SKAGIT COUNTY PLANNING & DEVELOPMENT SERVICES DEPARTMENT
SUPPLEMENTAL STAFF REPORT/FINDINGS OF FACT:

HEARING AUTHORITY:	Skagit County Hearing Examiner
HEARING DATE:	December 7, 2026
PROJECT NAME:	Concrete Nor'West Gravel Mine
APPLICATION NUMBER(S):	PL16-0097, Special Use Permit Application PL16-0098, Forest Practice Conversion Application
APPLICANT:	Concrete Nor'West / Miles Sand & Gravel c/o: Dan Cox, General Manager P.O. Box 280 Mount Vernon, Washington 98273 Dan.Cox@miles.rocks
LANDOWNER:	Lisa Inc. Attention: Concrete Nor'West 400 Valley Avenue Northeast Puyallup, Washington 98372
AGENT/LAND SURVEYOR:	John Semrau, PLS, PE Semrau Engineering & Surveying 2118 Riverside Drive, Suite 208 Mount Vernon, Washington 98273 john@semrau.com
APPLICANT'S ATTORNEY:	William T. Lynn and Reuben Schutz Gordon Thomas Honeywell 600 University, Suite 2100 Seattle, Washington 98101 blynn@gth-law.com, rschutz@gth-law.com
PROJECT PLANNER:	Kevin Cricchio, AICP, RPP, MCIP, ISA Senior Planner Skagit County Planning & Development Services 1800 Continental Place Mount Vernon, Washington 98273

PROJECT LOCATION:

The proposed properties subject to the mining operation are located approximately 1.5 miles north of Grip Road and south/southwest of the Samish River, within a portion of the Southeast Quarter of Section 27; Township 36 North; Range 04 East; Willamette Meridian within unincorporated Skagit County, Washington.

SUBJECT PARCELS:

A. Proposed Mine/Quarry: P125644, P125645, & P50155

B. Haul Road: P125646, P125647, P125626, P125627, P125628, P125629, P125630,P125631, P125623, P125624, P125632, P125633, & P35704

C. Contiguous Subject Parcels (Under Same Ownership): P125648, P125649, P50087, P125618, P125634, P125640, P125619, P125635, P125641, P125620, P125636, P125642, P125621, P125637, P125643, P125622, P125638, P125639, P125625 & P35730

SUBJECT PROPOSAL:

On March 7, 2016, Skagit County Planning & Development Services received an application for a **Special Use Permit** (**File: PL16-0097**) to permit a proposed gravel mine/quarry on the subject property. The proposed gravel mine would remove approximately 4,280,000 cubic yards of gravel from three parcels (P125644, P125645, & P50155) over a period of approximately 25 years. The three parcels total approximately 77 acres, of which 68 acres will be cleared, however the mining will occur on approximately 51 acres of the 68-acre cleared area. Gravel will be removed from the site by truck and trailer, generating an average of 46 trips per day, and the material will be transported to market or to one of Concrete Nor'West's nearby facilities for processing. The site is accessed from Grip Road on an existing private gravel haul road located approximately 0.70 miles east of the Prairie Road/Grip Road intersection. Operations onsite will be limited to excavation. No processing is proposed onsite. The applicant is proposing to haul material from 7:00 AM to 5:00 PM Monday through Friday.

In addition to the Special Use Permit application, the applicant also applied for a **Forest Practice Conversion application** (**File: PL16-0098**). To facilitate the proposed mining/quarry operation onsite, the applicant proposes to harvest approximately 50,000 board feet of timber on 68 acres, remove the stumps, and convert the parcels to a gravel mining operation. Both applications were determined to be complete on **March 22, 2016,** and a letter of completeness was issued for the applications.

ZONING: Rural Resource-Natural Resource Lands (RRc-NRL)

OVERLAY DISTRICT: Mineral Resource Overlay (MRO)

DESCRIPTION OF PROPOSED USE:

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on the subject property. The proposed gravel mine would remove approximately 4,280,000 cubic yards of gravel from three parcels (P125644, P125645, & P50155) over a period of approximately 25 years. The three parcels total approximately 77 acres, of which 68 acres will be cleared, however the mining will occur on approximately 51 acres of the 68-acre cleared area. Gravel will be removed from the site by truck and trailer, generating an average of 46 trips per day, and the material will be transported to market or to one of Concrete Nor'West's nearby facilities for processing. The site is accessed from Grip Road on an existing private gravel haul road located approximately 0.70 miles east of the Prairie Road/Grip Road intersection. Operations onsite will be limited to excavation. No processing is proposed onsite. The applicant is proposing to haul material from 7:00 AM to 5:00 PM Monday through Friday. In addition to the Special Use Permit application, the applicant also applied for a Forest Practice Conversion application (PL16-0098). To facilitate the proposed mining/quarry operation onsite, the applicant proposes to harvest approximately 50,000 board feet of timber on 68 acres, remove the stumps, and convert the parcels to a gravel mining operation. Both applications were determined to be complete on March 22, 2016, and a letter of completeness was issued for the applications.

On February 22, 2022, a SEPA Mitigated Determination of Non-Significance (MDNS) with nineteen (19) mitigation measures was issued by Skagit County Planning & Development Services Department for the subject Hearing Examiner Special Use Permit and Forest Practice Conversion applications submitted by the applicant. An Addendum to the MDNS was **issued on November 2, 2026**. A copy of this can be found in **Exhibit #1** below.

SCOPE OF HEARING:

The application is before the Hearing Examiner on remand by the Board of County Commissioners. Resolution R20240293 provides that the Hearing Examiner is issue a decision in light of the entire record, but a single supplemental open record hearing must be held to include, at a minimum, updated testimony on road safety, traffic and necessary mitigation related to the proposed travel route for extracted material transport.

CHANGES TO THE ORIGINAL PROPOSAL:

In the time since the hearing in this matter, the applicant has adjusted their proposal to specifically include offsite improvements to Grip Road 0.43 miles east of the intersection of Grip Road and Prairie Road. The improvements would include widening the paved road surface by four feet in the northwest, three feet in the north, and five-and-a-half feet in the south. Two retaining walls will also be built along the south edge of Grip Road. The roadway will be expanded from 34 feet in width with two 11-foot drive lanes and two 6-foot shoulders. The shoulders will include 4 feet of pavement and two feet of gravel as a transition to the existing open ditch drainage. Widening of the roadway will require 550 linear feet of concrete faced sheet pile retaining wall. The purpose of these changes is to address safety concerns raised about trucks for the mine crossing the center line where the road curves and would satisfy mitigation measure 13.iv of the MDNS, which required such improvements to Grip Road.

NEW EXHIBITS:	
1.	November 2, 2026, Issued Addendum to SEPA MDNS
2.	September 3, 2026, email from Skagit County Engineer + 10/26/26 Memo
3.	October 26, 2026, letter from Miles Sand and Gravel's Attorney, William Lynn
4.	Applicant's October 6, 2026, Road Improvement Submittal: A. 11/4/25 Wetland Resource's Critical Area Study & Mitigation Plan B. 5/1/26 Semrau Engineering & Surveying's Drainage Report C. 10/5/26 SEPA Checklist D. 6/4/25 DN Traffic Consultant's Truck Path Summary Memo E. Semrau Engineering & Surveying's Revised Option 3 Site Plan F. Semrau Engineering & Surveying's Gripp Road Widening Plans G. 10/13/25 Associated Earth Sciences Incorporated Gripp Road Widening Project Subsurface Exploration, Geologic Hazard, and Preliminary Geotechnical Engineering Report

STAFF RECOMMENDATION:

Based on a review of the record and the applicable law and regulations, including the application material submitted, special use criteria, the environmental documents, technical documents, and testimony, staff continues to **recommend to the Hearing Examiner that the subject Special Use Permit & Forest Practice Conversion Permit applications be approved subject to conformance with the conditions of approval set forth in as listed below**.

CONDITIONS OF APPROVAL:[1]

1. The applicant shall obtain all necessary permits and approvals from federal, state, and local governments. Copies of permits obtained shall be provided to Skagit County's Planning & Development Services Department.
2. Prior to operation of the proposed mine, the applicant shall record a title notification with the Skagit County Auditor as per SCC 14.38.050.
3. The applicant shall develop and implement a Spill Prevention and Control Plan and a Storm Water Pollution Prevention Plan.
4. The applicant shall implement the Fugitive Dust Control Plan submitted with this application and utilize "Reasonably Available Control Technology" specified by the Northwest Clean Air Agency. During operations, the plan may be modified as necessary to control dust emissions. At no time shall dust emissions exceed standards established by the Northwest Clean Air Agency (NWCAA).

[1] These recommended conditions are primarily taken verbatim from those set forth in original Staff Report (Exhibit C-1), changes include updating citations to the Code, the addition of language to Condition 6, and new Conditions 15, 16, & 17. New text is indicated by being underlined.

5. The maximum allowable noise level per Chapter 173-60 WAC allowed to be emitted from this property, a Class C EDNA property, onto a Class A EDNA property (residential) is 60 decibels. Between the hours of 10:00 PM and 7:00 AM noise levels must be reduced by 10 decibels and not exceed 50 decibels. Noise levels continuously exceeding maximum allowable noise levels allowed under Chapter 173-60 WAC may be considered a violation of permit conditions and result in revocation, suspension, or modification of this special use permit by the Hearing Examiner.

6. Appropriate permits will be obtained from Skagit County Public Works prior to construction activity occurring within the County right-of-way. All utilities to be located and installed within the County Road Right-of-Way shall be in accordance with the current adopted version of the Skagit County Accommodation of Utilities on County Roads Right-of-Way policy. All road construction and installation work to be performed by Applicant in the right of way shall conform to most recently adopted, "Standard Specifications for Road, Bridge, and Municipal Construction," as well as "Standard Plans," as published by the Washington State Department of Transportation.

7. In the event that cut slopes from the mining operation exceed 50%. The top of the slope shall be fenced or otherwise marked to prevent access.

8. According to SCC 14.52.050(3)(c) a 100-foot buffer is required around the perimeter of the mining site during mining operations. Once the extraction and transportation operations have been completed, the 100-foot buffer may be utilized for reclamation of the parcel. The applicant has volunteered a 50-foot setback from the mining area around the north, south, and west perimeter of the mining area. As required in the issued SEPA MDNS, a 200-foot shoreline and critical area buffer is required on the east perimeter of the subject site. The 200-foot buffer shall be designated as a "Protected Critical Area (PCA), through a PCA agreement with the applicant.

   Accordingly, the applicant's land surveyor shall provide Skagit County's Planning & Development Services Department with a revised site plan that shows the 100-foot buffer, 50-foot setback, and 200-foot PCA as stated above.

9. Development shall comply with Skagit County's Public Health Department including but not limited to: The applicant will need to have spill plans and any necessary equipment and supplies in place to cleanup and report spills from equipment leaks and on-site fueling. For more information, contact Environmental Public Health at 360-416-1500.

10. All required internal and external improvements from both Skagit County's Planning & Development Services Department and Public Works Department shall be permitted, approved, and inspected prior to the subject gravel mine/quarry being open for business.

11. If any portable toilets are proposed for use onsite, the applicant shall comply Skagit County Public Health standards and obtain any required permits before use.

12. No development is permitted within the shoreline environment without first obtaining a shoreline permit from Skagit County's Planning & Development Services Department.

13. Development shall comply with all requirements of Skagit County's Fire Marshall's Office and Building Department.

14. The applicant shall comply with all Mitigation Measures of the February 22, 2022, issued SEPA Mitigated Determination of Non-Significance [MDNS] (See Exhibit 27).

15. Dedication of right-of-way as indicated by these plans shall be provided by the Applicant (at no expense to the County) and shall be recorded prior to acceptance by the County of such roadway improvements as shall be constructed by the Applicant (also at no expense to the County).

16. Additional development permits and additional environmental review may be required and may contain additional requirements and conditions not stated here.

17. Development shall comply with the Skagit County Planning & Development Services Department including but not limited to:

    A. Proof of purchase of wetland mitigation bank credits must be provided prior to start of improvements to Grip Road.