

2024 KCCP Update—Requested Land Use & Zoning Study on Cumulative Impacts

Background

A comprehensive Land Use & Zoning Study (Study) is needed to review and inform the County, local communities, and landowners on the potential cumulative impacts of *existing* and *proposed* gravel mining along the Green River Gorge corridor in SE King County.

The last time a study such as this was done in this area was the Enumclaw Community Plan, was last done in 1990 (<https://kingcounty.gov/~media/depts/executive/performance-strategy-budget/regional-planning/2016CompPlanUpdate/Subarea-and-CommPlans/Community-Plans/Enumclaw.ashx?la=en>), before the KCCP update process commenced in 1994. This plan was meant to be a 20-yr plan. It is long overdue for another, albeit limited, local study in the SE King County Community Service Area (CSA) to better inform the community, particularly as major land development and additional mines are proposed. These projects could have significant impacts on the community for the next 50-100 years—it is critical a Study be conducted soon.

We propose the Study be included in the **KCCP 2024 Major Update (Update)**. The **Update** process is designed to identify issues related to impacts and resolve them as part of the planning process, in particular around zoning. The **Update** policies drive and are consistent with County Code, in this case, related to permitting.

To be clear, the Study is meant to *holistically* evaluate potential cumulative impacts. It is not meant to circumvent needs for mineral materials that are shown as Designated Mineral Resource Sites and the Mineral Resources Map in the KCCP.

Applicable Code

King County Code **Title 20.08.037 Area zoning and land use study** states the following:

"Area zoning and land use study" means a study that reviews the land use designations and zoning classifications for a specified set of properties. "Area zoning and land use studies" are focused on a broader set of policies than a subarea study, and do not look at the larger range of issues that a subarea plan would include. "Area zoning and land use studies" consider specific potential changes to land use or zoning, or both, and analyze such requests based on surrounding land use and zoning, current infrastructure and potential future needs, and consistency with the King County Comprehensive Plan, countywide planning policies and the Growth Management Act, chapter 36.70A RCW. (Ord. 18810 § 3, 2018).

Key provisions therein call for:

Review: *"...land use designations and zoning classifications for a specified set of properties.*

Focus: *"...broader set of policies than a subarea study, and do(es) not look at the larger range of issues that a subarea plan would include.*

Consider: *"...specific potential changes to land use or zoning, or both,..."*

Analyze: *"such requests based on surrounding land use and zoning, current infrastructure and potential future needs, and consistency with the King County Comprehensive Plan, countywide planning policies and the Growth Management Act...."*

Proposal

Ideally, such a Study would be included in the CSA Subarea Planning process. However, the SE King County CSA Subarea Planning is not scheduled until 2026-2027 with adoption in 2028. Consequently, we call for a Study that is more limited in scope and cost and would be the best way to help the County, local community, and stakeholders to more fully and holistically evaluate potential impacts. If such a Study is delayed until SE King is scheduled for the Subarea Planning process, many potential land-use decisions already will have been decided *piecemeal*, and the research and planning will only tell us what we already know and there will be very limited potential to mitigate the negative impacts. Like the **Update**, in general, the intent of the Study is to identify the best changes in policy or code to most effectively address these impacts.

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The other way to address valid concerns of cumulative impacts of mineral extraction is with the use of the SEPA process - to take a hard look at impacts, including specifically cumulative impacts. If you have multiple projects having overlapping impacts in any of the SEPA categories, such as land, air, water etc., you must consider cumulative impacts. However, when SEPA is applied for *individual* re-zoning or specific permit applications, typically, cumulative impacts are not considered. Such SEPA reviews often result in "*death by a thousand cuts*" – death of salmon, death of ecosystems/habitat, or even human death from an excessive number of local people getting cancer from pollution of water, air, soil. Since the unmitigated impacts can be severe, it is better to research and address them in a more timely fashion, now, before it is too late to mitigate the worst of these impacts.

Proposed Study Area

In addition to the areas of focus of the Study being limited, we recommend the geographic area also be limited to roughly the area indicated in the rectangle in *Figure 1*. This limited geography is suggested for several reasons. One, it already has a high concentration of aggregate mines in operation, the new proposed mines are all in close proximity along the Enumclaw-Franklin/Green River Gorge Road, and this same defined area had been site of intensive coal mining and deforestation around 100 years ago, *Figure 2*.

Although this area is only ~7 miles long, it includes the whole of the magnificent Green River Gorge, and nearly all of its ~13 river miles. Not coincidentally, the Green River Gorge and surrounding land is a destination of growing importance for recreation. The State and County have partnered and invested for years to piece together land for a future Green River Gorge Park, that has yet to be fully realized. The Green River/Duwamish is one of 2 major river corridors wholly in King County, and as such is a major target, the last major target of lowland land conservation. The Middle Green River Open Space is shown in *Figure 3* with the newly proposed mines superimposed on the map. Further, the compactness of this geography will make this study easier to conduct more rapidly.

The Study should also look at the wider area of SE King County, or even a 25-mile radius around this study area to determine, if the overall availability of aggregate resources could be negatively impacted by the lack of these additional/expanded proposed gravel mines. Or, can the current operating gravel mines, and already-planned expansions of these in SE King County, adequately supply this part of county's needs for aggregate resources for the foreseeable future.

Concerns to be Addressed

The concerns to be addressed in the proposed Study are:

- 3 mine proposals totaling 2,000 acres: 1,000 out of FPD, 1,000 acres out of Rural Forest Focus Areas
- Incompatible land use – neighborhoods and population in the Rural Area, including Flaming Geyser, Cumberland, Kanaskat-Palmer
- Infrastructure degradation on county and state roads used as haul routes, and negative impact to road safety
- Impacts of mines in close proximity is cumulative, but permitting is site-by-site
- Permitting model and funding does not work so well for public interest
- Lack of code enforcement and complaint process – necessitates better upfront planning
- Reclamation strategy of gravel mines is upzone as more intensive housing/development, not put back to forest
- When reclamation of surface mines is done to plan, original land-use, land is never as productive as planned
- Business models of gravel mines in area typical includes landfilling and dumping toxic waste
- Pollution of air and water is *cumulative* and the public often needs to subsidize cleanup and mitigation, which is not a good use of public resources

Proposed Mine Projects

The specific proposed mine development projects to be considered in the scope of the proposed Study are:

- PREA22-0290 — Cumberland Mining Complex: Segale Properties proposal–SEPA checklist Fall 2022. (see *Figure 4a*)

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- LUT421-0001 — Enumclaw-Franklin Road: Palmer Coking Coal Co. application to rezone to Mining application and expansion of Franklin Ridge existing mineral extraction operation. (see *Figure 4b*)
- PRE21-0145 — Enumclaw-Franklin Road: Shear, rezone to Mining pre-application. Would likely include permitted or non-permitted recycling and organic materials (wood debris and stumps) processing and landfilling. (see *Figure 4c*)

Potential Stakeholders

Stakeholders who could be involved in the proposed Study include:

- City of Black Diamond (due to the proximity of its Watershed)
- City of Enumclaw
- Affected Tribes
- WSDOT
- KC DLS-Roads
- State Parks
- KC DNRP
- US Corps of Engineers
- Tacoma Watershed
- Fire districts
- Local residents
- Property owners, including the three landowners who are currently proposing development of new gravel mines
- Green River Coalition
- Regional partners and the local unincorporated KC community, as represented by EPCA (Enumclaw Plateau Community Association)
- The Joint Team of King County Rural Area Organizations

Conclusion

We believe the proposed Study would provide review of impacts on the immediate transportation corridor, groundwater streams network, river corridor, and wider mountains-to-lowlands habitat corridors. It also would consider impacts on the current and future recreational uses in this corridor, which the state and county have invested greatly over decades. In fact, much of the rural land conservation efforts in King County have been focused on this river corridor, as it is the last minimally-developed lowland corridor remaining to conserve.

Surface Mines in SE King County: area of proposed land-use study in rectangle

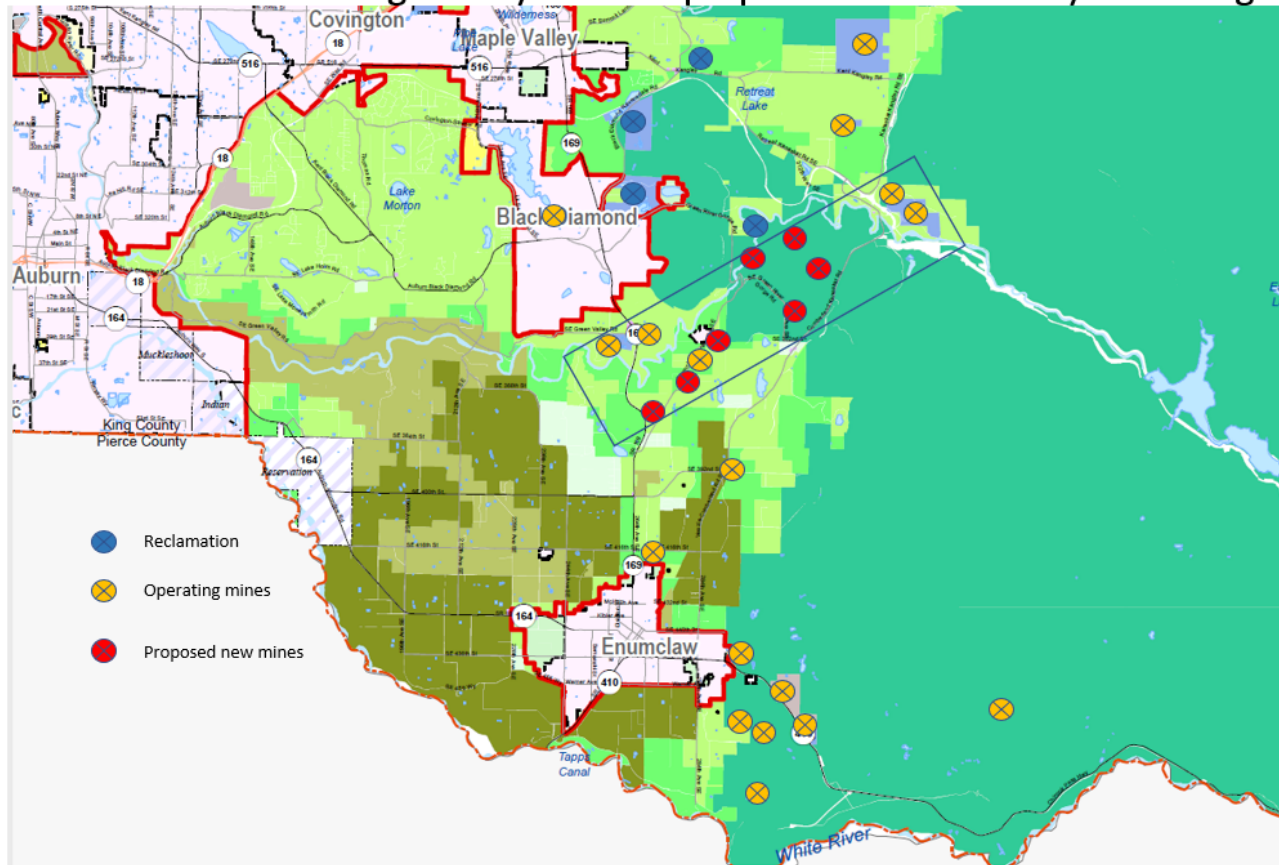
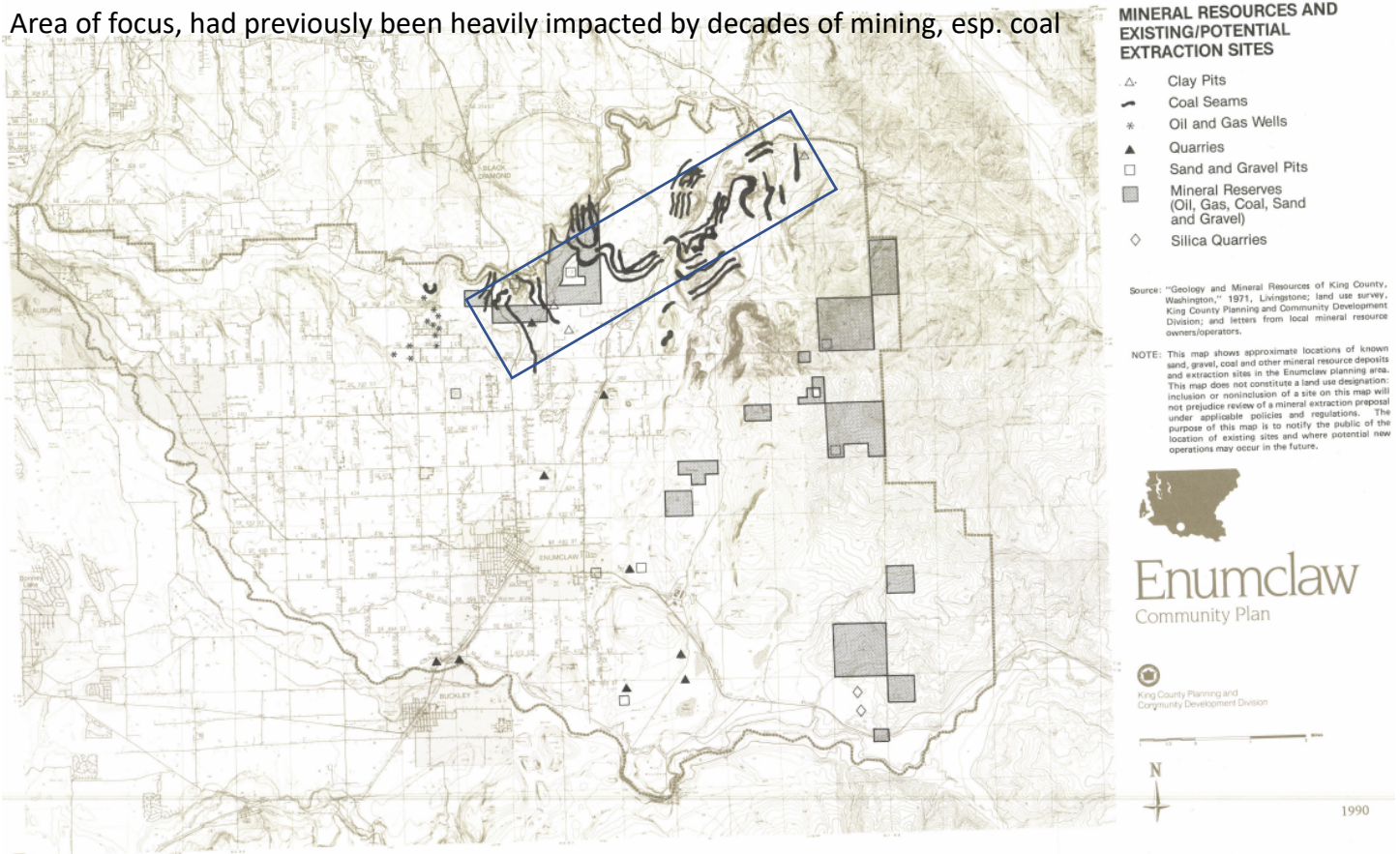


Figure 1. Area of Proposed Study

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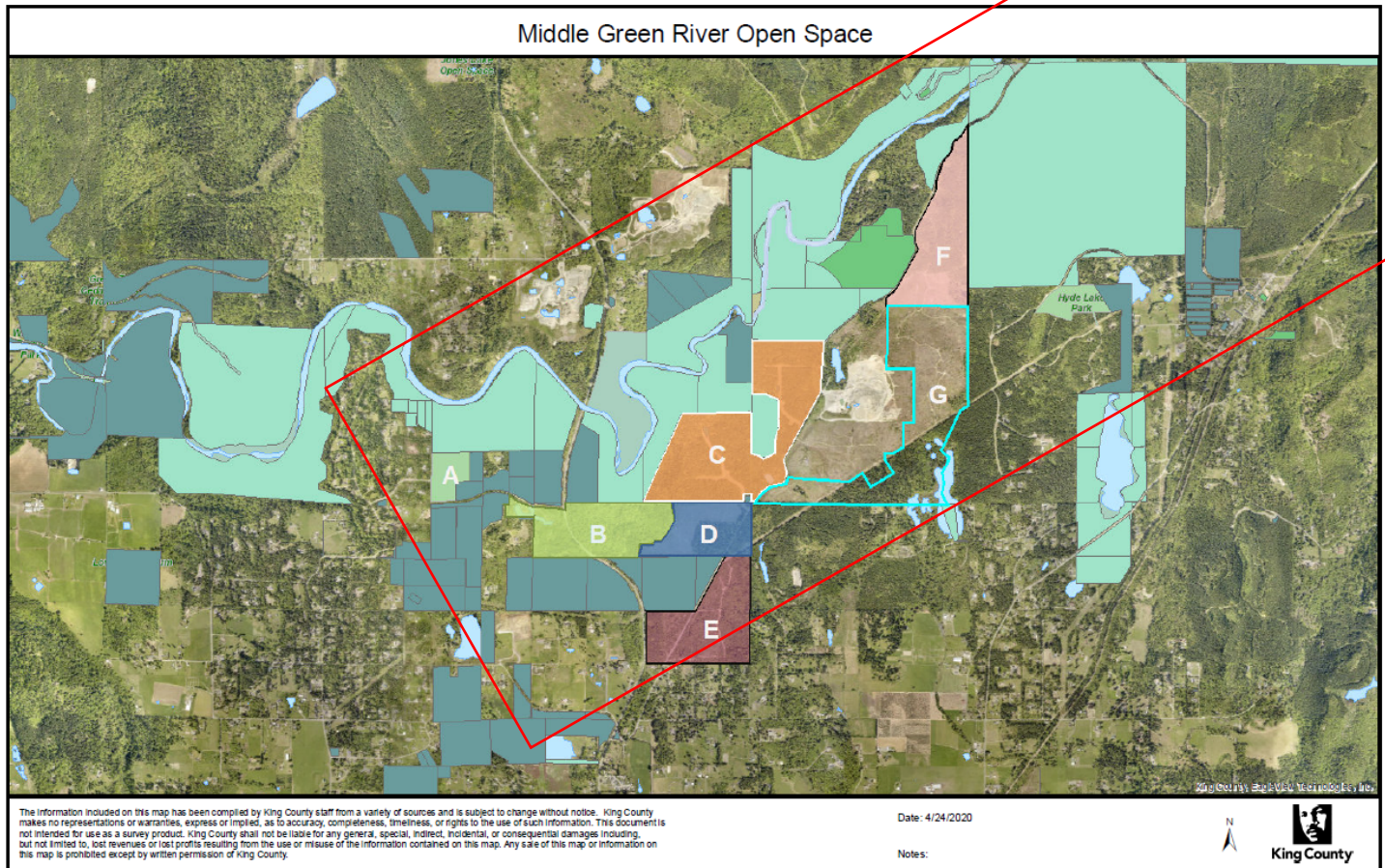
Area of focus, had previously been heavily impacted by decades of mining, esp. coal



Area of focus (rectangle) had previously been heavily impacted by decades of coal mining and a mercury mine along the river. There are significant coal mine hazards and a history of water infiltration into these underground mine galleries that make surface mining in this area problematic.

Figure 2. Past Intensive Coal Mining and Deforestation (~100 yr ago)

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Color Scheme:

- Light Green — Land held by State Parks or State DNR
- Dark Green — Land held by King County DNRP
- Solid Green — City of Black Diamond Watershed

Parcels proposed for purchase (to complete GR Gorge Park/Middle GR Open Space Conservation Area):

- A and B — Already purchased by King County DNRP
- C and D — Being purchased by State Parks
- E (Shear mine proposal) — County has proposed to purchase
- G and, possibly later, F (PCC mine proposal) — County willing to purchase for conservation
- Segale mine proposal is in NE corner (not shaded or lettered), State willing to purchase those parcels

Figure 3. Proposed Mines in the Green River/Duwamish Major River Corridor

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Pacific Coking Coal Company (PCCC) Proposed expansion of current Franklin Ridge site

Surrounded by public land, Green River Gorge, Black Diamond watershed; neighborhoods of Fish Lake and Serenity, and adjacent to Nolte State Park

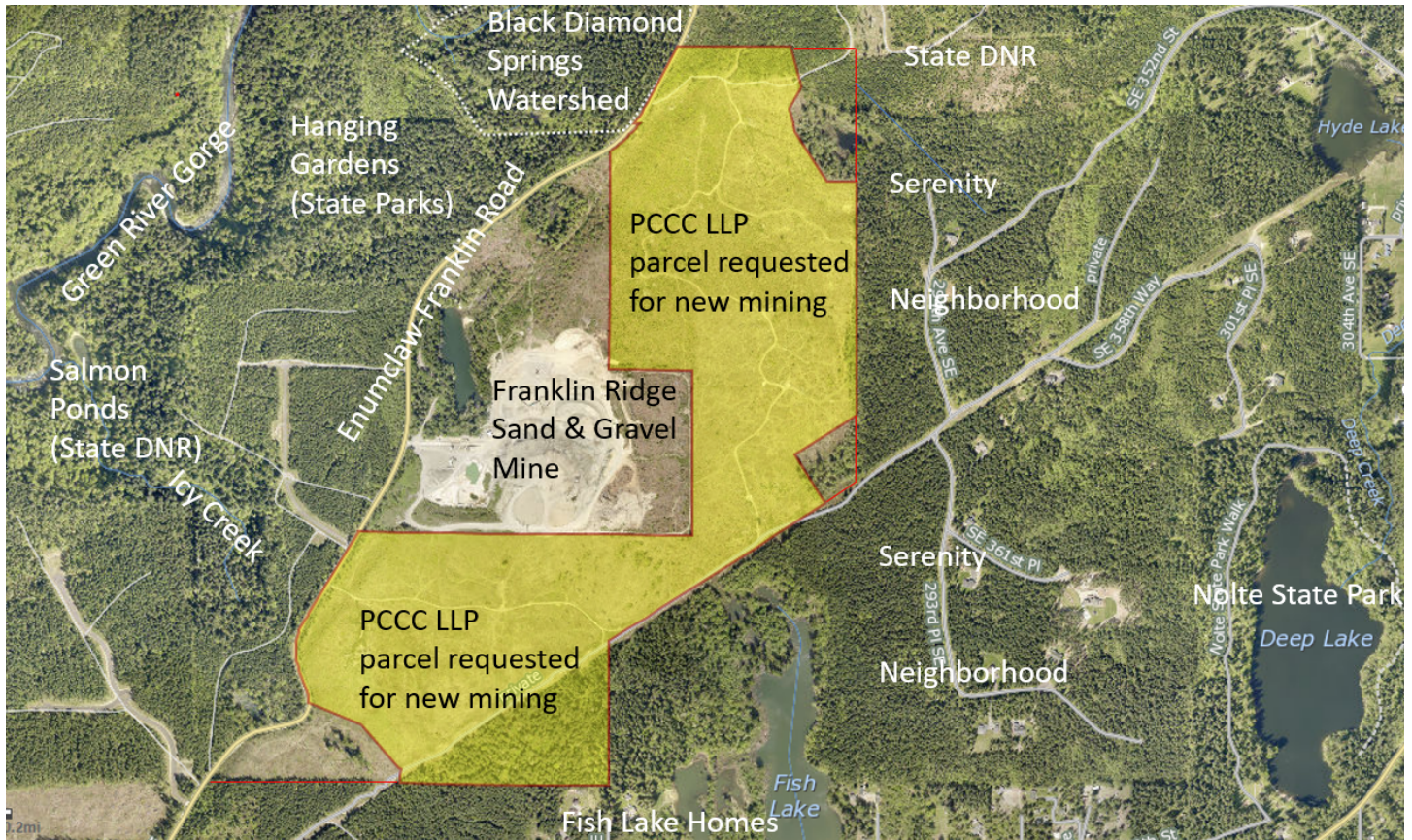


Figure 4a. Three Proposed Mine Complexes—Pacific Coking Coal Company

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Segale mines proposed on yellow parcels, #17=DNR

Surrounded by Green River Gorge; Kanaskat-Palmer State Park; and Communities of Green River Gorge Resort, Kanaskat/Palmer, Cumberland and Hyde Lake

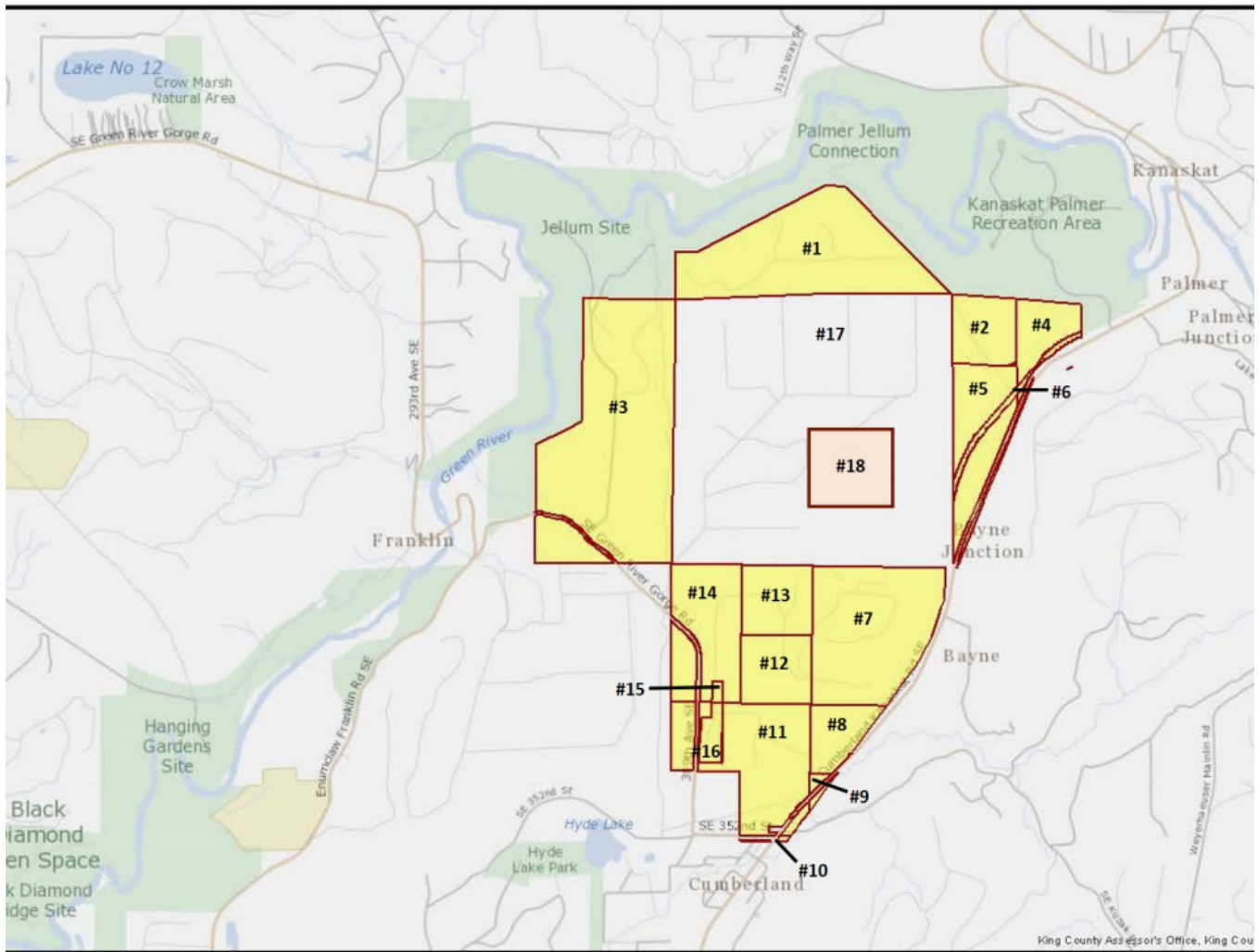


Figure 4b. Three Proposed Mine Complexes—Segale

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Shear gravel mine proposal called “Enumclaw Recycle Center”

Surrounded by Remolif Community and Bass Lake Complex Open Space



Figure 4c. Three Proposed Mine Complexes—Shear