BEFORE THE HEARING EXAMINER
IN AND FOR THE COUNTY OF THURSTON

In the Matter of the Application of ) Project # 2010-101170

Maytown Sand & Gravel, LLC )

For Approval of a Amendment ) PRE-HEARING ORDER
of Mineral Extraction )
Special Use Permit SUPT-02-0612 )

On January 6, 2011, Sharon A. Rice, Thurston County Hearing Examiner pro tem held a pre-hearing conference with the following individuals:

For Maytown Sand & Gravel (the Applicant):
John Hempelmann, Cairncross & Hempelmann

For the County:
Jeff Fancher, Thurston County Prosecuting Attorney’s Office
Michael Kain, Thurston County Resource Stewardship Department

For Interested Party Port of Tacoma:
Tayloe Washburn, Foster Pepper

For Friends of Rocky Prairie (FORP):
Patrick Williams, Attorney
Sharron Coontz

For Black Hills Audubon Society (BHAS):
Debra Jaqua

Several other individuals listened in to the telephone conference without participating in the procedural discussions.

During the telephone conference, those participating agreed to the following tentative schedule for the pending hearing on the SUP amendment application and on the potential hearing in any appeal of the County's SEPA environmental threshold determination:
1. The SEPA determination will tentatively issue on January 12, 2011 depending on further comments received by the County. If this occurs, comment and appeal periods on the SEPA determination should be complete in the week starting January 31, 2011.

2. Given the large number of persons coordinating schedules, it is necessary to schedule potential hearing dates in advance despite the present lack of certainty regarding when the matter(s) will be ready to proceed.

3. Due to scheduling conflicts for the County participants, the last week of February and the first week of March are unavailable.

4. The hearing on the SUP amendment application, and a consolidated SEPA appeal on the threshold determination, if any, will be held March 7, 2011 at Heritage Hall at the Thurston County Fairgrounds. Because the Applicant believes it is possible that one or more SEPA appeals will be filed, the parties agreed to set aside three days for the open record public hearing in this matter.

5. A second pre-hearing conference will be convened at 10:30 am on Tuesday February 15, 2011. At the time of the second prehearing conference, parties will be prepared to address: the issues within the scope of the SUP amendment application and issues on appeal in any SEPA appeal. The second conference will include establishing a timeline for exchange of exhibit and witness lists and pre-hearing briefing.

6. BHAS was not represented by counsel at the time of this call. In the event that BHAS becomes an appellant and is represented by counsel who has a conflict on either of the above dates, such counsel may submit a notice of appearance and request to reschedule.

7. Procedural questions about this order may be directed to the Examiner in writing via the Office of the Hearing Examiner, Attention Cami Petersen:

   peteresc@co.thurston.wa.us
   fax (360) 754-2939
   Thurston County Resource Stewardship
   Attn: Sharon Rice, Hearing Examiner pro tem
   2000 Lakeridge Drive SW, Bldg. 1
   Olympia, WA 98502

   Documents may be emailed or faxed for expedience; however, an original of each document must be provided for the Hearing Examiner file.

ORDERED January 6, 2011.

[Signature]
Sharon A. Rice
Thurston County Hearing Examiner pro tem