



Board of County Commissioner Consideration – Comment Matrix Part 2



The following comments were received during the public comment period open from October 1 through October 31, 2018 and testimony received during a public hearing before the Board of County Commissioners on October 29, 2018.

#	Name, Org	Comment	Staff Response
AMENDMENT: CPA 18-00490 (CULBERTSON)			
20.	Robin Gail Schwering	<p>Summary of attached letter:</p> <ul style="list-style-type: none"> • Purchased home in 2017, as a retirement place to spend my last years as I am terminally ill. I purchased this home for my daughter because of her love of nature and the quiet it would provide for me. • I fear that if the Overlay is put in place the quiet will be gone for sure and so will the nature. • The following concerns regarding potential future mine operations were described: <ul style="list-style-type: none"> ○ The noise and dust caused by the blasting would affect property values. ○ Health conditions could also become worse due to all of the dust. • I have looked on County websites to see if there is a need for the expansion. I found no specific need. • I feel more research needs to be done before thinking of making this change. If a need is documented, then maybe a smaller area could be slated to have the Overlay, so it would not impact my neighbors on Sand Dollar Road. • I beg the County to leave our neighborhood the way it is, so we can all continue to enjoy the peace and nature we currently have. 	<p>Thank you for your comment. We understand your concerns regarding potential future mine operations and that it is a challenging land use to site and live near. To ensure you have an opportunity to participate at the time a development proposal is submitted, the Department is recommending a revision to the Kitsap County Code that will require all future mine operations to obtain a conditional use permit in the Mineral Resource Overlay (MRO) area. The conditional use permit (CUP) process is when concerns, including wells, septic systems, noise, vibration, and dust caused by blasting, will be identified and evaluated based on proposed development activities. The CUP process may result in conditions that require monitoring of air quality, wells, and seismic activity and limit things like the hours of operation and where and when blasting can occur on the site.</p> <p>You also mentioned the need for expansion. Unlike other types of land use designations, the MRO can only occur in areas where mineral resources exist.</p> <ul style="list-style-type: none"> • Hard rock resources are more limited than gravel and sand resources in Kitsap County (see Staff Report Attachment C8). • There are 28 quarries in Kitsap County and 5 are rock and stone quarries. The KRM quarry adjacent to the site makes up 30% of the rock and stone quarries by

Board of County Commissioner Consideration
Comment Matrix

#	Name, Org	Comment	Staff Response
			area, which the applicant states will be gone in 5-years (see Staff Report Attachment C6).
21.	Mike Novak	<p>I'm writing to you to let you know that living by the quarry hasn't been easy and the thought that Kitsap County Planning Board may allow it to get worse, is appalling. I live at 2300 Sand Dollar and between the shaking and noise that occurs when KRM decides to blast is a very unsettling experience. I feel like the county wants to have its cake and eat it too by maximizing tax revenue from both residential and mining zones. There should be a much larger buffer between the 2 because the seismic activity that occurs is unbearable at times. The number of residential homes that have gone up since this quarry first opened has gone up exponentially and should not have been allowed if you were going to allow the quarry to expand in this direction. Please consider the pleas of your residents as we are the ones who actually have to live with your decision.</p>	<p>Thank you for your comment.</p> <p>See response #20. To the extent that can be determined during this process:</p> <ul style="list-style-type: none"> • The site is immediately adjacent to an existing rock and stone quarry, electric substation, City of Bremerton forestland property, undeveloped land, and rural density residential. • Mining operations have occurred on the adjacent site since at least the 1980s. • The proposed amendment, if approved, does not guarantee that mining operations will be permitted to develop on the site. • The Mineral Resource Overlay (MRO) currently exist in the Rural Protection zone elsewhere in the County. • Aggregate extraction is an allowed use, with a conditional use permit, in the Rural Protection zone. • The proposed amendment will assure the conservation of mineral resource lands of commercial significance as required by state law (RCW 36.70A.060)
22.	David Galligan	<p>Online comment:</p> <ul style="list-style-type: none"> • I own a home at 2867 Sanddollar Rd NW that abuts the Culbertson property. I am planning to put the property on the market since I am 79 years old and have health issues. • I am very concerned that approval of the mineral resource overlay will seriously devalue properties near the proposed quarry expansion. • We already have issues with the blasting, near constant equipment noise and air quality even though the quarry is at least 1000 feet away. We 	<p>Thank you for your comment.</p> <p>See response #20 & 21.</p>

#	Name, Org	Comment	Staff Response
		<p>have damage to the dry wall as result of blasting vibration.</p> <ul style="list-style-type: none"> • Allowing the quarry to expand will make it nearly impossible to sell our property and further intensify noise and likely negatively impact air quality and risk damage to our wells and septic systems. • The Planning Commission has recommended denial of this request citing its incompatibility with neighboring properties and the Rural Protection zone. <p>I urge the County Commissioners to uphold the Planning Commission’s recommendation and protect the property owners who will be damaged by its approval.</p> <p>Summary of public hearing testimony:</p> <ul style="list-style-type: none"> • I own a home that abuts the Culbertson property. • I would like to urge you to deny the request. • As it is, we have sound from the blasting and the equipment. We have dust in the summer time. I am very concerned about what may happen to our wells. • I would like to put my property on the market, but who in their right mind would like to buy property with a gravel pit and quarry in their backyard. <p>It is not compatible with our neighborhood. The current noise from equipment and blasting is very objectionable.</p>	
23.	Deb Lambert	<p>Summary of public hearing testimony:</p> <ul style="list-style-type: none"> • I am a homeowner by Culbertson and my family has lived up there for 30 years. • I am asking you to deny the MRO request. • My neighbors and I are very concerned. • ACG, which is owned by a global company, is already advertising this resource in Seattle to support growth there for the next 20-plus years. It’s not even being advertised as benefiting our County. • Our County has put money into the vision for the suburban growth in Gorst, the beautification plan. • When you drive from Port Orchard toward Gorst and you look across the 	<p>Thank you for your comment.</p> <p>See response #20 & 21.</p>

#	Name, Org	Comment	Staff Response
		<p>water and you see the clearing up on the hill, that is where this mine is getting expanded. For the next 20-plus years you will see that hillside getting blown down where you are trying to make a beautification project, which is an entrance into our area.</p> <ul style="list-style-type: none"> • The following concerns regarding potential future mine operations were described: <ul style="list-style-type: none"> ○ Blasting could put our well and septic systems at risk. ○ Buffers to protect from noise will not exist because they have already clear cut the entire property, there is no buffer. ○ Have not provided hours of operation or blasting schedule. ○ Already hear the noise of equipment, which will only get closer. ○ Area backs up to a wetland that has foxes, wolves, eagles, and bears. Tons of wildlife that are in the Gorst area being protected by all of our properties. ○ Area backs up to the Bremerton watershed and the PSE substation. ○ There have already been incidents of rocks through roofs and windows. <p>There is nothing protecting use, like even a gun range does, from noise, damage to our homes, or our quality of life. That needs to be taken into consideration.</p>	
24.	Doug Lambert	<p>Summary of public hearing testimony:</p> <ul style="list-style-type: none"> • I live on Skipping Stone Lane. • I don't believe that mines belong in a neighborhood. • The Culbertson land is not KRM. I understand KRM wants to expand onto Culbertson land. • We are a nice little community in the woods and we want to protect our way of life. It's quiet most of the time after KRM closes down. • I am concerned about dust, rocks, noise, my grandkids play in this area, wildlife. • A report I read online today says there are a few thousand acres for the wildlife to go to, but they are living there now. • Also concerned about well and septic. Who is monitoring? All the monitoring I have seen is at KRM, which is up the road. 	<p>Thank you for your comment.</p> <p>See response #20 & 21.</p>

#	Name, Org	Comment	Staff Response
		<ul style="list-style-type: none"> • Moving 69-acres closer will make a lot of difference for how sound moves up the hill. • Who will be the watchdog for the dust and noise? <p>They say there will be a natural vegetation buffer, but they have already logged the area all the way into neighbor’s properties.</p>	
25.	Elfie Zach	<p>Summary of public hearing testimony:</p> <ul style="list-style-type: none"> • I am one of the landowners right next door to Culbertson. • Most of the other speakers have covered what I wanted to cover. • What I really want to say is, no matter what, in any of the Comprehensive Plans that I have read, they all say the same thing, that we all have a right to live in our little piece of heaven. If we wanted to live in Seattle with all the noise and hustle and bustle, we would not be living in Gorst or Bremerton, we would not have created the Comprehensive Plan. • The Planning Commission is recommending “No”, the staff is recommending “yes”. <p>I hope that you listen to these people and their stories. Just because the facts say you can, doesn’t mean you should.</p>	<p>Thank you for your comment.</p> <p>See response #20 & 21.</p>
26.	Sally Harrison	<p>Summary of public hearing testimony:</p> <ul style="list-style-type: none"> • I own property that directly abuts the Culbertson property. • I am impressed by all the comments from my neighbors and they are saying what I would say. • KRM’s parent company, HIG, is a huge monetary resource and it is quite able take over our neighborhood if they want to. • Our property value and marketability immediately drops the moment the MRO is granted. It’s like a big sign hanging on our property. • As I understand it, that would be just the initial setback that we will encounter in the ongoing struggle for the level of accountability we feel is needed to protect our physical and aesthetic health and safety. • I understand the philosophical implications of needing the change to provide for the greater good versus the needs of the few. I feel that is what we are facing here. • The proposal butts up against the Bremerton watershed. KCC 19.600 	<p>Thank you for your comment.</p> <p>See response #20 & 21. The Department would like to clarify that the Culbertson site is not located adjacent to the “Bremerton watershed” property. A portion of the Culbertson site is located adjacent to Bremerton utility lands. These lands are commercial forest and not part of the Bremerton watershed property.</p> <p>The Department also wanted to clarify that the Culbertson site is not located within the Gorst Significant Recharge Area. The environmental constraints on the site will need to be field verified and evaluated further when a project-specific development plan is proposed for the site.</p>

#	Name, Org	Comment	Staff Response
		<p>specifically list the Gorst Significant Recharge Area as a critical aquifer recharge area along with four other areas in the County due to special circumstances. Quote: “Aquifers in the Gorst basin are highly susceptible to the introduction of pollutants and provide significant potable water supplies for the city of Bremerton.”</p> <ul style="list-style-type: none"> • Please convince me that the ongoing need for potable water along with the needs of the few in our neighborhood is less important than providing rock as a resource, especially at a time when the inventory of hard rock resources needs updating so badly. <p>Question regarding the notice required by KCC 17.170.070. Does this mean I can’t complain if I take out a building permit to build my retirement home next to a quarry?</p>	<p>KCC 17.170.070 is consistent with state law and requires all plats, short plats, development permits and building permits issued within 500 feet of a site with a Mineral Resource Overlay (MRO) to include a notice that they are adjacent to land in which resource activities are permitted and encouraged.</p>
27.	Mark Sandbridge	<p>Summary of public hearing testimony:</p> <ul style="list-style-type: none"> • I live within 1,000 feet of the Culbertson extension. • I don’t want anything closer to my land to ruin my well or septic system. • It’s rural protected area and surrounded by rural protected area. • What that means to me and my neighbors, it means I don’t have to get up and listen to a bunch of noise, except for the noise that was already there when we bought our house. • The quiet and wildlife will go away. That is not rural protection. • Now that protection is being considered to be taken away for the financial gain of one company to the detriment of all of us landowners. • The gentlemen who came to speak in favor of the request don’t live here. <p>Put yourself in our place. Would you like it to be you, if you lived where we live? I don’t think so.</p>	<p>Thank you for your comment.</p> <p>See response #20 & 21.</p>
12.	Alison O’Sullivan, Suquamish Tribe	<p>Summary of attached letter:</p> <ul style="list-style-type: none"> • The County needs to inventory mineral resources that currently exist throughout the County and all current mines (working, inactive, and abandoned). • This would provide a more comprehensive understanding of the current status of mineral resources and mining in Kitsap County to foster better decision-making that is a more protective of natural resources and will 	<p>Thank you for your comment. The Department recognizes the need to complete a county-wide inventory of mineral resource lands. However, state and local law allow for landowner-initiated requests.</p> <p>See response #20 & 21.</p>

#	Name, Org	Comment	Staff Response
		<p>result in better use of resources in areas that have already been disturbed.</p> <ul style="list-style-type: none"> • This will also prevent the random development of mines throughout the county while considering the cumulative impacts on-site as well as on a watershed and county-wide scale. • Making a significant zoning change without fully understanding and field verifying the environmental constraints on the property is concerning. • The onsite stream documented as non-fish needs to be field verified by WDFW and the Tribe. GIS data should only be used as preliminary information and should always be field verified before making regulatory decisions. 	
13.	Roma Call, Port Gamble S'Klallam Tribe	<p>Excerpt from attached letter: Amendment 18-00490 (Culbertson) proposes to change the rural protection area to a mineral resource overlay. This amendment would result in a net loss of rural protection land use for the purpose of mineral resource extraction. The County should deny the adoption of this amendment as proposed, make aggregate extraction a conditional use in the mineral resource overlay zone and complete a county-wide mineral resource inventory consistent with Land Use Policy 78.</p>	<p>Thank you for your comment. The proposed amendment will not remove the Rural Protection zoning classification from the site. The Mineral Resource Overlay (MRO) temporarily limits the type of land uses that can develop to protect commercially significant mineral resources important for the planned growth in the County from becoming inaccessible. Unlike other types of land use designations, the MRO can only occur in areas where mineral resources exist.</p> <ul style="list-style-type: none"> • Hard rock resources are more limited than gravel and sand resources in Kitsap County (see Staff Report Attachment C8). • MRO designations currently exist in the Rural Protection zone elsewhere in the County; and • Aggregate extraction is an allowed use, with a conditional use permit, in the Rural Protection zone.

#	Name, Org	Comment	Staff Response
30.	Ryan Ransavage, Miles Sand & Gravel	<p>Summary of attached letter:</p> <ul style="list-style-type: none"> • The conditional use permit proposed by the county seems burdensome considering the overall lack of mineral lands designated within the county. • Kitsap County currently has 29 active sand and gravel or hard rock mines. Of these, four are operated by Kitsap County Public Works, and only approximately 6-7 facilities are operating and exporting material at this time. • Per capita usage in Western Washington is estimated at 10.55 tons per capita, equating to an expected demand of 2.9 million tons in 2020 and a total use of 65 million tons over the next 20 years. • Kitsap County has the duty to update the Mineral Lands designation with new information. • Mineral Lands, unlike Forest and Agricultural Resource Lands, only exist in areas that contain the resource. We cannot grow gravel. • Any additional requirements established for Mineral Lands should also be required of Agricultural Resource Lands and Forestry, as none of the resource lands can be prioritized or neglected against compared to the others. • Miles believes the best way to address community input and aggregate supply would be to determine aggregate reserves within the county. This process would include: <ul style="list-style-type: none"> ○ Hiring a third-party geology firm to determine aggregate location and reserves within the county ○ Designate all areas with aggregate resources ○ Revise municipal code to support designation of new mineral lands ○ Meet with stakeholders to take input from interested parties 	<p>Thank you for your comment. The Department recognizes the need to complete a county-wide inventory of mineral resource lands. However, State law and Kitsap County Code allows for landowner-initiated requests.</p> <p>A county-wide mineral resource inventory would not evaluate project-specific impacts of a land use that can be very difficult to site. The conditional use permitting process, will provide an opportunity for public participation throughout the permit review process and consideration of project-specific environmental impacts.</p>
31.	Phil Struck, Struck Environmental (for applicant)	<p>Summary of public hearing testimony:</p> <ul style="list-style-type: none"> • I am an environmental planning consultant and I prepared the application for this amendment. • I am here to ask for your support and approval of the proposal. • The applicant agrees with the staff's recommendation and associated 	<p>Thank you for your comment. The Department appreciates the additional information you provided regarding the Culbertson site-specific amendment.</p> <ul style="list-style-type: none"> • Your letter indicates that the site is not located within the Gorst Creek watershed or a Category I Critical

#	Name, Org	Comment	Staff Response
		<p>conditions.</p> <ul style="list-style-type: none"> • The property has a significant mineral resource, which is relatively limited throughout the County. • The proposal is consistent with the requirements of the Growth Management Act for designating mineral resource lands. • Regarding compatibility with the surrounding area: <ul style="list-style-type: none"> ○ Mining has occurred in the immediate vicinity for over 30 years. ○ Comprehensive monitoring of air, water, blasting, and noise has shown the existing operation is in compliance with all applicable regulations. ○ Over 80% of the subject site boundary is shared with industrial or commercial forest land. There is a small segment in the NW corner that is rural protection, however the majority is a very compatible land use designation. • A through conditional use permit process will happen in the future, which the applicant believes will happen 5 or more years from today. • In response to questions from Commissioner Garrido: The site currently uses Sherman Heights Road, West Belfair Highway, and West Sam Christopherson Ave to access Highway 3. <p>Summary of attached letter:</p> <ul style="list-style-type: none"> • The Culbertson site is not located in the Gorst Creek watershed. It is in the contributing basin of an unnamed stream that discharges directly to Sinclair Inlet. • The Culbertson site is not located in or adjacent to a Category I Critical Aquifer Recharge Area (CARA). The site is located outside the Category I CARA and City well head protection zones. • The Culbertson Site is not located adjacent to the “Bremerton Watershed”. A portion of the site is located adjacent to Bremerton utility lands; however, these lands are commercial forest and not part of the City’s water supply watershed which is in the Gorst Creek and Union River watersheds to the south. • Any future expansion proposal would include additional traffic 	<p>Aquifer Recharge Area. Map 1 in Attachment A1 of the staff report indicates the site is located within the Gorst Creek watershed. The environmental constraints on the property will need to be field verified and evaluated when a project-specific development plan is proposed for the site.</p>

#	Name, Org	Comment	Staff Response
		<p>impact analysis and associated mitigation measures to ensure traffic to and from the site is safe and does not create unacceptable level of service delays.</p>	
32.	<p>Brody Oakley, J.A. Jack & Sons, Inc. (for applicant)</p>	<p>Summary of attached letter:</p> <ul style="list-style-type: none"> • Kitsap Reclamation & Materials (KRM), an ACG Materials company, strongly favors and encourages the Kitsap County Commissioners to approve the request to add a Mineral Resource Overlay (MRO). • Approval would serve as an important next step in designating mineral resources of significance and would serve as an important step in future land use planning for the site and the area. • The amendment would support the employees who live in the community and the many customers performing work in the area whether it be the residential consumer, county, or construction company working to advance economic development. • ACG Materials will continue to illustrate or desire to be responsible in our approach to business since acquiring the existing operations at the end of May 2018. • We are committed to working with each of the jurisdictions, neighbors, and stakeholders to improve upon existing and future activities. 	<p>Thank you for your comment. The Department appreciates the additional information you provided regarding the Culbertson site-specific amendment.</p>
33.	<p>Chris Hatch, ACG Materials (for applicant)</p>	<p>Summary of public hearing testimony:</p> <ul style="list-style-type: none"> • Since ACG has acquired the operations at KRM, we are excited to be a part of this community and operate in this particular area. • This is an extraordinary opportunity to add to the existing adjacent operation. • Adding the mineral resource overlay is really one step in planning for additional opportunities with regard to mineral extraction. • Questions with regard to what kind of operation should be sited there is a question really suited to a conditional use permit process in the future, when the issues raised by many in this room already speak to some of the externalities which would inevitably be addressed through a permitting process. • We believe that a responsible approach to doing business in our existing operations and any operations on the adjacent parcel, which is under 	<p>Thank you for your comment. The Department appreciates the additional information you provided regarding the Culbertson site-specific amendment.</p>

Board of County Commissioner Consideration
 Comment Matrix

#	Name, Org	Comment	Staff Response
		<p>consideration this evening, is to consider how that parcel may be used by way of mineral extraction with existing operations there.</p> <ul style="list-style-type: none"> • We would encourage you to consider that this as an initial step in a much larger opportunity to examine and further mitigate some of the externalities that have been identified. • ACG looks forward to working with both our neighbors and the jurisdiction and other stakeholders to identify ways to do our business better and to be more effective. 	