

Received 11-1-2021



LONE STAR NORTHWEST, INC.

October 22, 1993

5975 E. MARGINAL WAY SOUTH
SEATTLE, WASHINGTON 98134
(206) 764-3000
FAX (206) 764-3012

Mr. Steve Boone
1149 33rd Ave. N.E.
Olympia, WA 98506

Re: Pioneer Aggregate Logging

Dear Steve,

This is to confirm our discussion on October 20, 1993, regarding the logging of our site at Dupont, Washington.

- 1) Cut only 40 acres of the 59 acre permitted area
- 2) Start along the western side of the plant site and move east
- 3) Leave a buffer along the southern property line were possible, due to the timber and brush. This buffer should be no more than 50 feet
- 4) Start no earlier than Monday October 25, 1993
- 5) By Wednesday October 27, 1993 approval of the additional 19 acres could be given
- 6) No burning of slash is to be done

If you disagree or have any questions, please call me at 764-3145 before you start. Please sign and send back the enclosed agreement at your earliest convenience.

Yours Truly,

Ron Summers
General Manager/Aggregate Operations

Enclosure: Logging agreement

cc: Bob Shedd
Ryan Durken

RS:kaw

**FOREST PRACTICES APPLICATION/NOTIFICATION
PROCESS AND CONDITIONS**

FPA Number:
FP-09-20102

Date Received: <i>9-14-93</i>	Reviewer Comments Due: <i>9-28-93</i>	Final Due Date: <i>9-28-93</i>	Shutdown Zone: <i>657 B</i>
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NAME OF OPERATOR <i>Forester NW</i>	NAME OF LANDOWNER <i>Same</i>	NAME OF TIMBER OWNER <i>Same</i>
--	----------------------------------	-------------------------------------

Subdivision	Section(s)	TWP Nth	RGE E/W
<i>NE & NW</i>	<i>23</i>	<i>19</i>	<i>1E</i>
<i>NE</i>	<i>22</i>	<i>19</i>	<i>1E</i>
Type of Operation <i>CL</i>		Total Acres <i>59</i>	

CLASS OF APPLICATION	
<input type="checkbox"/>	CLASS I
<input type="checkbox"/>	CLASS II
<input type="checkbox"/>	CLASS III-P
<input checked="" type="checkbox"/>	CLASS IV-G
<input type="checkbox"/>	CLASS IV-S

APPROVED

☐ APPLICATION APPROVED
CONDITIONS TO THIS APPLICATION / NOTIFICATION

THIS OPERATION IS SUBJECT TO:

- ☐ Environmental Checklist
 ☐ Completed FPA Form Map
 ☐ Hydraulics Project Approval
 ☐ Shorelines Management Act
 ☐ Additional Conditions Attached
 ☐ Other _____

APPROVAL CONDITIONS:

Copy of Ordinances on file

SEE ATTACHED COUNTY/CITY COMMENTS.

- ☐ PRE-FILE REVIEW COMPLETE
 ☐ APPLICATION INCOMPLETE
 ☐ APPLICATION COMPLETE
☐ APPLICATION ON HOLD
 ☐ APPLICATION DISAPPROVED

DEPARTMENT OF NATURAL RESOURCES SIGNATURE: <i>CW Glover JB</i>		TITLE: <i>RPF-</i>		DATE: <i>9-21-93</i>	INITIAL: <i>JB</i>
REGION: <i>SPS</i>	AGENCY COPIES SENT: <i>6-29-93</i>	FINAL COPIES SENT: <i>9-21-93</i>	EFFECTIVE DATE: <i>9-21-93</i>	EXPIRATION DATE: <i>9-21-95</i>	

COPIES DISTRIBUTED TO: ☒ FP FORESTER ☒ ECOLOGY ☒ FISHERIES ☒ WILDLIFE *28 Per Ben C. Don*

AFFECTED INDIAN TRIBE: *Nasqually* OTHERS: *Heritage* LOCAL GOVERNMENT: *City of Durant*

AFFECTED INDIAN TRIBE: _____ OTHERS: *Kalanowski* LOCAL GOVERNMENT: _____

AFFECTED INDIAN TRIBE: _____ OTHERS: *Nager* LOCAL GOVERNMENT: _____

AFFECTED INDIAN TRIBE: _____ OTHERS: *Chick* LOCAL GOVERNMENT: _____

CITY OF DUPONT

Post Office Box 455
Dupont, Washington 98327
(206) 964-8121 • FAX 964-3554

OF NATURAL RESOURCES
THE PUGET SOUND REGION

September 16, 1993

SEP 20 1993

RECEIVED

Mr. Ben Cleveland
Department of Natural Resources
P.O. Box 68
Enumclaw, WA 98022

RE: Pioneer Aggregates Project Forest Practices Permit
Application Nos. FP-09-20702 and FP-09-20703

The City of DuPont and the Department of Ecology were co-lead agencies for SEPA review of the Pioneer Aggregates proposal. A Final EIS on the Pioneer Aggregates Project was published on February 4, 1993. DNR was provided a copy of the Draft and Final EIS. The clearing requested in Lone Star's Forest Practices Permit Applications is one of the development activities specifically listed and analyzed by the Final EIS. The Final EIS assessed potential significant adverse impacts from the total proposal including the progressive clearing of the mining site. Proposed mitigation measures for clearing activities are recommended at FEIS pages 61-62.

On September 2, 1993 the DuPont City Council approved the site plan for Lone Star Northwest's aggregate project subject to various conditions. The city concurs with the issuance of the two referenced forest practice permits subject to the following conditions as numbered from the council's approval in Ordinance No. 485.

1. Clearing shall occur in maximum 40 acre increments.
3. A temporary erosion and sedimentation control plan shall be submitted to the city for approval before the commencement of any clearing.
4. Prior to clearing for the conveyor route along the Puget Sound bluff a field meeting of resource specialists of applicable state and local wildlife resource specialists shall be required to determine the final width of the buffer. The minimum shall be 65 feet, however the buffer may be widened to a width not to exceed 100 feet, or as depicted in Appendix K of the EIS, whichever is greater,

Page Two.

depending upon the recommendations provided by the foregoing professionals. A 65 foot buffer shall be maintained from the top of the slope adjacent to Sequelitchew Creek.

6. No mining, construction or other activities shall occur in any portions of the Consent Decree area until authorized by the Department of Ecology.
38. Yew trees harvested from the site shall be made available for medical research.
73. Construction activities shall be monitored to identify any historic resources. Any resources discovered shall be treated according to state historic preservation requirements; appropriate agency personnel shall be notified.

Please let me know if you need any additional information regarding this matter.

A handwritten signature in cursive script, appearing to read "William H. Gorgensen".

WILLIAM H. GORGENSEN
Mayor

cc: Mr. Ronald Summers, Lone Star Northwest

DC/clo

FOREST PRACTICES APPLICATION / NOTIFICATION

FPA Number:

20702

Refer to the Instruction Sheet to assist in the completion of this form. Type or print in permanent ink.

I. GENERAL INFORMATION SECTION

1. FULL LEGAL NAME AND, OR COMPANY DIVISION NAME OF OPERATOR <u>Lone Star Northwest, Inc.</u>			2. FULL LEGAL NAME AND, OR COMPANY DIVISION NAME OF LANDOWNER <u>Same as Operator</u>			3. FULL LEGAL NAME AND, OR COMPANY DIVISION NAME OF TIMBER OWNER <u>Same as Operator</u>		
BUSINESS ADDRESS <u>5975 E. Marginal Way S.</u> <u>P.O. Box 1730</u>			BUSINESS ADDRESS			BUSINESS ADDRESS		
CITY <u>Seattle</u>	STATE <u>WA</u>	ZIP <u>98111</u>	CITY	STATE	ZIP	CITY	STATE	ZIP
PHONE: (<u>206</u>) <u>764-3000</u>			PHONE: ()			PHONE: ()		
Unified Business Identifier (or SSN #) UBI (X) <u>601 301 145</u> SSN ()			Unified Business Identifier (or SSN #) UBI () SSN ()			Unified Business Identifier (or SSN #) UBI () SSN ()		
4. TYPE OF LEGAL ENTITY <input checked="" type="checkbox"/> CORPORATION () OTHER (specify) <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> SOLE OWNER			TYPE OF LEGAL ENTITY <input type="checkbox"/> CORPORATION () OTHER (specify) <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> SOLE OWNER			TYPE OF LEGAL ENTITY <input type="checkbox"/> CORPORATION () OTHER (specify) <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> SOLE OWNER		

FOR TAX INFORMATION CALL 1-800-548-8829

5. FOREST TAX REPORTING ACCOUNT No:

800-030-365

6. ☒ YES () NO - IS THE OPERATION WITHIN CITY LIMITS?

NAME OF CITY(s): DuPont

7. () YES ☒ NO - IS THE OPERATION WITHIN A PUBLIC PARK? If yes, an Environmental Checklist is required.

() YES ☒ NO - IS THE OPERATION WITHIN 500 FEET OF A PUBLIC PARK?

NAME OF PARK: _____

8. LEGAL SUB-DIVISION OF OPERATION(S): (INCLUDE PARCEL OR TAX LOT NUMBER)

SUB-DIVISION (1/4, 1/4)	SECTION(S)	TWP	RANGE (E)(W)	PARCEL OR TAX LOT #
NW 1/4 of NE 1/4	23	19	1 E	01-19-23-1-005
NE 1/4 of NW 1/4	23	19	1 E	01-19-23-1-005
NE 1/4 of NE 1/4	22	19	1 E	01-19-22-1-004
NW 1/4 of NW 1/4	23	19	1 E	01-19-23-2-006
NE 1/4 of NW 1/4	23	19	1 E	01-19-23-2-003

9. () YES ☒ NO - WAS THE LAND PLATTED AFTER JANUARY 1, 1960 (INCLUDING SHORT PLATS)?

(You May Contact County Assessor for Verification).

If Yes, Environmental Checklist Is Required.

10. ☒ YES () NO - LANDOWNER INTENDS TO CLEAR, IMPROVE OR DEVELOP LAND WITHIN THREE YEARS?

NOTE: 1. If yes, attach a completed Environmental Checklist.

2. A local government clearing and/or grading permit may be required.

3. See the instructions for more information relating to conversions.

A copy of the EIS was sent to the South Puget Sound office of DNR.

11. () YES ☒ NO - DO YOU HAVE AN APPROVED CONVERSION OPTION HARVEST PLAN (COHP)?

If yes, include a copy of the approved plan. NOTE: Not all Local Governments accept COHP's.

II. WATER SECTION

You must answer all questions in this Section.

All work within Type 1-3 Waters will require a Hydraulics Project Approval (HPA). Work within Type 4-5 Waters may require an HPA. Completion of this section will serve as your request for an HPA from the Department of Fisheries or Wildlife. If you are operating within 200 feet of a Type 1 or 1+ Water, contact the local government for shoreline management information.

12. LIST ANY ACTIVITIES THAT WILL BE WITHIN OR OVER THE ORDINARY HIGH WATER MARK OF ANY WATER

Check (✓) the activities you will be doing in each type of water. The location of all culverts and bridges must be shown on the base map. Culvert Base Map information must include culvert length, diameter, and type (round or h pipe). Bridge location information must show whether the bridge is temporary or permanent.

Water Type	Road Constr.	Water Crossing	Felling / Bucking	Yarding / Cable	Suspend Cables	Yarding / Ground	Operate Equipment	Apply Chemicals	Other Activity (Show under question 29)
1									
2									
3									
4									
5									

13. ☐ YES ☒ NO - WILL YOU BE OPERATING WITHIN 200 FEET OF A TYPE 1 - 3 WATERS?
 _____ FEET If Yes, how close?

14. ☐ YES ☒ NO - WILL YOU BE OPERATING WITHIN 25 FEET OF TYPE 4-5 WATERS?

15. ☐ YES ☒ NO - ARE YOU AWARE OF ANY WATER INTAKES IN YOUR UNIT OR WITHIN 1/2 MILE DOWNSTREAM OF THIS OPERATION?

III. WETLAND SECTION

You must answer all questions in this section.

16. ☐ YES ☒ NO - DO WETLANDS EXIST WITHIN YOUR FOREST PRACTICE?

If YES, check (✓) the appropriate squares in the following table describing your work, and show the location, classification of all Forested Wetlands over 5 acres in size, and all Class A and B Wetlands on the Activity Map. (For wetland typing information see WAC 222-16-035.)

Wetland Type	Road Constr.	Water Crossing	Yarding / Ground	Operate Equipment	Apply Chemicals	Other Activity (Show under question 29)
A						
B						
Forested						

17. ☐ YES ☒ NO - WILL YOUR PROJECT BE FILLING OR DRAINING A WETLAND?

(_____ ACRES)

If Yes, how many acres will you be filling or draining?

A mitigation plan and a SEPA checklist must accompany this application if you are filling or draining more than 1/2 acre of any wetland.

IV. ROAD CONSTRUCTION SECTION

If you will not be doing any work involving roads go to Section V.

18. **ROAD CONSTRUCTION: (Complete all blocks that apply and LABEL EACH TYPE SEPARATELY ON MAP.)**

TYPE OF CONSTRUCTION	TOTAL LENGTH IN FEET	LENGTH OF ENDHAUL CONSTRUCTION (in lineal feet)	STEEPEST SIDE SLOPE ROAD CROSSES (in percent)
<input checked="" type="checkbox"/> NEW PERMANENT ROAD ^{maintenance road}	3000'	N/A	5%
<input type="checkbox"/> NEW TEMPORARY ROAD			
<input type="checkbox"/> EXISTING ROAD RECONSTRUCTION			
<input type="checkbox"/> EXISTING ROAD MAINTENANCE			
<input type="checkbox"/> EXISTING ROAD ABANDONMENT			

V. TIMBER HARVEST SECTION

If you will not be harvesting timber, go to Section VI.

19. **TIMBER HARVEST INFORMATION**

UNIT #	TYPE OF HARVEST (even-aged, uneven-aged, and/or salvage) Show the location of each harvest type on Map.	POST HARVEST TREES PER ACRE FOR UNEVEN- AGED HARVEST	METHOD OF HARVEST (see #19 in the instructions for choices)	ACRES (per type of harvest)	PERCENT OF VOLUME TO BE CUT	ESTIMATED VOLUME TO BE HARVESTED (in MBF)
	even-aged	N/A	rubber tired skidder	59	100%	c. 542

* For even-aged harvests, provide surrounding stand information on the map as required under WAC 222-30-025. See map instructions.

20. ☐ YES ☒ NO - WILL YOU BE HARVESTING TIMBER WITHIN ONE TREE LENGTH OF ANY OVERHEAD POWER LINES?

21. **INDICATE HOW THE FOLLOWING WILDLIFE RESERVE TREES WILL BE LEFT:** (Check all that apply)

WILDLIFE RESERVE TREES

- ☐ CLUMPED (Show on Map)
☐ EVENLY DISTRIBUTED (Throughout Unit)

GREEN RECRUITMENT TREES

- ☐ CLUMPED (Show on Map)
☐ EVENLY DISTRIBUTED (Throughout Unit)

22. ☐ YES ☒ NO - WILL YOU BE REMOVING TREES WITHIN THE MAXIMUM WIDTH RIPARIAN MANAGEMENT ZON THAT ARE PROVIDING CANOPY COVER TO THE STREAM? IF YES, GIVE THE MIDPOINT ELEVATION AND EXISTING CANOPY COVER OF ALL STREAM REACH(S) AND LABEL THE STREAM REACH(S) ON THE MAP:

STREAM REACH #1. _____'ELEV., ____ % COVER. STREAM REACH #2. _____'ELEV., ____ % COVER.
 STREAM REACH #3. _____'ELEV., ____ % COVER. STREAM REACH #4. _____'ELEV., ____ % COVER.

23. ☐ YES ☒ NO - WILL YOU BE LEAVING A DOUBLE-WIDE RMZ(S) FOR GREEN-UP? INDICATE DOUBLE-WIDE RMZ LOCATION(S) ON MAP

If Yes, ☐ One Sided or
☐ Two Sided

24. **REFORESTATION METHOD: COVERION PLANNED**

- ☐ PLANTING (Species: _____)
☐ NATURAL (Applicant must submit a Reforestation Plan)

VI. CHEMICAL APPLICATION SECTION

If this forest practice does not involve the application of any pesticides or fertilizer, go to Section VII.

25. TYPE OF CHEMICAL APPLICATION:

☐ FERTILIZER APPLICATION - For fertilizer applications answer question 28.

☐ PESTICIDE TREATMENT ACRES - For pesticide applications answer questions 26, 27 and 28.

26. LIST THE EPA REGISTRATION NUMBERS, TRADE NAMES, AND RATES OF APPLICATION FOR ALL CHEMICALS PROPOSED, INCLUDING ALL ADJUVANTS.

EPA REG. No.	Trade Name of Chemical	Application Rate per acre	Unit of Measure

27. ☐ YES ☐ NO - WILL THIS PESTICIDE BE USED UNDER A DEPARTMENT OF AGRICULTURE EXPERIMENTAL USE PERMIT? If yes, include a copy of the Experimental Use Permit.

28. CHEMICAL INFORMATION CONTACT PERSON _____ PHONE # () _____

VII. GENERAL DESCRIPTION SECTION

29. Provide any details that will give a better understanding of your project.

See attached Exhibit A

Compliance with this application/ notification does not ensure compliance with the Endangered Species Act, or other federal, state, or local laws.

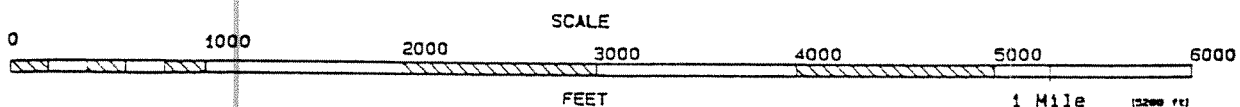
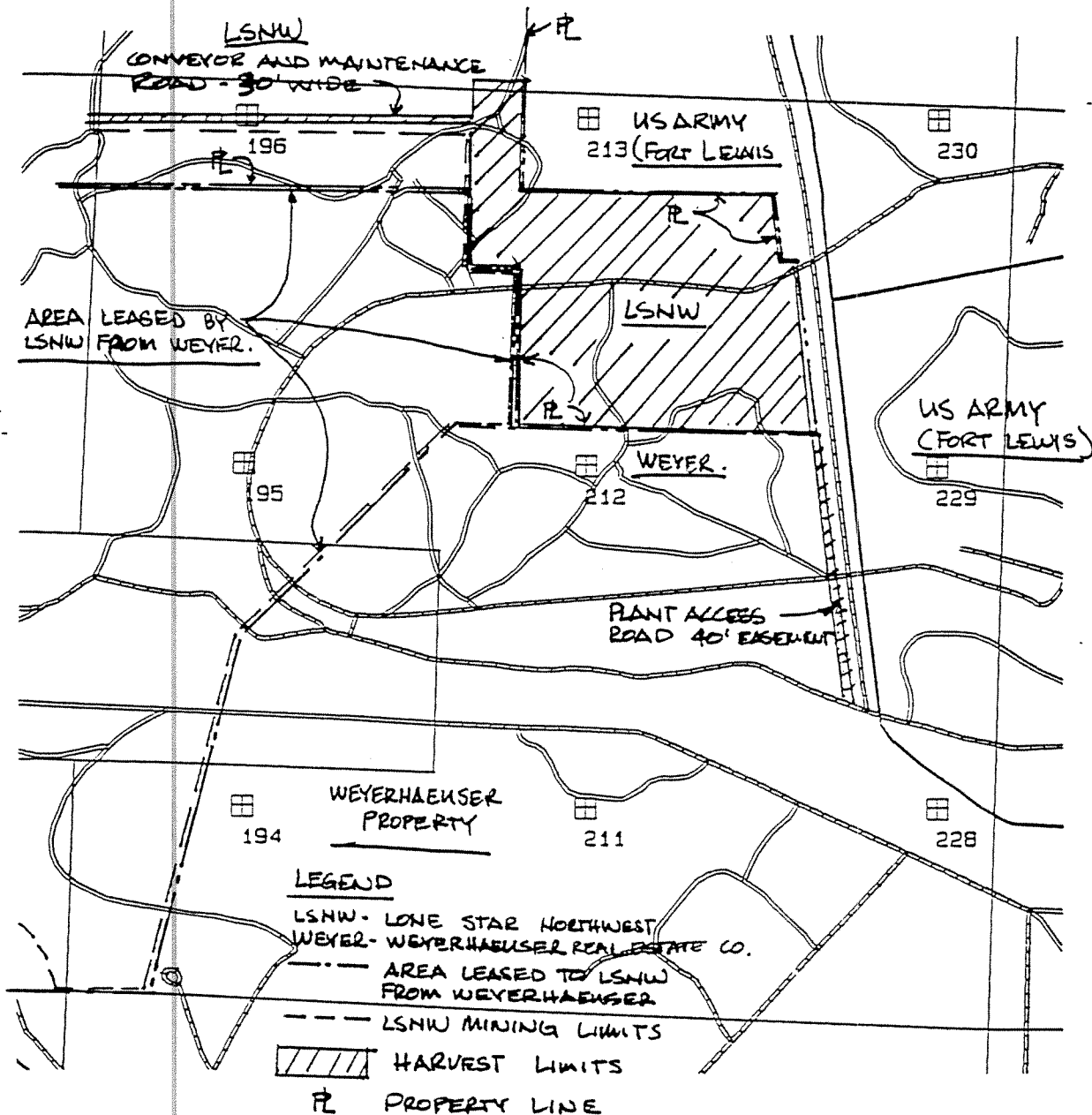
SIGNATURE BLOCKS

We affirm that the information contained herein is true, and understand that this proposed Forest Practice is subject to the current rules and regulations of the forest practices act, as well as any applicable Federal, State or Local rules and regulations.

OPERATOR	LANDOWNER	TIMBER OWNER
Signature <i>Ronald E. Summers</i>	Signature <i>Ronald E. Summers</i>	Signature <i>Ronald E. Summers</i>
Print Ronald E. Summers	Print Ronald E. Summers	Print Ronald E. Summers

FOREST PRACTICE BASE MAP

TOWNSHIP 19 NORTH, RANGE 01 EAST (W.M.), SECTION 23
APPLICATION : _____
DATA LAYERS UNAVAILABLE FOR THIS SECTION
CONTOURS



MAP DATE: March 27, 1993

Contour Interval: 40 Feet

NAD 27

LEGEND: See Instructions

DISCLAIMER: See Instructions

RECEIVED

SEP 1 - 1993

ORDINANCE NO. 486

CITY OF DUPONT

AN ORDINANCE APPROVING THE APPLICATION OF LONE STAR NORTHWEST INC. FOR A SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT (AND CONDITIONAL USE PERMIT) FOR THE PIONEER AGGREGATES MINING PROPOSAL.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DUPONT:

Section 1: The application of Lone Star Northwest Inc. for a shoreline substantial development permit (and conditional use permit), dated February 2, 1990, and revised February 14, 1991, and January 22, 1993, located north of Sequelitchew Creek within the southwest quarter of Section 22, Township 19 North, Range 1 East, W.M., is approved subject to the conditions and requirements contained in the City Council's Decision, with Findings and Conclusions, a copy of which is annexed hereto as Exhibit "A".

Section 2: This ordinance, and the action taken hereunder is subject to the following notice requirements:

The City's final action on both shoreline permit applications will be transmitted concurrently to the Department of Ecology and the Attorney General as required by RCW 90.58.140(6), and implementing regulations. The Department of Ecology is required to review the Conditional Use Permit, and issue a decision of approval or disapproval.

Pursuant to the terms and provisions of the Shoreline Management Act, RCW 90.58.180, any person aggrieved by the granting, denying or rescinding of a permit on a shoreline of the state pursuant to RCW 90.58.140 may seek review from the Shorelines Hearings Board by filing a request for the same within 30 days

ORDINANCE

p\jfq\12031s\9859

of the "date of filing" of DOE's decision as defined in RCW 90.58.140(6) and WAC 173-14-090.

Section 3: This ordinance shall be effective from the date of its passage and posting.

PASSED THE COUNCIL AND APPROVED by me this 2^d day of September, 1993.

Nicci A. Gorgense
Mayor

ATTEST:

Catherine Harstad-Everett
Clerk

STATE OF WASHINGTON)
COUNTY OF PIERCE) ss.
CITY OF DUPONT)

I, Catherine Harstad-Everett, Clerk of the City of DuPont, do hereby certify, that the foregoing is a true and correct copy of Ordinance No. 486 of the City entitled:

AN ORDINANCE APPROVING THE APPLICATION OF LONE STAR NORTHWEST INC. FOR A SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT (AND CONDITIONAL USE PERMIT) FOR THE PIONEER AGGREGATES MINING PROPOSAL.

passed by the Council of said City on the 2nd day of September 1993, and that on said 3rd day of September 1993, said Ordinance was by me duly posted according to law, there being no newspaper in said City.

DATED this 2nd day of September 1993.

Catherine Harstad-Everett

STATE OF WASHINGTON)
COUNTY OF PIERCE) ss.
CITY OF DUPONT)

Catherine Hustad-Everett, being first duly sworn, on oath,
deposes and states:

That at all times hereinafter she was and she now is the duly
appointed, qualified and acting Clerk of the City of DuPont, a
noncharter optional Municipal Code city in Pierce County, State of
Washington; that on the 3rd day of September 1993, as such
Clerk of the City of DuPont, she duly posted printed copies of the
foregoing Ordinance No. 486 of the City of DuPont, entitled

AN ORDINANCE APPROVING THE APPLICATION OF LONE STAR
NORTHWEST INC. FOR A SHORELINE SUBSTANTIAL DEVELOPMENT
PERMIT (AND CONDITIONAL USE PERMIT) FOR THE PIONEER
AGGREGATES MINING PROPOSAL.

in three of the most public places in the City, and that at said
time no newspaper was published in said City.

Catherine Hustad-Everett

SUBSCRIBED AND SWORN TO before me this 2d day of September
1993.

Kellen A. Gorgensen
Mayor



LONE STAR NORTHWEST

5975 E. MARGINAL WAY SOUTH
P.O. BOX 1730
SEATTLE, WASHINGTON 98111
(206) 764-3000

September 10, 1993

DEPARTMENT OF NATURAL RESOURCES
SOUTH PUGET SOUND REGION

SEP 13 1993

Mr. Ben Cleveland
Department of Natural Resources
South Puget Sound Regional Office
P.O. Box 68
Enumclaw, WA 98022

RECEIVED

Re: Lone Star Northwest: Forest Practices Permit
Application Nos. FP-09-20702 and FP-09-20703

Dear Ben:

I am writing to request that you reactivate the two Forest Practices Permit Applications referenced above for Lone Star Northwest's Pioneer Aggregates Project. On September 2, 1993, the DuPont City Council adopted Ordinance Nos. 485 and 486, approving Lone Star Northwest's applications for a site plan approval and shoreline permits for the Pioneer Aggregates proposal. A copy of the ordinances is attached.

Please let me know if you need any additional documentation in order to reactivate Lone Star Northwest's Forest Practices Permit Applications.

Very truly yours,

Ronald Summers

cc: Mr. Vern Moore
Mr. Philip White

318743



WASHINGTON STATE DEPARTMENT OF
Natural Resources

BRIAN BOYLE
Commissioner of Public Lands

South Puget Sound Region
28329 SE 448th St.
P.O. Box 68
Enumclaw, WA 98022
(206) 825-1631

S E P A
Lead Agency
Notice

Re: FP-09- 20702

The department has determined according to WAC 197-11-938 (4) that City of Everett is the lead agency for purposes of compliance with State Environmental Policy Act for the above referenced forest practice application(s). Should you disagree with this determination, you may petition the Dept. of Ecology to resolve the issue pursuant to WAC 197-11-946.

The application(s) are subject to a 30-day period of approval unless you determine a detailed statement under RCW 43.21C.030(2)(c) is required.

Please notify our office by the due date on the application your recommendations for approval, disapproval or conditioning of the application by the due date.

BC/sc
880510