

**Mineral Lands Task Force
Minutes Meeting #5
March 14, 2012
6:00 – 8:00 P.M.
6701 NE 147th Avenue**

Attendees: Richard Dyrland, Richard Fazio, Linda Rectanus, Bob Short

Staff: Mike Mabrey, Jan Bazala

Minutes of the February 21 meeting were approved as written.

Second review of current mining policies: Mike noted that policy 3.5.8 which prohibits mining within the 100-year floodplain should remain because not all of the 100-year floodplain is protected by the Shoreline Master Program. Also the Western Washington Growth Management Hearings Board had previously upheld the county's right to establish this restriction. After some discussion the group agreed that policies 3.5.8 and 3.5.10 should be retained as is. Changes proposed by Prosecuting Attorney Chris Horne to the language in Policy 3.5.12 were also approved.

The group recommended that three options for Policy 3.5.15 be provided to the Board regarding whether the surface mining overlay should be prohibited from being applied to rural residential zones. Language under the Strategies For Resource Lands was amended to reflect the fact that the inventory is now a map, not a list. (see Policies attachment)

Review of county code related to surface mining: After reviewing the language in 40.260.120 on Mines, Quarries and Gravel Pits, the consensus was to move some sections to the Surface Mining Overlay code and delete the rest. (see attached draft) This code section didn't seem to serve any purpose.

The group agreed to delete 40.250.020(C) Accessory Uses because this is an overlay zone and storage of hazardous waste could be incompatible with the underlying zoning district.

The site area and lot width standards were deleted because these uses would be subject to a conditional use permit, so minimum area and lot width standards weren't needed. The language on fencing was changed to remove reference to DNR standards which don't exist. The noise level standard was amended to defer to standards and mitigation measures identified in the SEPA document.

Stormwater and erosion control standards were amended to apply current county standards to areas outside the mine itself. Dick Dyrland agreed to research groundwater and well monitoring standards used in the mining industry.

There was no clear consensus on what dust and odor standards should apply. Industry members noted that MSHA enforces dust standards strictly. [The attached draft includes language taken from the Temporary Use standards in county code.]

Similarly, what standards should apply, if any, pertaining to structural surveys of nearby structures prior to mining were left to be determined, possibly as a SEPA issue. It was recognized that property owners could not be forced to allow the surveys to be conducted.

The proposed additional submittal requirements pertaining to stormwater and existing conditions were accepted without changes. There followed more discussion about alternatives to back-up alarms and the noise impacts of truck brakes coming from Livingston Mountain.

The next meeting was tentatively set for Wednesday, April 11. [PLEASE NOTE: I will not be available on April 11. Does April 18 work for everyone?]