

WHATCOM COUNTY
Planning & Development Services
5280 Northwest Drive
Bellingham, WA 98226-9097
360-778-5900, TTY 800-833-6384
360-778-5901 Fax



Mark Personius, AICP
Director

Withdrawal Notice SEPA Determination of Nonsignificance (DNS)

Withdrawal: This notice serves as a withdrawal of the DNS issued on September 18, 2020 for a proposed surface mine. Based on comments received from the Washington Geological Survey – Surface Mining Division, the proposed 2 acre surface mine would constitute an expansion of the adjacent surface mine, and would therefore be subject to the Washington State Surface Mining Act, RCW 78.44. Pursuant to Whatcom County Code 20.42.197, surface mines subject to the Washington State Surface Mining Act shall only be allowed in the Rural Forestry District when located within a Mineral Resource Land Special District. As this district does not apply to the subject parcel, the associated conditional use permit has been withdrawn by the applicant and the SEPA determination is no longer applicable. The applicant has submitted a separate Land Disturbance Permit (LDP2021-00100) for a revised scope of work that does not meet the definition of expansion based on consultation with the Washington Geological Survey – Surface Mining Division. Environmental review of the land disturbance application will occur under SEP2017-00041.

File: SEP2018-00100

Project Description: The applicant proposes to establish a surface mine pursuant to WCC 20.36.159. The surface mine will have a maximum size of less than 2 acres and would therefore be subject to conditional use requirements of the rural zone rather than those of the WA DNR and Whatcom County Mineral Resources Lands Special District. The site will be reclaimed to pasture with 3:1 side-slopes that will create a topographic depression in the mine footprint. Due to mineral extraction and proposed reclamation to pasture 2 acres of forest land will be converted to non-forestry use.^[1]

Proponent: Whatcom Rock, LLC

Address and Parcel #: 0 Rutsatz Road, Deming, WA 98244 – (APN) 380505-492212

Lead Agency: Whatcom County Planning & Development Services

Zoning: Rural Forestry (RF) **Comp Plan:** Rural Forestry **Shoreline Jurisdiction:** N/A

Responsible Official: Mark Personius, mpersoni@whatcomcounty.us **Title:** Director

Telephone: 360-778-5900

Address: 5280 Northwest Drive
Bellingham, WA 98226

Date of Withdrawal: July 9, 2021 **Signature:** _____

A handwritten signature in black ink, appearing to read "M Personius", is written over a horizontal line.