

APR 25 2023

Water Resources Program

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April 4, 2023

Washington State Department of Ecology
Cashiering Section
PO Box 47611
Olympia, WA 98504-7611

Sent via: US Mail

Subject: Western Sand & Gravel, LLC – Application for a New Water Right and Application for a Surface Reservoir Permit

Dear Brittany Duarte:

RH2 Engineering, Inc. is pleased to submit the enclosed application packet to the Department of Ecology (Ecology) on behalf of Western Sand & Gravel, LLC (Western). Western is requesting a new, interruptible surface water right for industrial uses associated with the permitted Reiter Pit, located in Snohomish County, WRIA 7. The proposed point of diversion is directly from the Skykomish River.

The enclosed application packet includes: 1) Application for a New Water Right Permit, 2) Supporting Document for Application for a New Water Right Permit (Supporting Document), and 3) Application for a Surface Water Reservoir Permit. The Supporting Document includes a SEPA Environmental Checklist for the proposed point of diversion as Appendix A, as requested by Ecology.

Western is concurrently applying for a Surface Reservoir Permit for a proposed storage pond for use when minimum instream flows are not met. Please refer to the Supporting Document for additional information related to the Surface Reservoir Permit application.

Western would like to use RH2 Engineering, Inc. under standard cost reimbursement to prepare the Draft Report of Examination for Ecology's review. Please contact Logan Davidson of Western directly at logand@wsandg.us or (206) 741-3612 to set up the cost reimbursement agreement for processing of the new water right application.



WASHINGTON LOCATIONS

- Bellingham
- Bothell (Corporate)
- East Wenatchee
- Issaquah
- Richland
- Tacoma

OREGON LOCATIONS

- Medford
- Portland

IDAHO LOCATIONS

- Nampa



If you have any questions regarding the enclosed application packet, please contact me at (206) 370-9077 or scook@rh2.com.

Sincerely,


Suzanne S. Cook, LG

Enclosures:

Application for a New Water Right Permit

Supporting Document for Application for a New Water Right Permit and SEPA Environmental Checklist (Appendix A)

Application for a Surface Water Reservoir Permit.

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**Supporting Document for Application for
a New Water Right Permit**

*Prepared for Western Sand & Gravel, LLC
Prepared by RH2 Engineering, Inc.*

April 2023
ECY 040-1-14B

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Professional Endorsement Stamps



Suzanne Sweet Cook

Signed: 04/03/2023

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Western Sand & Gravel, LLC

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Supporting Document for Application for a New Water Right Permit

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Section 2 – Project Description

General Information

Section 2.1 – Narrative Description of Proposed Project

Western Sand & Gravel, LLC (Western) is seeking a new, interruptible surface water right for industrial uses associated with a permitted sand and gravel mine (Reiter Pit, Washington State Department of Natural Resources (DNR) Permit No. 70-012717). Proposed industrial uses include sand and gravel wash water, dust control, and a concrete batch plant.

Western is proposing to add a lined storage pond for use when the Skykomish River level is below minimum instream flows (MISF) established in Washington Administrative Code (WAC) 173-507-020. Western is concurrently applying for a Reservoir Permit for the proposed storage pond with a proposed capacity of 50 acre-feet.

The point of diversion and place of use are located in Water Resource Inventory Area 7 – Snohomish River Basin, in Snohomish County. The proposed point of diversion is directly from the Skykomish River. Refer to the maps as described in **Section 12**.

Appendix F shows how often interruption due to minimum instream flows is anticipated and has occurred in recent years based on estimated Skykomish River flows. **Section 2.4** provides the methodology used to estimate flows.

Section 2.2 – Reservoir Information

Western is proposing to add a lined storage pond. This pond will allow Western to pump water when minimum instream flows are met and store it for use when the Skykomish River level is below MISFs established in WAC 173-507-020. Western is concurrently applying for a Surface Reservoir Permit for the proposed storage pond with a proposed capacity of 50 acre-feet. The base of the pond will be above the elevation of the water table.

Section 2.3 – Compliance with the State Environmental Policy Act (SEPA)

The water right being requested would authorize diversion of 2.67 cubic feet per second (cfs) for industrial use. WAC 197-11-800(4) identifies that this rate of appropriation is greater than the surface water right categorical exemption limit of 1 cfs. The Washington State Department of Ecology (Ecology) has requested a SEPA checklist for the proposed surface water diversion. A SEPA checklist is provided in **Appendix A**.

Section 2.4 – Measuring and Controlling the Rate and Volume of Water Diversion or Withdrawal

Western is requesting a new water right authorizing the withdrawal of 2.67 cfs and 290 acre-feet of water per year. A valve on the discharge line will be used to manipulate the total dynamic head to control the pumping rate from the diversion into the mainline. The mainline will convey water to the storage pond, and a water flow meter on the mainline will record the rate of diversion and total volume diverted from the Skykomish River into the storage pond. The gravel wash plant will draw water from the storage pond for operation. Other industrial uses at the

Reiter Pit will also draw water from the storage pond. The instantaneous rate requested is based on the rate needed to operate the gravel wash system and to maintain storage pond levels when river levels are above the MISFs. The proposed wash system utilizes approximately 675 gallons per minute (gpm) of fresh water (make-up water) over and above recirculated water while operating. The gravel wash system will be operated during typical mine working hours (8 hours per day, 5 days per week) throughout the year. When river levels are above the MISFs, the diversion rate will be the rate needed for make-up water and water needed to maintain full pond storage levels up to a proposed diversion rate of 1,200 gpm (2.67 cfs) and the maximum annual volume of 290 acre-feet per year (ac-ft/yr).

The actual pumping rate of the diversion will be measured using a water flow meter located on the pipeline entering the storage pond. The volume of water pumped will be recorded on a daily basis to verify that the authorized annual volume is not exceeded in a given year. The data will be retained and made available to Ecology upon request.

MISFs contained in WAC 173-507-020(2) near the Reiter Pit are specific to Control Station No. 12.1411.00 (United States Geological Survey (USGS) Gage 12141100) on the Skykomish River at Monroe, and the affected stream reach includes the Skykomish River adjacent to the Reiter Pit and downstream to the mouth of the Skykomish River. Since the water right requested will be interruptible based on flows in the Skykomish River, Western agrees to follow a protocol for operation of an interruptible water right consistent with the provisions in prior interruptible water rights that have been issued.

Currently, there is no active gage at the control station location (USGS Gage 12141100). WAC 173-500-060 authorizes Ecology to change a control station location or to add new control stations to improve management capability for use in regulating water rights that are subject to flow limitations. The Report of Examination (ROE) for Water Right CG1-*00671C@2 authorized use of a formula to calculate flow at the non-existent Monroe control station (12.1411.00) by using the nearest active gages on the Snoqualmie River and Snohomish River. The Snoqualmie River and the Skykomish River meet to form the Snohomish River; therefore, subtracting the measured flow at the most downstream Snoqualmie River gage from the measured flow at the most upstream Snohomish River gage can provide an estimate of Skykomish River flow. A factor of 0.89 was applied to the resulting difference in flows to account for flow accretion between the missing Skykomish gage at Monroe and the upper Snohomish gage. The ROE for CG1-*00671C@2 compared actual monthly flow data obtain by Ecology from 1997 through 2009 to the estimated discharge using the formula developed. The comparison showed that the formula consistently estimated a flow that was less than the actual flow measured at the Skykomish River at the Monroe control station location (Cook, 2011).

The nearest downstream control station in WAC 173-507-020 is UGSG Gage 12150800 (Snohomish River at Monroe), located downstream of the confluence of the Skykomish River and the Snoqualmie River. The closest Snoqualmie River control station with an active gage above the confluence with the Skykomish River is USGS Gage 12149000 (Snoqualmie River at Carnation).

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In operation of the requested water right, Western proposes to use the same methodology, as follows. Any day that Western plans to operate the surface water diversion, Western will check streamflows at USGS Gage 12150800, Snohomish River at Monroe, and USGS Gage 12149000, Snoqualmie River at Carnation, using the USGS website. To estimate flows for the Skykomish River at Monroe Control Station No. 12.1411.00, Western will use the following formula:

$$\text{Flow at USGS Gage 12141100} = 0.89 \times (\text{Flow at USGS Gage 12150800} - \text{Flow at USGS Gage 12149000}).$$

If the estimated flow calculated from the above formula meets or exceeds the MISF as specified for USGS Gage 12141100 (Skykomish River at Monroe) for that day as presented in WAC 173-507-020(2), then water can be pumped from the river for industrial use and storage in the storage pond. If the estimated flow of the river is less than the minimum instream flow as specified for that day in WAC 173-507-020(2), then water will not be pumped from the river.

Section 3 – Purposes(s) and Period of Use

The water right is requested for industrial uses for a permitted gravel mine.

Purpose of Use

Section 3.1 – For domestic water supply systems proposals with fewer than 15 residential connections

Not Applicable.

Section 3.2 – For domestic water supply systems with more than 15 residential connections

Not Applicable.

Section 3.3 – For stockwater purposes

Not Applicable.

Section 3.4 – For other farm uses

Not Applicable.

Section 3.5 – For agricultural irrigation

Not Applicable.

Section 3.6 – For hydropower uses

Not Applicable.

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Section 3.7 – For industrial/mining uses

The water right application requests water for industrial uses for the Reiter Pit, including sand and gravel wash water, dust control, and potentially a concrete batch plant. Use will occur throughout the year, when available, subject to the MISF rule according to WAC 173-507-020 for the Skykomish River. Water will be pumped from the storage pond for operation of the gravel wash plant and other industrial uses at the Reiter Pit.

Section 3.8 – For other uses

Not Applicable.

Section 4 – Point(s) of Diversion or Withdrawal Locations

Information on the proposed point of diversion location is contained within the tables in the application.

Section 5 – Water Storage

Section 5.1 – If storing 10 acre-feet or more or if the depth is greater than 10 feet and any part is above grade

Not Applicable.

Section 5.2 – Describe your impoundment, including the volume and maximum depth

Western is proposing to store water in a lined storage pond for use when stream flow is below MISFs. The pond will be lined with a standard high-density polyethylene (HDPE) pond liner. The lined storage pond is proposed to be approximately 2.5 acres in size and up to 20 feet in depth. The base of the pond will be above the groundwater table. The pond will be at grade and located near the southeast corner of the property. Western is concurrently applying for a Reservoir Permit for the proposed storage pond.

Section 5.3 – Aquifer Storage and Recovery Project

Not Applicable.

Section 6 – Place of Use

The proposed place of use includes the entire Snohomish County Parcel No. 27091000100400. Refer to **Section 12** for maps showing the proposed place of use and ownership information.

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Section 7 – Related Water Rights

General Information

There are no state-issued water rights associated with the place of use, beyond statutorily authorized permit-exempt uses.

Section 7.1 – List other water rights related to this application

Not Applicable.

Section 7.2 – Explain how the water rights listed above have been exercised.

Not Applicable.

Section 8 – System Design and Operation

Section 8.1 – Provide a description of the proposed water supply system from the point of diversion or withdrawal to the proposed place of use

Water will be pumped from the Skykomish River from a portion of the place of use within the N ½ of the SE ¼ of Section 10, T27N, R9E W.M. The water will be pumped from the river into a mainline distribution pipeline to a lined storage pond located on the southeast portion of the place of use. From the storage pond, water will be pumped for industrial uses within the place of use. A pipeline will convey water from the storage pond to the wash plant. A discharge pipeline will convey water to settling ponds, as needed, in accordance with mine permitting. Water trucks may be used to pump water from the storage pond for dust control in the place of use. If a concrete batch plant is installed, a pipeline will convey water from the storage pond to the concrete plant.

Section 8.2 – Provide preliminary design plans and specifications for the proposed use

The proposed preliminary diversion design includes a pump platform with an approximate 60 horsepower (hp) centrifugal pump and approximate 8-inch-diameter intake screen(s) and pipeline(s) from the Skykomish River to the pump platform. The pump will be capable of pumping 1,200 gpm. An example of technical specifications for pumping equipment that could be used at this site if approved is included in **Appendix D**. From the diversion, preliminary plans propose an approximate 6-inch-diameter distribution pipeline to a proposed storage pond on the southeast corner of the place of use. A flow meter is proposed along the mainline near the outfall into the storage pond. The storage pond will hold up to 50 acre-feet of water.

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Section 8.3 – Provide the projected system efficiency

Minimal pipeline leakage is anticipated. Evaporation from the storage pond was estimated based on evaporation data from the Western Regional Climate Center (WRCC) to be approximately 29 inches per year (WRCC, 2023). The gravel wash system recirculates water. Based on industry standards, an estimated water loss of 15 percent from evaporation and losses to stockpile are anticipated. The storage pond will be lined with a standard HPDE liner to limit infiltration into the subsurface.

Section 8.4 – For surface water diversions, describe how your plans comply with WDFW fish screening requirements

Western will consult with the Washington Department of Fish and Wildlife (WDFW) and will have its intake pipe and screen designed and constructed to meet the WDFW fish screening requirements.

Development Schedule

Section 8.5 – Provide a general timeline that includes the steps needed to begin the project, complete the project, and put the water to full beneficial use.

Table 8.5 identifies the anticipated timeline for the development of water use once the permit has been issued.

Table 8.5. Proposed Development Schedule

Stage	Time after New Permit Issued
Start the project/planning	10 years
Construct all infrastructure to allow for full use of the water right	15 year
Fully use the rate and volume of water authorized under the water right	20 years

Section 8.6 – Identify and discuss other land-use or environmental permits required and the timeline to obtain those permits.

When WDFW is contacted regarding screening criteria, they will be asked if Hydraulic Project Approval (HPA) is needed for installation of the intake pipe into the river. If an HPA is required, it likely will take a few months to obtain.

Section 9 – Hydrogeological Analysis

Not Applicable.

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Section 9.1 – If known, describe the hydrogeological setting. Identify all ground water bodies and surface water bodies involved.

Not Applicable.

Section 9.2 – If known, describe geographic recharge and discharge areas, seasonal variations, and interrelationships between surface water and groundwater, and between aquifers.

Not Applicable.

Section 9.3 – Available well information

Not Applicable

Section 9.4 – If known, describe the Aquifer Characteristics

Not Applicable.

Water Quality Information (may be applicable if groundwater resources are non-potable, or might become contaminated)

Not Applicable.

Section 10 – Environmental Assessment

General Information

Section 10.1 – Aquatic Use of Surface Water Bodies

The Skykomish River is inhabited by several species of fish (refer to **Section 10.2**). The river is used recreationally by fishermen, kayakers, and rafters.

The requested water right will be interruptible and subject to the MISFs specified in WAC 173-507-020. The water right will not cause any reduction in flow below these minimum levels, the lowest of which is 1,000 cfs.

Section 10.2 – Fish and Salmonid Presence

The Skykomish River is fish-bearing. **Table 10.2** contains information on the presence of salmonids in the Skykomish River near the point of diversion according to WDFW's SalmonScape website (WDFW, 2023).

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Table 10.2. Skykomish River Salmonid Utilization Adjacent to Site

Salmonid	Use Type	Distribution Type
Summer Chinook	Presence	Documented
Fall Chinook	Spawning	Documented
Coho	Rearing	Documented
Summer Steelhead	Presence	Documented
Winter Steelhead	Spawning	Documented
Dolly Varden/Bull Trout	Rearing	Documented
Rainbow Trout	Presence	Documented
Resident Coastal Cutthroat	Presence	Documented
Fall Chum	Spawning	Documented
Pink Odd Year	Spawning	Documented

The Puget Sound Chinook Salmon (Summer and Fall), Puget Sound Steelhead (Winter and Summer) and bull trout are all listed as Threatened under the Endangered Species Act. The Puget Sound/Strait of Georgia Coho Salmon is listed as a Species of Concern under the Endangered Species Act.

Section 11 – Driving Directions

Section 11.1 – Site address, and detailed driving directions to the project site

From Interstate 5, take State Highway 522 east approximately 24 miles to US Route 2. Take US Route 2 east approximately 16 miles, then turn left onto Reiter Road. Follow Reiter Road approximately 1.6 miles to the Reiter Pit entrance road on the right. The place of use address is generally 44420 Reiter Road, Gold Bar, WA 98251.

Section 12 – Maps and Other Documentation

General Information

Section 12.1 – Water Right Maps

Map of Proposed Water Right Attributes

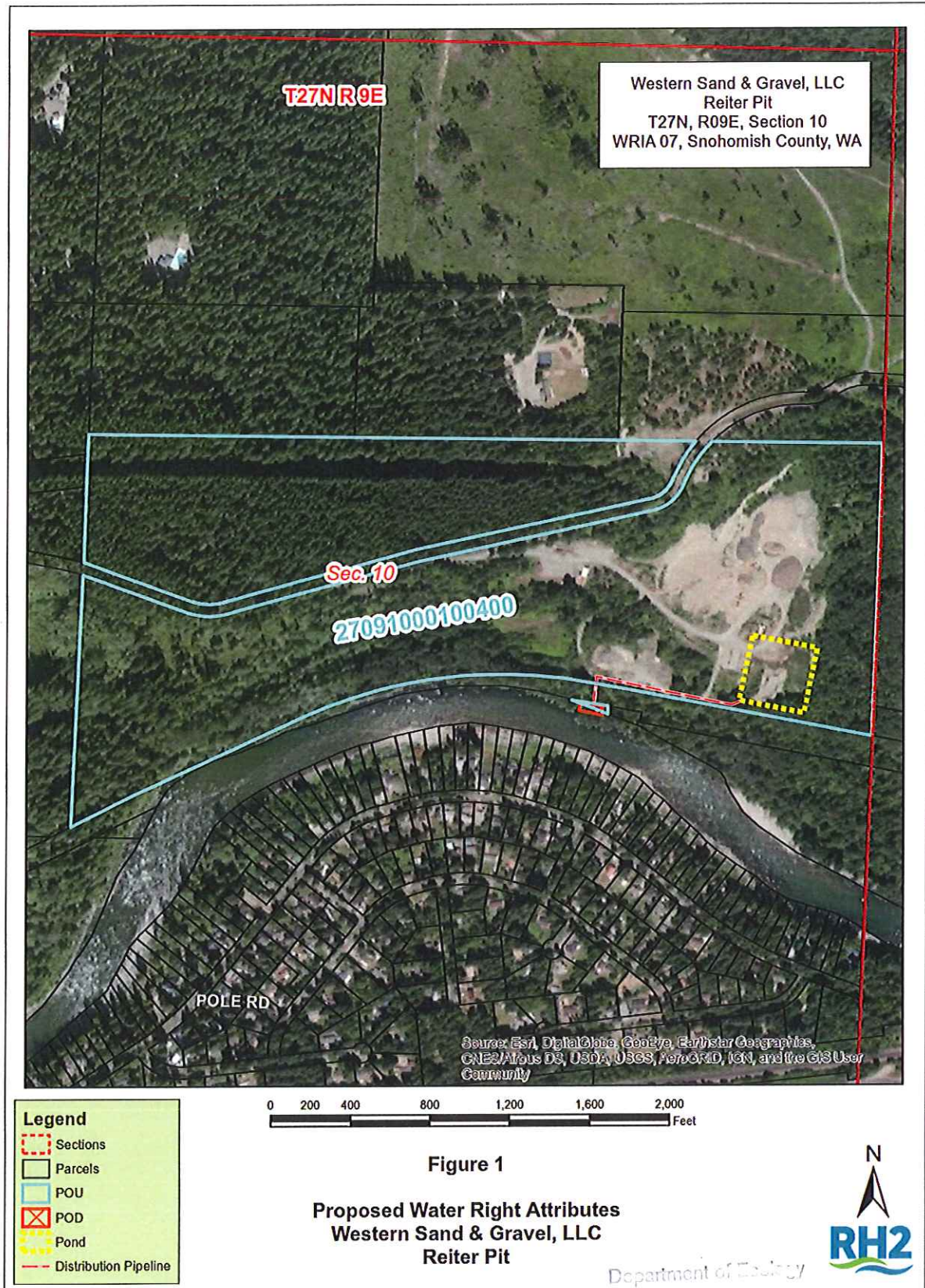
Refer to **Figure 1**.

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Figure 1 . Proposed Water Right Attributes



Section 13 – Signatures

Table 13.1 identifies all parcels within the proposed place of use, along with ownership of those parcels (Appendix E).

Table 13.1. Property Ownership within Proposed Place of Use

Parcel Number	Parcel Owner	Relationship to Applicant
27091000100400	Terra5 Company, LLC	Bob Scarsella is applicant and landowner

According to Snohomish County data, the parcel is owned by Terra5 Company, LLC (Appendix E). The applicant is Western Sand & Gravel, LLC, owned by Gino Scarsella, Bob Scarsella, Richard (Rick) Scarsella, and Don Scarsella. According to DNR, the Reiter Pit is owned by Scarsella Bros, Inc. According to the Washington State Secretary of State, the governors of Terra5 Company, LLC and Scarsella Bros, Inc. are Gino Scarsella, Bob Scarsella, Richard (Rick) Scarsella, and Don Scarsella (Appendix E). Mr. Bob Scarsella, as governor and/or owner of both Western Sand & Gravel, LLC and Terra5 Company, LLC, will sign as applicant and landowner of the place of use.

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References

- Cook, J.C. (2011). *Report of Examination for Change CG1-*00671C@2 (Certificate No. 330B)*. Washington State Department of Ecology.
- Washington Department of Fish and Wildlife. (2023). SalmonScape. Retrieved from <https://apps.wdfw.wa.gov/salmonscape/>.
- Western Regional Climate Center. (2023). *Evaporation Stations, Washington Monthly Average Pan Evaporation (inches)*. Retrieved from https://wrcc.dri.edu/Climate/comp_table_show.php?stype=pan_evap_avg.

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Appendix A

**State Environmental Policy Act
Documents**

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SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization, or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. **You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown.** You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to **all parts of your proposal**, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for lead agencies

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B, plus the [Supplemental Sheet for Nonproject Actions \(Part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in "Part B: Environmental Elements" that do not contribute meaningfully to the analysis of the proposal.

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A. Background

1. Name of proposed project, if applicable:

Application for New Surface Water Right Permit for the Reiter Pit, Western Sand & Gravel, LLC.

2. Name of applicant:

Western Sand & Gravel, LLC (Western)

3. Address and phone number of applicant and contact person:

Applicant: Bob Scarsella
Western Sand & Gravel, LLC
PO Box 68847
Seattle, WA 98168-0697

Contact: Logan Davidson
Western Sand & Gravel, LLC
PO Box 68847
Seattle, WA 98168-0697
206-741-3612, logand@wsandg.us

4. Date checklist prepared:

April 3, 2023

5. Agency requesting checklist:

Washington State Department of Ecology (Ecology)

6. Proposed timing or schedule (including phasing, if applicable):

Following issuance of a New Surface Water Right Permit, a 20-year surface water right development schedule is proposed that includes a 10-year planning phase, a 5-year phase to construct the surface water diversion and distribution system, and a 5-year phase to put the requested water to full use.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

None known.

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9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

A new water right application will be submitted concurrent with this SEPA Checklist for review by Ecology. No other applications are pending for government approvals of other proposals directly affecting the property covered by this proposal. The Reiter Pit has an active Washington State Department of Natural Resources (DNR) Surface Mine Reclamation Permit (No. 70-12717) and an active Ecology National Pollutant Discharge Elimination System (NPDES) Permit (WAG503326).

10. List any government approvals or permits that will be needed for your proposal, if known.

In addition to SEPA compliance, the project is expected to require a New Surface Water Right Permit and a Surface Reservoir Permit from Ecology.

11. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Western is seeking a new interruptible surface water right for industrial uses associated with a permitted sand and gravel mine (Reiter Pit). The proposed point of diversion is directly from the Skykomish River along the river bank of Parcel No. 27091000100400. The applicant proposes to construct access for a surface water diversion structure consisting of a flat pump platform near the river level. The proposed diversion structure will include typical components such as intake screens and piping, pump and platform, and distribution piping to the active Reiter Pit.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposed point of diversion is directly from the Skykomish River in Water Resource Inventory Area 7 – Snohomish River Basin, in Snohomish County in the North ½ of the SE ¼ of Section 10, Township 27 North, Range 9 East. The proposed point of diversion and place of use are shown on **Figure 1**.

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B. Environmental Elements

1. Earth

a. General description of the site:

Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other:

b. What is the steepest slope on the site (approximate percent slope)?

The steepest slopes on the site are approximately 50-percent slopes associated with the riparian areas on the north banks of the Skykomish River.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them, and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

According to the Natural Resources Conservation Service (NRCS) soil survey data, the location of the surface water diversion for the Reiter Pit is entirely within the Pits soil map unit, which is typically in areas associated with sand and gravel extraction as part of a mining operation.

The area along the bank of the Skykomish River, to the west of the point of diversion, also contains the Pilchuck loamy sand soil map unit, which is comprised of a somewhat excessively drained, loamy sand atop fine and gravelly sands that develops on floodplains from alluvium. The area east of the point of diversion contains the Puyallup fine sandy loam soil map unit, which is comprised of well drained, ashy fine sandy loam atop fine sandy loam and sand that forms on terraces from alluvium. Additionally, the area north of the point of diversion contains the Tokul-Winston gravelly loams, 25 to 65 percent slopes, soil map unit, which is comprised of a moderately well drained, gravelly medial loam that develops on escarpments and till plains from volcanic ash over basal till.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

None known.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Clearing and grading is anticipated to be required for construction of a pump platform that will occupy less than 100 square feet (sf) near the north bank of the Skykomish River. In addition, a segment of the distribution pipeline will be installed to connect the proposed pump to piping at the Reiter Pit site. This proposed distribution pipeline will extend approximately 100 linear feet north from the pump. If it is installed below ground, it may require open cutting and backfilling of an approximately 3-foot-wide by 3-foot-deep trench for installation. Trenching would require the removal of up to 900 cubic yards of material, which would be used for backfilling after utility installation. Soils at the site are sandy and are anticipated to be sufficient for reuse as trench backfill; any additional fill would be obtained from the Reiter Pit, as needed.

f. Could erosion occur because of clearing, construction, or use? If so, generally describe.

Minor erosion could occur during the construction and installation of the intake screen, piping, pump platform, and distribution piping. To minimize erosion during project construction, site-specific best management practices (BMPs) will be employed, such as silt fencing, dust control, and preserving native riparian vegetation.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Less than 1 percent of the site will be covered with impervious surfaces upon project completion. The diversion structure likely will occupy less than 100 sf.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any.

Once the project is completed, erosion is not expected to occur. During project construction, minor erosion could occur and site-specific BMPs will be employed, such as silt fencing, dust control, and preserving natural vegetation.

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Minor temporary exhaust and dust emissions from construction equipment and vehicles are anticipated during construction. The pumping system may be diesel-powered and produce some emissions as a byproduct of burning diesel fuel.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

None known.

c. Proposed measures to reduce or control emissions or other impacts to air, if any.

Equipment and vehicles shall conform with Washington State standards for air quality, including using properly functioning equipment and vehicles that have passed emissions testing, using clean-burning fuels when possible, limiting diesel exhaust, limiting vehicle idling, etc.

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3. Water

a. Surface Water:

1. **Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

The Skykomish River, a Type S (Shoreline) waterbody that is designated a Shoreline of Statewide Significance, is located at the surface water diversion point. The Skykomish River is south of the Reiter Pit. The Skykomish River is freshwater and flows west from the project site to its confluence with the Snohomish River near the City of Monroe.

2. **Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.**

The intake piping and pump system will be located in proximity to the Skykomish River. The intake will be in the river, and the pump will be positioned on a platform near the riverbank. The proposed pump platform design is preliminary and plans are not available.

3. **Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

None.

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

Yes, the applicant seeks a new interruptible surface water right from the Skykomish River for industrial uses at the Reiter Pit when the river level is above the minimum instream flow rule. The applicant requests a maximum instantaneous rate of up to 1,200 gallons per minute (2.67 cubic feet per second) and an annual rate of up to 290 acre-feet per year.

5. **Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**

Yes. The project area lies partially within the Federal Emergency Management Agency (FEMA) mapped 100-year floodplain of the Skykomish River.

6. **Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**

No.

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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 a general description, purpose, and approximate quantities if known.

Use of domestic groundwater and discharge to groundwater is associated with the existing Reiter Pit NPDES and mining permits.

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None.

c. Water Runoff (including stormwater):

- a) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Stormwater management of the Reiter Pit is addressed in the existing mining permits. The proposed project does not include alterations to the methods of collection and disposal of surface water in the area. Generally, water that occurs as precipitation in the project area flows into the nearby Skykomish River.

- b) Could waste materials enter ground or surface waters? If so, generally describe.

Reiter Pit operation is regulated by an active NPDES permit.

- c) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

The pump platform will alter less than 100 sf and create minimal impervious surfaces; therefore, the proposal is not anticipated to significantly affect drainage patterns at the site. No application of water to the ground surface at the diversion structure is expected.

- d) Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any.

Surface water runoff in the project area occurs as sheet flow runoff that drains directly into the Skykomish River, which is immediately adjacent to the project area. The completed project will create minimal impervious surfaces and will not significantly impact the existing runoff patterns of the site. No measures to reduce or control runoff are proposed by the project.

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4. Plants

a. Check the types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- orchards, vineyards, or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Approximately 100 sf of vegetation will be cleared for placement of the new pump platform structure. Vegetation to be removed is primarily common shrubs, including some moderately dense stands of Himalayan blackberry (*Rubus armeniacus*) and grasses near the north bank of the Skykomish River. Other plant species common in the area are Douglas fir (*Pseudotsuga menziesii*), red alder (*Alnus rubra*), and sword fern (*Polystichum munitum*).

c. List threatened and endangered species known to be on or near the site.

Based on a review of DNR Natural Heritage data and U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) data, no threatened or endangered plant species are known to be on or near the project site.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any.

None proposed.

e. List all noxious weeds and invasive species known to be on or near the site.

None known.

5. Animals

a. List any birds and other animals that have been observed on or near the site or are known to be on or near the site.

Examples include:

- Birds: hawk, heron, eagle, songbirds, other:
- Mammals: deer, bear, elk, beaver, other:
- Fish: bass, salmon, trout, herring, shellfish, other:

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b. List any threatened and endangered species known to be on or near the site.

According to USFWS IPaC data, gray wolf (*Canis lupus*), North American wolverine (*Gulo gulo luscus*), marbled murrelet (*Brachyramphus marmoratus*), yellow-billed cuckoo (*Coccyzus americanus*), bull trout (*Salvelinus confluentus*), and monarch butterfly (*Danaus plexippus*) may be present in the area. The Skykomish River is critical habitat for bull trout, which is federally listed as threatened under the Endangered Species Act (ESA).

The National Oceanic and Atmospheric Administration Fisheries Protected Resources App indicates that the Skykomish River is critical habitat for Chinook salmon (*Oncorhynchus tshawytscha*) and steelhead trout (*O. mykiss*), which are both federally listed as threatened under the ESA.

The Statewide Integrated Fish Distribution map indicates that chum salmon (*O. keta*), Chinook salmon, coho salmon (*O. kisutch*), pink salmon (*O. gorbuscha*), rainbow trout (*O. mykiss*), steelhead trout, coastal cutthroat trout (*O. clarkii*), and bull trout are present in the Skykomish River.

c. Is the site part of a migration route? If so, explain.

The project area is within the Pacific Flyway migration route; therefore, it may provide habitat for migratory bird species. USFWS data indicates five migratory species recognized as Birds of Conservation Concern may be within the project area (e.g., evening grosbeak, rufous hummingbird, and others). The Skykomish River also provides habitat for anadromous fish, such as Chinook salmon and steelhead trout, which migrate up river from Puget Sound to spawn.

d. Proposed measures to preserve or enhance wildlife, if any.

The intake pipe will have fish screens sized to state regulations and Washington Department of Fish and Wildlife screening requirements to prevent harm to fish utilizing the river. The diversion system will only be operated when river levels are above the minimum instream flows in accordance with the requested water right permit and Washington Administrative Code (WAC) 173-507-020.

e. List any invasive animal species known to be on or near the site.

None known.

6. Energy and Natural Resources

1. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Gasoline or diesel fuel and oil likely will be used to operate equipment for construction of the pump platform. Electricity or fuel likely will be used to power the pump motor.

2. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

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3. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.

None.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.

During construction, diesel or gasoline-fueled equipment likely will be used to install the diversion. In the built condition, fuel may be used to operate the pump motor.

1. Describe any known or possible contamination at the site from present or past uses.

No known contamination at the site.

2. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None known.

3. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Construction of the project will utilize gas/diesel-fueled equipment and may require temporary fuel storage onsite. During operation of the diversion, less than 5 gallons of fuel typically may be stored at the site on a concrete pad.

4. Describe special emergency services that might be required.

No special emergency services are anticipated.

5. Proposed measures to reduce or control environmental health hazards, if any.

Western will implement spill control methods in accordance with Washington State pollution control standards and will have a spill response plan as part of the mining operation. Storage of fuel or oil in quantities greater than 5 gallons will not occur at the diversion.

b. Noise

1. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Minimal noise associated with mining operations, local traffic, and the flow of the Skykomish River is present in the project area; however, it is not anticipated to affect the project.

2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site)?

Temporary construction noise will occur with the pump, pump platform, and distribution pipeline installation, including noise from construction vehicles, excavation, and backfilling of trenches. The City and/or contractor should follow regulations set forth in Chapter 10.01 of the Snohomish County Code (SCC), including controlling the level and timing of noise generated during construction.

Pumping plant motor operation and maintenance during typical mine operating hours will produce noise above ambient levels; however, pumps shall be located away from residential neighborhoods and are not anticipated to adversely impact surrounding areas.

3. Proposed measures to reduce or control noise impacts, if any.

Construction activities and proposed site improvements shall comply with the noise regulations of the SCC.

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The current use of the site is a sand and gravel mine that is owned and operated by Western. Adjacent properties to the east are primarily undeveloped state-owned forest lands. Burlington Northern Railroad owns a narrow undeveloped parcel that is located between the river access and mining portions of the subject parcel. Western will obtain permission to install a portion of the distribution pipeline on Burlington Northern's property.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses because of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

No.

1. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?

The proposed project will include operation of equipment on parcel no. 27091000100400 and the shoreline of the Skykomish River. No impacts to or from surrounding working forest lands are anticipated to occur as a result of this project.

- c. Describe any structures on the site.

None.

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d. Will any structures be demolished? If so, what?

No.

e. What is the current zoning classification of the site?

The current Snohomish County (County) zoning classification of the site is Forestry. The project area is partially within a Mineral Resource Lands overlay zone.

f. What is the current comprehensive plan designation of the site?

The designated future land use of the site, according to the County Comprehensive Plan, is Low Density Rural Residential (1 designated unit/20 acres).

g. If applicable, what is the current shoreline master program designation of the site?

The current shoreline master program designation of the site is Rural Conservancy.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

The site is partially within the 100-year floodplain of the Skykomish River and is a special flood hazard area per Chapter 30.65 SCC. The Skykomish River is a Type S watercourse, which is regulated by the County's Critical Areas Code as a Fish and Wildlife Habitat Conservation Area and requires a 150-foot stream buffer.

i. Approximately how many people would reside or work in the completed project?

Occasional maintenance of the diversion structure equipment would require one to five workers. There will not be any residents.

j. Approximately how many people would the completed project displace?

None.

k. Proposed measures to avoid or reduce displacement impacts, if any.

None proposed.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.

The purpose of the project is to acquire a new interruptible surface water right for industrial uses associated with the permitted Reiter Pit. The Reiter Pit has an active DNR Surface Mine Reclamation Permit. The proposal is consistent with the existing and projected land uses.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any.

None proposed.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

None.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None.

- c. Proposed measures to reduce or control housing impacts, if any.

None.

10. Aesthetics [Find help answering aesthetics questions](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The proposed pump is anticipated to be placed atop a platform within a small structure near the banks of the Skykomish River. The height of the pump housing structure will not exceed 10 feet. Principal exterior building material(s) for the structure have not yet been determined.

- b. What views in the immediate vicinity would be altered or obstructed?

The pumping plant will be situated along the north bank of the Skykomish River, near the bend at River Mile 45 in an area of undeveloped private property. No views will be altered or obstructed in the immediate vicinity.

- c. Proposed measures to reduce or control aesthetic impacts, if any.

None proposed.

11. Light and Glare [Find help answering light and glare questions](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

No.

- c. What existing off-site sources of light or glare may affect your proposal?

None.

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d. Proposed measures to reduce or control light and glare impacts, if any.

None proposed.

12. Recreation [Find help answering recreation questions](#)

a. What designated and informal recreational opportunities are in the immediate vicinity?

Recreation activities on the Skykomish River include swimming, wildlife viewing, boating, fishing, and others.

b. Would the proposed project displace any existing recreational uses? If so, describe.

No. The pump platform and associated pipelines will be located on private property along the banks of the Skykomish River. The proposed project is not anticipated to impede river access or impact any other existing recreational uses.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any.

None proposed.

13. Historic and Cultural Preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

No historic buildings, structures, or sites are shown on the Washington State Department of Archaeology and Historic Preservation (DAHP) Washington Information System for Architectural and Archaeology Records Data (WISAARD) database within 3.5 miles of the project site.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

Based on a review of WISAARD data, no known landmarks, features, or other evidence of Tribal or historic use or occupation is known.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Review of the DAHP's WISAARD database.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to

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resources. Please include plans for the above and any permits that may be required.

None proposed.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

The major public highway serving the site is US Route 2 (US 2), which runs from east to west and is approximately 0.3 miles south of the project area. To access the site from US 2 via car, turn north onto Reiter Road, located southeast of the City of Gold Bar, and continue east on Reiter Road for 1.7 miles to reach the Reiter Pit.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

The geographic area is served by Community Transit routes 270 and 271 that run daily and connect the City of Everett to the City of Gold Bar. The nearest transit stops are located in the City of Gold Bar approximately 2.85 miles northwest of the project area.

- c. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No.

- d. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No.

- e. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

None.

- f. Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No.

- g. Proposed measures to reduce or control transportation impacts, if any.

None proposed.

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection,

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police protection, public transit, health care, schools, other)? If so, generally describe.

No.

b. Proposed measures to reduce or control direct impacts on public services, if any.

Not applicable.

16. Utilities

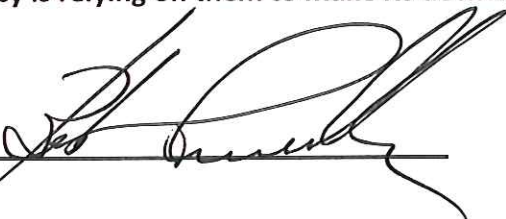
a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Western proposes the installation of a pump system that will connect to associated intake and distribution pipelines near the Skykomish River. The proposed project will utilize existing electrical power that is supplied to the site for operation of the pump. No additional utilities are proposed.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

X 

Type name of signee: Bob Scarsella

Position and agency/organization: Applicant and Owner, Western Sand & Gravel, LLC

Date submitted: *April 19, 2023*

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DETERMINATION OF NONSIGNIFICANCE

Description of proposal: Expanded Surface Mine Reclamation plan #70-012717. The Reiter pit permit area increased from 40 acres to 127 acres and the depth from 70 ft to 135 ft. The undeveloped portion of the site is located on the north side of the Skykomish River and will be mined in four phases for gravel with concurrent reclamation conducted as each phase is depleted. Approximately 1,500,000 cubic yards of clean fill soil will be imported from excavation projects in the surrounding area to achieve final reclamation slopes.

Proponent: BOB SCARSELLA
 PO BOX 68697
 SEATTLE WA 98168-7173

Location of proposal, including street address, if any: The project site is located at 4442 Reiter Road east on US 2 about 1 mile past the town of Gold Bar, WA in Section 10, Township 27 North, Range 9 East W.M. Snohomish County.

Lead agency: Department of Natural Resources

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.


There is no comment period for this DNS.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from June 3, 2011
 Comments must be submitted by June 17, 2011

Responsible official David K Norman

Position/title Division Manager **Phone** (360) 902-1450

Address 1111 Washington St. SE., PO Box 47007, Olympia, WA 98504-7007

Date May 17, 2011 **Signature** 

There is no agency appeal.

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Appendix B

Water System Planning Documents (Not Applicable)

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Appendix C

Water Well Reports and Testing Reports (Not Applicable)

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Appendix D

Technical Specifications on Equipment

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Pump Performance Datasheet

Customer	: Western Sand & Gravel	Sulzer Reference ID	:
Customer reference	:	Type / Size	: APT31-6 (O)
Item number	: Default	Stages	: 1
Service	: Water Supply Pump	Based on curve number	: APP31-150_1200_O Rev 1
Quantity	: 1	Date of Last Update	: 02/24/2023 11:40 PM

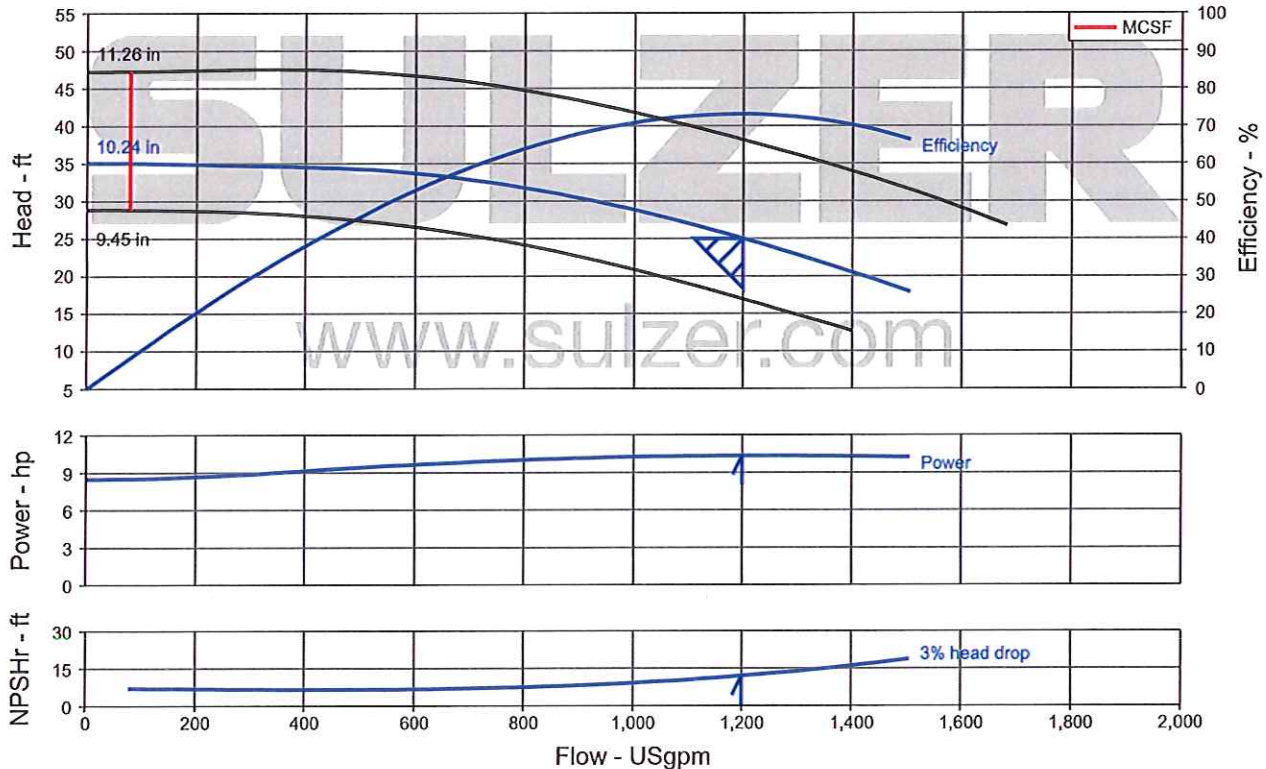
Operating Conditions		Liquid	
Flow, rated	: 1,200.0 USgpm	Liquid type	: Water
Differential head / pressure, rated (requested)	: 25.00 ft	Additional liquid description	:
Suction pressure, rated / max	: 0.00 / 0.00 psi.g	Solids diameter, max	: 0.13 in
NPSH available, rated	: Ample	Solids concentration, by volume	: 0.50 %
Site Supply Frequency	: 60 Hz	Temperature, rated / max	: 68.00 / 68.00 deg F

Performance		Material	
Speed criteria	: Synchronous	Material selected	: Cast Iron - ASTM A48 CL35B (53 / F0067)
Speed, rated	: 1155 rpm		
Impeller diameter, rated	: 10.24 in		
Impeller diameter, maximum	: 11.26 in		
Impeller diameter, minimum	: 9.45 in		
Efficiency	: 73.12 %		

Performance		Pressure Data	
NPSH (3% head drop) / margin required	: 12.03 / 0.00 ft	Maximum casing/bowl working pressure	: 15.19 psi.g
nq (imp. eye flow) / S (imp. eye flow)	: 57 / 128 Metric units	Maximum allowable working pressure	: 145.0 psi.g
MCSF	: 79.25 USgpm	Maximum allowable suction pressure	: N/A
Head, maximum, rated diameter	: 35.09 ft	Hydrostatic test pressure	: 217.6 psi.g

Performance		Driver & Power Data (@Max density)	
Head rise to shutoff	: 40.36 %	Driver sizing specification	: Rated power
Flow, best eff. point	: 1,193.2 USgpm	Margin over specification	: 0.00 %
Flow ratio, rated / BEP	: 100.57 %	Service factor	: 1.00
Diameter ratio (rated / max)	: 90.91 %	Power, hydraulic	: 7.57 hp
Head ratio (rated dia / max dia)	: 65.61 %	Power, rated	: 10.36 hp
Cq/Ch/Ce/Cn [ANSI/HI 9.6.7-2010]	: 1.00 / 1.00 / 1.00 / 1.00	Power, maximum, rated diameter	: 10.36 hp
Selection status	: Acceptable	Minimum recommended motor rating	: 15.00 hp / 11.19 kW

Hydraulic Performance Acceptance Test: ISO 9906:2012 / HI 14.6-2011 Grade 2B



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Appendix E

Property/Business Ownership Documents

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Water Resources Program

BUSINESS INFORMATION

Business Name:

TERRA5 COMPANY, LLC

UBI Number:

602 882 108

Business Type:

WA LIMITED LIABILITY COMPANY

Business Status:

ACTIVE

Principal Office Street Address:

8404 S 196TH STREET, KENT, WA, 98031, UNITED STATES

Principal Office Mailing Address:

PO BOX 68697, SEATTLE, WA, 98168-0697, UNITED STATES

Expiration Date:

11/30/2023

Jurisdiction:

UNITED STATES, WASHINGTON

Formation/ Registration Date:

11/26/2008

Period of Duration:

PERPETUAL

Inactive Date:

Nature of Business:

REAL PROPERTY INVESTMENT

REGISTERED AGENT INFORMATION

Registered Agent Name:

RICK SCARSELLA

Street Address:

8404 S 196TH ST, KENT, WA, 98031-0000, UNITED STATES

Mailing Address:

PO BOX 68697, SEATTLE, WA, 98168-0697, UNITED STATES

GOVERNORS

Title	Governors Type	Entity Name	First Name	Last Name
GOVERNOR	INDIVIDUAL		GINO	SCARSELLA
GOVERNOR	INDIVIDUAL		BOB	SCARSELLA
GOVERNOR	INDIVIDUAL		RICHARD	SCARSELLA
GOVERNOR	INDIVIDUAL		DON	SCARSELLA

Department of Ecology

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BUSINESS INFORMATION

Business Name:

WESTERN SAND & GRAVEL, LLC

UBI Number:

604 946 461

Business Type:

WA LIMITED LIABILITY COMPANY

Business Status:

ACTIVE

Principal Office Street Address:

8404 S 196TH ST, KENT, WA, 98031-1884, UNITED STATES

Principal Office Mailing Address:

PO BOX 68697, SEATTLE, WA, 98168-0697, UNITED STATES

Expiration Date:

08/31/2023

Jurisdiction:

UNITED STATES, WASHINGTON

Formation/ Registration Date:

08/01/2022

Period of Duration:

PERPETUAL

Inactive Date:

Nature of Business:

REGISTERED AGENT INFORMATION

Registered Agent Name:

RICK SCARSELLA

Street Address:

8404 S 196TH ST, KENT, WA, 98031-1884, UNITED STATES

Mailing Address:

PO BOX 68697, SEATTLE, WA, 98168-0697, UNITED STATES

GOVERNORS

Title	Governors Type	Entity Name	First Name	Last Name
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Department of Ecology

APR 25 2023

Water Resources Program



WASHINGTON
Secretary of State
Corporations & Charities Division

Filed
Secretary of State
State of Washington
Date Filed: 07/28/2022
Effective Date: 08/01/2022
UBI #: 604 946 461

CERTIFICATE OF FORMATION

UBI NUMBER

UBI Number:
604 946 461

BUSINESS NAME

Business Name
WESTERN SAND & GRAVEL, LLC

REGISTERED AGENT

Registered Agent Name	Street Address	Mailing Address
RICK SCARSELLA	8404 S 196TH ST, KENT, WA, 98031-1884, UNITED STATES	PO BOX 68697, SEATTLE, WA, 98168-0697, UNITED STATES

REGISTERED AGENT CONSENT

Customer provided Registered Agent consent? - **Yes**

DURATION

Duration:
PERPETUAL

EFFECTIVE DATE

Effective Date:
08/01/2022

OTHER PROVISIONS

Other Provisions:

PRINCIPAL OFFICE

Phone:
253-872-7173

Department of Ecology

APR 25 2023

Washington Department of Ecology

Email:
BOB@SCARSELLABROS.COM

Street Address:
8404 S 196TH ST, KENT, WA, 98031-1884, UNITED STATES

Mailing Address:
PO BOX 68697, SEATTLE, WA, 98168-0697, UNITED STATES

EXECUTOR

Title	Executor Type	Entity Name	First Name	Last Name	Address
EXECUTOR INDIVIDUAL			RICK	SCARSELLA	8404 S 196TH ST, KENT, WA, 98031-1884, UNITED STATES

RETURN ADDRESS FOR THIS FILING

Attention:
JESSICA L SCARSELLA

Email:
JESSICA.S@SCARSELLABROS.COM

Address:
8404 S 196TH ST, KENT, WA, 98031-1884, UNITED STATES

UPLOAD ADDITIONAL DOCUMENTS

Name	Document Type
No Value Found.	

UPLOADED DOCUMENTS

Document Type	Source	Created By	Created Date
No Value Found.			

EMAIL OPT-IN

I hereby opt into receiving all notifications from the Secretary of State for this entity via email only. I acknowledge that I will no longer receive paper notifications.

AUTHORIZED PERSON - STAFF CONSOLE

Document is signed.

Person Type:
INDIVIDUAL

First Name:
JESSICA

Last Name:
SCARSELLA

Title:
GENERAL COUNSEL

Department of Ecology

APR 25 2023

Water Resources Program

BUSINESS INFORMATION

Business Name:
SCARSELLA BROS. INC.
 UBI Number:
578 035 242
 Business Type:
WA PROFIT CORPORATION
 Business Status:
ACTIVE
 Principal Office Street Address:
8404 S 196TH ST, KENT, WA, 98168, UNITED STATES
 Principal Office Mailing Address:
PO BOX 68697, SEATTLE, WA, 98168-0697, UNITED STATES
 Expiration Date:
06/30/2023
 Jurisdiction:
UNITED STATES, WASHINGTON
 Formation/ Registration Date:
06/10/1958
 Period of Duration:
PERPETUAL
 Inactive Date:

 Nature of Business:
CONSTRUCTION

REGISTERED AGENT INFORMATION

Registered Agent Name:
RICK SCARSELLA
 Street Address:
8404 S 196TH ST, KENT, WA, 98031-0000, UNITED STATES
 Mailing Address:
PO BOX 68697, SEATTLE, WA, 98168-0000, UNITED STATES

GOVERNORS

Title	Governors Type	Entity Name	First Name	Last Name
GOVERNOR	INDIVIDUAL		GINO	SCARSELLA
GOVERNOR	INDIVIDUAL		RICK	SCARSELLA
GOVERNOR	INDIVIDUAL		DON	SCARSELLA
GOVERNOR	INDIVIDUAL		BOB	SCARSELLA

Department of Ecology

APR 25 2023

Water Resources Program

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https://geologyportal.dnr.wa.gov/2d-view#wigm?-13541624,-13537611,6079470,6081636?Active_Surface_Mine_Permit_Locations,Active_Surface_Mine_Permit_Sites

DB | mapView Employee Self-Servi... RH2 Intranet - Laun... U.S. Quaternary Fau... OFR: 2004-20, Ligu... Washington Geolo... Steady rotation of t... WSBs Water System Desi... SWAP Map Export Search Results

Washington Geologic Information Portal 3D Help

Identify

Active Surface Mine Permit Sites

- SCARSELLA BROTHERS INC

Feature Information

Applicant Name: SCARSELLA BROTHERS INC

Commodity: Sand and Gravel

County Name: Snohomish

Latitude: 47.841675

Longitude: -121.629791

Mine Name: REITER PIT

Mine Permit Number: 12717

OBJECTID: 520

Permit Acreage: 127

Permit Depth (feet): 135

Shape: Point

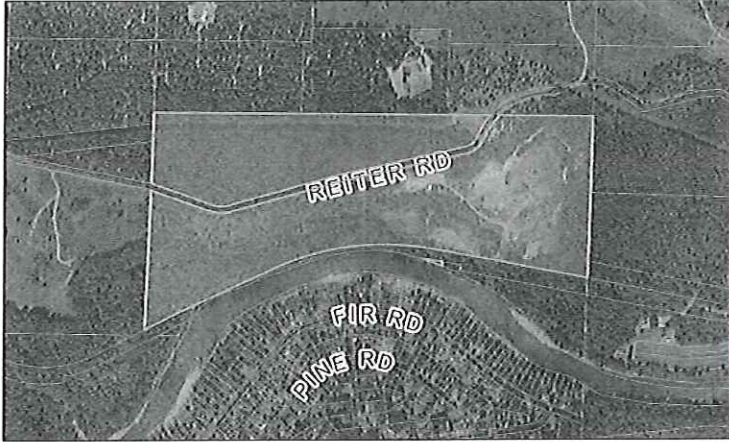
[Download feature information](#)

40 Long: -121.632

Snohomish County shall have no liability for the data or lack thereof, or any decisions made, or action not taken in reliance upon any of the information provided in this report.

Please consult PDS Staff for the most current information.

This report is subject to the disclaimer as noted on the bottom of each page and at the end of the report.*



Aerial



Vicinity

LOCATION

Site Address: 44420 REITER RD
 City: SULTAN
 ZIP Code: 98294
 Tax Parcel: 27091000100400
 Quarter Section T&R: 2709101 : 2709102 : 2709103 : 2709104

Latitude / Longitude: Latitude = 47.842241
 (NAD83) Longitude = -121.635372
 WA State Plane North: X = 1,443,469.22
 (NAD83, US Feet) Y = 308,247.44

Department of Ecology

APR 25 2023

ASSESSOR

Owner Name: TERRA5 COMPANY LLC
 Taxpayer of Record: TERRA5 COMPANY LLC
 Use Code: 183 Non Residential Structure
 Tax Year: 2023
 Assessment Date: 01/01/2022

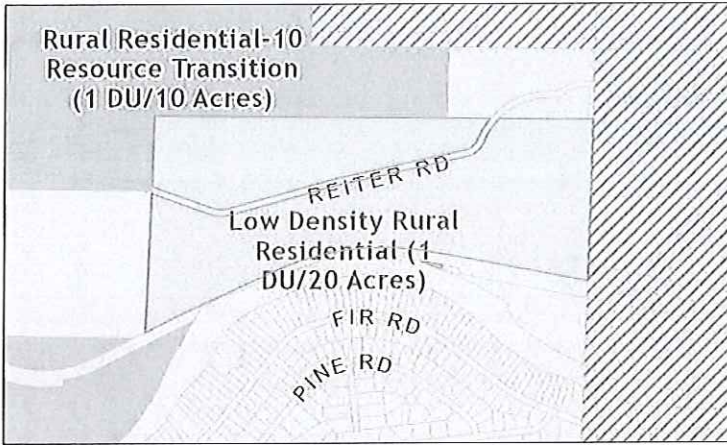
Gross Size (Acres): 143.96
 Land Value: \$507,800
 Improvement Value: \$11,000
 Total Value: \$518,800
 Property Account Summary: Assessor's Tax Information
 Permit Information: Permit History

Water Resources Program

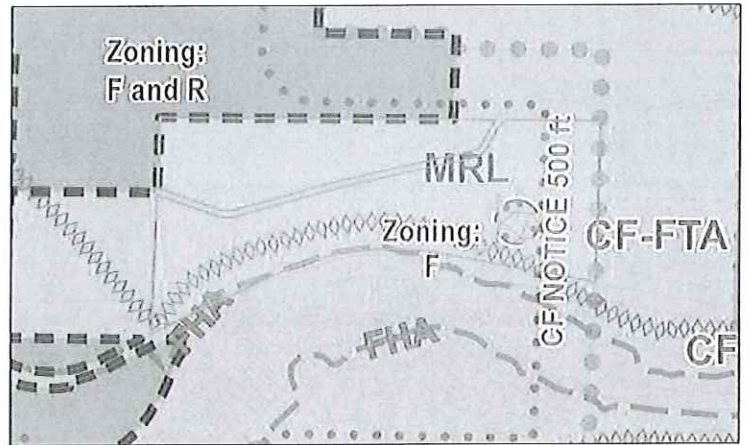
ADMINISTRATIVE

Land Use Jurisdiction: Snohomish County
 Tribal Lands Status: Non-tribal land
 Tribal Lands Name: Non-tribal land
 Council District: County Council District 5
 Fire District: Fire District 26
 Fire Authority: Not in a Fire Authority area
 Park District: Not in a park district
 Park Service Area: Lord Hill

School District: Sultan School District 311
 Sewer District: Not in a sewer district
 Water District: Not in a water district
 Water Provider (CWSP): Unknown water system provider
 Drainage District: Not in a drainage district
 Diking District: Not in a diking district
 Flood Control District: Not in a flood control district



Future Land Use



Zoning

PLANNING

Future Land Use (FLU):	LDRR/20
FLU Description:	Low Density Rural Residential (1 DU/20 Acres)
Zoning:	E <u>Official Zoning and other map products</u>
Zoning Description:	Forestry
Urban Growth Area (UGA):	Not in an Urban Growth Area
Municipal UGA:	Not in a Municipal Urban Growth Area
Transportation ILA:	MON ILA-3, Estm. Trip% = 70
Snow Load Factor:	0.0670000016689
Snow Load:	25.00 to 32.68 lbs/sq ft

Conservation Easements	No Data
No-Shooting Area:	Inside a No-shooting Area (SCC 10.12)
Lot Status:	Unconfirmed
SCC 30.23.040 (22) Applies:	Minimum Lot Size does not apply {per SCC 30.23.040(22)}
Transportation Services Area:	C
TDR Sending Area:	Sending
TDR Receiving Area:	Not in a TDR Receiving area
Mineral Resource Area:	Type C-3
Mineral Resource Name:	Sand-Gravel
Shoreline Management Area:	In a Aquatic Shoreline Environment Shoreline Management Area : In a Rural Conservancy Shoreline Environment Shoreline Management Area
Critical Area Site Plan (CASP):	No Critical Area Site Plan Present <u>View CASP information, if applicable.</u>

NOTIFICATION

Lahar Volcanic Notice (200 ft.):	Not in a lahar hazard area
Commercial Forest Notice (500 ft.):	NOTICE: Within 500 ft. of Commercial Forest, disclosure required (SCC 30.32A.210)
Mineral Resource Notice (2,000 ft.):	NOTICE: Within 2,000 ft. of a Mineral Resource Lands, disclosure required (SCC 30.32C.210)

Agriculture Notification Area:	Not within an agriculture notification area
Paine Field Airport:	Not within 20,000 ft of Paine Field
Airpark:	No airparks within 2500 ft
Airport Compatibility Area:	Not within an airport compatibility area
Airport Influence Area:	Not within an airport influence area

Department of Ecology

Tax Parcel: 27091000100400

Data Compiled On: 02/28/2023

APR 25 2023

All information contained in this report is subject to the [data disclaimer](#), as stated on the final page.

CRITICAL AND PHYSICAL

Watershed:	Skykomish watershed
Aquifer Sensitivity:	High Aquifer Sensitivity
Elevation: (NAVD88, US Feet)	Approximately 277.3 to 488.3 ft
Basin:	Snohomish
Sub-basin:	Upper Mainstem Skykomish sub-basin
Water Resource Inventory Area (WRIA):	WRIA 7
Hydric Soils:	No hydric soils Hydric soils present
Flood Hazard Area:	A portion of the parcel is inside the flood hazard area
Sole Source Aquifer:	Not in a sole source aquifer
100 Year Flood Plain:	Floodway Area : Floodway Fringe
Critical Aquifer Recharge Area:	Wellhead Protection Area 10-Year Travel Zone, check uses; SCC 30.62C.330 and .340
Pipelines:	No petroleum pipelines within 1,000 feet
Geology: (Erodible Surface)	Qa : wtr

National Wetlands Inventory:	No NWI wetlands present
PDS Wetlands Inventory:	Not Inventoried
Steep Slopes (> 33%):	Steep slopes present
Landslide Hazard Area:	Possible known landslide or within modeled LHA <u>More Information: SCC 30.62B.340</u>
Mine Hazard:	Mine hazard within 200 ft Geotechnical report may be required (SCC 30.62B.140)
Levees:	No levees within 1,000 feet
Levees Source:	No levee on the property
Soil Type:	PILCHUCK LOAMY SAND : PITS : PUYALLUP FINE SANDY LOAM : RAGNAR FINE SANDY LOAM, 0 TO 8 PERCENT SLOPES : SKYKOMISH GRAVELLY LOAM, 0 TO 30 PERCENT SLOPES : TOKUL-OGARTY-ROCK OUTCROP COMPLEX, 25 TO 65 PERCENT SLOPES : TOKUL-WINSTON GRAVELLY LOAMS, 25 TO 65 PERCENT SLOPES

WALKABLE PUBLIC AMENITIES

<u>Parks</u> Within 1/2 Mile:	Bus Stops Within 1/2 Mile:	Schools Within 1/2 Mile:
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DATA DISCLAIMER

All maps, data, and information set forth herein ("Data"), are for illustrative purposes only and are not to be considered an official citation to, or representation of, the Snohomish County Code. Amendments and updates to the Data, together with other applicable County Code provisions, may apply which are not depicted herein. Snohomish County makes no representation or warranty concerning the content, accuracy, currency, completeness or quality of the Data contained herein and expressly disclaims any warranty of merchantability or fitness for any particular purpose. All persons accessing or otherwise using this Data assume all responsibility for use thereof and agree to hold Snohomish County harmless from and against any damages, loss, claim or liability arising out of any error, defect or omission contained within said Data. Washington State Law, Ch. 42.56 RCW, prohibits state and local agencies from providing access to lists of individuals intended for use for commercial purposes and, thus, no commercial use may be made of any Data comprising lists of individuals contained herein.



Snohomish County Planning and Development Services

3000 Rockefeller Avenue
Everett, WA 98201
Phone: 425-388-3311

Customer Service Hours:

Monday/Tuesday/Wednesday/Friday: 8:00 AM - 4:00 PM
Thursday: 10:00 AM - 4:00 PM

Walk-ins will be assisted on a first-come, first-served basis.

Department of Ecology

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Water Resources Program

Tax Parcel: 27091000100400

Data Compiled On: 02/28/2023

Appendix F

Streamflow Records

Department of Ecology

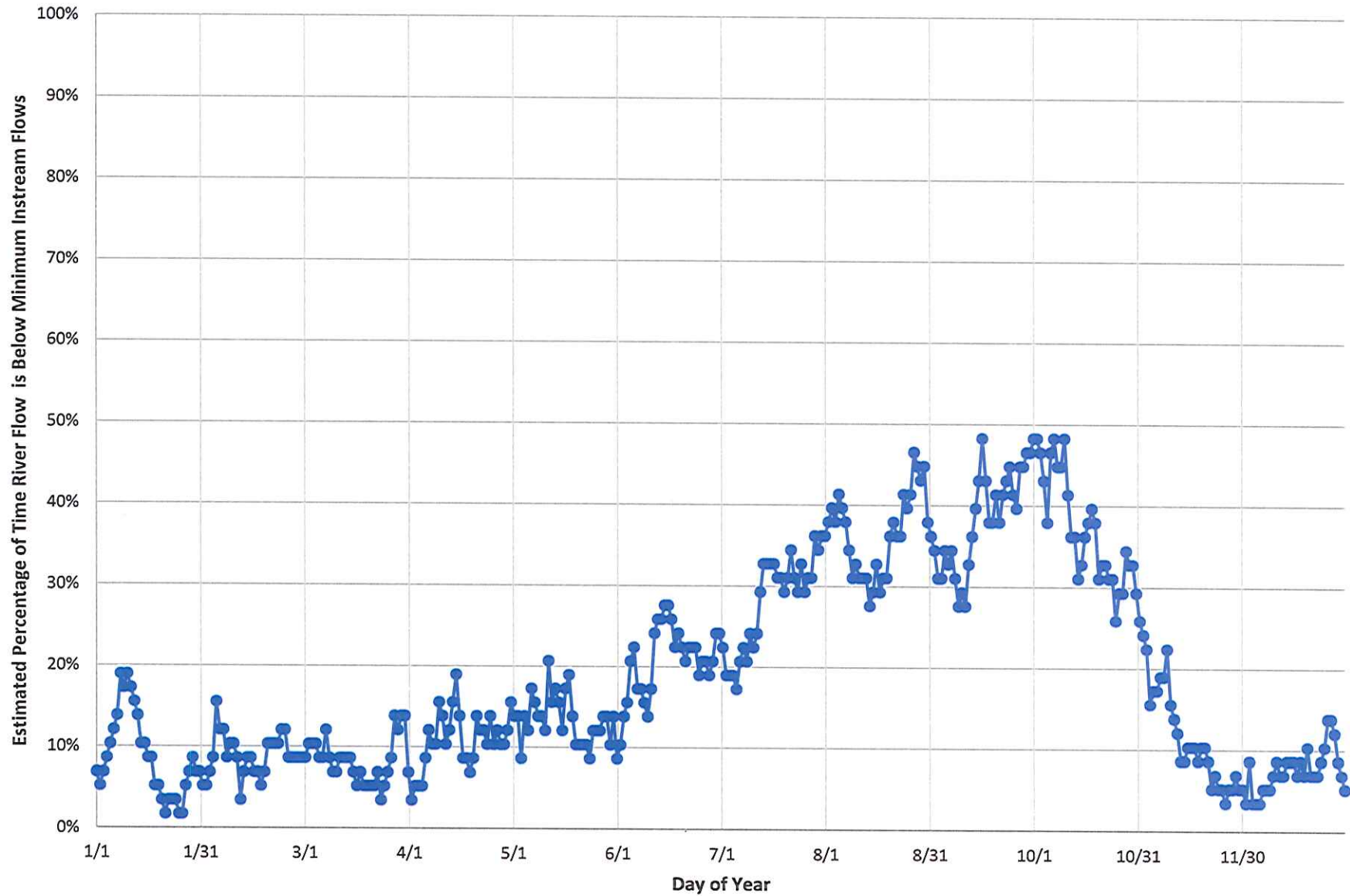
APR 25 2023

Water Resources Program

APR 25 2023

USGS 12141100 Skykomish River Near Monroe, WA (Estimated) Estimated Flow Compared to Minimum Instream Flows

Water Resources Program



Appendix G

Other Supporting Documents (Not Applicable)

Department of Ecology

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Water Resources Reg.