

EXECUTIVE SUMMARY OF KEY COMMENTS

(See full comments following Executive Summary)

This proposed expansion to the ongoing Ravensdale LLC trench filling project represents a MAJOR redefinition of the project, calling for a 500% increase in the project scale. Approval will imply continued heavy truck traffic (an additional ~51,000 truck trips) into and out of our community over the next 7+ years. This expansion application has four major components:

1. the “as-builts” for the overfilled D, E and F Trenches;
2. major expansions to the E, F and A Trenches (beyond the Phase I overfilling of E and F);
3. approval to fill a newly-defined C-Trench; and
4. approval to fill five additional new “trenches”.

Consideration of whether or not to approve this expansion application should take into account the history of this project over the past 7+ years. That history has been fraught with problems, including willful overfilling (actual dumping = 2.5X permitted volume; area cleared/filled = 1.9X permitted); failing to employ engineered safeguards in the filling (112 known violations, plus at least 21 formal Corrective Action Notice items from DPER); and violations of the terms underlying Conservation Easements on this property. These past problems have resulted in documented damage to sensitive public resources; and many of these problems continue today. As such, approval of any expansion to this project should also require major changes to the Permit Conditions, and implementation of a comprehensive monitoring and reporting program to ensure the problems encountered in the past are not perpetuated in the future.

With that caveat, we submit this summary of our public comments regarding the four major components of this expansion application, with an elaboration behind each of these recommendations following.

“as-builts” for the overfilled D, E and F Trenches: We concur with DPER’s decision to require the landowners to re-apply for permits for these three overfilled trenches based on their “as-built” condition. We endorse the permitting of these “as-built” volumes, and allowing this overfill volume to remain in place. But, as mitigation for the damage done to public resources from this overfilling, and in recognition of the substantial financial benefits realized by the landowners from this intentional overfilling, this 135,778 cubic yard overfill should be deducted from the fill volumes allowed on some other on-site trench(es) that would otherwise be permitted through an expansion application.

Expansions to E, F and A Trenches: We endorse the proposed expansion of **A-Trenches**, but only if it can be convincingly demonstrated that the current sediment-laden runoff from the already overfilled below-the-road portion of this trench can be effectively controlled, and that such expansion is not likely to further increase the risk of major sediment flows beyond the permitted footprint. We do NOT endorse the proposed expansion of **E-Trench**, and disagree with the conclusion that Green Pond is not a “real” wetland – contrary to prior assessments by other environmental consultants and by the County. We also do NOT endorse the proposal to expand **F-Trench** filling, which violates wetlands buffers and exposes wetlands to surface runoff from the fill. Additional studies to understand the likely impact to surface and sub-surface water flow patterns to Rock Creek and Lake 12/Crow Marsh from this highly complex wetland area must be a prerequisite for any proposal for additional filling of this trench.

Approval of C-Trench: We do NOT endorse the inclusion of the small trench on the north face of Ravensdale Ridge as part of C-Trench filling. We also do NOT endorse the increase in fill volumes over prior plans, which result in fill levels higher than the elevation of the ridge-top saddle at the head of this trench. Based on past experience with E and F Trench filling, we have grave concerns about the ability to control major sediment and mudflows beyond the approved trench footprint that could threaten nearby fish-bearing public waters. This is particularly a concern given the “slop”

(their term) and “pumper” (vector-truck) material being dumped in this trench under “limited” permits from DPER. It will be critical that any further approvals to fill this trench include a comprehensive and effective monitoring and reporting program, to avoid risk of serious damage to sensitive public resources.

Approval of five new trenches: We have no major issues with the proposed filling of **J and K Trenches**, nor with filling the upper reaches of **H Trench**. But none of these contributes anything toward the stated project goal of reclamation/restoration of mining trenches *“for the purpose of returning the site into forestry use.”* All these have been in productive commercial forestry use without filling for decades, and continue to be so today. Filling of the lower reaches of H should require assurances that runoff beyond the approved footprint can be avoided, as such could represent a serious risk of contamination of downgradient public resources. We do NOT endorse the “filling” of **I Trench**. This is not a mine trench, and has been very successfully managed for commercial forestry for decades, and continues so under the current landowners. We **ABSOLUTELY DO NOT** endorse any filling whatsoever of **G Trench**. Filling this trench would pose a major risk of serious contamination to Buck Lake, 31-Man Creek and Mine Pond – all documented fish-bearing waters. Filling of this trench was roundly rejected by all parties when it was originally proposed in 2007-2009.

Other Concerns: We also have other related concerns, regarding the introduction of invasive species, violations of Conservation Easement terms, the material being accepted for filling, and ongoing failures to comply with engineered safeguards and other monitoring/reporting requirements. These issues are described in the detail comments below.

Bottom-line: In conclusion, while there are many aspects of this expansion proposal that we would not find objectionable - providing certain prerequisite conditions are satisfied - **we absolutely do NOT endorse the proposed expansion as currently written**. As described in these comments, approval of this application as currently proposed would undoubtedly lead to numerous issues, continued permit and Conservation Easement violations, and ultimately to significant environmental damage to sensitive public resources. Approval would also have significant traffic impacts on the community and throughout SE King County for many years to come. Specific concerns behind this overall position are described in more detail below.

The above represents a high-level summary of our public comments and concerns regarding the proposed expansion of the Ravensdale, LLC trench filling project. We highly encourage you to read the specifics behind these summaries as presented below. And we would be happy to discuss any of these issues/concerns further with you, should you have additional questions.

Thank you for your conscientious consideration of these public comments.

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We respectfully submit the following public comments regarding application GRDE18-0114 by Ravensdale LLC to expand their mine trench filling project on Ravensdale Ridge. We submit these comments as private citizens. As background, we have lived adjacent to this property for 45 years – long before Ravensdale LLC’s ownership. We assisted the prior owners, Plum Creek Timberlands, as volunteers in helping manage recreational use following their clearcutting of the property in the mid- to late-1970’s. We were enlisted as Volunteer Land Stewards, responsible for monitoring this property, by Cascade Land Conservancy (now Forterra), in 2007 – just after Ravensdale LLC’s principals, Kurt Erickson and Fred Wagner, purchased the property from Plum Creek. Forterra owns three separate Conservation Easements that deal with forestry practices, development, and recreational use of this property. We have been monitoring harvest, trench filling, and other activity on this property for the past 11 years. In this role, we have worked closely with WA DNR and with KC DDES/DPER. We have also spent five years researching the 119-year history of Ravensdale, much of which occurred on this specific property. And I, Michael, have extensive forestry experience, having retired from Weyerhaeuser’s Timberlands business in 2007 after 34 years of service. In short - we are extremely familiar with this property, and its history, both recent and long-term.

Project History

The past history of this mine trench filling project has major implications for this proposed expansion. Learning from past mistakes can make the project run much smoother in the future. The filling of D, E and F Trenches was fraught with problems. While extensive, quality work went into background studies, engineering and permitting the filling of these three “Phase I” trenches, execution against those approved plans fell far short. Ultimately, based on “as-built” surveys mandated by DPER and other data, it was determined that these three trenches had been grossly overfilled compared to the approved plans. Fill volume for the three trenches was approved for 91,025 cubic yards. Final volume actually placed in/on these trenches was determined to be 226,803 cubic yards – 2.5X what was permitted. And the final aggregate footprint of the three trenches was 1.9X what had been engineered and approved. This gross overfilling of the D, E and F trenches led to DPER directing the landowners to either remove the unpermitted 135,778 cubic yards of dumped fill, or to re-apply for a permit for these three trenches on as “as-built” basis. Hence, a major component of the current expansion proposal is the as-builts for D, E and F trenches.

Besides the overfilling of Phase I trenches, by our tally, there have also been at least 112 violations of the permit and/or the approved plans for this project, plus at least 21 formal, Corrective Action Notice items issued to the landowners by DPER – some of which, we believe, have never been addressed. Terms of the Forestry Conservation Easement covering this property, and owned by Forterra, have also been violated – at times with DPER’s endorsement. Some of these project violations have resulted in documented damage to public resources - in some cases with the likelihood of continuing degradation in the future. And of great concern, some of these violations continue with ongoing fill activity at A and C Trenches.

If an expansion to this trench-filling project is approved, as proposed, it is critical that permit terms be modified to ensure the problems and extensive violations experienced with this project in the past are not repeated.

Expansion Proposal

This proposal represents a MAJOR expansion to the trench filling project which has been going on now for just over seven years. The application and related documents indicate that, if approved, the Ravensdale LLC Trench Filling project will expand from a permitted ~242,525¹ cubic yards of imported fill, to 1,223,867² cubic yards. Thus, this application

¹ 217,525 cy for A, D, E + F; and ~25,000 cy of “limited” fill permits for C (15,000 under “limited” permit #1, and a guessed 10,000 under subsequent “limited” permits to date).

² 1,223,867 cy total shown in Contour’s TIR Total Import Quantity column.

represents a five-fold increase in the size of the permitted project to date. We estimate there has already been ~305,000,³ cy of fill dumped as part of this project on-site to date. As such, if this proposed expansion is approved, we should expect another ~919,000 cy of fill to be dumped under this project. This would translate to another ~51,000⁴ truck trips into and out of our community. At the estimated 25-30 trips/day shown in the SEPA, this expansion represents an additional 7+ years of heavy truck traffic - beyond what has already been delivered to this site over the past seven years. So this is not your typical “business expansion”; this is a MAJOR re-write of the Ravensdale Trench Filling Project – of broad significance to the community and beyond.

Our understanding is that the expansion proposed with this application reflects four major components:

5. the “as-builts” for the overfilled D, E and F Trenches;
6. major expansions to the E, F and A Trenches (beyond the Phase I overfilling of E and F);
7. approval to fill a newly-defined C-Trench (which has already had some filling – some unpermitted and some permitted under “limited” fill permits from DPER); and
8. approval to fill five⁵ new “trenches”.

Based on application documents, it would appear that these four sources contribute the following volume increments beyond current project approvals:

D, E & F overfill: + 135,778⁶ cy (13%)

E, F & A trench expansions: + 374,338⁷ cy (37%)

C Trench approval: + 329,571 cy⁸ (33%)

Five additional new trenches: + 166,655⁹ cy (17%)

Total incremental volume permitted under this application: 1,006,324 cy

We will address each of these increments below.

D, E & F overfill

The just thing to do in the case of this intentional overfilling (owners were told by DPER on multiple occasions to cease filling, but ignored these directives) is to require the incremental volumes dumped above the permitted levels to be removed from the site. But we fully agree with DPER that such a “penalty” is largely impractical, and such a solution would likely cause even more environmental damage than has already been caused by the overfilling. As such, we concur with DPER’s decision to allow the landowners to use the “as-builts” (i.e., overfilled volumes and footprints) to “re-apply” for permits for these trenches, rather than removing the overfill volumes. However, the landowners have benefitted financially to a great degree¹⁰ through this intentional overfilling, and public resources have been damaged through these actions. As such, we feel strongly that some mitigation “penalty” is due for these actions, to discourage intentional permit violations in the future. Our recommendation is that the overfilled D, E and F “as-built” volumes be permitted and allowed to remain in place, but this 135,778 cubic yard overfill be deducted from the fill volume allowed on some other on-site trench that would otherwise be permitted through this expansion application. Furthermore, to maximize the environmental benefit of this mitigating fill volume reduction, DPER and Forterra should jointly select

³ 259,591 cy as of 2/18/18 per Ty Peterson letter, + 15,000 cy under “limited” fill permit #1 for C, + a guessed 20,000 cy in A since 2/18, + a guessed 10,000 cy in C since “limited” fill permit #1 was completed.

⁴ Assuming an average 18 cy/trip, reflecting a mix of single trucks, truck+pup trailer, SiDumps, and vector trucks.

⁵ Note: both the SEPA checklist, and the Notice of Application indicate six new trenches besides C; but other documents accompanying this application indicate Trench B has been replaced with Trench K; leaving five new trenches (plus C Trench).

⁶ 9,598 cy D + 62,654 cy E + 63,526 cy F

⁷ 64,183 cy A + 210,931 cy E + 99,224 cy F (note: previously permitted volumes for A-Trenches shown in TIR only reflect A-North trench, and erroneously excluded A-South trench.

⁸ 329,571 cy proposed replacement to the previous, never-permitted proposal of 213,207.

⁹ 107,914 cy G + 21,196 cy H + 29,042 cy I + 7,882 cy J + 621 cy K

¹⁰ The incremental 135,778 cy overfill may well represent \$500,000 additional income to the owners.

which approved trench(es) this volume reduction should be allocated to, rather than the landowner making this selection. This would seem to be a reasonably fair “solution” to this gross overfilling violation.

Expansion of A-Trench

The current permitted volume for this pair of trenches is 126,500¹¹ cubic yards. The application calls for expanding this trench to 190,683 cubic yards – a 50% increase in scale. This volume increase appears to be mostly a result of increasing the fill depth, especially in the larger, A-North Trench (formerly called A-1). Increasing fill depth also increases the fill footprint width within each of these trenches. The incremental fill depth over the currently approved plan through the majority of the A-North



Mountain of fill upper right is outside permitted footprint of A-Trench. Jul 25, 2018.

trench is ~+20'. Fill increments in the A-South trench appear to be somewhat



May 13, 2018 Google Earth image with permitted A-Trench boundaries. Note extensive clearing and fill outside permitted footprint below the access road.

less than in A-North. The increased fill proposed for the portion of A-North below the road appears to be relatively minor.

We have major concerns regarding past clearing and filling of the portion of A-North Trench lying below the road. This represents a significant violation of the prior-approved plans for this trench – and remains a violation even if the new proposed expansion plan is approved. The approved footprint for this portion of the trench totals ~0.76 acres. But the actual cleared and filled area, as of July 2017 (over a year ago), totaled ~2.0 acres - 2.6X what was approved. And the vast majority of fill placed in this portion of the trench is outside the approved footprint. While we have no information on the volume of fill already placed in this below-the-road portion of this trench, we would estimate it is at least double the volume

engineered for this portion of the trench. In essence, this would appear to indicate a continuation of the gross overfilling that was documented in D, E and F Trenches – which is most disconcerting.

Related to this apparent overfilling of the below-the-road trench, there have already been numerous occasions of extreme turbidity of the surface water flow below this trench and beyond the approved trench footprint - directly above, and in close proximity to 31-Man Creek. And this sediment flow is occurring in spite of considerable efforts to contain the sediment run-off from this portion of this trench.

Given this situation, and the extensive past history demonstrating the inability to contain major sediment flows from these filled trenches, we **STRONGLY** suggest that DPER immediately order a cessation of all further filling of the portion of this trench lying below the road, require the landowners to develop and submit a proposal to limit sediment flows

¹¹ Note that the TIR report erroneously listed the already-permitted volume for A-Trenches to be 96,300 cy. But this is just for A-North Trench. The approved permit covered both A-North and A-South trenches, for a total of 126,500 cy.

from this trench beyond the permitted footprint, and institute measures to stabilize, cap and plant this portion of this trench as soon as possible. And approval of any further expansion of the portion of A-Trenches lying above the road, as proposed with this expansion application, should require the landowners to demonstrate that such expansion is not likely to further increase the risk of major sediment flows beyond the permitted footprint. This is especially important given that the area below A-South trench has already been cleared and filled (overfilled), in violation of the approved engineering plan; thus exposing the portion of the trench lying below the road to runoff from A-South, as well as from A-North.

We also question some of the proposed access roads to A-North Trench from the west. The maps that accompany this application cut-off just west of the trench, and thus do not indicate how access to these new proposed roads will be gained. Are these new roads to be constructed off Erickson's main, paved access road coming onto the property? Or are some of these (e.g., the access road near cross section D, and noted with Construction Note #5 – *"Maintain existing gravel access road."*) coming off the existing gravel access road that enters the property from the south? Note that this existing gravel road crosses Reserve Silica property. This road was utilized by the current landowners when they logged the unit surrounding A-Trenches – without Reserve's knowledge or permission. Mr. Frank Melfi, Reserve's President, advised us that he subsequently informed Erickson that they were NOT to use this access road crossing Reserve's property. We also do not understand why some of these new access roads apparently are not planned to be abandoned and reclaimed following completion of the filling (they are not indicated with the "AP" TESC Note (*"Temporary Access Point-after completion of project, roadbed is to be removed-area to be hydroseeded and reforested per forest practice requirements."*)), like the dark shaded roads on the Trench plan view. All these new roads should be formally abandoned using WA DNR-approved road abandonment practices upon completion of the trench filling.

Expansion of E-Trench

The application calls for a major expansion of the former E-Trench, beyond the overfilled "as-builts". The expanded trench, if approved, would add another 4.0 acres to the existing fill footprint, and represent a total 306,785 cubic yards of fill – compared to a Phase I permitted volume of 33,200 cubic yards (a 9.2X expansion). And the majority of this expansion (77%) is new fill, beyond the already-placed overfill of E. Specifically, the new plan calls for extending the filling to encompass the entire length of the trench, including filling in Green Pond and beyond.

The Wetland, Aquatic Area, and Fish and Wildlife Habitat Assessment Technical Memorandum accompanying this application, prepared by Soundview Consultants, LLC (SVC) and dated 5/30/2018, concludes that what is locally known as Green Pond *"is a non-wetland, artificial waterbody that lacks a connection to any natural water and, therefore, does not constitute a regulated aquatic area under KCC 21A.24.355."* Green Pond *"does not meet the definition of an aquatic area under KCC 21A.06.072C, which states that aquatic areas do not include water features where the source of contributing water is entirely artificial."* Note that this assessment was based on *"visual observations from a helicopter and from the powerline corridor"*, due to the perceived dangers posed by *"steep slopes and cliffs"*. Based on this



Attempt to control sediment flow from base of A-North Trench. Photo is taken from below permitted fill footprint. Note sedimentation below lowest silt fence. Oct 7, 2018.

assessment, a consultant of Erickson's concluded that Green Pond is not a "real" wetland, and does not exhibit the characteristics typical of a true wetland. Instead, they suggested Green Pond was just a "rainwater catchbasin", and thus is not worthy of protecting. Hence, the expansion proposal calling for filling Green Pond and the remainder of E-Trench.

We are not familiar with either of the referenced County Codes, but they do not seem to apply here. There are NO "artificial" water sources on this property, including the source of the Green Pond waters; and we can vouch that this wetland has existed for at least 40 years, and in all likelihood, for the almost 70 years since the trench was abandoned.

Note that these SVC and BranBar conclusions are in direct conflict with prior studies by environmental consultants hired by the landowners for the current permit (Wetland Delineation and Critical Areas Report, by Genesis Resource Consulting, dated 5/11/09); and with King County DDES environmental specialist, Bill Kerschke; and with the opinion of wetlands experts working for Forterra who have viewed this site.

When this trench was being evaluated for the original trench filling application in 2009, GRC's DOE-certified wetlands expert, Scott Brummer concluded that *"Wetland E [Green Pond] is an open water wetland with Lake Fringe habitat but qualifies as a depressional wetland for HGM classification."* He further concluded that *"This wetland has been classified with the Washington Wetland Rating System and is likely a Category III wetland with a WRS score of 30 for habitat and 49 points total [9 points Water Quality Functions, 10 points Hydrologic Functions, 30 points Habitat Functions]. This wetland would require a 75' base buffer"* [for low impact land use].

And as part of the County's review and approval of the original application, DDES environmental specialist, Bill Kerschke, reported on 4/18/09 that: *"I performed a site visit to evaluate the proposed Ravensdale trench filling project [for compliance with the Critical Areas Ordinance] and reviewed the submitted wetland report [Genesis Resource Consulting's Wetland Delineation & Critical Areas Report]. Based on this assessment, he concludes: "..... wetland and/or aquatic area parameters and characteristics were found to be present... [in Trench E]. These wetland and aquatic a [sic] characteristics included ponded or inundated areas, active seeps and associated flow, areas of hydric soils, including aquic moisture regimes, and a dominance of hydrophytic vegetation."* Mr. Kerschke concludes: *"Based on existing site conditions and provided information, King County has determined that regulated critical areas are present at Trench B, E, and F. It is also likely that the Corps of Engineers would claim jurisdiction over these areas."* Note that DDES directed Erickson to check with the Corps of Engineers to determine whether the Corps needed to evaluate this proposal, but we could find no indication in DPER files that this contact was ever made. Mr. Kerschke then made the recommendation that Trench E be dropped entirely from the original filling permit. This recommendation, of course, was not adopted when the original trench filling permit was issued that allowed for filling of only the upper 550' of E-Trench.

While we are not wetlands experts by any means, and thus have little to add to this apparent disagreement among qualified "experts", our personal knowledge of Green Pond, based on over 20 years of observation, is that this does not appear to simply be a "rainwater catchbasin". The water level in this wetland has been remarkably stable, from the wet season through the summer; and from extremely droughty years through extremely wet years – typically varying only about 6". This summer however (a record low-rainfall year) exhibited the most extreme change in water levels in Green Pond we have ever observed – dropping ~18 - 24" from its normal level. But long-term observations would indicate that this is clearly NOT just a catch basin for rainwater, but reflects some kind of hydrologic process that sustains this wetland throughout all weather conditions.

Lying directly beneath the BPA powerline right-of-way, BPA's past herbicide spraying of this area (including directly over the Pond), and their past falling of the trees into the Pond from the riparian area, have also had a significant adverse impact on this wetland.

Finally, Green Pond has been seriously impacted from gross violations of the existing trench filling permit. The



Green Pond and E-Trench fill. Note water clarity in absence of active runoff from fill face. May 14, 2016.



Trench E mudflows overtopping 2nd silt fence and flowing into Green Pond. Note extreme turbidity of Pond. Dec 20, 2015.

environmental assessment called for a minimum 75' buffer between the foot of the fill and the waters edge; while the approved engineering design for this trench left an ~200' buffer. Due to the intentional overfilling of this trench (2.9X permitted volume; 2.3X permitted footprint), the current toe of the fill is ~5' distant from the waters edge. Numerous other engineered safeguards designed to protect Green Pond from the fill, and incorporated into the approved permit, were totally ignored – resulting in extensive mudflows directly into Green Pond. Fill material (described as “slop” by Erickson site managers) deposited in this trench in 2012 has been observed to flow more than 500' down-trench, in spite of the relatively gently slope in the bottom of this trench. Past efforts to control mudflows from the fill into the Pond have repeatedly proven ineffective. And while significant progress has finally been made in stabilizing the face of this fill, we believe there is a very high probability that mudflows will continue into the future. While we have no knowledge of this wetland ever being fish-bearing, in all likelihood, it has supported amphibian and other wetland species in the past. Presumably, the Pond may currently, or could again support such species at some point in the future.

Another factor to take into consideration in deciding whether to approve filling Green Pond and the remainder of this trench, is the fact that we have never observed sediment flows or turbid surface water issuing from the trench below Green Pond. As such, Green Pond apparently is serving as an effective barrier to sediment flows out of this trench. Filling Green Pond and the lower portions of this

trench would eliminate this barrier, and subject the lands between the lower end of the trench and the upper end of Buck Lake to increased sediment flows from this fill. This is a very real risk, given that a perennial (Np) stream flows within 100' of the toe of F-Trench, then down to the beaver ponds at the head of Buck Lake.

Given the above, we strongly disagree with the proposal to expand E-Trench, and to fill Green Pond and the trench below Green Pond. Instead, we recommend DPER order the remaining reclamation activities (e.g., planting of forest tree species to further stabilize the face of this fill) be completed, and that an ongoing monitoring program be put in place to try to limit any further environmental damage caused by this already overfilled trench.

Expansion of F Trench

The application calls for a major expansion of the former F-Trench, beyond the overfilled “as-builts”. The expanded trench, if approved, would add another 3.81 acres to the footprint of this overfilled site, and represent a total 209,450 cubic yards of fill – compared to a Phase I permitted volume of 46,700 cubic yards (a 4.5X expansion). And the majority of this expansion (61%) is new fill, beyond the already-placed overfill of F. Specifically, the new plan calls for extending the filling to encompass the entire length of the trench.

There is a large, Class II wetland adjacent to this trench on the north, as confirmed by the Soundview Consultants 5/30/18 Technical Memorandum (Wetland A). In addition, open water in excess of 20' deep lies within the trench for

four to six months of every year, totally drying up during each summer. Studies by Genesis Resource Consulting (5/11/09), environmental consultants hired by Erickson when applying for the original trench filling permit, concluded these two wetlands were hydrologically connected, and that while the in-trench portion *“may not contain soils or wetland vegetation but over time, this area will likely support a wetland community.”* As such, for the purpose of assessing critical areas protection, Genesis Resource Consulting evaluated the two bodies as one wetland. The County’s environmental specialist, Bill Kerschke, concurred, classifying this in-trench seasonal water to be a *“regulated critical area”*.



F-Trench showing hydroseeded fill face disappearing into the standing water within the trench. Water level in trench is ~20’ deep. Note extreme turbidity of water from fill material. Water used to be crystal clear before filling.

Based on these 2009 assessments, a 150’ buffer on the wetland was called for (WRS score of 30 for habitat and 51 points total [11 points Water Quality Functions, 10 points Hydrologic Functions, 30 points Habitat Functions]). The final, permitted engineering plans for this trench called for the toe of the fill to be ~250’ short of the main body of the wetland, and ~100’ short of what was believed to be the high water mark of the seasonal surface water within the trench. In spite of this approved engineering, the overfilling of this trench beyond what was permitted, has resulted in the fill being within 60’ of the main body of the wetland; while fill was dumped directly into standing water within the trench, filling ~250’ of what was previously ponded water for four to six months of every year. As such, wet season high water within the trench is well up onto the face of the fill within this trench every year.

The Wetland, Aquatic Area, and Fish and Wildlife Habitat Assessment Technical Memorandum accompanying this application, and prepared by Soundview Consultants, LLC and dated 5/30/2018, concurs with the existence of the Class II Wetland to the north; but only rates the habitat score at 17 (compared to GRC habitat score of 30). As such, they only assign a 50’ buffer, versus the 150’ buffer assigned by GRC and endorsed by DDES’s Bill Kerschke.

The clearing limits designated on the engineered plans for this trench expansion encompass the entire 50’ buffer for this Class II wetland (Wetland A), extending right to the wetland edge. The same applies to Wetland B, a Class III wetland just south of the trench. SVC specified a 40’ buffer on this wetland, based on a WRS habitat score of 17. The engineered clearing limits encompass all of this 40’ buffer, allowing clearing up to the wetland edge. There should be absolutely NO clearing allowed within either of these buffers – whether they are 40’, 50’, or 150’. And if a 150’ buffer is correct for Wetland A, as determined by GRC and DDES in 2009, then this buffer extends to the middle of the trench – which should disqualify this trench from any further filling.

We also object to the proposed fill levels in this trench expansion. As with Trench G (discussed below), the fill proposal does not just “fill” the lower segments of this trench, they actually call for creating a substantial “hill” where the former trench existed. In the case of cross sections L through P (a distance of 300+’ adjacent to Wetland B), the height of this “hill of fill” is above the overburden forming the south bounds of the trench; allowing surface runoff from the trench to flow directly into Wetland B. This design is unacceptable. If the objective of the project is truly reclamation/restoration of mining trenches *“for the purpose of returning the site into forestry use”*, as stated, and it was determined that the lower segments of Trench F should be filled to accomplish this objective, then the existing overburden from the mining

days that now define the sides of this trench (see engineered cross sections), could simply be dozed into the trench – rather than importing another 99,224 cubic yards of fill.

In SVC's wetland assessment, they totally dismiss the extensive in-trench seasonal waters, stating only that *"this artificial, non-wetland trench clearly ponds during the rainy season"* They also do not comment on GRC's conclusion that Wetland A (to the north) and this in-trench seasonal water body, are hydrologically connected. We also suspect that the in-trench water is also hydrologically connected to Wetland B (to the south). The only thing separating Wetland A, the in-trench seasonal waters, and Wetland B, is the mined overburden that was placed on either side of the trench when the coal was extracted, and never dozed back into the trench. This hydrologic connectivity to both Wetlands A and B would help explain the unusual nature of the in-trench waters – being >20' deep for four to six months of every year (far more than could be explained by *"surface sheet flow"* and *"direct precipitation"*), then suddenly disappearing through the dry months. In addition, at times when there is no surface water observable in this trench, we, and others, have personally heard the sound of water flowing underground beneath the bottom of the trench.

As with Green Pond in Trench E, based on this SVC assessment, an Erickson consultant claimed that these in-trench waters do not constitute a "real" wetland, and hence the proposal to fill the entire remaining length of F-Trench.

Again, we are not wetlands experts, and thus cannot add much to this apparent discrepancy in interpretation between environmental consultants. Our concern is that these wetlands are a key part of the headwaters for Rock Creek and Lake 12/Crow Marsh. Rock Creek has been determined by the County to be *"the highest quality remaining tributary habitat in the lower Cedar River and greater King County area¹²"*; so this is a highly sensitive wetland area. And clearly, there is a lot of uncertainty regarding the hydrology of this area. Given this uncertainty and high sensitivity, filling of this trench should NOT be approved without further study to understand the likely impact of filling the remainder of F-Trench on both surface and sub-surface flows from this wetland/trench area. And we do NOT support any clearing for trench filling within wetland buffers, and do NOT support the proposed fill plan that would allow surface runoff from the fill to flow into Wetland B.

Approval to fill a newly-defined C-Trench

C-Trench has been a very contentious issue for several years. On numerous occasions, DPER has clearly and unambiguously stated, in writing and verbally; to us, to Forterra, and to the landowners, that C-Trench was NOT approved for filling; and that approval would require a new or modified application, and a separate public comment period. The Project Description for this new expansion application accurately reflects that commitment, indicating that the existing, approved plans cover A, D, E and F; while this new, expanded proposal application covers modifications to these four existing trenches, plus approval to fill six¹³ new trenches. C-Trench is among these new trenches.

Plans for C-Trench were submitted back in 2013, calling for a fill volume of 213,207 cubic yards. But an application for this plan apparently was never formally submitted, and the plans were never approved by DPER. This new application re-defines C-Trench from the 2013 plan, greatly expanding the scale of the main trench filling, and also adding a second small trench on the north side of Ravensdale Ridge. This newly defined C-Trench(es) totaling 4.74 acres, calls for 329,571 cubic yards of fill – 116,364 cy larger than the prior definition of C-Trench. Given that the plans for the prior version of C were never approved, this new, larger proposal is essentially a newly proposed trench – totally replacing the former, smaller trench plans.

¹² Lower Cedar River Basin and Nonpoint Pollution Action Plan. King County Watershed Management Committee. Seattle, WA. July 1997, King County.

¹³ The Project Description statement in the application, as well as the SEPA Checklist, indicates seven new trenches to be filled, B, C, G, H, I, J, and K. Based on other documents accompanying the application, this appears to be incorrect, as Trench B appears to have been replaced with Trench K, leaving six new trenches proposed for filling – including C.

We recommend not approving the small, north-facing portion of this new trench. Unlike any of the other 10 trenches in this proposal, this new addition to C is on the very steep, north face of Ravensdale Ridge; and is very visible from the town of Ravensdale, from Ravensdale Park, and from 268th Ave SE and the Landsburg Road coming into Ravensdale. ALL of the filling to date, and most all of this proposed project expansion application, is largely hidden from the public behind locked gates, with numerous No Trespassing signs posted throughout the property. The high public visibility of this small portion of C may very well lead to a significant public backlash to this overall project.

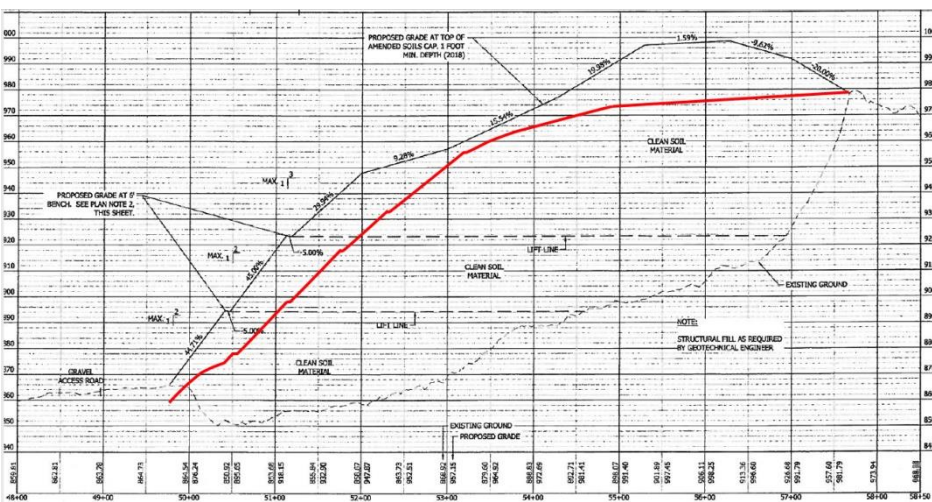
But an even bigger concern is that past history on this project would indicate there is no reliable way to contain the fill on this kind of slope to the permitted footprint, and keep the fill from continuing to flow on down the very steep face of the Ridge. While such an event may not cause any serious environmental damage, the public reaction to such a visible failure could result in significant negative repercussions.

For these reasons, we strongly suggest NOT approving filling of this new, small, north-facing portion of C-Trench.

As for the main, very large, south-facing portion of the proposed C-Trench, it would appear that the primary source for the 50% increase in volume over the previous proposal for C-Trench, is the proposed depth of fill within the trench. In the prior plan, maximum fill depths toward the upper end of the trench (cross sections F, G, H) ran ~75'; whereas in the current proposal, maximum fill depths in this same area of the trench tend to run 95' – 100' deep. This extra fill depth in the new proposal actually generates a hill, approximately 20' ABOVE the height of the Ridge at the head of this trench.



North-face component of proposed C-Trench. Note town of Ravensdale in background. Oct 7, 2018.



Proposed longitudinal profile of C-Trench fill (base graph with black line) vs. prior fill profile (plotted in red). Pre-fill ground level shown as dotted line toward bottom of graph. Toe of fill is to left, with lower (“Basement”) access road at left of graph; “Head” of fill is to right. High point of dotted line is top of Ravensdale Ridge at saddle. To right of Head of fill is north-face of Ridge.

From a forestry perspective, we see absolutely no benefit to filling the top of this trench to the point of creating a 20' high hill – above the saddle in the Ravensdale Ridge at the head of the trench. And while this extreme filling would seem to have no real forestry benefit, it would seem to set up the potential for run-off from the fill flowing over the top of the Ridge, and down the extremely steep (~83% slope) north face of the Ridge. With this understanding, we strongly reject the depth of fill proposed for this trench. This is supposed to be a “trench filling” project – NOT a “mountain building” project.

One of the benefits touted by this proposed expansion project, is the improvement of wildlife habitat through the filling of these trenches. We strongly disagree with this assertion. Over the past almost 70 years that this trench (and many of the others) have been in existence, a very unique habitat has developed in these trenches – particularly in the steep-sided, scree slopes of C and A Trenches. With the proposed filling, these unique habitats are being buried, to be replaced by gentle-to-moderate slope Douglas-fir plantation habitat – which is in GREAT abundance throughout SE King County due to the past history of commercial Douglas-fir plantation management by Weyerhaeuser, Plum Creek, Palmer Coking Coal and others. So we would argue that the filling of these deeper, steeper trenches is significantly diminishing the diversity of habitat throughout the area, rather than “improving” it.



**Unique scree-slope trench habitat in C-Trench.
Oct 2, 2016.**

By far the biggest concern we have with the current C-Trench proposal is the risk of sediment flows out the bottom of the trench, ultimately threatening Mine Pond, 31-Man Creek, and potentially even Buck Lake – all documented fish-bearing waters downgradient from the toe of this ~300,000 cubic yard bank of fill. As mentioned previously, the experience with filling E-Trench clearly demonstrated the ability of this fill

material to “flow” for over a 500’ distance from the deposit location, in spite of various attempts to contain this flow (refer to prior photo in E-Trench Expansion section above). And that flow was down a gently-sloping trench bottom. Some of the unpermitted material already dumped in C-Trench prior to the Feb 18 “limited” fill permit issued by DPER, was observed to “flow” almost 300’ after reaching the bottom of this gently-sloping trench. Mine Pond is downgradient from C, ~590’ distant, with steep slopes between the toe of C-Trench fill and the pond.



“Slop” flow in C-Trench. Apr 4, 2018.

The features engineered into this fill proposal to limit flow beyond the approved footprint appear to be 2:1 maximum fill face slope with benches, keying the foot of the fill, use of structural fill per geotechnical engineer, and

fill face armoring; plus the use of hydroseeding/mulching, erosion control blanket, and filter fabric fencing – exactly the same features as designed (by the same engineers) into the original E-Trench plan. This approved plan for E-Trench failed miserably – largely due to failure of the landowners to follow the engineered plan, rather than to the engineering of the plan itself. This highlights the absolute necessity to have a comprehensive, regularly-scheduled, ongoing monitoring and reporting program in place for any of these trenches approved for filling by this landowner. Failure in this regard will, in all likelihood, lead to the same sort of failures and environmental damage as we’ve seen in E-Trench – only in this case, public waters much more sensitive than Green Pond are at risk.

In summary, (a) we do not support the inclusion of the north-facing C trench; (b) we do not support the filling of the upper reaches of the main C trench above the current elevation of the ridge at the head of this trench (i.e., creating a “hill” that could cause runoff to the north from the fill); (c) we strongly suggest retaining some of the unique, scree-slope trench habitat; rather than filling this entire trench; and (d) for this trench in particular, a comprehensive, on-going monitoring and reporting program to ensure total compliance with the engineering and other permit terms, must be in-place throughout the filling and final grading/capping/planting of this trench.

New Trenches: G-Trench:

We STRONGLY object to approving this 3.44 acre trench for filling. Of all the ten proposed trenches, as well as past and ongoing trench filling under this project, filling this trench represents the very highest risk for major environmental damage to sensitive public resources – explicitly Buck Lake, Mine Pond and 31-Man Creek, all of which are documented Fish-bearing waters, and all of which are downgradient, and in very close proximity to this trench.

Filling of this trench was proposed in the original renditions of this project, back in 2007. At the time, it was labeled as “B-Trench”. But the County and the landowners, with input from their environmental consultants, Genesis Resource Consulting, all recognized early on the risks of filling this trench, and it was dropped from further consideration (Phase I was ultimately determined to include D, E and F trenches; Phase II was determined to be A and C trenches; B-Trench [i.e., today’s G-Trench] was totally dropped).



Erickson logging operations above G-Trench showing standing water throughout unit. Head of trench is just off photo right. Equipment ruts were 2’ deep in places on this unit. Jan 18, 2008.

This trench drains to Buck Lake (labeled Wetland G by Soundview), and thence to 31-Man Creek (labeled Ravensdale Creek by Soundview) and Mine Pond (labeled “Wetland K” by Soundview). While there is no definitive surface water channel within the trench, the trench is always quite wet. When the current landowners logged the surrounding hillside in 2008, this trench was explicitly excluded from the harvest plan. As such, the lower portions of this trench are currently occupied by mature alder, cottonwood, cedar and Douglas-fir; while the upper portion is mostly occupied by hardwoods. The 2008 logging of the very wet hillside immediately above this trench resulted in extensive rutting, compaction damage, and downslope sediment flows – all confirmed by WA DNR.

There appears to be significant disagreement between environmental consultants relating to this trench. Soundview Consultants (SVC, 2018) determines this to be a “non-wetlands” trench, with no indication of wetland characteristics. This conclusion conflicts with that of Genesis Resource Consulting (GRC, 2009; Scott Brummer, DOE certified 2006) where they identified a small Category III wetland (GRC “Wetland A”) within the lower reaches of this trench, which drains into Buck Lake approximately 20’ distant. GRC assessed a WRS score of 24 for habitat, and 37 total for this wetland, implying a 40’ low impact buffer for this small wetland. GRC also noted “... additional small wetland seeps in and along the floor of the trench that support wetland vegetation.” The DDES environmental expert also endorsed GRC’s view.

There also appears to be a significant disagreement between SVC and GRC regarding Buck Lake (SVC Wetland G; GRC Wetland B). Both classify Buck Lake as a Class II wetland, but SVC assigns a WRS habitat score of 22, and assigns a low impact activity buffer of 90’; whereas GRC assigns a WRS habitat score of 34, and 55 points total, and assign a low impact activity buffer of 150’. Note that a 150’ buffer would encompass the lower portion of this trench, whereas the

90' SVC buffer just touches the boundary of the trench. A significant concern is that the Clearing Limits proposed for this trench actually encroach on about half of the 90' SVC buffer, and would encroach on ~70% of the Buck Lake buffer if the correct buffer is 150', as determined by GRC. Neither consultant indicates whether Buck Lake is fish-bearing or not (it most definitely is), though SVC indicates 31-Man Creek (the outflow of Buck Lake, which they label Ravensdale Creek) is non-fish bearing, and attribute that Type N classification to WA DNR. This is erroneous, as 31-Man Creek is known to be fish bearing (to both WA DNR and WA F&WS), and current DNR maps show it as such. The Conservation Easement on this property also shows these waters as being fish-bearing. Whether SVC would have assigned a higher WRS habitat rating to Buck Lake, had they known it is fish-bearing, and thus a wider buffer as GRC assigned, is unknown.

Besides the formal wetlands buffers, this whole property is encumbered by a Conservation Easement owned by Forterra, which limits operations within 300' of Buck Lake and 31-Man Creek to the May 1 to October 1 period only. As such, filling of this trench, if permitted, could only occur in the May - September period.

Another major concern we have with regards to the engineering of this trench, is that the finished surface of this fill is sloped dramatically to the south, and filled to the top of the coal tailings piles that form the south side of this trench (see cross sections D through K). This will have the effect of directing runoff directly toward Buck Lake, and in the case of cross sections C and D, directly into the 90' SVC wetland buffer of Buck Lake. This would pose an absolutely unacceptable risk of contamination of fish-bearing public waters.

And one additional issue with this trench design, the three access points on the lower end of this trench are off a road that was to be abandoned as mitigation for other harvest concessions by WA DNR. The agreed-upon abandonment activities have still not been performed by the landowners, leaving this as an outstanding violation of their DNR Forest Practices Act permit. As such, this road is NOT available for access to fill this trench.

As noted above, there are lots of issues regarding this trench. Our view is that this represents an unacceptably high risk to sensitive public resources - much more so than any of the other proposed trenches. In summary, we DO NOT support filling this trench, and will strenuously oppose its inclusion within this expansion plan if necessary.

New Trenches: H-Trench:

This trench is laid out as two separate fill sites, totaling 1.81 acres, comprised of a significant south-aspect trench, and a small north-aspect portion just over a saddle on top of the ridge. For the small northern portion, this is relatively gentle topography; there are no water issues; and it is mostly screened from visibility from the north. We have no significant objections to filling this portion of this trench. On the other hand, we see absolutely no compelling forestry reason to do so. Both segments of this trench were harvested in 2008 by the current landowners, and replanted. This total trench was also logged and replanted by Plum Creek in the mid-1970's. The Douglas-fir reproduction on this northern portion of the trench is doing very well, and is ~30' tall. The purported purpose for this project is to 'return the site into forestry use'. Filling this portion of this trench certainly does not seem to fulfill this stated purpose.

With respect to the much larger, south-facing portion of this trench, the lower segment is quite steep, and mostly occupied by hardwoods and invasive blackberry; while the upper portion is gently sloped and contains significant Douglas-fir and Noble fir reproduction planted by the current landowners. As noted above, this entire trench was logged and replanted by the current landowners in 2008, and by the former landowners, Plum Creek, in the mid-1970's. As with the north component of this trench, filling the upper portion of this trench does not seem to contribute anything toward 'returning the site into forestry use'. However, we do see forestry benefit to filling the steep, lower half of this south-facing part of H-Trench.

However, we do have a concern about filling this part of this trench. The Ns stream designated as "Y Stream" by Soundview Consultants is ~300' downgradient from the foot of H-Trench. As with C-Trench (see discussion above), to

limit the risk to downgradient resources, including Buck Lake, a prerequisite to filling the lower segment of H-Trench should be that a comprehensive, on-going monitoring and reporting program be in place to ensure that fill activity remains in compliance with all aspects of the engineered fill plan and all other permit terms.

In summary, we have no issues with filling the north trench, or the upper portion of the south-facing trench; but neither seem to contribute anything toward the stated project objective. We would support filling the lower portion of H-south only if a comprehensive and effective monitoring and reporting program were in place to ensure sediment/mud flows beyond the approved fill footprint do not occur.

New Trenches: I-Trench

We do not understand this component of the proposed expansion plan. This area is not a mine trench at all, and thus does not meet the stated project objective of *“reclamation-restoration plans to fill the existing mining trenches on the Ravensdale property.”* Project documents suggest this area may have been a railroad site for loading coal, but this is highly unlikely. We suspect this is most likely one of the MANY locations where waste coal tailings were dumped (“tailings” include the coal “fines” that were generally unusable in the early 1900’s at the time of coal processing at Ravensdale).

This relatively large footprint “trench” (6.0 acres) is very gentle topography. The maximum fill depth anywhere throughout this site appears to be 9’, with the vast majority of the site “filled” with less than 4’ of fill. This entire site was logged as part of a much larger harvest unit by Plum Creek in the mid-1970’s and replanted. The area was again logged by the current landowners in 2008, but they reportedly “forgot” to replant this harvest unit until 2013 – a violation of their Forest Practices Act harvest permit. As such, competition by brush established on this fallow site following logging led to significant seedling mortality once the site was finally planted. Nonetheless, surviving regeneration, particularly the planted Noble fir, is doing quite well in the western portion of this site. The eastern portion of the site is heavier to alder, cottonwood and brush.

There is no compelling forestry reason at all to “fill” this site. If the hardwood component in the east end of the site is an issue, it can be scrapped, and the area re-planted with fir – without any need for “filling”. There certainly is no need to ‘return the site into forestry use’ through filling.

This site is adjacent to the Burlington Northern mainline right-of-way. Rock Creek, an F-type stream, is within the BN right-of-way on the opposite side of the tracks, just over 100’ distant from this unit. Studies have shown that the majority of the Rock Creek flow is actually sub-surface, through the highly permeable underlying glacial outwash till. The City of Kent gets 60% of their potable water supply from the sub-surface flow of Rock Creek, just 1.6 miles downstream from this site.

This site is also adjacent to the Ravensdale-Retreat Natural Area (just across the tracks); within 700’ of Ravensdale Park; and within 1200’ of Ravensdale residences. As such, the visibility of this operation would be much higher than any of the other proposed fill sites.

Given the total lack of a forestry-related reason to fill this non-trench site; the close proximity of the site to park and residential areas; and the extremely close proximity to Rock Creek with its highly permeable soil conditions and the critical need to avoid any possible contamination of this sub-surface water supply – we do not support including this site in the expansion permit.

New Trenches: J-Trench

We don’t believe this small proposed fill area (0.97 acres, 7,882 cy) is a mine trench. We don’t recall any of our ~50 historic maps of Ravensdale Ridge mines showing a mine operation at this location. If the landowners have map or other evidence that this is, in fact, a former mining site, we would be VERY interested in seeing that information. But at

this point, we suspect this is just a natural depression. If correct, as with I and K Trenches, this doesn't seem to fit the project objective of *"reclamation-restoration plans to fill the existing mining trenches on the Ravensdale property."*

This site was clearcut logged by the current owners in 2007, and replanted. It was previously cut and replanted in the 1970's by Plum Creek. While some of the Erickson Douglas-fir plantings have survived, the majority of the site is currently occupied by maple and alder. There is no compelling forestry reason for filling this site. There are no water issues with this "trench". We would have no objections to filling this site; but again, doing so would not appear to contribute anything toward the stated objectives of the project.

New Trenches: K-Trench

K-Trench is a very small (0.21 acre, 621 cubic yard) "trench". As with I and J, we suspect this is not actually a mine trench, but a natural drainage instead. This entire "trench" was logged in 2008 by the current landowners, and replanted – just as it was by Plum Creek in the mid-1970's. While some of the Erickson-planted Douglas-fir survives, the site appears to be mostly occupied with alder and cottonwood. While we have no objections to filling this "trench", we again see no compelling forestry reason for doing so.

Other Issues/Comments

Several **invasive species** have been introduced to this site through the imported fill of this project. The biggest concern at this point is relative to Japanese knotweed. There were no known instances of Japanese knotweed on this property prior to the trench filling project. Through this project, it is now prevalent on E, F and C Trenches and surrounding areas. DPER previously ordered the landowners to submit a plan for controlling this infestation, but to our knowledge, such plan has never been submitted. Forterra also offered to assist the landowners in dealing with this issue. Buffalobur (*Solanum rostratum*) was also introduced to C-Trench earlier this year, but these were manually removed by Forterra volunteers.

One of the **Conservation Easements** on this property, owned by Forterra, limits any operations within 300' of fish-bearing waters to the May 1 – Oct 1 period. This includes hauling and dumping operations. The main haul road accessing D, E, F and J Trenches falls within this 300' buffer, as does G-Trench. As such, operations in or to any of these trenches should occur only in this five-month 'dry season' period. This Conservation Easement restriction has been repeatedly violated with past trench filling activity, at times with the endorsement of DPER.

The trench filling permit is limited to dumping "**clean fill**". In the past, there have been many instances where material not meeting the 'clean fill' requirements have been dumped in these trenches. Progress has been made recently in limiting this unpermitted fill, mostly by relying on haulers to self-verify that their loads are clean fill only. But this is not a reliable process, and violations do still occur. The 'check-in' process should be revised to include a visual check by the site manager to ensure the fill material being dumped complies with the terms of the permit.

A somewhat related issue is the acceptance of what the operators refer to as "slop", and material from "pumper trucks" (vector trucks). Erickson operators have long bragged about the fact that they accept the very wet "slop" that the adjacent Reserve Silica fill site rejects. This wet material GREATLY complicates the challenge of containing the fill within the approved footprint, and avoiding major sediment flows and mud flows beyond the bounds of the trench.

The engineering of these trenches does not appear to be designed to handle this very wet, very fluid fill material. We would suggest that either the permit be revised to exclude, or severely limit, this very wet "slop" and "pumper truck" fill; or that the trench engineering be revised to specifically address how this material is to be handled and contained within the trenches.

Contour Engineering has done most of the **engineering** work on these trenches, both in the past, and for this expansion proposal. Their designs typically incorporate many safeguards to ensure the fill is contained within the approved footprint, and any runoff from the site is limited. Such safeguards include Filter Fabric Fencing, Mulching, Erosion Blankets, Structural Fill, Armoring, Temporary Sediment Basins, Fill Face Benching, and Keying foot of fill into hillside. In



C-Trench: “Pumper” (vector) trucks directed to dump left; all other fill (“slop”) dump right. Jun 17, 2018.



C-Trench “slop” flows. Apr 4, 2018.

the Notes pages of their designs, they also specify inspection and reporting requirements, timelines for dealing with Construction, Erosion Control, Slope Protection, Geotechnical and other issues. These engineering plans are foundational to the permit and are incorporated within the Permit Conditions by reference. However, in the past, the vast majority of these safeguard features and procedures have been totally ignored by the landowners, and compliance has not been enforced by DPER. This failure has contributed more to the issues that have arisen with the project, than shortcomings of the engineering. It is imperative that an effective monitoring and reporting program be instituted for this project, if the extensive problems encountered in the past are not to be repeated in the future.

Bottom-line:

In conclusion, while there are many aspects of this expansion proposal that we would not find objectionable - providing certain prerequisite conditions are satisfied - **we absolutely do NOT endorse the proposed expansion as currently written**. As described in these comments, approval of this application as currently proposed would undoubtedly lead to numerous issues, continued permit and Conservation Easement violations, and ultimately to significant environmental damage to sensitive public resources. Approval would also have significant traffic impacts on the community and throughout SE King County for many years to come.