including phasing, if applicable): Adoption by April 17, 2012 by Board of County Commissioners.

18. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

See attached document labeled, "Mineral Lands List of sources."

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ENVIRONMENTAL ELEMENTS

Evaluation for  
Agency Use Only

To be Completed by Applicant

1. Earth

- a. **General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other \_\_\_\_\_.**

Varied throughout County.

- b. **What is the steepest slope on the site (approximate percent slope)?**

Varied throughout County.

- c. **What general types of soils are found on the site (for example, clay, sand gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.**

Varied throughout County.

- d. **Are there surface indicators or history of unstable soils in the immediate vicinity? If so, describe.**

N/A

- e. **Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.**

N/A

- f. **Could erosion occur as a result of clearing, construction, or use? If so, generally describe.**

N/A

- g. **About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**

N/A

- h. **Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**

N/A

2. Air

- a. **What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.**

N/A

- b. **Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**

N/A

- c. **Proposed measures to reduce or control emissions or other impacts to air, if any:**

There is compelling research demonstrating the benefits of conserving intact forested lands, among them carbon sequestration, air and water quality, recreation, and habitat. In an attempt to sequester greenhouse gases in the large and valuable forests, Thurston County proposes to prohibit the designation of mineral lands of long term commercial significance in the forested areas.

3. Water

a. Surface

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

N/A

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

N/A

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A

- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

N/A

- (5) Does the proposal lie within a 100-year flood plain? If so, note location on the site plan.

N/A

- (6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A

b. Ground

- (1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximately quantities if known.

N/A

- (2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: domestic sewage; industrial, containing the following chemicals . . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

To be Completed by Applicant

N/A

c. Water Run-off (including stormwater)

- (1) Describe the source of runoff (including stormwater) and method of collection and disposal, if any (include quantities, in known). Where will this water flow? Will this water flow into other waters? If so, describe.

N/A

- (2) Could waste materials enter ground or surface waters? If so, generally describe.

N/A

- d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

N/A

4. Plants

- a. Check or circle types of vegetation found on the site:

N/A

- Deciduous tree: alder, maple, aspen, other
- Evergreen tree: fir, cedar, pine, other
- Shrubs
- Grass
- Pasture
- Crop or grain
- Wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
- Water plants: water lily, eelgrass, milfoil, other
- Other types of vegetation

- b. What kind and amount of vegetation will be removed or altered?

N/A

- c. List threatened or endangered species known to be on or near the site.

N/A

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

N/A

5. Animals

- a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

Birds: hawk, heron, eagle, songbirds, other: N/A  
Mammals: deer, bear, elk, beaver, other: N/A  
Fish: bass, salmon, trout, herring, shellfish, other: N/A

- b. List any threatened or endangered species known to be on or near the site.

N/A

To be Completed by Applicant

- c. Is the site part of a migration route? If so, explain.

N/A

- d. Proposed measures to preserve or enhance wildlife, if any:

N/A

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

N/A

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

N/A

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

N/A

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

N/A

- (1) Describe special emergency services that might be required.

N/A

- (2) Proposed measures to reduce or control environmental health hazards, if any:

N/A

- b. Noise

- (1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

N/A

- (2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

N/A

- (3) Proposed measures to reduce or control noise impacts, if any:

N/A

To be Completed by Applicant

Evaluation for  
Agency Use Only

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties?

N/A

b. Has the site been used for agriculture? If so, describe.

N/A

c. Describe any structures on the site.

N/A

d. Will any structures be demolished? If so, what?

N/A

e. What is the current zoning classification of the site?

N/A

f. What is the current comprehensive plan designation of the site?

N/A

g. If applicable, what is the current Shoreline Master Program designation of the site?

N/A

h. Has any part of the site been classified an "environmentally sensitive" area? If so, specify.

N/A

i. Approximately how many people would reside or work in the completed project?

N/A

j. Approximately how many people would the completed project displace?

N/A

k. Proposed measures to avoid or reduce displacement impacts, if any?

N/A

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

N/A

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high-, middle-, or low-income housing.

N/A

b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle-, or low-income housing.

To be Completed by Applicant

Evaluation for  
Agency Use Only

N/A

- c. **Proposed measures to reduce or control housing impacts, if any:**

N/A

10. Aesthetics

- a. **What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**

N/A

- b. **What views in the immediate vicinity would be altered or obstructed?**

N/A

- c. **Proposed measures to reduce or control aesthetic impacts, if any:**

N/A

11. Light and Glare

- a. **What type of light or glare will the proposal produce? What time of day would it mainly occur?**

N/A

- b. **Could light or glare from the finished project be a safety hazard or interfere with views?**

N/A

- c. **What existing off-site sources of light or glare may affect your proposal?**

N/A

- d. **Proposed measures to reduce or control light and glare impacts, if any:**

N/A

12. Recreation

- a. **What designated and informal recreational opportunities are in the immediate vicinity?**

N/A

- b. **Would the proposed project displace any existing recreational uses? If so, describe.**

N/A

- c. **Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**

N/A

13. Historic and Cultural Preservation

- a. **Are there any places or objects listed on, or proposed for, national, state, or**

To be Completed by Applicant

local preservation registers known to be on or next to the site? If so, generally describe.

N/A

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

N/A

- c. Proposed measures to reduce or control impacts, if any:

N/A

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

N/A

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

N/A

- c. How many parking spaces would the completed project have? How many would the project eliminate?

N/A

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

N/A

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

N/A

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

N/A

- g. Proposed measures to reduce or control transportation impacts, if any:

N/A

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, and schools, other)? If so, generally describe.

N/A

- b. Proposed measures to reduce or control direct impacts on public services, if any.

N/A

16. Utilities

To be Completed by Applicant

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuses service, telephone, sanitary sewer, septic system, other.

N/A

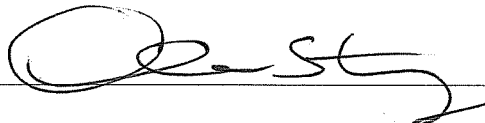
- b. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed.

N/A

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Date Submitted: 3-6-12

Signature:  \_\_\_\_\_

To be Completed by Applicant

SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS  
(do not use this sheet for project actions)

Non-project proposals are those which are not tied to a specific site, such as adoption of plans, policies, or ordinances.

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent the proposal or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. **How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**

The designation of mineral lands of long term significance may potentially have an impact on storm water runoff, emissions to the air, and increased noise in the surrounding vicinity.

**Proposed measures to avoid or reduce such increases are:**

To mitigate any impacts, a project specific application must comply with all of the Thurston County regulations including the Critical Areas Ordinance and SEPA. Applications for a mining permit will also be required to be reviewed by Thurston County's Environmental Health department as well as the Development Review department and ORCAA.

2. **How would the proposal be likely to affect plants, animals, fish, or marine life?**

The nature of mining is to remove the overburden including any vegetation that is on the site. There is also the potential for an increase in sediment in streams or rivers due to mining operations. These concerns are resolved through onsite preventive measures such as berming and runoff collection.

**Proposed measures to protect or conserve plants, animals, fish, or marine life are:**

Any project specific application must comply with all of the Thurston County regulations including the Critical Areas Ordinance and through a site specific SEPA review. Critical areas are protected under the Shoreline Master Program for the Thurston Region. Additionally, mineral resource lands are proposed to be prohibited from habitats of primary association to species listed as endangered or threatened under the Endangered Species Act or state law and their buffers as established by the Critical Areas Ordinance.

3. **How would the proposal be likely to deplete energy or natural resources?**

No increased or additional energy resource consumption has been identified. However, this will be used to mine and possibly deplete mineral resources, specifically sand and gravel.

**Proposed measures to protect or conserve energy and natural resources are:**

The designation of mineral resource lands will take place in order to protect the resources from incompatible surrounding land uses or development from occurring on rich resource lands.

Not designating ML in  
Cat 1 + 2 wetlands, F  
streams will minimize  
or avoid impacts to  
water, air, etc.

Not designating ML in  
Marine Bluffs, wetland  
Cat 1 + 2, Important  
habitat areas, Floodpl  
will minimize or avoid  
potential impacts

Conversion of LTF to  
mining will have a loss  
of forestry natural reso  
in the short + long term  
similar to conversion of  
Ag land to mining.

Not designating these  
areas will minimize or  
avoid impacts to natural  
resource lands. Retaining  
timberland will minimize  
impacts to carbon seque  
at climate change.

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Mineral lands of long term commercial significance are proposed to be prohibited from designated forestry areas. Therefore, the depletion of forest areas due to the mineral lands designation is not anticipated.

Further, mineral lands of long term commercial significance are proposed to be prohibited from agricultural lands of long term commercial significance. Therefore, the depletion of agricultural areas due to the mineral lands designation is not anticipated.

- 4. **How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains, or prime farmlands?**

The nature of mining is to remove the overburden including any vegetation that is on the site. There is also the potential for an increase in sediment in streams or rivers due to mining operations. These concerns are resolved through onsite preventive measures such as berming and runoff collection.

**Proposed measures to protect such resources or to avoid or reduce impacts are:**

Zone 1 (one-year) or 2 (five-year) horizontal time of travel boundaries for group A public water systems, habitats of primary association to species listed as endangered or threatened under the Endangered Species Act or state law, class I and II wetlands, agricultural lands of long term commercial significance, historical/cultural preservation sites, and marine bluffs and Nisqually Hillside overlay were excluded from consideration for designation of mineral lands of long term commercial significance. Parcels that contain critical areas are protected under the Thurston County Code including Critical Area Ordinance and the Shoreline Master Program for the Thurston Region and through a site specific SEPA review.

- 5. **How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**

The Shoreline Master Program is the County document which governs development on the shorelines in compliance with the State Shoreline Management Act. The Shoreline Master Program regulations severely limit the ability to convert such areas to mineral resource lands.

Land uses may potentially change from their current use to designated mineral lands of long term commercial significance. This designation would inform nearby landowners of the potential of the designated area to be mined. If land is designated as mineral lands of long term commercial significance, the land would have to meet all the requirements in the comprehensive plan. The potential land uses would be compatible.

**Proposed measures to avoid or reduce shoreline and land use impacts are:**

All designations and proposals must comply with Thurston County Code including the Critical Area Ordinance and the Shoreline Master Program. Additionally, SEPA review is required at the time of a site specific project

*Designation in parks  
habitats historical sites  
et. could be impact the  
areas.*

*Not designating these  
areas for ML will  
help avoid impacts  
and conflicts.*

*By designating LT  
ML ~~is~~ and using  
criteria will  
minimize land use  
conflict.*

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6. **How would the proposal be likely to increase demands on transportation or public services and utilities?**

The proposal may increase truck traffic in the locations of the permitted mines

**Proposed measures to reduce or respond to such demand(s) are:**

To mitigate any impacts, project specific applications for a mineral extraction permit must comply with all of the Thurston County regulations and will be required to be reviewed by Thurston County's Environmental Health department as well as the Development Review department. Applications will require a site specific review to address road improvements, stormwater and road standards. Additionally, coordination with state roads (DOT) will be required.

7. **Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**

No conflict has been identified. The purpose of the proposed amendments is to come into compliance with the GMA by responding to the ruling in WWGMHB Case No. 10-2-0020c