

MEMORANDUM

TO: Tom Mielke, Chair, Clark County Board of Commissioners
David Madore, Clark County Commissioner

FROM: Oliver Orjiako

DATE: May 30, 2014

SUBJECT: Surface Mining Overlay (SMO) Public Hearing: Update and Packet

Purpose:

The purpose of the hearing is to consider the recommendations of the Clark County Planning Commission on the Surface Mining Overlay (SMO) update. This hearing will focus on the comprehensive plan map designation of mineral resource lands using the SMO. The Board will consider code standards for mining at a hearing date to be determined.

Background:

Two events prompted the County to initiate an update of our mineral resource lands regulations. In October 2005, the Washington Dept. of Natural Resources Division of Geology & Earth Resources produced an aggregate resource inventory map for Clark County using the best data available. Resources were classified and mapped as "Identified" where the distribution, grade, and quality could be confidently estimated based on specific geologic evidence, limited sampling, and laboratory testing. Areas were mapped as "Hypothetical" where available data appear to satisfy most, but not all, of the threshold criteria. Resources were classified as "Speculative" where geologic and production information is sparse, but where inferences can be made from existing geologic mapping or data to suggest that these rock units might potentially meet the threshold criteria for aggregate resources. Then, in 2009, the Washington State Legislature adopted changes to the regulations and guidelines for classifying and designating mineral resource lands which became effective February 2010.

Process:

A scope of work and list of potential stakeholders was presented to the Board of County Commissioners at a work session on August 3, 2011. The Board appointed a Mineral Lands Task Force which held 13 meetings between November 8, 2011 and August 13, 2013 to develop the recommendations for updating the surface mining overlay map, policies, and standards. The task force used a consensus process to reach agreement in their recommendations. Staff received Board direction on draft standards at work sessions held on March 20 and July 13, 2013.

The Planning Commission held public hearings on September 19, October 17, November 21, and December 5, 2013 to consider changes to the Comprehensive Plan Map.

The Planning Commission voted on whether or not to designate 15 additional areas with the Surface Mining Overlay. Three of these areas were submitted by the Mineral Lands Task Force based on property owner requests (Morgan (Area 1), S. of Tebo (Area 2) and Matilla (Area 3)). The other 12 areas were recommended for inclusion by the task force following a screening process that focused on mapped identified resources on rural resource lands where access and environmental constraints did not clearly preclude their economic use for mineral extraction.

The Board of County Commissioners and the Planning Commission held a joint meeting on April 17, 2014 to discuss the proposed designation of Surface Mining Overlay (SMO) as recommended by the Clark County Planning Commission.

Hearing Packet:

In the packet is the transmittal of the Planning Commission recommendation to the Clark County Board of Commissioners. A summary of the Planning Commission vote on each area, meeting minutes, maps, and public comments are included.