



August 30, 2024

Job No. 1960-002-020

Ms. Tracy Cui  
Principal Planner  
King County Department of Local Services  
Permitting Division  
201 S Jackson St  
Seattle, WA 98104

**RE: LUT421-0001 Hyde Rezone  
Notice Letter of Determination of Significance - Response Letter**

Dear Ms. Cui:

On behalf of Palmer Coking Coal Company LLP, ESM Consulting Engineers, LLC, is providing this letter in response to the comments that we received from King County dated February 7, 2024.

**Review of the Comments by King County, Local, State, and Tribal Agencies, and General Public**

In response to King County’s letter indicating the likelihood of requiring an Environmental Impact Statement (EIS); based on the information in Palmer’s 240-acre rezone application from R-5 and R-10 to mining, submitted on December 15, 2021, the applicant elects to update the data, analysis, and reports to address any potential adverse impacts of the environment. In further consideration, and after meeting with King County on August 8, 2024 to discuss the rezone application, Palmer requests to begin the process of an Environmental Impact Statement. In order to appropriately respond to the identified concerns, in view of an anticipated upcoming EIS, we reviewed comments by King County Examiners, local and tribal agencies, and fifty-nine (59) comments from the general public submitted to King County in mid-2023. Comments vary from potential impacts to ground water; wildlife and habitats; wetlands; area flooding; traffic; pollution to the air, water, or caused by noise; reclamation of the site; wildfire or forest fires; conservation; and, coal mine hazards. Additional comments included erroneously associating the subject project property with; 1) the neighboring aggregate and landfill operated by Green Section 30 (d.b.a. Franklin Ridge Sand and Gravel); 2) a rezone application for a coal mine; and 3) firearm discharges at the neighboring above-mentioned aggregate and fill operation. Two commenters included concerns for regulatory monitoring of the proposed mine-site by the appropriate King County and Washington State agencies.

In an effort to organize comments, a table is included with this resubmittal, identifying each commenter with concern(s).

## **Response to Comments**

Examiners provided a detailed response to the potential impacts under the State Environmental Protection Act (SEPA) checklist and referenced the specific comments from the City of Black Diamond, the Muckleshoot Tribe, Fish and Wildlife, and nearby resident to the subject property, Tim O'Brien. Palmer, in-turn, provides analysis under each section of the SEPA checklist evaluation with accompanying amended schematics and updated analysis and reports in support of an anticipated upcoming EIS. In an effort to provide concise and direct responses, the review comments below are in *italics* and our responses are in **bold**.

In further consideration, Palmer would like to offer additional perspective on the proposed Hyde Mine phased mining approach. Land practices, as an organization, should be evaluated as well as the history of overall attentiveness and cooperation with local, county, and state agencies. Palmer's four-phased approach to the Hyde Mine project details a smaller overall footprint during the lifespan of the operation. Each phase, starting from "1" through "4", will offer roughly 40-acre sections (i.e., with setbacks and buffers) for sand and gravel production. One phase will not begin until reclamation of the previous phase begins or is near completion, meaning topsoil, trees, grasses, stumps, and other organic material is reintroduced and habitats are created.

Lastly, Palmer is considered a steward by the County, City of Black Diamond, and Washington State Department of Natural Resources. Owning and managing roughly 4,000-acres in south King County, Palmer holds the utmost regard for good land management practices. Most of Palmer's land is enrolled in forest practice and includes a range of biodiversity that requires best practices to maintain a healthy and productive forest. A consideration of wildlife, overall preservation of habitats, and general conservation are always at the forefront of the organization when addressing development in any capacity.

## **Detailed Response of Review**

The following is a review of the comments from King County with detailed responses from the consulting biologist, engineer(s), geoengineer(s), hydrologist, and/or traffic specialist.

### **Water Quality and Water Quantity**

- *Potential contamination of private water wells and aquifers in the area*
- *Impact to the Icy Creek water quality and Black Diamond watershed*
- *Potential impact to cold water input (ground and surface water inputs) to the Green River*
- *Impact and potential for pollution of water in Fish Lake*
- *Diminish groundwater flow toward the Icy Creek and potential impact to the City of Black Diamond spring source*

Palmer is preparing additional studies which will address these concerns and demonstrate the proposed rezone will not have an adverse effect on water quality or quantity.

- *Diminish groundwater flow toward the Icy Creek and potential impact to the City of Black Diamond spring source*

### **Critical Areas**

- *Temporary and permanent impact to onsite and offsite wetlands*

See attached revised wetland documentation and plans. Proposed operations will avoid impacts to wetlands.

- *Increase risks of pollutions to critical aquifer recharge areas*
- *Potential flooding risks in the vicinity*
- *Increase groundwater recharge that could possibly decrease the stability of ancient deep-seated landslides sloping toward GR in vicinity of SR-169 bridge*

Palmer will prepare additional studies to address these concerns and demonstrate there will not be an adverse impact to critical areas.

### **Fish and Wildlife**

- *Destruction of critical habitat corridor*
- *Disturbance of wildlife habitat from the noise generated from the mining operation*
- *Potential impact to fish and wildlife by pollution to nearby lakes and streams*
- *Potential impact to the groundwater affecting fish ponds at the Icy Creek*
- *Potential disruption in surface and groundwater affecting the water quantity and quality of Icy Creek Springs could compromise the production of Chinook salmon and steelhead trout*

Palmer will prepare additional studies to address these concerns and demonstrate there will not be an adverse impact to fish and wildlife.

### **Recreation/Aesthetics/noise and light/air**

- *Impact of noise and light on surrounding properties from the mining operation*

The facility it proposed to operate during daylight hours so lighting impacts would not occur as a result of operations. In addition, noise for the proposed facility has been modeled using the CadnaA ambient noise model. Maximum noise impacts at the nearest residential property have been estimated to be 48.7 dB(A). This level of noise is well below the King County Noise ordinance acceptable thresholds and is consistent with noise level generated by a quiet residential neighborhood.

- *Aesthetic and recreational impact to the Green River Gorge*

There are no significant adverse noise, dust, or general 'ambient impacts' anticipated that would interfere with public uses of open space in the region. Maximum noise impacts at the closest open space owned by Washington State Parks, located on the other side of the Enumclaw-Franklin Road and directly across from the subject parcel, have been estimated to be under the measurement 48.7 dB(A). This level of noise is well below the King County Noise ordinance acceptable thresholds and is consistent with noise level generated by a quiet residential neighborhood.

All operational activities are proposed to include the use of best available controls for fugitive dust and debris. This includes watering and surface controls as well as vehicle wash stations and covering requirements for on-road vehicles. An approved chemical dust suppressant application on haul roads that include a mixture of water, magnesium chloride, and a biodegradable adherent is useful to mitigate any dust particulate air pollutants from trucks or machinery. Modern crushing equipment and methods, as described in the specifications, do not generate significant levels of air pollutants.

Furthermore, the proposed Hyde Mine project will be phased out (estimated number of 4 phases) while the existing Franklin Ridge Mine operations will decrease and start reclamation, so there is also no cumulative impact anticipated.

- *Operational noise from the heavy equipment and transportation. Noise producing operations can include blasting, drilling, hauling, dumping, crushing, and loading, etc.*

As described above, noise for the proposed facility was modeled and maximum noise impacts at the nearest residential property have been estimated to be 48.7 dB(A). This modeled analysis included all proposed onsite sources of noise including heavy equipment, crushing and vehicle use. Additionally, although the modeled analysis did not explicitly include the Hyde Mine, the predicted impacts from the model suggest that the doubling of activity (a conservative assessment of including the Hyde Mine) would result in noise impacts at the nearest residential property of 54.7dB(A), a level below the King County Noise ordinance acceptable thresholds.

- *Dust, debris generated from the mining operation onsite and during transportation offsite*

All operational activities are proposed to include the use of best available controls for fugitive dust and debris. This includes watering and surface controls as well as vehicle wash stations and covering requirements for on-road vehicles.

### Traffic

- *Heavy truck traffic on deteriorated road conditions - Enumclaw Franklin Road SE*

As described in the response to Traffic comment 17, A Haul Route Agreement (HRA) will be established with King County to address any damage and maintenance of Enumclaw Franklin Road SE to mitigate impacts from the additional truck traffic.

- *Impact on traffic safety and road infrastructure*

As described in the response to Traffic comment 13, a discussion of crash history has been provided in the Collision History Memorandum prepared by Heath & Associates on July 9, 2024 and included with this resubmittal.

### Site Engineering

1. *In association with the proposed rezone, the applicant submitted to King County a copy of a report discussing how ground water will be protected with the proposed mine plans. The report prepared by George Bennett dba Bennett consulting, PLLC is titled "Summary of Ground Water and Slope Conditions Hyde Pit Rezone Application King County Department of Local Services, King County Washington" dated August 13, 2021.*

*According to the report, in 2015 five sonic core boreholes were completed to assess the gravel resources and ground water conditions underlying the proposed expansion. Ground water monitoring wells were installed in four of the bore holes (FR-1 through FR-4) and static water elevations have been monitored in these wells and results were provided and analyzed for the years 2016-2019.*

*Monitoring results appear to indicate inconclusive evidence due to poor well installation and/or insufficient monitoring well/s at the site. The report includes statements such as:*

- i. Reviewing FR-3 (page 2), "In such a situation, one would expect a significant lag time of several weeks or more between peak precipitation events and the seasonally high-water table. An alternative explanation could be a leaky well seal, which would account for both the unusually high fluctuations in water levels, as well as the near simultaneous response of the water table to precipitation."*
- ii. "A leaky well seal could also explain the unusually high seasonal fluctuation in the water table elevation in well FR-4."*
- iii. "For the purposes of this report, we must assume that the recorded water levels are real and represent actual water tables."*

*Based on review of the monitoring results, the report then concludes (page 3): "Therefore, if the recorded water levels represent a real water table, there must be*

*a ground water barrier between FR-4 and Fish Lake, Well FR-5, and the Franklin Ridge pit.”*

*Icicle Creek Engineers Inc. prepared a report for Palmer Coking Coal Company in September 2000 titled, “Hydrogeologic Consultation Preliminary Groundwater Evaluation Deep Lake Estates, King County Washington”.*

*In this Icicle Creek Engineers inc. report, contours of ground water elevations and estimated ground water flow direction appear to be to the north and west from Fish Lake (Figure 2) and do not discuss any ground water barrier.*

*In addition to lack of discussion of ground water barrier in the Icicle Creek Engineers Inc. report, discussions regarding poor well installation and/or insufficient monitoring well/s were presented in the Bennett consulting, PLLC report as noted earlier above.*

*Furthermore, the KC iMap (iMap (kingcounty.gov), indicates (see Figure 1), that the area is MEDIUM susceptible to groundwater contamination. Please complete supplementary studies by installing additional strategic borehole/s or provide additional studies to draw conclusive evidence of ground water flow at the proposed location. See Figure 1 below:*



**Additional studies will be completed to address these concerns.**

2. *Please comment and provide a memo on the impact of mining/reclamation of the proposed site and provide mitigation measures if any:*
  - i. *to the City of Black Diamond Watershed Springs and the Icy Creek Headwaters. Please include a generic/simple hydrogeologic model indicating impact of reclamation (modeling reclaimed slopes as impervious surface) to Icy creek and Black Diamond Watershed Springs.*

- ii. *associated with wells such as private owned wells for the homes and developments located in the vicinity of the proposed site.*

**Additional studies will be completed to address these concerns.**

- 3. *The Department of Local Services, Permitting Division (Permitting), in conjunction with the Department of Natural Resources and Parks (DNRP), Water and Land Resources Division (WLRD) manages Floodplain Development Permits and Flood Hazard Certificates for unincorporated King County.*

*The applicant is required to obtain a floodplain development permit as noted in the Floodplain Development Permit Information sheet (Floodplain Development Permit Information, 2019\_10\_14 (kingcounty.gov)). "Prior to conducting work on a site or lot that contains or is adjacent to a flood hazard area even if the flood hazard area has not yet been delineated by King County or FEMA. These flood hazard areas include streams, lakes and closed depressions having a surface area of 5,000 SF or more."*

*In addition, the applicant is also required to comment on the impact of mining/reclamation of the proposed site, associated with future flooding occurrences, similar to floodings recorded on February 5-10, 2020.*

**Palmer will prepare additional studies to address these concerns and demonstrate there will not be an adverse impact as a result of the proposed rezone.**

- 4. *A Critical Area Report Preliminary Coal Mine Hazard Assessment King County Parcel No. 3021079080 (Lot Q) Sections 19 and 30, Township 21 North, Range 7 East Black Diamond Area, King County, Washington was prepared for Palmer Coking Coal Company, LLP by Icicle Creek Engineers, Inc. dated October 18, 2021.*

*The report concludes (page 7) "the depth to the mine workings that underlie Lot Q vary from 158 to 798 feet below the ground surface (post-mining to Elevation 720 feet). For this reason, no Severe Coal Mine Hazard Areas occur within Lot Q."*

*However, the above-mentioned study recommends (page 7) that "ICE be contacted immediately to provide an evaluation if evidence of undocumented coal mine workings or prospects are encountered during future grading at Lot Q." Public Comments Per LUT421-0001 sent from Tim OBrien [obrien\\_timothy@hotmail.com](mailto:obrien_timothy@hotmail.com) on May 23, 2023 include the following statement: "There are also sections of nearby parcels, such as on my own that have subsidence issues - I keep filling one section of my back yard with a truck load of fill every few years to level it back up. This particular subsidence is located approximately 850 feet from the proposed mine."*

*As noted, and recommended above by ICE Inc., the applicant shall retain the consultant to comment on reports such as Mr. Obrien's claims noted in the above referenced email communication.*

The statement in ICE's report dated October 18, 2021 "ICE be contacted immediately to provide..." is a standard clause on all reports by ICE related to coal mine hazards. Prospects or undocumented tunnels can be encountered, but rarely are as most of the abandoned mines that were active in the late 1800s to early 1900s have detailed maps showing the plan and depth of the mine workings. ICE has prepared several dozens of reports related to abandoned mine hazards across the State of Washington and we cannot recall ever being called out to evaluate undocumented abandoned underground mine workings after our report was issued.

The Hyde Mine was operated on a coal seam that is inclined at very high angles. Therefore, the depth from the ground surface changes rapidly over a horizontal distance. For example, if the mine workings were to dip at 45 degrees, then offsetting from the point of intersection with the ground surface in the downdip direction 850 horizontal feet, then mine would be 850-feet deep, which is much deeper than the King County standard for which abandoned underground coal mines are classified as Severe Coal Mine Hazard Areas where there is significant risk of sinkhole occurrence. Severe Coal Mine Hazard Areas are defined by mine workings that are less than 150-feet deep. For the proposed project, ICE estimated that the depth of mine workings (post-mining with the pit floor at Elevation 720 feet) are about 158 to 798 feet below the ground surface. Therefore, our conclusion was that the coal mine hazard may be Declassified.

In the case of the O'Brien property situation, the mine of concern is the Hyde Mine, which is not a concern for the proposed action.

5. *Please re-examine response to the SEPA Environmental Checklist (Section B Environmental Elements Part 3a number 4 and Part 3b number 1. In the applicant's response, include discussion on planned water source for process water facilities (such as wash plants), wheel wash facilities and water source for dust control, etc.*

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

**No.**

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

**No.**

A potable water well application is in process with a negligible flow rate that is not anticipated to affect groundwater. In the interim, Palmer will purchase potable water.

**Critical Areas**

6. *All Critical Areas (Wetlands, Aquatic Areas, and Steep Slopes) and their associated buffers need to be shown and labeled on all Plan Set Sheets. A 15-foot BSBL needs to be applied to all critical area buffers and the BSBL needs to be labeled.*

**See updated wetland documentation and plans.**

7. *Critical Areas Designation Report (Sewall Wetland Consulting, Inc December 7, 2021)*

- i. *The proposed project application is to Re-zone parcel 3021079080 from the existing RA5 (Residential) land use to a M (Mining) land use. Mining is considered a Commercial Use and the King County Code 21A.24.325.2.a.(2) would require the High Impact buffers be applied to each wetland. Below are additional comments and assessments of the wetland rating forms which should be addressed when applying buffer to the wetlands.*

**The comments have been addressed with responses below.**

- ii. *There is a wetland located outside of the proposed re-zone parcel that is not documented in the Critical Areas Report. The off-site wetland is located at the north end of parcel 3021079025. This wetland is within 300-feet of the proposed clearing and grading and needs to be delineated and rated so the buffer can be established and shown on the Civil Plan Set.*

**The existing forested wetland on parcel 3021079025 (Franklin Ridge) has been evaluated in the past and shown by ESM in previous documents submitted to King County. This wetland has been added to the plan set and dimensioned to be 352 feet from the property line. Furthermore, this existing wetland is 382 feet from the proposed clearing and grading with no anticipated impacts to wetland or wetland buffer.**

- iii. *Wetland Exhibits - Wetland A*
- staff went through the Wetland A rating form and found some items that staff made edits to. The edits are on the attached rating form red-lines document.*
  - Wetland A was found to be a Category III wetland with a Habitat score of 6 which requires a 150-foot buffer using the High Impact land use.*
  - The Wetland A exhibit map shows two buffer labels of a 60-foot buffer and a 160-foot buffer. Update the exhibit to show the accurate buffer.*
- iv. *Wetland Exhibits - Wetland B*

- *Staff went through the Wetland B rating form and found some items that staff made edits to. The edits are on the attached rating form red-lines document.*
- *Wetland B was found to be a Category III wetland with a Habitat score of 7 which requires a 150-foot buffer using the High Impact land use.*
- *The Wetland B exhibit map shows three buffer labels of a 156-foot buffer. Update the exhibit to show the accurate buffer.*
- v. *Wetland Exhibits - Wetland C*
  - *Staff went through the Wetland C rating form and found some items that staff made edits to. The edits are on the attached rating form red-lines document.*
  - *Wetland C was found to be a Category II wetland with a Habitat score of 7 which requires a 150-foot buffer using the High Impact land use.*
  - *The Wetland C exhibit map shows three buffer labels of a 110-foot buffer. Update the exhibit to show the accurate buffer.*
- vi. *Wetland Exhibits - Wetland D*
  - *Staff went through the Wetland D rating form and found some items that staff made edits to. The edits are on the attached rating form red-lines document.*
  - *Wetland D was found to be a Category I wetland with a Habitat score of 8 which requires a 300-foot buffer using the High Impact land use.*
  - *The Wetland D exhibit map shows two buffer labels of a 225-foot buffer and one buffer label of 213.5-foot buffer. Update the exhibit to show the accurate buffer.*

**The wetland information has been updated on the plans based on the comments received. Palmer is proposing buffer averaging for Wetland D which will allow a buffer reduction of 25% in the proposed mining area.**

8. *Wildlife Species Utilization and Available Habitats Assessment (Habitat Technologies, June 14th, 2021). Two to three weeks prior to the installation of BMP's for clearing and grading, a wildlife survey will be conducted to establish existing conditions and presence/absence of protected species. Any wildlife discovered that is Local, State, or Federally protected or protected under KCC 21A.24.382 B through J and K will need to be protected during construction. This condition would apply during the nesting season of protected species.*

**This comment has been noted and the wildlife survey will be conducted a minimum of two weeks prior to the installation of BMPs for clearing and grading.**

9. *Hyde Mine Civil Plan Set (ESM Consulting Engineers LLC, October 21, 2021)*
- i. *C-2 - Sheet 2 of 14*
    - *Update wetland buffers based on Critical Areas Report comments and the High Intensity land use.*
  - ii. *C-3 - Sheet 3 of 14*
    - *Update wetland buffers based on Critical Areas Report comments and the High Intensity land use.*

- iii. C-4 - Sheet 4 of 14
  - Update wetland buffers based on Critical Areas Report comments and the High Intensity land use.
- iv. C-5 - Sheet 5 of 14
  - Update wetland buffers based on Critical Areas Report comments and the High Intensity land use.
  - The proposed Phase 2 grading shown north of Wetland C is within the updated 150-foot buffer and needs to be avoided. The grading design will need to be updated on the Civil Plan Set.
- v. C-6 - Sheet 6 of 14
  - Update wetland buffers based on Critical Areas Report comments and the High Intensity land use.
  - The proposed Phase 1B and Phase 3 grading shown northwest of Wetland D is within the updated 300-foot buffer and needs to be avoided. The grading design will need to be updated on the Civil Plan Set.
  - The proposed Phase 3 grading shown west of Wetland A is within the updated 150-foot buffer and needs to be avoided. The grading design will need to be updated on the Civil Plan Set.
- vi. C-7 - Sheet 7 of 14
  - Update wetland buffers based on Critical Areas Report comments and the High Intensity land use.
- vii. C-12 - Sheet 12 of 14
  - Update wetland buffers based on Critical Areas Report comments and the High Intensity land use.
  - The proposed Phase 2 grading shown north of Wetland C is within the updated 150-foot buffer and needs to be avoided. The grading design will need to be updated on the Civil Plan Set.
- viii. C-13 - Sheet 13 of 14
  - Update wetland buffers based on Critical Areas Report comments and the High Intensity land use.
  - The proposed Phase 1B and Phase 3 grading shown northwest of Wetland D is within the updated 300-foot buffer and needs to be avoided. The grading design will need to be updated on the Civil Plan Set.
  - The proposed Phase 3 grading shown west of Wetland A is within the updated 150-foot buffer and needs to be avoided. The grading design will need to be updated on the Civil Plan Set.
- ix. C-14 - Sheet 14 of 14
  - Update wetland buffers based on Critical Areas Report comments and the High Intensity land use.

**The plans have been updated to reflect these comments.**

10. *Mitigation Plan and Report. If critical area impacts are required or proposed, you will need to prepare a mitigation plan (letter report and planting plan). Critical Area*

*impact avoidance and minimization should be applied to any proposed activities within the project area. Refer to King County Guidelines:*

- i. <http://www.kingcounty.gov/~media/depts/permitting-environmentalreview/dper/documents/forms/lg-guide-rest-pdf.ashx?la=en>*
- ii. A Monitoring Plan will need to be provided as a schedule and description of the monitoring program for the Mitigation Plan. The site must be monitored for at least three to five years. Each performance standard should have a specific monitoring component that is designed to evaluate whether the performance standard has been met.*
- iii. Prepare an impact analysis of any critical areas or buffers that were impacted or are proposed to be impacted. The analysis should include the square footage of impact, a description of the habitat and vegetation removed, and the critical area functions that have been impacted.*
- iv. A Bond Quantity Worksheet (BQW) and a bond will be required to be posted to cover plant procurement, installation, fencing and signage, and the three to five years of monitoring.*

**Palmer will prepare additional studies to address these concerns and demonstrate there will not be an adverse impact to critical areas.**

- 11. Wetland Hydrology Assessment of Impacts. Wetland hydrology must be protected as part of this proposed activity. The applicant must provide an evaluation of the hydrology for the on-site wetlands to show that they will be protected following development, consistent with Surface Water Design Manual Reference 5, Guide sheet 3B in the KCSWDM. Criterion 1 and 2 must be met.*
  - i. Criterion 1: total volume of water into a wetland during a single precipitation event should not be more than 20% higher or lower than the pre-project volumes.*
  - ii. Criterion 2: Total volume of water into a wetland on a monthly basis should not be more than 15% higher or lower than the pre-project volumes.*

**Palmer will provide the additional assessment.**

- 12. Arborist Report. If impacts to Critical Areas are proposed submit a detailed arborist report, by an ISA certified arborist, that documents the impacts to any trees by proposed roads, road widening, drainage infrastructure, or any development associated with the proposed project. The arborist report will document the location, size (DBH), species, and health of all trees that may be removed, modified, or have their rooting zones impacted by the proposed development. The total number of trees to be removed/impacted from critical areas and the required mitigation should be documented in the arborist report.*

**Palmer will provide this report if necessary.**

**Traffic**

13. *An updated traffic impact analysis (TIA) was completed by Heath & Associates, Inc in April, 2021. The TIA provides all necessary information regarding trip generation, trip distribution, more recent traffic volumes, level of services, and sight distance assessments. However, it should also include a discussion of crash history.*

**The TIA has been updated to include this information.**

14. *Please provide correspondences between the applicant's team and Mr. Duffy McColloch from WSDOT regarding intersections under WSDOT jurisdiction.*

**The correspondence has been included with this resubmittal.**

15. *The sight distance study approved on March 7, 2013 was based on the 2007 road standards. Provide an updated sight distance illustration in the civil plan. Per the 2016 King County Road Design and Construction Standards (KCRDCS), the 40 mph post speed (50 mph design speed) on Enumclaw Franklin Road SE indicates a required stopping sight distance (SSD) of 425 feet and entering sight distance (ESD) of 555 feet.*

**The sight distance exhibit has been included with this resubmittal and the plans have been updated to show that the existing vegetation will be cleared to accommodate the sight distance triangle to the south of the proposed intersection.**

16. *The following comments to the SEPA checklist have yet to be addressed.*
- i. Section 14.f. of the SEPA checklist still references to the trips generated from the TIA completed by Heath and Associates in 2017. The updated TIA suggests a reduced daily trip of 98 total vehicle trips per day with 68 trips designated as truck trips. Revise the response to SEPA checklist Section 14.f.*
  - ii. Section 14.h. of the SEPA checklist is a subjective statement that is not backed-up with any type of data. Reference should be made to the updated TIA completed by Heath and Associates in 2021.*

**The SEPA checklist has been revised to address these comments and is included with the resubmittal.**

17. *A Haul Route Agreement (HRA) with King County Department of Local Services, Road Services Division (County) shall be entered for the current grading operation (GRDE15-0179) and will be conditioned as a mitigation measure for the rezone. The HRA would identify responsibilities for the applicant and the County to address any damage to and maintenance of Enumclaw Franklin Road SE due to a high volume of heavy truck traffic entering and exiting the proposed Hyde pit facility. The length of Enumclaw Franklin Road SE that the applicant would be responsible for repairing and maintaining would be negotiated as part of the HRA. Setting up a HRA is a lengthy process, and it is recommended to get it started early.*

**This comment has been noted, the HRA will be entered as required.**

18. *Per the updated TIA, the sight line looking south at the southern mine access is diminished by vegetation along the east side of Enumclaw Franklin Road SE. Clear existing vegetation on Enumclaw Franklin Road SE along the project frontage and on the west side of the road within public right-of-way to meet sight line requirements at the proposed access locations will be conditioned as a mitigation measure.*

**The plan set has been updated to show the required vegetation clearing per attached sight distance exhibit.**

If there are any questions or a need for further clarification, please feel free to contact me at (253) 838-6113 and we would be happy to discuss them with you.

Sincerely,

ESM CONSULTING ENGINEERS, LLC



LAURA BARTENHAGEN, P.E., LEED AP  
Director of Engineering

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