

**EXHIBIT LIST FOR CUP 2018-004  
JMAC to Interstate Concrete dba American Rock Products  
TRANSFER REQUEST**

<b>Hearings Examiner Staff Memo Exhibit List - June 20, 2025 hearing</b>		
HEM 1.1	Staff Memo	June 11, 2025
HEM 1.2	Original Hearings Examiner Decision	June 12, 2018
HEM 1.3	Conditional Use Permit Issuance	January 30, 2019
HEM 1.4	Applicant request for Transfer	April 23, 2025
HEM 1.5	Lease Agreement	May 13, 2025
HEM 1.6	Land Owner confirmation - email	May 23, 2025
HEM 1.7	Condition 4 - DNR Transfer of Surface Mining Reclamation Permit	May 8, 2025
HEM 1.8	Condition 6 & 7 Dust Control Plan	May 30, 2025
HEM 1.9	Condition 11 - Light Pollution Plan	May 30, 2025
HEM 1.10	Condition 13 - Screening Plan	May 30, 2025
HEM 1.11	Condition 18 - Haul Route	May 30, 2025
HEM 1.12	Condition 20 - Reclamation Plan	June 9, 2025
HEM 1.13	Condition 21 - Signage Plan	May 30, 2025
HEM 1.14	Condition 22 - Neighborhood Compatibility Plan	June 12, 2018
<b>Exhibits Submitted <span style="color: red;">During Hearing</span> or while record remained open</b>		
HEH 1.1		
HEH 1.2		
HEH 1.3		
HEH 1.4		
HEH 1.5		
HEH 1.6		
HEH 1.7		
HEH 1.8		
HEH 1.9		
HEH 1.10		

**Community Development Department**

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**Planning Division**

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**STAFF REPORT TO THE  
BENTON COUNTY HEARINGS EXAMINER  
Request to Transfer Ownership of CUP 2018-004**

**HEM 1.1**

**FILE NO:** CUP 2018-004  
**MEMO DATE:** June 11, 2025  
**HEARING DATE:** June 20, 2025  
**APPLICANT:** Interstate Concrete and Asphalt dba American Rock Products  
PO Box 3366, Spokane Valley, WA.

**ORIGINAL APPLICANT:** JMAC Resources, Inc.  
1505 N Miller St, Ste 260, Wenatchee, WA 98801.

**OWNER:** John Christensen, 3802 W 43<sup>rd</sup> Ave, Kennewick, WA 99337.

**LOCATION:** General Location: The property is located north of the intersection of Locust Grove Road and Amon Road in the Kennewick area of unincorporated Benton County, Washington.  
Legal: Section 30, Township 8 North, Range 29 East: The Northwest Quarter, Fractional: The West One/Half of the Northeast Quarter.  
Parcel Number: 130891000002000

**PROPERTY SIZE:** Approximately 235.20 Acres

**AREA TO BE USED:** 30 Acres

**LAND USE:** Agriculture

**ZONING:** Growth Management Act Agricultural District (GMAAD)

**COMPREHENSIVE PLAN DESIGNATION:** Growth Management Act Agriculture (GMA AG)

**SPECIFIC REQUEST:**  
Interstate Concrete and Asphalt is requesting the transfer of CUP 2018-004 from JMAC Resources to Interstate Concrete and Asphalt dba American Rock Products (HEM 1.4).

**BACKGROUND:**  
Conditional Use Permit 2018-004 was approved on June 12, 2018, subject to 26 conditions of approval (HEM 1.2), to operate a commercial sand and gravel rock quarry to excavate, drill, crush and process rock products with a portable rock crusher, and to store aggregate products on site and sell rock off site. A concrete or asphalt batch plant was not proposed or approved under CUP 2018-004.

On January 30, 2019, the Planning Division issued Conditional Use Permit 2018-004 (HEM 1.3) after the applicant provided evidence that all conditions of approval had been satisfied.

On April 23, 2025, the Planning Division received a written request (HEM 1.4) from Interstate Concrete and Asphalt requesting the transfer of CUP 2018-004 from JMAC Resources to Interstate Concrete and Asphalt dba American Rock Products.

The proposed applicant, Interstate Concrete and Asphalt, provided the Planning Division evidence that all of the original conditions of approval are continuing to be satisfied including the lease agreement amending the lessee to Interstate Concrete and Asphalt (HEM 1.5), condition 4 requiring a DNR Reclamation Permit be obtained (HEM 1.7), conditions 6 and 7 regarding air emissions and water trucks (HEM 1.8), condition 11 regarding a light pollution plan (HEM 1.9), condition 13 regarding a screening plan (HEM 1.10), condition 18 regarding a haul route agreement (HEM 1.11), condition 20 regarding a reclamation plan (HEM 1.12), condition 21 regarding signage (HEM 1.13), and condition 22 regarding a neighborhood compatibility plan (HEM 1.14).

#### **FINDINGS OF FACT:**

1. The applicant, Interstate Concrete and Asphalt is requesting the transfer of CUP 2018-004 from JMAC Resources to Interstate Concrete and Asphalt dba American Rock Products (HEM 1.4).
2. The transfer of CUP 2018-004 would allow the applicant to excavate, drill, crush and process rock products and use of a portable rock crusher. The permit will allow the applicant to process and store aggregate products on site and sell rock for commercial sales off-site.
3. The applicant is Interstate Concrete and Asphalt dba American Rock Products, PO Box 3366, Spokane Valley, WA.
4. The original applicant was JMAC Resources, Inc, 1505 N Miller St, Ste 260, Wenatchee, WA 98801.
5. The property owner is John Christensen, 3802 W 43<sup>rd</sup> Ave., Kennewick, WA 99337.
6. The site is located north of the intersection of Locust Grove Road and Amon Road in the Kennewick area of unincorporated Benton County, Washington.
7. The subject parcel is 235.20 acres in size and approximately 30 acres are proposed to be used for quarry activities.
8. The parcel is legally described as Section 30, Township 8 North, Range 29 East: The Northwest Quarter, Fractional: The West One/Half of the Northeast Quarter. Parcel 130891000002000.
9. The property is zoned Growth Management Act Agricultural District (GMAAD).
10. CUP 2018-004 is subject to permit transfer to another party subject to the review and approval of the Planning Division and the future permit holder agrees in writing to the permit conditions.
11. On April 23, 2025, the Planning Division received a written agreement (HEM 1.4) from Interstate Concrete and Asphalt that they would comply with all permit conditions.

12. On May 8, 2025, the Planning Division received written evidence (HEM 1.7) that condition 4 would be satisfied.
13. On May 30, 2025, the Planning Division received the following written evidence that the following conditions would be satisfied: conditions 6 and 7 regarding air emissions and water trucks (HEM 1.8), condition 11 regarding a light pollution plan (HEM 1.9), condition 13 regarding a screening plan (HEM 1.10), condition 18 regarding a haul route agreement (HEM 1.11), and condition 21 regarding signage (HEM 1.13).
14. On June 9, 2025, the Planning Division received written evidence (HEM 1.12) that condition 20 would be satisfied.
15. On June 12, 2025, the Planning Division received written evidence (HEM 1.14) that condition 22 would be satisfied.

**RECOMMENDATION:**

The Planning Division recommends approval of the transfer request for CUP 2018-004 from JMAC Resources to Interstate Concrete and Asphalt dba American Rock Products subject to the proposed applicant obtaining a haul route agreement from the Benton County Public Works Department and that the conditions of approval continue to be met for the life of the permit.

**BENTON COUNTY HEARINGS EXAMINER  
FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION**

CUP 2018-004 - JMAC Resources Inc.

**HEM 1.2**

June 12, 2018

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**1. FINDINGS OF FACT**

**1.1 Proposal/Project Description.** JMAC Resources Inc. requests a conditional use permit (“CUP”) to operate a commercial sand and gravel rock quarry to excavate, drill, crush and process rock products with a portable rock crusher, and to store aggregate products on site and sell rock off site.<sup>1</sup> A concrete or asphalt batch plant is not proposed, but approval of same may be requested in future.

**Applicant:** JMAC Resources Inc., 1505 N. Miller, Suite 260, Wenatchee, WA 98801

**Property Owner:** John Christensen, 3802 W. 43<sup>rd</sup> Avenue, Kennewick, WA 99337

**Location:** Existing John Christensen Quarry on S. Amon Road, Kennewick, WA on 30.0 acres of a 235.2-acre parcel in the Northwest Quarter and a fraction of the West one-half of the Northeast Quarter of Section 30, Township 8 North, Range 29 East, W.M. (Assessor No. 1-3089-100-0002-000).



<sup>1</sup> The site has an inactive sand and gravel permit under John Christensen Quarry WAG505187. If approved, the permit would transfer to JMAC Resources Inc.

**Site Location in Relation to Other Gravel Operations and Tripple Vista Estates.**

The above illustrative map shows the relative locations of Tripple Vista Estates and the three mining operations addressed in public comment. Just across Clodfelter Road from the subdivision is the Mahaffey operation; the CWA project is about 1.85 miles south; and, the JMAC Resources Inc. proposal is roughly 2.4 miles southeast.<sup>2</sup> The Applicant described the distance from the plat as about five miles and about two miles west of I-82, which provides easy access. Citizen testimony was more consistent with the shorter distances reflected in the map.

**1.2 Administrative Record.** The Hearings Examiner admitted the below exhibits, which include documents from the Applicant, Planning Department staff, various agencies, and the public.

Date	Document Description
	Agenda
May 14, 2018 March 19, 2018 March 19, 2018 March 26, 2018 March 26, 2018 and April 24, 2018 March 30, 2018 March 30, 2018 April 2, 2018 April 9, 2018 April 10, 2018 May 9, 2018 April 16, 2018 March 14, 2018	Planning Department Memo to Hearings Examiner, with Exhibits HEM 1.1-1.11 and HER 1.1-1.2. <ul style="list-style-type: none"> <li>• HEM 1.1 Staff Report</li> <li>• HEM 1.2 Site and Vicinity Maps</li> <li>• HEM 1.3 Notice of Application</li> <li>• HEM 1.4 Benton Clean Air Agency Comment</li> <li>• HEM 1.5 Benton County Fire Marshal Comment</li> <li>• HEM 1.6 Wash. State Dept. of Transportation Comment</li> <li>• HEM 1.7 Washington Dept. of Ecology Comment</li> <li>• HEM 1.8 Public Comment (Abken)</li> <li>• HEM 1.9 Benton County Public Works Department Comment</li> <li>• HEM 1.10 Determination of Non-Significance</li> <li>• HEM 1.11 Notice of Open Record Hearing</li> <li>• HER 1.1 Application and Supporting Documents</li> <li>• HER 1.2 SEPA Checklist</li> </ul>
(May 23-29, 2018)	Exhibits HEH 1.1-1.18. <ul style="list-style-type: none"> <li>• HEH 1.1 Public Comment (Holte)</li> <li>• HEH 1.2 Public Comment (Guse)</li> <li>• HEH 1.3 Public Comment (Gallagher)</li> <li>• HEH 1.4 Public Comment (Hale)</li> <li>• HEH 1.5 Public Comment (T. Morrison)</li> <li>• HEH 1.6 Public Comment (Evans)</li> <li>• HEH 1.7 Public Comment (Vidrine)</li> <li>• HEH 1.8 Public Comment (Brutzman)</li> <li>• HEH 1.9 Public Comment (Flodin)</li> <li>• HEH 1.10 Public Comment (Scott)</li> <li>• HEH 1.11 Public Comment (Randall)</li> </ul>

<sup>2</sup> The Examiner takes official notice of the Google map but has only used it to depict relative site location.

	<ul style="list-style-type: none"> <li>• HEH 1.12 Public Comment (Lechelt)</li> <li>• HEH 1.13 Public Comment (Brun)</li> <li>• HEH 1.14 Public Comment (Samsell)</li> <li>• HEH 1.15 Public Comment (T. Morrison)</li> <li>• HEH 1.16 Public Comment (A. Morrison)<sup>3</sup></li> <li>• HEH 1.17 Benton County Planning Department Memo Re: History of Blumer/Mahaffey Mine</li> <li>• HEH 1.18 Public Comment (A. Morrison)<sup>4</sup></li> </ul>
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Notes --

- HEM: Hearings Examiner Memo Exhibits
- HER: Hearings Examiner Record Exhibits
- HEH: Hearings Examiner Hearing Exhibits

**1.3 Public Notice.** The notice for the public hearing was published in the Tri-City Herald and mailed to property owners of record within 300 feet of the parcel's outer boundaries on May 9, 2018.<sup>5</sup> The open record hearing was scheduled for May 21, 2018. No notice concerns were raised.

**1.4 Hearing.** The Hearings Examiner considered the Applicant's request at an open record public hearing on May 21, 2018. The Planning Department summarized the proposal, which the Applicant further described in sworn testimony. The Applicant addressed questions from both the Hearings Examiner and the Planning Department, and did not identify any regulatory requirements or conditions it could not comply with. The Applicant had reviewed concerns from a citizen on impacts to a well from blasting; the Applicant has blasted in the area, and has had no issues with a well located closer than this neighbor's.

Ms. Davison, who lives in Tripple Vista Estates, testified. She was encouraged by the Applicant's intention to work with neighbors. The project is closer than five miles. On hydro-seeding stockpiles, presumably the Applicant is referring to the berms. A 5:00 a.m. to 7:00 p.m. restriction provides certainty, but is this five days per week or seven days per week? Blasting has affected their well. Crushing does go through winter. Ms. Davison raised a question on whether the permits are forever or if there is a limit.

Ms. Lechelt testified. She is concerned about the permit being in place forever. Residential uses have been moving out this direction, and the proposed use is not compatible with new homes being built. The crushing can be heard all night long. With the Mahaffey operation residents cannot sleep. Dust and trucks tracking material onto the right-of-way has been an outstanding issue.

The Applicant clarified that it will not crush at night. It may crush a couple months at a time, three or four times per year, or maybe five-six months, but not continuously year round.

<sup>3</sup> Duplicate of HEH 1.18. Duplicates could be removed, but as this only occurs with two comments, the Examiner has left the exhibit numbering as is.

<sup>4</sup> Duplicate of HEH 1.16.

<sup>5</sup> Exhibit HEM 1.11 and Staff Report.

On dust, the Applicant will pave the access road. The only dust potential is around the stockpiles. Berms will be hydro-seeded, not the stockpiles. Material is processed at the bottom of a hill, as shooting occurs at the rock face. Residents can probably see the face of the crusher/quarry, but not the floor where crushing occurs. The Applicant recognized the Mahaffey issues, and promised there will be the utmost attention to operations. Also, this is not a perpetual project. It is on a five year lease, with a five year option, and eventually this will be a residential area. This is an "in and out" operation. On noise, the prevailing northwest winds will help, so the Applicant does not believe noise will be an issue.

**1.5 Written Comments.** The Examiner held the record open through May 29, 2018. 16<sup>6</sup> citizen comments and a Planning Department memo were received. The below table summarizes the predominant issues raised. Concerns raised were similar to those identified with the CWA proposal. The CWA project generated a greater number of comments, possibly due to its closer proximity to Tripple Vista Estates. As with both projects, an over-riding concern was the Mahaffey operation. While that is a separate project and not before the Examiner, citizens raised significant concerns about use compatibility and its material detriment to neighboring properties. The same concerns are present with any other similar use, if not properly located and mitigated, with conditions strictly enforced.

CONCERN	SUMMARY OF CITIZEN COMMENTS
<b>NOISE; HOURS OF OPERATION</b>	Noise at all hours of the day and night is an issue with the Mahaffey operation. Neighbors are concerned this will also be an issue with this project. Concerns were raised about noise from both blasting and grinding activities. Neighbors were opposed to allowing 24-hour grinding and blasting.
<b>BLASTING</b>	Comments raised include concerns with damaged property from blasting, as has occurred with the Mahaffey operation.
<b>LIGHT IMPACTS</b>	Glaring lights are an issue with the Mahaffey operation, raising concerns this would also be an issue with this project.
<b>DUST CONTROL; AIR EMISSIONS</b>	Dust control and air emissions are significant and ongoing problems with the Mahaffey operation. Concerns were raised that dust and harmful air emissions would also be an issue with this proposal.
<b>AESHETICS</b>	Residents value their panoramic views and having three gravel mining operations in the area is a significant aesthetic concern, particularly given the views presented from the Mahaffey operation. This project is further away, so not all citizens were as concerned with this project's aesthetic impacts, compared to the CWA project.
<b>TRUCK TRAFFIC</b>	Trucks traveling over the speed limit and not safely have been an issue with the Mahaffey operation. Also, trucks from that site do not adequately protect against flying gravel/rocks, which is a safety hazard and has damaged automobile windshields.

<sup>6</sup> The exhibit numbering makes it look like 18 comments were submitted, but one is a duplicate, and one is from the Planning Department.

<b>ENSURING COMPLIANCE</b>	Comment was submitted on the Mahaffey operation and the lack of enforcement of requirements. There was a concern there could be enforcement issues with this project and conditions not followed.
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**1.6 Agency Comment.** As addressed below, several government agencies submitted written comment identifying various regulatory requirements. No objections or concerns with the Applicant's ability to address these comments were raised.

**1.7 Zoning/Plan Designations.** The site's Comprehensive Plan and zoning designation is Growth Management Act Agricultural District. The proposed use can only be authorized via conditional use permit.<sup>7</sup> Besides requirements specific to the zone, procedures and criteria for reviewing a CUP, and requiring Hearings Examiner approval of same, are at BCC 11.52.089 and .090.

**1.8 State Environmental Policy Act, Ch. 43.21C RCW.** The Planning Department reviewed project application materials, including the SEPA Environmental Checklist, and issued a Determination of Non-Significance.<sup>8</sup> No SEPA appeals were filed.

**1.8 Site and Surrounding Land Uses.** The property is 30.0 acres of a 235.2-acre parcel within the GMA-AG zoning district. Surrounding land uses include agricultural, rural residential, and pasture ground.

**1.9 Benton Franklin Health District Comments.** The Benton Franklin Health District commented that it has received no applications regarding plans for septic systems or public drinking water sources.

**1.10 Washington State Department of Transportation (WSDOT) Comments.**

- The subject project is adjacent [to the] Locust Grove Road Interchange on Interstate 82 (I-82) Exit 114, a fully-controlled limited access facility with a posted speed limit of 70 miles per hour. Locust Grove Road transitions to State Route 397 (SR 397) through the Interchange. SR 397 is a managed access class two highway with a posted speed of 40 miles per hour transitioning to 60 miles per hour after a quarter mile. Access to I-82 and SR 397 is available through Locust Grove Road.
- All loads transported on WSDOT rights-of-way must be within the legal size and load limits or have a valid oversize and/or overweight permit.
- It is the applicant's responsibility to keep and maintain I-82 and SR 397 free of debris.<sup>9</sup>

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<sup>7</sup> BCC 11.18.070.  
<sup>8</sup> Exhibits HER 1.2, HEM 1.10, and Staff Report.  
<sup>9</sup> Exhibit HEM 1.6.

**1.11 Benton Clean Air Agency Comments.** Benton Clean Air Agency commented that a Notice of Construction along with other documents and fees must be completed and submitted prior to operation.<sup>10</sup>

**1.12 Benton County Road Department Comments.**

- The site is currently served by Amon Road a County operated and maintained roadway. Amon Road begins at Locust Grove Road and extends 3,325 feet northerly to the project site where the road terminates. The first 830 feet of Amon Road is paved from its intersection with Locust Grove Road. The remaining 2,400 feet is unpaved gravel roadway.

- The unpaved portion of Amon Road is insufficient to support the traffic that will be generated by this proposal. The applicant will be required to improve the unpaved portion of Amon Road, beginning at the end of existing pavement to the terminus of the road, to current Benton County standards for a paved roadway. The applicable standard is R-1. Work shall be done in accordance with the Washington State Department of Transportation Standard Specifications. Plans for the road improvements shall be prepared by a professional engineer licensed to practice in the State of Washington.

- Additionally, the applicant will be required to obtain a road approach permit and construct the approach to applicable County standards prior to being open for business. The design of the approach should take into consideration the type of traffic generated by the proposal (i.e. predominately heavy loaded trucks).<sup>11</sup>

**1.13 Washington Department of Ecology (Ecology) Comments.**

Water Quality. The site has a Sand and Gravel General Permit, John Christensen, Christensen Quarry WAG505187, currently with inactive operating status. The permit will be transferred to JMAC Resources Inc. If the discharges or site will change Ecology will need an updated site map.

Water Resources. If you plan to use water for dust suppression at your site, be sure that you have a legal right. Temporary permits may be obtainable in a short time-period. The concern of Water Resources is for existing water rights. In some instances water may need to be obtained from a different area and hauled in or from an existing water right holder.<sup>12</sup>

**1.14 Transportation.** Truck transport to and from the site presents issues of compatibility and material detriment to the residential uses in the area, if not properly routed, speed limits are not followed, trucks are not cleaned off before leaving the site, and rock

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<sup>10</sup> Exhibit HEM 1.4.

<sup>11</sup> Exhibit HEM 1.9.

<sup>12</sup> Exhibit HEM 1.7.

materials are not covered while en route. These are issues which can be addressed with mitigation to ensure transportation infrastructure adequacy.

**1.15 Noise.** Concerns were raised on noise. The Applicant did not believe noise would be a significant issue, partly due to prevailing winds. Mitigation must be in place to ensure compatibility with neighboring uses, with a mechanism to readily address issues which may arise.

**1.16 Odor.** If the project is expanded to include asphalt operations, odor could become a concern. The distance of the operation from Tripple Vista Estates provides mitigation, as will compliance with air emissions requirements, and CUP conditions.

**1.17 Aesthetics.** The heavy industrial use presents aesthetic issues, given the panoramic views residential uses enjoy. The Applicant has stated much of the project would not be visible due to geographic contouring and the nature of the operation. To ensure berming occurs as needed, and the project is properly screened, mitigation is addressed in the conditions below, including the Neighborhood Compatibility Plan requirement.

**1.18 Hours of Operation.** The Applicant proposed hours of operation 5:00 a.m. to 7:00 p.m. seven days per week. Infrequent contracts may require 24-hour operation. As clarified at the hearing, there would be no crushing or blasting in the evenings. Noise from crushing and blasting have been the most problematic for neighbors. Strict measures to ensure noise does not present issues of compatibility and material detriment are needed, while also allowing the Applicant flexibility to complete its project.

**1.19 Water Supply and Septic System.** As water and septic facilities are not at the site, workers must be provided sanicans and washing facilities, consistent with state and local requirements. Absent an alternate and viable source, water trucks must be on site to address dust issues. And, if landscaping is used for screening, a water supply plan must be outlined.

**1.20 Health, Safety and Welfare.** Without adequate mitigation, the proposed use would materially endanger the health, safety, and welfare of the surrounding community to an extent greater than that associated with any other permitted uses in the Agriculture zone. The potential impacts associated with the proposal and raised as a concern for neighboring uses include noise, blasting impacts, aesthetics, dust control and air emissions, and transportation impacts/safety issues. Given this project is not directly across the street from the residential neighborhood raising these concerns, this will help considerably in reducing the level of impact. However, these issues remain, and absent adequate mitigation the project would need to be denied due to compatibility concerns, inadequate infrastructure, and material detriment to residential uses.

The Applicant confirmed all requirements would be complied with, and emphasized its intent to operate its project as a good neighbor. Detailed conditions need to be designed to ensure that occurs. Because enforcement was raised as a significant concern, conditions have been designed to address that issue and ensure mechanisms are available to readily achieve compliance. Concerns were also raised on issuing a permit for this type of use with no use

termination date. This has been a problem with the Mahaffey site. The Applicant stated the use is initially proposed to occur for five years, with a possible five year extension. However, to allow added time to reclaim the site, an 11-year use period is reasonable, with an opportunity for an extension if needed. Such a condition helps prevent use revival years after initial commencement, long after surrounding conditions and regulations have changed.

**1.21 Permitted Uses.** Only with the mitigation outlined and detailed below, would the proposed use avoid hindering or discouraging the development of permitted uses on neighboring properties in this rural agricultural area.

## **2. CONCLUSIONS OF LAW**

**2.1** The GMA Agricultural Zoning District authorizes CUPs for aggregate crushing and storage, and asphalt and concrete batch plants if specified CUP criteria are met.<sup>13</sup>

**2.2** A CUP "shall be granted only" if the Hearings Examiner "can make findings of fact based on the evidence presented sufficient to allow" the Examiner to conclude that, as conditioned, the proposed use:

- (1) is compatible with other uses in the surrounding area or is no more incompatible than are any other outright permitted uses in the applicable zoning district;
- (2) will not materially endanger the health, safety, and welfare of the surrounding community to an extent greater than that associated with any other permitted uses in the applicable zoning district;
- (3) would not cause the pedestrian and vehicular traffic associated with the use to conflict with existing and anticipated traffic in the neighborhood to an extent greater than that associated with any other permitted uses in the applicable zoning district;
- (4) will be supported by adequate service facilities and would not adversely affect public services to the surrounding area; and,
- (5) would not hinder or discourage the development of permitted uses on neighboring properties in the applicable zoning district as a result of the location, size or height of the buildings, structures, walls, or required fences or screening vegetation to a greater extent than other permitted uses in the applicable zoning district.<sup>14</sup>

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<sup>13</sup> BCC 11.18.070(9); *see also* BCC 11.18.060(4) and BCC 11.52.065 (administrative approval provided for sand and gravel pits, unless an objection is received, then referral to the Examiner is required).

<sup>14</sup> BCC 11.52.090(d).

"It is the applicant's burden to present sufficient evidence to allow the above conclusions to be made."<sup>15</sup>

**2.3** With mitigation to ensure noise, dust and air emissions, traffic impacts, aesthetic issues, and other impacts are addressed, these criteria are met. With this mitigation, the CUP proposal does not create incompatibilities with other uses in the surrounding area and is no more incompatible than outright permitted uses. The evidence supports a finding that with mitigation, the proposal is compatible with surrounding uses and those permitted outright by the zoning code.

**2.4** As conditioned, the project would not materially endanger the health, safety, and welfare of the surrounding community to an extent greater than that associated with any other permitted uses in the zoning district. Public agency comment addressed how the regulatory structure would require mitigation to address impacts to air and water resources, along with other basic health and safety requirements. Ecology imposes various permitting requirements, including Sand and Gravel General Permit coverage, and stormwater management Best Management Practices must be adhered to. There will be an increase in truck traffic, which necessitates mitigation. Mitigation is also required to protect County right-of-way from damage other than normal wear and tear.

**2.5** As conditioned, and with a designated haul route, granting the CUP is not expected to cause the truck and vehicular traffic associated with the use to conflict with existing and anticipated traffic in the neighborhood to an extent greater than that associated with other permitted uses. This conclusion depends on the mitigation on transportation impacts being adhered to.

**2.6** As mitigated, the CUP would be supported by adequate service facilities and would not adversely affect public services to the surrounding area. Transportation issues are addressed in the conclusion just above, and conditions ensure transportation system adequacy to support the project. Compliance with all Benton Franklin Health District requirements is a required condition to ensure health code requirements are adequately addressed. The Applicant must comply with all Building Department and Fire Code requirements.

**2.7** As mitigated, granting the CUP would not hinder or discourage the development of permitted uses on neighboring properties in the zoning district to a greater extent than other permitted uses in the zoning district. With mitigation, there would not be a significant impact on neighboring properties and the use will not hinder development of authorized uses.

**2.8** As detailed above, and with the conditions imposed, which are necessary to make the findings in Section 1, the CUP criteria are addressed. In summary, the proposed use, as mitigated, is compatible with the principal uses and purpose of the GMA Agricultural Zoning District and surrounding land uses. Noise, aesthetics, dust, hours of operation, transportation, and other affected areas are addressed through CUP conditions. The use will comply with all

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<sup>15</sup> *Id.*

code requirements and mitigation is required to ensure the use remains compatible with existing and future uses.

## DECISION

The Hearings Examiner, pursuant to the above Findings of Fact and Conclusions of Law, approves JMAC Resources Inc.'s requested CUP, provided the conditions set forth below are met:

1. **Compliance Required.**<sup>16</sup> The Applicant shall not conduct any of the activities within the scope of CUP 2018-004 until the Applicant is in compliance with all the conditions set forth herein. The Applicant shall notify the Benton County Planning Department in writing when the conditions set forth herein have been completed. The Planning Department shall not issue the CUP until those conditions have been met. The CUP shall not become effective until issued by the Planning Department.

2. **Deadline for Achieving Compliance.** If the conditions of approval have not been met and the Planning Department does not issue the CUP within one (1) year from the time the Hearings Examiner conditionally approved this permit, the Hearings Examiner may declare this approval null and void at a regular Hearings Examiner meeting. Prior to doing so, the Applicant shall be notified in writing at the Applicant's last known address at least twelve (12) days in advance of the upcoming Hearings Examiner meeting.

3. **Building Permits.** The Applicant shall obtain the appropriate building permits. The Applicant must submit written documentation to the Planning Department that all the required permits and approvals have been obtained from the Benton County Building Department. The Applicant shall meet this requirement for any additional buildings that may be constructed on site.

4. **Permits.** No excavation, extraction, or batching activities shall begin until all necessary permits, including but not limited to Dept. of Ecology Sand and Gravel General Permit, Sand Gravel Permit Portable Facilities Coverage, and Dept. of Natural Resources Reclamation Permit, are obtained. Documentation of said permits shall be provided to Benton County Planning Department.

5. **Health District.** If structures are built for employees, the Applicant must comply with all Benton Franklin Health District requirements and provide proof of such compliance to the Planning Department.

6. **Air Emissions.** The Applicant shall comply with all Washington Clean Air Act, Ch. 70.94 RCW, and Benton Clean Air Authority requirements. The Applicant shall provide a **Dust Control Plan** as required under WAC 173-400-040, which is approved by the Benton Clean Air Authority, and shall provide a copy of the plan to the Planning Department.

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<sup>16</sup> Each condition is preceded by a title to assist in reading. The actual requirements follow the heading.

7. **Water Truck(s)**. Operational water truck(s) sufficient in number for maintaining dust control shall be maintained on site while the site is in operation, unless an alternative source of water adequate for dust control is available. Visible dust emissions may not exit the property. The Applicant shall provide to the Benton County Planning Department the names and phone numbers of the person(s) responsible for dust control. If the Applicant cannot keep visible dust from its operations on site, it shall shut down the operations creating the dust until measures satisfactory to manage dust are implemented.

8. **Department of Ecology**. The Applicant shall comply with all Washington Department of Ecology requirements listed in its comment letter of March 30, 2018 and provide proof of such compliance to the Planning Department.

9. **Benton PUD**. The Applicant shall comply with the Benton PUD requirements regarding easements for all primary underground or overhead line extensions and provide proof of such compliance to the Planning Department.

10. **Local Requirements**. The property owner and the proprietor(s) of the business shall comply with all requirements of the Benton County Road Department, Benton County Building Department, Benton County Fire Marshal, Benton Franklin Health District, and all other local, state and federal regulations pertinent to the business activity pursued. The requirements of, or permission granted by, the Hearings Examiner shall not be construed as an exemption from such regulations.

11. **Light Pollution**. Any lighting used on-site must be shielded in a downward direction. Site illumination for night operations shall be designed and located so that light sources are not directly visible from any residence and glare is not cast on adjoining property or public roads. The Applicant shall prepare a **Lighting Plan** demonstrating compliance with this condition and shall submit same to the Planning Department for approval.

12. **Waste**. Any waste created because of this CUP must be disposed of off-site in compliance with all local, state and/or federal regulations in a timely manner.

13. **Screening**. Project operations shall be fully screened from public view, including from residents of Tripple Vista Estates, by topography, vegetation/landscaping and/or berms. The berms will be of sufficient height to achieve the required visual screening. As the project progresses through phases of operations, the screening berms shall be relocated and/or resized as necessary to maintain their function. The berms will be seeded with native or drought tolerant grasses. Maximum height of stockpiles shall not exceed 30 (thirty) feet. If vegetation/landscaping is used for screening, an adequate method of watering is required. A **Screening Plan** demonstrating compliance with this condition shall be provided to the Planning Department for approval.

14. **Hours of Operation**. No blasting or rock crushing activity shall occur outside of Monday-Friday, 7:00 a.m. to 5:00 p.m. The project manager shall retain an e-mail list of interested parties, and provide an e-mail alert at least 48 hours before any blasting occurs. The Benton County Planning Department may approve crushing activities from 5:00 a.m. to 7:00

p.m. seven days per week on a limited basis, but only following e-mail notification and a minimum ten-day opportunity to comment to those who have requested such notification. Such permission may only be granted if requirements identified in Condition 15 are met.

15. **Noise**. All operations will be conducted so they comply with Ch. 173-60 WAC, including the maximum permissible noise levels specified in WAC 173-60-040 and at Ch. 6A.15, Benton County Code, Public Nuisance Noise. Noise levels shall not exceed the dBA limits established at WAC 173-60-040, as measured at the property line. Blasting activities shall comply with all requirements and be conducted in a way which does not result in damage to neighboring properties. The project shall utilize a no-idling and low-noise policy for operating equipment and trucks. All equipment used on site shall have mufflers, and be properly maintained to reduce noise. If noise becomes an issue for nearby residents, the Planning Department may require a **Noise Control Plan**, which may utilize increased berming or other measures, including more restrictive operational hours, which may extend to truck traffic operational times, to resolve noise issues. The Noise Control Plan may require noise monitoring.

16. **Odor**. The project shall use recognized best management practices to reduce odor associated with operations. If odor becomes an issue, the Benton County Planning Department may require immediate action to resolve the issue. Such action shall result in an improvement to operation efficiency, including but not limited to installation of odor control equipment.

17. **Tracking of Mud, Dirt and Debris**. The Applicant is responsible for preventing mud, dirt and debris from leaving the site, including stormwater runoff being tracked or otherwise discharged onto the public right-of-way or adjacent properties. The road approach and mining activities shall be designed and oriented to ensure this condition can be met, which shall be detailed in the haul route agreement. All trucks hauling gravel/rock materials shall utilize covers adequate to fully protect against gravel/rock materials damaging other vehicles and users of the public right-of-way.

18. **Haul Route**. The Applicant shall enter into a **Haul Route Agreement** with Benton County before any hauling occurs. The agreement shall designate authorized trucking route(s). The plan shall be updated as necessary to reflect new road issues or changing truck trip levels.

The Applicant will comply with all federal, state and County road and right-of-way requirements, including all applicable weight and routing restrictions. The Applicant shall construct and maintain its private/internal roadways in a manner adequate to support the level of traffic accessing the site. Other than normal wear and tear, project construction and operations shall not damage County right-of-way, and the Applicant shall be fully responsible for any such damage.

The comments from the County Public Works Department as reprinted below are required conditions:

- The site is currently served by Amon Road a County operated and maintained roadway. Amon Road begins at Locust Grove Road and extends 3,325 feet northerly to the project site where the road terminates. The first 830 feet of Amon Road is paved from its intersection with Locust Grove Road. The remaining 2,400 feet is unpaved gravel roadway.
- The unpaved portion of Amon Road is insufficient to support the traffic that will be generated by this proposal. The applicant will be required to improve the unpaved portion of Amon Road, beginning at the end of existing pavement to the terminus of the road, to current Benton County standards for a paved roadway. The applicable standard is R-1. Work shall be done in accordance with the Washington State Department of Transportation Standard Specifications. Plans for the road improvements shall be prepared by a professional engineer licensed to practice in the State of Washington.
- Additionally, the applicant will be required to obtain a road approach permit and construct the approach to applicable County standards prior to being open for business. The design of the approach should take into consideration the type of traffic generated by the proposal (i.e. predominately heavy loaded trucks).

19. **Employee Facilities.** At minimum, sanicans and hand washing facilities shall be provided for the employees working on-site.

20. **Disposal/Reclamation.** The excavation site shall not be used to dispose of any solid waste including inert waste and vegetative waste. The Applicant shall comply with the Surface Mining Act, Ch. 78.44 RCW and Ch. 332-18 WAC. Prior to commencing any mining operations, the Applicant shall submit its **Reclamation Plan** to the Benton County Planning Department for approval, which must also be approved by the Dept. of Natural Resources. The Reclamation Plan must demonstrate safe and reasonable use of the property is feasible after the operation expires. The site shall be reclaimed consistent with all local and state requirements. The Applicant shall file the final DNR approved Reclamation Plan with the Benton County Planning Department.

21. **Signage.** No more than one sign (not to exceed 4 ft. x 8 ft.) shall be permitted in connection with the use. Sign illumination, if any, shall be only by hooded directional lighting so that only the sign surface is illuminated. The posting of such sign is limited to the parcel on which the use is located. On-street (inside the road right-of-way) sign posting is prohibited, and no sign outside of a road right-of-way may interfere with the line of sight for road intersection. A signage plan shall be submitted to and approved by the Planning Department before signage construction commences to ensure consistency with the CUP and other relevant County requirements.

22. **Neighborhood Compatibility.** The Applicant shall prepare a **Neighborhood Compatibility Plan** to document compliance with these conditions, and which attaches the plans this CUP requires for mitigating impacts. The Planning Department may require the Applicant to update this Plan as necessary to address changing project conditions and/or issues which arise as the project unfolds.

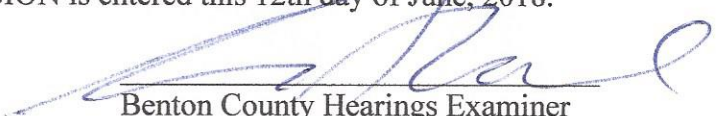
23. **Permit Transfer.** The Applicant shall not transfer this permit absent review and approval of the Benton County Planning Department. Such approval shall not be granted unless the project is in compliance with all CUP conditions and the person/entity the permit would be transferred to has agreed in writing to complying with all permit conditions.

24. **Permit Duration.** The duration of the mining activities this CUP authorizes, including all reclamation actions, shall terminate 11 (eleven) years from the date of CUP issuance, unless an extension is requested before the expiration date. To obtain the extension, the Applicant must demonstrate project compliance with all conditions and that the use has not been abandoned. While multiple extensions may be obtained, none shall exceed two years. The Planning Department may approve the request or refer the request to the Examiner. This limitation on use duration does not affect condition validity, all of which the use, terminated or not, must continue to comply with.

25. **Enforcement.** None of the mechanisms set forth herein which provide for ensuring compliance with CUP conditions in any way precludes the County from utilizing other mechanisms and authority for enforcing compliance with these permit conditions or applicable laws. A failure to comply with any of the permit conditions may result in suspension of operations and/or CUP revocation by the Hearings Examiner or other authority.

26. **Conditions Mandatory.** The Applicant shall continue to meet all Conditions while CUP 2018-004 is in effect.

THIS DECISION is entered this 12th day of June, 2018.



Benton County Hearings Examiner  
Susan Elizabeth Drummond



## HEM 1.3

### BENTON COUNTY HEARINGS EXAMINER CONDITIONAL USE PERMIT NO. CUP 2018-004

The following Conditional Use Permit is granted, in accordance with the provisions of Chapter 11.50 of the Benton County Code, and according to the findings of fact, conclusions of law and decision made by the Benton County Hearings Examiner on June 12, 2018.

**NAME:**

JMAC Resources Inc.  
1505 N. Miller, Suite 260  
Wenatchee, WA 98801

**LOCATION:**

Existing John Christensen Quarry on S. Amon Road, Kennewick, WA on 30.0 acres of a 235.2-acre parcel in the Northwest Quarter and a fraction of the West one-half of the Northeast Quarter of Section 30, Township 8 North, Range 29 East, W.M. (Assessor No. 1-3089-100-0002-000).

The Hearings Examiner, pursuant to the Findings of Fact and Conclusions of Law, approves JMAC Resources Inc.'s request to operate a commercial sand and gravel rock quarry to excavate, drill, crush and process rock products with a portable rock crusher, and to store aggregate products on site and sell rock off site, provided the conditions set forth below are met:

- 1. Compliance Required.**<sup>1</sup> The Applicant shall not conduct any of the activities<sup>1</sup> within the scope of CUP 2018-004 until the Applicant is in compliance with all the conditions set forth herein. The Applicant shall notify the Benton County Planning Department in writing when the conditions set forth herein have been completed. The Planning Department shall not issue the CUP until those conditions have been met. The CUP shall not become effective until issued by the Planning Department.
- 2. Deadline for Achieving Compliance.** If the conditions of approval have not been met and the Planning Department does not issue the CUP within one (1) year from the time the Hearings Examiner conditionally approved this permit, the Hearings Examiner may declare this approval null and void at a regular Hearings Examiner meeting. Prior to doing so, the Applicant shall be notified in writing at the Applicant's last known address at least twelve (12) days in advance of the upcoming Hearings Examiner meeting.
- 3. Building Permits.** The Applicant shall obtain the appropriate building permits. The Applicant must submit written documentation to the Planning Department that all the required permits and approvals have been obtained from the Benton County Building Department. The Applicant shall meet this requirement for any additional buildings that may be constructed on site.
- 4. Permits.** No excavation, extraction, or batching activities shall begin until all necessary permits, including but not limited to Dept. of Ecology Sand and Gravel General Permit, Sand Gravel Permit Portable Facilities Coverage, and Dept. of Natural Resources Reclamation Permit, are obtained. Documentation of said permits shall be provided to Benton County Planning Department.
- 5. Health District.** If structures are built for employees, the Applicant must comply with all Benton Franklin Health District requirements and provide proof of such compliance to the Planning

<sup>1</sup> Each condition is preceded by a title to assist in reading. The actual requirements follow the heading.

Department.

6. **Air Emissions.** The Applicant shall comply with all Washington Clean Air Act, Ch. 70.94 RCW, and Benton Clean Air Authority requirements. The Applicant shall provide a **Dust Control Plan** as required under WAC 173-400-040, which is approved by the Benton Clean Air Authority, and shall provide a copy of the plan to the Planning Department.
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15. **Noise.** All operations will be conducted so they comply with Ch. 173-60 WAC, including the maximum permissible noise levels specified in WAC 173-60-040 and at Ch. 6A.15, Benton County

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Act, Ch. 78.44 RCW and Ch. 332-18 WAC. Prior to commencing any mining operations, the Applicant shall submit its Reclamation Plan to the Benton County Planning Department for approval, which must also be approved by the Dept. of Natural Resources. The Reclamation Plan must demonstrate safe and reasonable use of the property is feasible after the operation expires. The site shall be reclaimed consistent with all local and state requirements. The Applicant shall file the final DNR approved Reclamation Plan with the Benton County Planning Department.

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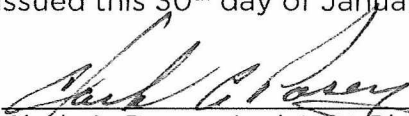
23. Permit Transfer. The Applicant shall not transfer this permit absent review and approval of the Benton County Planning Department. Such approval shall not be granted unless the project is in compliance with all CUP conditions and the person/entity the permit would be transferred to has agreed in writing to complying with all permit conditions.

24. Permit Duration. The duration of the mining activities this CUP authorizes, including all reclamation actions, shall terminate 11 (eleven) years from the date of CUP issuance, unless an extension is requested before the expiration date. To obtain the extension, the Applicant must demonstrate project compliance with all conditions and that the use has not been abandoned. While multiple extensions may be obtained, none shall exceed two years. The Planning Department may approve the request or refer the request to the Examiner. This limitation on use duration does not affect condition validity, all of which the use, terminated or not, must continue to comply with.

25. Enforcement. None of the mechanisms set forth herein which provide for ensuring compliance with CUP conditions in any way precludes the County from utilizing other mechanisms and authority for enforcing compliance with these permit conditions or applicable laws. A failure to comply with any of the permit conditions may result in suspension of operations and/or CUP revocation by the Hearings Examiner or other authority.

26. Conditions Mandatory. The Applicant shall comply with the project description provided in its application materials. In the event of inconsistency with this Decision, the Decision shall govern. The Applicant shall continue to meet all Conditions while CUP 2018-004 is in effect.

The above Conditional Use Permit was issued this 30<sup>th</sup> day of January, 2019.

  
Clark A. Posey, Assistant Planning Manager  
Benton County Planning Department  
For: Benton County Hearings Examiner

CC: Benton County Building Department  
Benton Franklin Health District



April 23, 2025

**Email Submittal**

Benton County Community Development Department  
Planning Division  
102206 E Wiser Parkway  
Kennewick, WA 99338

**Re: Transfer of CUP 2018-004**

Dear Ms. Relyea and Ms. Mercer:

Interstate Concrete and Asphalt (ICA) is requesting the transfer of CUP 2018-004 (per Condition 23) from JMAC Resources to Interstate Concrete and Asphalt dba American Rock Products. ICA is also the current lease holder of the site. ICA agrees to comply with all permit conditions.

Thank you for your patience while we were requesting and reviewing the CUP file documents. Please let me know if you have any questions or need additional information.

Sincerely,

INTERSTATE CONCRETE AND ASPHALT

Jana McDonald, PE  
Resource and Environmental Director

## ASSIGNMENT AND ASSUMPTION OF ROCK QUARRY LEASE AGREEMENT AND FIRST AMENDMENT TO ROCK QUARRY LEASE AGREEMENT

This ASSIGNMENT AND ASSUMPTION OF ROCK QUARRY LEASE AGREEMENT AND FIRST AMENDMENT TO ROCK QUARRY LEASE AGREEMENT (this "Agreement") is being entered into as of May 5, 2023 ("Effective Date") by and between JMAC RESOURCES INC., a North Dakota corporation ("Assignor"), INTERSTATE CONCRETE AND ASPHALT COMPANY, INC., a Washington corporation ("Assignee and Lessee") and CHARLES JOHN CHRISTENSEN and DENISE A. CHRISTENSEN ("Lessor").

### RECITALS

A. Lessor and Assignor are parties to that certain Rock Quarry Lease Agreement dated April 12, 2023 ("Lease") attached hereto as Exhibit A, the subject of which is a tract of real property, Parcel Number 130891000002000, located in Benton County, Washington ("Premises") as more particularly described and depicted in the Lease.

B. Assignor, as Seller, and Assignee, as Buyer, are parties to that certain Asset Purchase and Sale Agreement dated May 26, 2023 ("Purchase Agreement") whereby Assignee is acquiring, amongst other things, Assignor's leasehold interest in the Premises.

C. Pursuant to the Lease, the assignment of the Lease requires written consent by Lessor.

D. Lessor desires to consent to the assignment of the Lease to Assignee and Lessor and Assignee desire to amend the Lease.

All capitalized terms used in this Agreement but not otherwise defined herein shall have the meanings used in the Purchase Agreement.

### AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties hereto agree as follows:

#### **Assignment and Assumption of Lease**

Subject to the terms and conditions set forth herein and in the Purchase Agreement, effective as of 12:01 a.m. PDT on the Closing Date, Assignor hereby sells, assigns, transfers and sets over unto Assignee all of Assignor's right, title and interest in, under and to the Lease.

Subject to the terms and conditions set forth herein and in the Purchase Agreement, effective as of 12:01 a.m. PDT on the Closing Date, Assignee hereby accepts the foregoing assignment and assumes all of Assignor's duties and obligations under the Lease and agrees to pay, perform and discharge, as and when due, all of the obligations of Assignor under the Lease accruing or arising from and after 12:01 a.m. PDT on the Closing Date. Assignor retains all duties and obligations under the Lease accruing or arising prior to 12:01 a.m. PDT on the Closing Date, excluding reclamation liability which will be assumed by Assignee.

J.M.  
5.26.23

KJK  
6/2/23

The terms of the Purchase Agreement are incorporated herein by this reference. The Assignor and Assignee hereto acknowledge and agree that the terms contained in the Purchase Agreement shall not be altered, modified, waived, or superseded hereby but shall remain in full force and effect to the full extent provided therein. In the event of any conflict or inconsistency between the terms of the Purchase Agreement and the terms hereof, the terms of the Purchase Agreement shall govern.

Lessor consents to the assignment of the Lease by Assignor and the acceptance of the assignment of the Lease by Assignee.

### Rock Quarry Lease Agreement Amendment

Lessor and Lessee hereby amend the Lease as follows:

1. Lessor and Lessee acknowledge that the Lease is currently in effect and Interstate Concrete and Asphalt Company, Inc. is the Lessee hereunder.
2. Section 2. (Real Property Subject to Lease) is amended to add at the end of the Section: "In the event that mining operations have exhausted the resources on the 30 total acres as set forth herein, Lessee shall have the option to mine an \_\_\_\_\_ provided Lessor and Lessee mutually agree on the \_\_\_\_\_"
3. Section 4. (Renewal Term) is amended to add the following at the end of the Section: "Provided that Lessee exercises the option to renew the lease as provided in this Section 4, Lessee may extend the Lease \_\_\_\_\_ year periods by mutual agreement of the Lessor and Lessee, to run consecutively from the expiration of the renewal term. The renewal rent shall be negotiated between Lessor and Lessee based on the price per ton and must be agreed upon before the termination of the first renewal term or the then preceding renewal term."
4. The first section in Section 5. (Rent) is deleted in its entirety and replaced with:

"Payment of rent from Lessee to Lessor shall be made in the form of a sold gravel royalty payment. Other than payment for the Existing Gravel Inventory, as that term is defined below, Lessee shall pay Lessor \_\_\_\_\_ per gross ton for each ton of gravel extracted and removed from the Premises following the commencement of mining operations by Lessee ("**Gross Ton Royalty**"). As of the Effective Date, the parties agree that the Existing Gravel Inventory consists of the quantities stated in Exhibit B attached hereto and incorporated herein ("**Existing Gravel Inventory**"). Lessee shall make a "split payment" per Gross Ton Royalty consisting \_\_\_\_\_ of the Existing Gravel Inventory to Lessor and \_\_\_\_\_ existing Gravel Inventory to Proghorn, LLC (a related entity of Assignor). For all gravel produced and sold, other than the Existing Gravel Inventory, \_\_\_\_\_ of the Gross Ton Royalty shall be paid by Lessee to Lessor. At the time of sale, Lessee will weigh all gravel removed from the Premises. Lessee's monthly gravel royalty payment will be paid to Lessor on or before the 10th day of each successive month to account for aggregate or gravel product removed during the preceding month. Each monthly gravel royalty payment shall be

accompanied by a summary of scale weight tickets accounting for all aggregate or gravel removed during the preceding month.

Sections 5.1 through 5.5, inclusive, shall remain as written in the Lease.

5. Section 10.1 is amended to delete \_\_\_\_\_ such that the
6. The Lease shall continue thereafter on the same terms and conditions as set forth in the Lease and this Agreement.
7. To the extent that any provisions of the Lease are inconsistent with the terms and conditions set forth in this Agreement, the terms and conditions set forth in this Agreement shall prevail.

This Agreement shall be governed by and construed in accordance with the internal laws of the State of Washington without giving effect to any choice or conflict of law provision or rule (whether of the State of Washington or any other jurisdiction) that would cause the application of laws of any jurisdiction other than those of the State of Washington.

This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall be deemed to be one and the same agreement. A signed copy of this Agreement delivered by pdf, facsimile, email or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Agreement.

*[Signature pages follow]*



**Nikki Relyea**

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**From:** Denise Christensen <cjcfarms@msn.com>  
**Sent:** Friday, May 23, 2025 1:37 PM  
**To:** Planning Department  
**Cc:** John Christensen; Denise Christensen  
**Subject:** [EXTERNAL] CUP 2018-004 - Transfer (JMAC-Interstate Concrete)

**HEM 1.6**

Thank you for the communication about the transfer request between JMAC and Interstate Concrete. We are aware of the transfer and support this change.

Please use [cjcfarms@msn.com](mailto:cjcfarms@msn.com) as the contact, this is our business email and cc [cjcfarms@gmail.com](mailto:cjcfarms@gmail.com)

Have a great weekend. Thank you.

*Denise*  
Denise Christensen  
Christensen Farms  
509.222.8844  
[cjcfarms@msn.com](mailto:cjcfarms@msn.com)

From: **Planning Department** <[Planning.Department@co.benton.wa.us](mailto:Planning.Department@co.benton.wa.us)>  
Date: Tue, May 20, 2025, 1:27 PM  
Subject: CUP 2018-004 - Transfer (JMAC-Interstate Concrete)  
To: [cjcfarms@gmail.com](mailto:cjcfarms@gmail.com) <[cjcfarms@gmail.com](mailto:cjcfarms@gmail.com)>

Good afternoon Mr. Christensen,

We wanted to reach out as it has come to our attention that JMAC is no longer the applicant holder for the quarry on your property at 39505 S Amon Road in Kennewick. We've been working with Interstate Concrete and Asphalt dba American Rock Products for the name transfer request and wanted to ensure communication with you since it is your property. We understand there is a lease agreement and will be taking this "Transfer" to our upcoming Hearings Examiner Meeting on June 20, 2025 and wanted to confirm the above details with you and ensure you have the information we do in case you would like to attend the open public forum hearing in June. We will send you attendance details the week prior should you want to be included, however, it is not necessary for you to do so.

Should you have anything to add regarding this transfer, or any questions/comments/concerns/clarifications please let me know!

Have a wonderful day,



WASHINGTON STATE DEPT OF  
**NATURAL  
RESOURCES**

WASHINGTON GEOLOGICAL SURVEY  
1111 WASHINGTON ST SE  
MAIL STOP 47007  
OLYMPIA, WA 98504-7007

**HEM 1.7**

**RECEIVED**

MAY 08 2025

Benton County  
Planning Division

April 24, 2025

INTERSTATE CONCRETE AND ASPHALT  
PO BOX 3366  
SPOKANE, WA 99220

**RE: TRANSFER OF SURFACE MINING RECLAMATION PERMIT #70-013259**

Dear Permit Holder,

Enclosed is Reclamation Permit #70-013259 and Exhibit "A" (Additional Conditions of the Permit), both dated April 24, 2025, which confirms the permit transfer from JMAC RESOURCES INC to INTERSTATE CONCRETE AND ASPHALT. Please refer to the above permit number when submitting inquiries or reports.

We have approved Security Number 9466182 issued by Fidelity and Deposit of Maryland in the amount of \$79,000.00 and relinquish all interest and claim against the former Performance Security Number SUR0049017 issued by Argonaut Insurance Company in the amount of \$130,570.00.

RCW 78.44 requires that reclamation of each segment of the permitted area shall be completed within two years of cessation of mining in that segment. We strongly recommend that reclamation of each segment occurs concurrently with the removal of the minerals.

You will receive an invoice for your permit fee with an Annual Reclamation Report (Form SM-7) approximately one month prior to the due date, which must be returned with an air photo or sketch map and annual fee prior to the permit's anniversary date.

If you have any questions, please feel free to contact me by calling 360-870-7805.

Sincerely,

Nicole Damer  
Surface Mine Reclamation Program  
Washington Geological Survey

Enclosures (SM-9, Exhibit A, SM-8a, SM-6, Reclamation Plan Narrative, Reclamation Plan Maps, SM-2b)

c: File #70-013259  
JMAC Resources Inc.  
Fidelity and Deposit of Maryland  
Argonaut Insurance Company  
Benton County Planning Department  
Landowner – Charles John Christensen



SURFACE MINING RECLAMATION PERMIT (Form SM-9)

new expansion revision name change transfer

Permit Holder: Interstate Concrete and Asphalt
Mailing Address: PO Box 3366, Spokane, WA 99220

Pursuant to RCW 78.44, a Reclamation Permit hereby granted to the above-named permit holder to engage in surface mining on the property described in the application and material on file under this permit.

TERM OF PERMIT

This permit shall be in effect from the date of issuance and shall remain in effect so long thereafter as the permit holder pays the annual basic fee for each site, complies with the Surface Mining Act and the rules promulgated thereunder, complies with the reclamation plan, and maintains a performance security as required by the Act.

CHANGE OR MODIFICATION OF RECLAMATION PLAN

The permit holder shall obtain written approval from the Department prior to any change or departure from the approved reclamation plan.

PERFORMANCE SECURITY

A performance security shall be submitted to and approved by the Department prior to commencement of surface mining. The permit holder may submit a cash deposit, assignment of a savings account or certificate of deposit, bank letter of credit, negotiable securities, or a corporate surety bond in the amount specified.

TRANSFER OF PERMIT

The transfer of this permit to another permit holder shall not be made unless approved in writing by the Department. A transfer shall not be approved unless the successor permit holder assumes all duties of the former permit holder to complete the reclamation of the land and the Department approves the successor permit holder's performance security.

PENALTIES

The Department may suspend surface mining or impose civil penalties if the permit holder conducts surface mining in any manner not authorized by RCW 78.44, the rules adopted thereunder, the approved reclamation plan, or this permit.

Permit issued on December 11, 2018. Permit revised on April 24, 2025.

Signature: Nicole Damer, Regulatory Geologist & Plan Specialist, Washington Geological Survey. Grid coordinates: NW 1/4, S 30 T 8 N, R 29 E WM; NE 1/4, S 30 T 8 N, R 29 E WM; 1/4, S T N, R WM; 1/4, S T N, R WM; 1/4, S T N, R WM.

TOTAL ACREAGE AND DEPTH OF PERMIT AREA

(Include all acreage to be disturbed by mining, setbacks, buffers, and associated activities during the life of the mine. See SM-8A)

Total permit acreage 30
Maximum vertical depth below pre-mining topographic grade is 130 feet
Maximum depth of excavated mine floor is 1,000 feet relative to mean sea level

DNR Surface Mining Reclamation Permit No. 70-013259

**EXHIBIT A**  
**Conditions of the Permit**  
Surface Mining Reclamation Permit # 70-013259  
April 24, 2025

1. This surface mining reclamation permit applies to the following permit area: a 30-acre permitted area in a portion of the NW and NE quarters of Section 30, Township 08 North, Range 29 East, Willamette Meridian, in Benton County.
2. All permit-related activities, including mining and reclamation, shall comply with the rules and regulations pursuant to Chapter 78.44 RCW and Chapter 332-18 WAC.
3. All mining and reclamation shall comply with the reclamation plan signed by the permittee on September 13, 2024, and approved by the Department of Natural Resources (DNR) on April 24, 2025. Any amendment or change to the plan must be submitted to and approved in writing by DNR. The Reclamation Plan consists of the following documents:
  - Permit Letter, dated April 24, 2025
  - Surface Mining Reclamation Permit (Form SM-9) dated April 24, 2025
  - Exhibit A, listing **11** conditions of the permit
  - Standard Reclamation Plan
    - Application for Reclamation Permit (Form SM-8A) signed by the permittee on September 13, 2024, date stamped received by Washington Geological Survey on January 13, 2025.
    - County or Municipality Approval for Surface Mining (Form SM-6) dated by the former permit holder, JMAC Resources Inc., on March 13, 2018, and approved by Benton County Planning on April 11, 2018, date stamped received by Washington Geological Survey on August 21, 2018.
    - Reclamation Plan Narrative, date stamped received by Washington Geological Survey on August 21, 2018.
    - Reclamation Plan Maps: Sheets 1 through 5, each sheet date stamped received by Washington Geological Survey on June 20, 2024.
4. If there is any conflict between the conditions in Exhibit A and any other language of the approved reclamation permit (which includes the reclamation plan, maps, and supporting documents), the language in Exhibit A will prevail.
5. The permit holder shall mark the perimeter of the 30-acre permitted area with highly visible permanent marker posts. The markers will be used to delineate the permit boundary enabling the operator, permittee, and DNR to monitor the progress of mining and reclamation. Permanent boundary markers shall be visible such that the entire perimeter of the site could be reestablished, if any marker was destroyed.

6. A 50-foot setback shall be maintained interior to the permit boundary as shown on Reclamation Plan Map Sheet 2. If during mining a working face is created with a slope steeper than 1 foot horizontal to 1 foot vertical, then a setback equal to the height of the working face will be required where mining is within 200 feet of the permit boundary to ensure that adequate material exists for final slope creation.
7. The maximum permitted depth at this site is 130 vertical feet from the original ground surface. No excavation shall occur below an elevation of 1,000 feet mean sea level (msl). Mining extent and depth shall not exceed the final reclamation contours as depicted on Reclamation Plan Map Sheets 4 and 5. If additional mining depth is anticipated, the reclamation plan shall be revised and approved by DNR prior to exceeding the permitted depth.
8. Reclaimed slopes shall not exceed 2 foot horizontal to 1 foot vertical to match natural slope gradients in the immediate area. All reclaimed slopes must be stable and shall have a sinuous appearance in both plan and profile views to the extent possible.
9. The site is to be mined dry. If groundwater is encountered during mining, the permit holder shall contact DNR to schedule a meeting to determine if further action is needed.
10. Revegetation shall be completed as detailed in the Reclamation Plan Narrative and in Form SM-8A. The permit holder may not exclusively rely on natural revegetation. Prior to any variation from the revegetation plan, written approval must be obtained from DNR.
11. The permit holder or operator shall maintain a complete copy of this permit, including these conditions and the approved reclamation plan with additions and amendments, at the mine site during all mining and reclamation activities.

## Nikki Relyea

---

**From:** noreply=bcaa.net@mg.bcaa.net on behalf of BCAA <noreply@bcaa.net>  
**Sent:** Friday, June 6, 2025 9:33 PM  
**To:** McDonald, Jana M (CRH Americas Materials)  
**Subject:** [EXT] Dust Notification

# HEM 1.8

[You don't often get email from noreply@bcaa.net. Learn why this is important at [https://urldefense.com/v3/\\_\\_https://aka.ms/LearnAboutSenderIdentification\\_\\_;!!IJPaFG-91URQ!MtgBiMKkSAG1Md5vPmxzVhlZ7Dyqct4WxQbMlau0fFND-R2q\\_-qzAquoSqHFkCpbFRSavA192nUtZJhvlEHx5FifDwdtc2Paouz3MoU\\$](https://urldefense.com/v3/__https://aka.ms/LearnAboutSenderIdentification__;!!IJPaFG-91URQ!MtgBiMKkSAG1Md5vPmxzVhlZ7Dyqct4WxQbMlau0fFND-R2q_-qzAquoSqHFkCpbFRSavA192nUtZJhvlEHx5FifDwdtc2Paouz3MoU$) ]

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Thank you for submitting your dust notification.

You can view your notification at any time at:

[https://urldefense.com/v3/\\_\\_https://www.bcaa.net/dust\\_notifications/QngmYgWXib1cVPtKsZpQQ3GW\\_\\_;!!IJPaFG-91URQ!MtgBiMKkSAG1Md5vPmxzVhlZ7Dyqct4WxQbMlau0fFND-R2q\\_-qzAquoSqHFkCpbFRSavA192nUtZJhvlEHx5FifDwdtc2Pa0DhOUik\\$](https://urldefense.com/v3/__https://www.bcaa.net/dust_notifications/QngmYgWXib1cVPtKsZpQQ3GW__;!!IJPaFG-91URQ!MtgBiMKkSAG1Md5vPmxzVhlZ7Dyqct4WxQbMlau0fFND-R2q_-qzAquoSqHFkCpbFRSavA192nUtZJhvlEHx5FifDwdtc2Pa0DhOUik$)

If you have any questions, please contact us at (509)783-1304.

**\*\*DO NOT REPLY TO THIS EMAIL\*\***

ATTENTION: Ce courriel vient de l'extérieur de l'entreprise. Ne cliquez pas sur les liens, et n'ouvrez pas les pièces jointes, à moins que vous ne connaissiez l'expéditeur du courriel et savez que le contenu est sécuritaire. Si vous pensez qu'il s'agit d'un courriel d'hameçonnage ou malveillant, veuillez cliquer sur le bouton Signaler une tentative d'hameçonnage.

**Christensen Quarry  
Dust Control Plan  
Water Truck  
CUP 2018-004 Conditions #6 & 7**

**Condition #6: Air Emissions.** The Applicant shall comply with all Washington Clean Air Act Ch. 70.94 RCW, and Benton Clean Air Authority requirements. The Applicant shall provide a **Dust Control Plan** as required under WAC 173-400-040, which is approved by the Benton Clean Air Authority and shall provide a copy of the plan to the Planning Department.

**Condition #7: Water Truck(s).** Operation water truck(s) sufficient in number for maintaining dust control shall be maintained on site while the site is in operation, unless an alternative source of water adequate for dust control is available. Visible emissions may not exit the property. The Applicant shall provide to the Benton County Planning Department the names and phone numbers of the person(s) responsible for dust control. If the Applicant cannot keep visible dust from its operations on site, it shall shut down the operations creating the dust until measures satisfactory to manage dust are implemented.

**Site Operator:** Interstate Concrete & Asphalt Co. dba American Rock Products

**Site Contact Information:**

Wade Blagg  
American Rock Products  
General Manager – Aggregates  
509.727.0943

Troy Hewett  
American Rock Products  
Site Production Manager  
509.727.2606

American Rock Products Office  
509.371.4600

**Fugitive Emission Points to Consider and Control**

1. Materials Handling
  - 1.1 Front end loader dumping into aggregate bins
  - 1.2 Surface mining and loading the primary (jaw) crusher
  - 1.3 Loading aggregate trucks with conveyor and/or front end loader
  - 1.4 Aggregate and/or waste being added to and/or removed from stockpiles
2. Wind Erosion
3. Access roads and site vehicle access areas
4. Paved roads (carryout, spillage)

**Process Emission Points to Consider and Control** (plant equipment configurations will vary, but all rock crushers will contain the following equipment)

1. Conveyors: Primary emission point for a conveyor is the drop distance for each transfer point
2. Crusher
3. Screens

## **EMISSION CONTROL OPTIONS**

1. Water truck and/or water storage tank should be on site at all times the crusher is in operation (unless the water truck is obtaining water). When no crusher is actively operating at the site, water truck will be used as needed. Water truck will be used when hauling from site occurs. The following factors should be considered when applying water to access roads and on-site vehicle access area.

- 1.1 Application rate: amount of water applied per unit area
- 1.2 Frequency: time between applications
- 1.3 Vehicles per hour
- 1.4 Weather conditions

**Control Plan: Water will be applied as needed when crusher is operating on site and when trucks are loading and hauling material from the site. When trucks are loading and hauling from the site, the water truck will be at the site several times per day as part of its normal schedule/rotation between 2-3 sites in the area. Frequency is dependent on control provided by dust suppressant applied to the site, number of trucks hauling from the site, weather conditions and site activities.**

2. Water application systems are required to be installed on the crusher whenever it is in operation. The system shall include a pump, water lines, spray bars or equivalent on all the crusher discharge points and before all fines drop points. The water application rate will be dependent on the operating capacity and type of material per hour passing through each control point, and the ability to keep visible emissions below 10% opacity. The following factors should be considered when applying water to process control points:

- 2.1 Application rate: amount of water applied per ton per unit time (gal/ton/time)
- 2.2 When to apply
- 2.3 Weather conditions
- 2.4 Coverage area for each spray bar or nozzle

**Control Plan: As warranted by weather and material conditions, the crusher equipment shall use water sprays for dust control at all crusher discharge points. Frequency and duration will be dependent on weather conditions, material moisture content and site activities.**

3. Speed limitations for site vehicles with procedures to maintain and enforce speed restrictions.

**Control Plan: Speed limit for the site shall not exceed 15 mph, emergency situations and emergency vehicles are exempt from this limit.**

4. Location, size and configuration of stockpiles to reduce wind erosion.  
**Control Plan: As necessary, stockpiles will be controlled by sprinklers, dust suppressant, and/or water truck on active working face and/or size or stockpile.**

5. Dust suppressant

- 5.1 Type and amount of suppressant applied per unit area of roadway (gals/square foot)

- 5.2 Frequency of application (time between applications)

- 5.3 Traffic volumes (vehicles per hour)

- 5.4 Weather conditions

**Control Plan: Dust suppressant may be an option and would be applied as necessary dependent on site activities, weather conditions, traffic, etc.**

6. Mechanical cleaning (i.e., sweeping paved surfaces)

- 6.1 Cleaning equipment

- 6.2 Cleaning frequency

**Control Plan: If necessary, paved surfaces will be cleaned with the water truck. In extreme cases, a sweeper may be hired to assist in cleaning the road.**

7. Vegetation Reclamation

- 7.1 Type of vegetation

- 7.2 When and how planted

- 7.3 Pounds of seed or shrub/tree per acre

- 7.4 Watering system

**Control Plan: Sites will be reclaimed by site owner/operator per DNR reclamation plans.**

8. Wind Erosion Response Plan

**Control Plan: Addressed on a case by case basis. A weather station or wind sock may be used as necessary to determine wind speed and actions to be taken.**

**Christensen Quarry  
Lighting Plan  
CUP 2018-004 Condition #11**

# **HEM 1.9**

**Condition #11: Light Pollution.** Any lighting used on-site must be shielded in a downward direction. Site illumination for night operations shall be designed and located so that light sources are not directly visible from any residence and glare is no cast on adjoining property or public roads. The Applicant shall prepare a Lighting Plan demonstrating compliance with this condition and shall submit same to the Planning Department for approval.

Potential light sources and associated control measures include:

- Portable light stations associated with crusher.  
**Control Measure:**
  - Portable lights will be shielded and directed inward and downward to reduce glare.
  - No lighting should be pointed offsite or directed towards any residence.
  
- Heavy equipment operating at the site.  
**Control Measure:**
  - Activities at the site will adhere to the blasting and crushing hours of operation of Monday-Friday 7 am to 5 pm unless otherwise approved by the Benton County Planning Department.
  - Other site activities may occur outside of that time frame but will maintain low beam lights.
  
- Vehicles accessing the site.  
**Control Measure:**
  - Activities at the site will adhere to the blasting and crushing hours of operation of Monday-Friday 7 am to 5 pm unless otherwise approved by the Benton County Planning Department.
  - Company and Site personnel accessing the site for other reasons will use low beam lights as much as possible.
  
- Future permanent lights at the site.  
**Control Measure:**
  - Any permanent lights installed with be directed inward and downward.
  - Lights will have automatic dusk to dawn sensors.

# HEM 1.10

## Christensen Quarry Screening Plan CUP 2018-004 Condition #13

**Condition 13: Screening.** Project operations shall be screened from public view, including from residents of Tripple Vista Estates, by topography, vegetation/landscaping and/or berms. The berms will be of sufficient height to achieve the required visual screening. As the project progresses through phases of operations, the screening berms shall be relocated and/or resized as necessary to maintain their function. The berms will be seeded with native or drought tolerant grasses. Maximum height of stockpiles shall not exceed 30 (thirty) feet. If vegetation/landscaping is used for screening, an adequate method of watering is required. A **Screening Plan** demonstrating compliance with this condition shall be provided to the Planning Department for approval.

### Visual Impacts to Consider and Control

1. Surface Disturbance
  - 1.1 Mined area including stripped areas, highwalls, and pit floor
  - 1.2 Stockpiles of mined materials
  - 1.3 Equipment parking or staging areas
2. Equipment and Infrastructure
  - 3.1 Site Infrastructure
  - 3.2 Temporary equipment
  - 3.3 Mobile equipment

### VISUAL SCREENING OPTIONS (See attached map)

1. A combination of berms and vegetation/landscaping will be used to visually screen site operations from public view.
  - 1.1 Berm height
  - 1.2 Vegetation

**Control Plan: Berms will be established around the perimeter of the disturbed areas on site. Berms will be built to adequate height to screen public view. As site and operating conditions change, berm heights and locations will be adjusted to maintain their efficacy. Berms will be seeded with native and drought tolerant grasses to prevent erosion and to supplement screening. Seeding will be done during optimal weather/season to ensure success.**
2. Stockpiles will be managed to minimize visibility from public view.
  - 2.1 Stockpile height

**Control Plan: Stockpiles will be maintained to be below 30 feet in height. Any stockpiles that exceed 30 feet in height will be reduced in height.**



# HEM 1.11

## Christensen Quarry Haul Route Agreement CUP 2018-004 Condition #18

**Condition #18: Haul Route.** The Applicant shall enter into a Haul Route Agreement with Benton County before any hauling occurs. The agreement shall designate authorized trucking route(s). The plan shall be updated as necessary to reflect the new road issues or changing truck trip levels.

The Applicant will comply with all federal, state and County road and right-of-way requirements, including all applicable weight and routing restrictions. The Applicant shall construct and maintain its private/internal roadways in a manner adequate to support the level of traffic accessing the site. Other than normal wear and tear, project construction and operations shall not damage County right-of-way, and the Applicant shall be fully responsible for any such damage.

The comments from the County Public Works Department are reprinted below are required conditions:

- The site is currently served by Amon Road a County operated and maintained roadway. Amon Road begins at Locust Grove Road and extends 3,325 feet northerly to the project site where the road terminates. The first 830 feet of Amon Road is paved from its intersection with Locust Grove Road. The remaining 2400 feet is unpaved gravel roadway.

**Control Plan: Acknowledged**

- The unpaved portion of Amon Road is insufficient to support the traffic that will be generated by this proposal. The applicant will be required to improve the unpaved portion of Amon Road beginning at the end of the existing pavement to the terminus of the road, to current Benton County standards for a paved roadway. The applicable standard is R-1. Work shall be done in accordance with the Washington State Department of Transportation Standard Specifications. Plans for the road improvements shall be prepared by a professional engineer licensed to practice in the State of Washington.

**Control Plan: Amon Road paving was completed prior to Interstate assuming the lease.**

- Additionally, the applicant will be required to obtain a road approach permit and construct the approach to applicable County standards prior to being open for business. The design of the approach should be taken in to consideration the type of traffic generated by the proposal (i.e. predominately heavy loaded trucks).

**Control Plan: The approach was completed prior to Interstate assuming the lease.**

- **Designated Haul Routes:**

- Vehicles accessing and leaving the site will use Locust Grove Road (both east and west) from Amon Road.
- From Locust Grove Road, vehicles will utilize appropriate routes to final destinations.

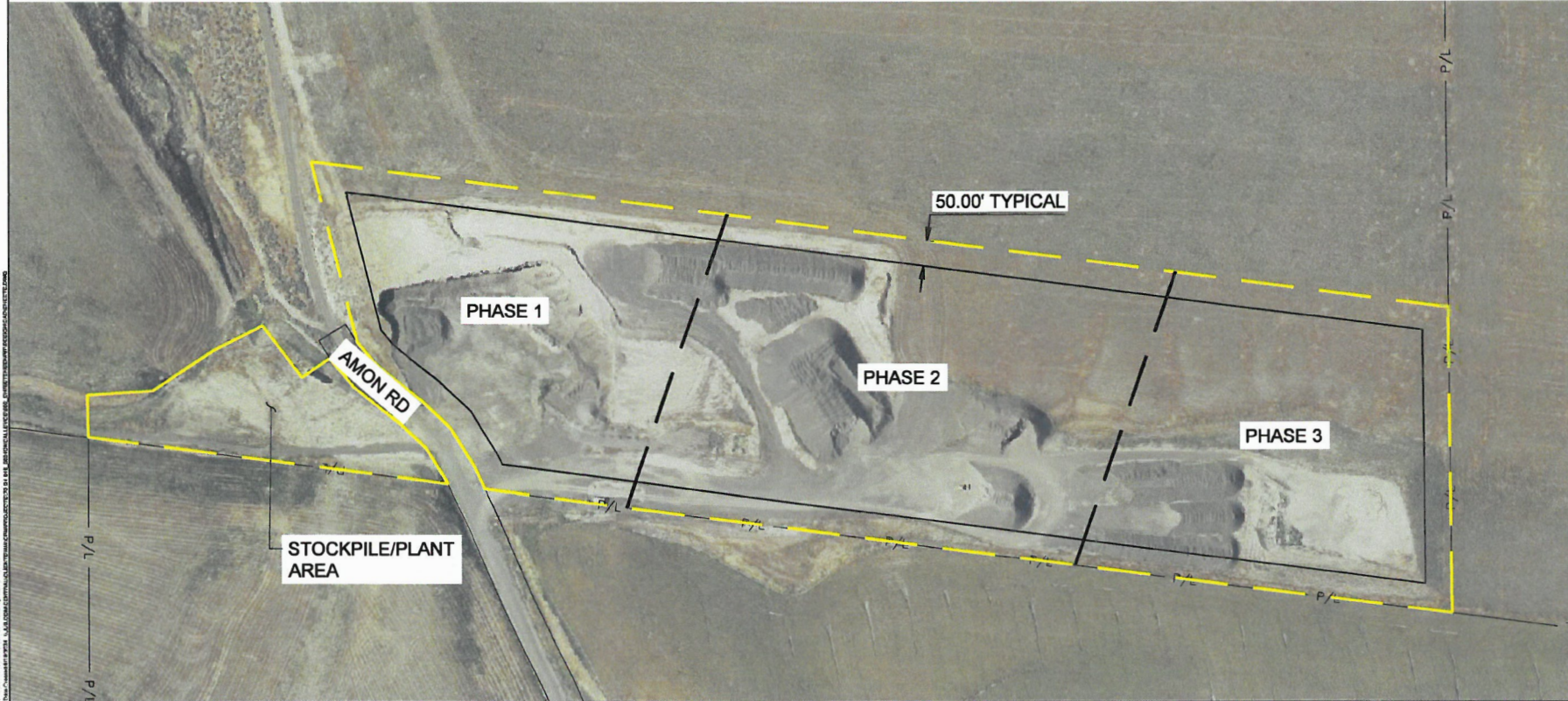
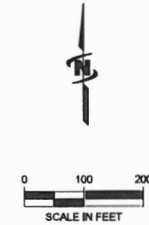


**SHEET GENERAL NOTES**

1. TOPOGRAPHY DATA RETRIEVED FROM WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES DIVISION OF GEOLOGY AND EARTH RESOURCES LIDAR PORTAL (COLUMBIA VALLEY FEMA SOUTH 2020). ELEVATIONS ARE DEPICTED FOR SCREENING AND ILLUSTRATIVE PURPOSES AND SHOULD NOT BE CONSIDERED ACCURATE FOR DESIGN OR QUANTITIES.
2. PARCEL AND BOUNDARY DATA RETRIEVED FROM BENTON GIS SERVICES. PARCEL AND PERMIT BOUNDARIES ARE DEPICTED FOR SCREENING AND ILLUSTRATIVE PURPOSES AND SHOULD NOT BE CONSIDERED ACCURATE FOR LEGAL DESCRIPTIONS OR DESIGN.
3. MINING AND RECLAMATION PHASES ARE SUBJECT TO CHANGE OR MOVEMENT.

**LEGEND**

- P/L — PROPERTY LINES
- PROPOSED PERMIT BOUNDARY (30 ACRES)
- MINING PHASE BOUNDARY
- 50' SETBACK



J-U-B ENGINEERS, INC.  
 999 W. Riverside Ave.  
 Suite 700  
 Spokane, WA 99201  
 Phone: 509.458.3727  
 Fax: 509.458.3752  
 www.jub.com

PRELIMINARY  
 PLANS  
 NOT FOR  
 CONSTRUCTION

NO.	DESCRIPTION	BY	DATE

CHRISTENSEN PIT  
 RECLAMATION PLAN  
 SITE PLAN - PHASING MAP

FILE SHEETS
JUB PROJ # 7504-218
DRAWN BY: GSF
DESIGN BY: GSF
CHECKED BY: SS
DATE PLOTTED: 11/15/2023
LAST UPDATED BY: GSF
SHEET NUMBER:
<b>2</b>

**RECEIVED**  
 June 20, 2024  
 Washington Geological Survey



**SHEET GENERAL NOTES**

1. TOPOGRAPHY DATA RETRIEVED FROM WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES DIVISION OF GEOLOGY AND EARTH RESOURCES LIDAR PORTAL (COLUMBIA VALLEY FEMA SOUTH 2020). ELEVATIONS ARE DEPICTED FOR SCREENING AND ILLUSTRATIVE PURPOSES AND SHOULD NOT BE CONSIDERED ACCURATE FOR DESIGN OR QUANTITIES.
2. PARCEL AND BOUNDARY DATA RETRIEVED FROM BENTON GIS SERVICES. PARCEL AND PERMIT BOUNDARIES ARE DEPICTED FOR SCREENING AND ILLUSTRATIVE PURPOSES AND SHOULD NOT BE CONSIDERED ACCURATE FOR LEGAL DESCRIPTIONS OR DESIGN.
3. MINING AND RECLAMATION PHASES ARE SUBJECT TO CHANGE OR MOVEMENT.

**LEGEND**

- P/L — PROPERTY LINES
- - - EXISTING CONTOUR MAJOR (50' INTERVAL)
- - - EXISTING CONTOUR MINOR (10' INTERVAL)
- PROPOSED PERMIT BOUNDARY (30 ACRES)
- MINING PHASES BOUNDARY
- PROPOSED CONTOUR MAJOR (50' INTERVAL)
- PROPOSED CONTOUR MINOR (10' INTERVAL)
- 50' SETBACK



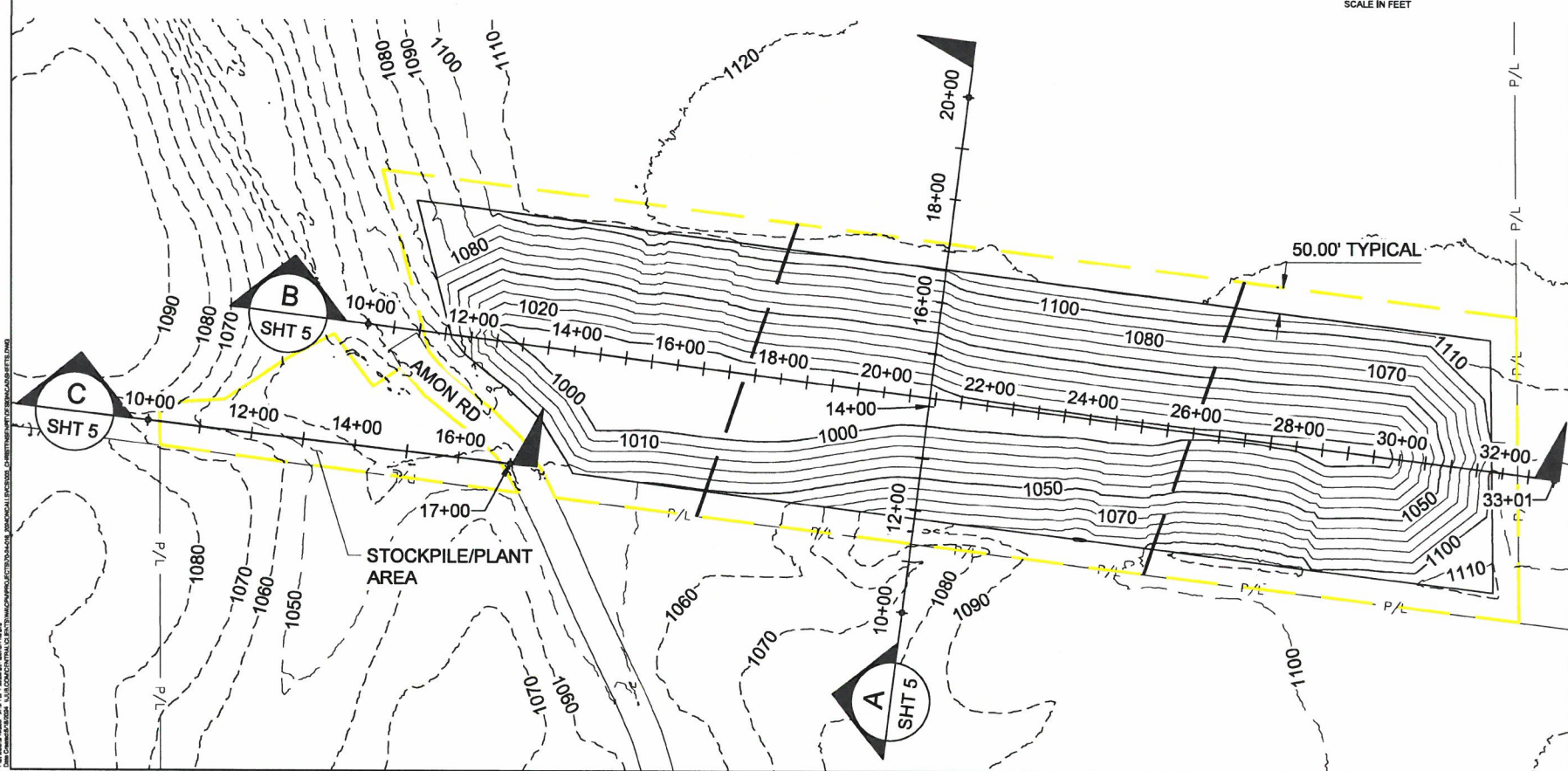
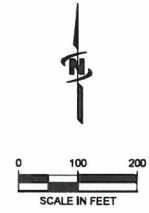
JUB ENGINEERS, INC.  
999 W. Riverside Ave.  
Suite 700  
Spokane, WA 99201  
Phone: 509.458.3727  
Fax: 509.458.3762  
www.jub.com

PRELIMINARY PLANS  
NOT FOR CONSTRUCTION

DATE OF APPROVAL: \_\_\_\_\_  
DATE OF REVISION: \_\_\_\_\_  
BY: \_\_\_\_\_  
DATE: \_\_\_\_\_

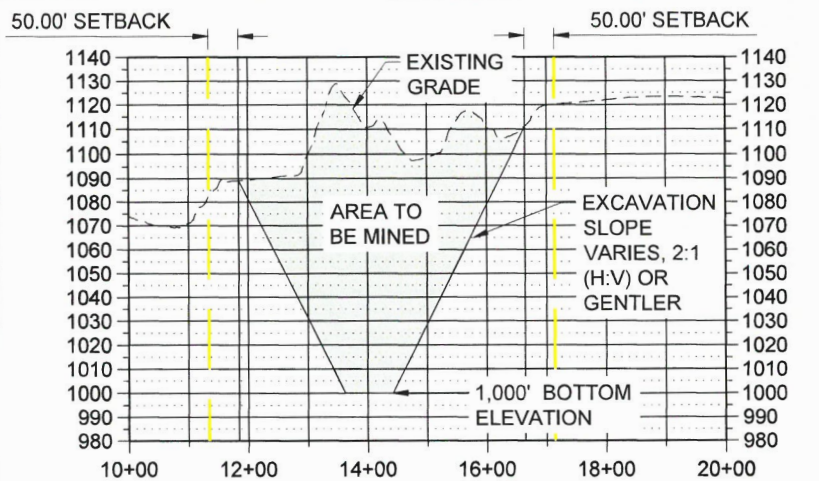
CHRISTENSEN PIT  
RECLAMATION PLAN  
SITE PLAN - FINAL RECLAMATION

TITLE SHEETS  
JOB PROJ # 76-84-018  
DRAWN BY: GSF  
CHECKED BY: GSF  
DATE: \_\_\_\_\_  
AT THE END OF THE PROJECT, THE ORIGINAL SHALL BE RETURNED TO THE CLIENT.  
SHEET NUMBER:  
**4**

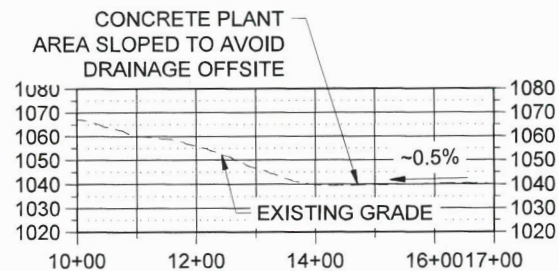
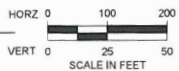


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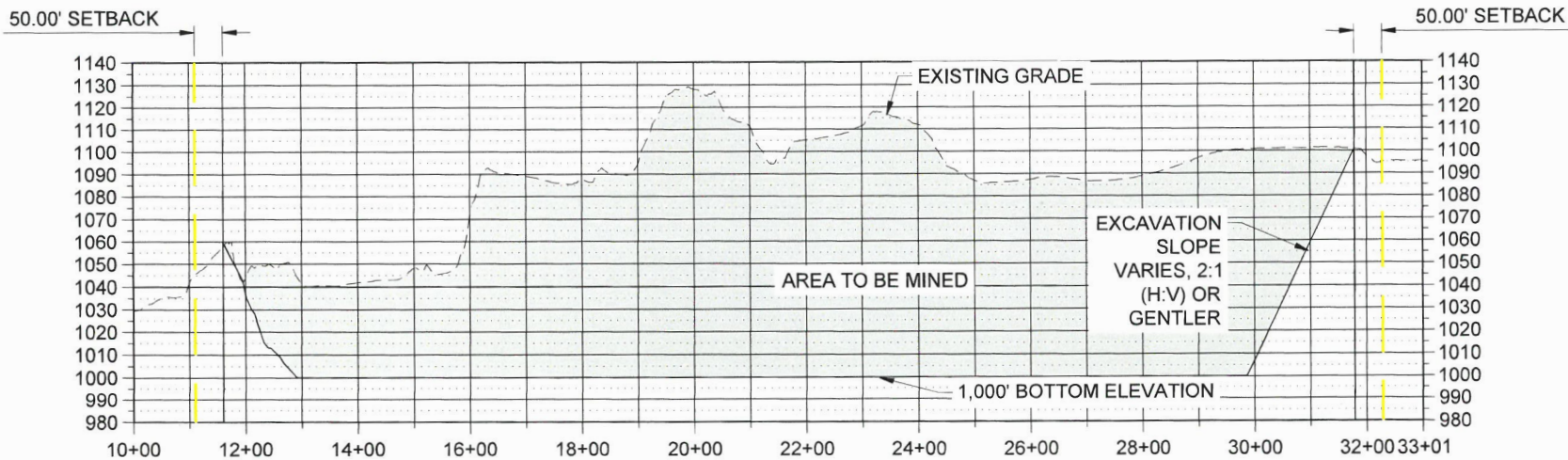
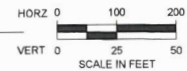
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June 20, 2024  
Washington Geological Survey



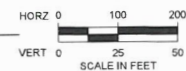
SECTION A



SECTION C



SECTION B



J-U-B ENGINEERS, INC.  
 989 W. Riverside Ave.  
 Suite 700  
 Spokane, WA 99201  
 Phone: 509-458-3727  
 Fax: 509-458-3762  
 www.jub.com

PRELIMINARY PLANS  
 NOT FOR CONSTRUCTION

RESULTS OF SAMPLING...  
 THIS PLAN IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE WRITTEN CONSENT OF THE CLIENT. SCALE SHOWN AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO JUB.

CHRISTENSEN PIT  
 RECLAMATION PLAN  
 CROSS SECTIONS

TITLE SHEET  
 JOB NO. 17-04445  
 DRAWN BY: JUB  
 CHECKED BY: JUB  
 AT FULL SCALE, IF NOT ONE  
 LAST UPDATED: 6/16/2024

SHEET NUMBER:  
**5**

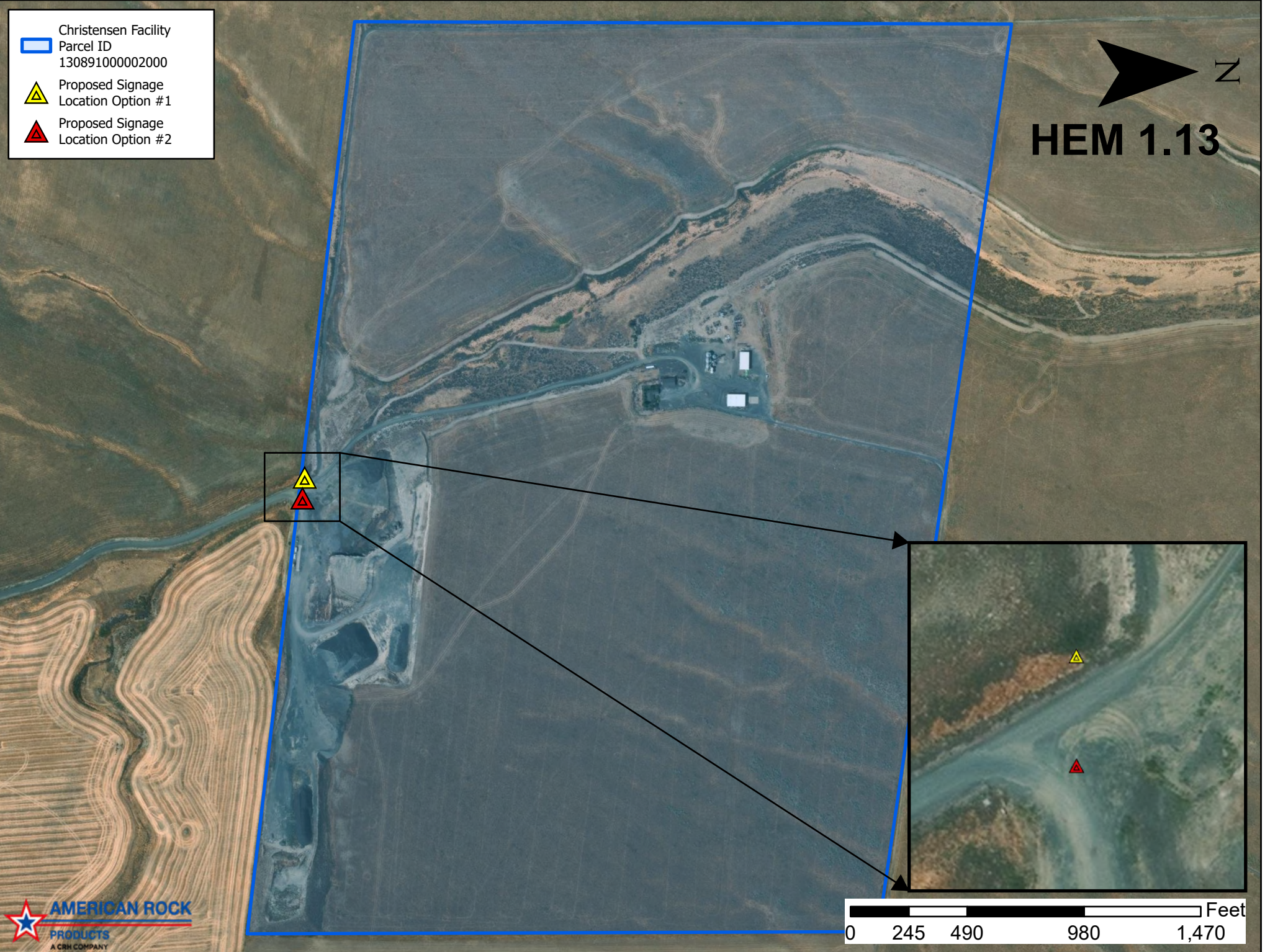
**RECEIVED**  
 June 20, 2024  
 Washington Geological Survey

# Christensen Facility | Proposed Signage Locations | 2025

- Christensen Facility Parcel ID 130891000002000
- Proposed Signage Location Option #1
- Proposed Signage Location Option #2



HEM 1.13



**Christensen Quarry  
Neighborhood Compatibility Plan  
CUP 2018-004 Condition #22**

**Condition #22: Neighborhood Compatibility.** The Applicant shall prepare a **Neighborhood Compatibility Plan** to document compliance with these conditions, and which attaches the plans this CUP requires for mitigating impacts. The Planning Department may require the Applicant to update this Plan as necessary to address changing project conditions and/or issues which arise as the project unfolds.

**Control Plan:**

Intersate Concrete & Asphalt Co. dba American Rock Products is aware of and acknowledges the conditions of CUP2018-004. The intent of this plan is to outline site operators, site contact, attach required plans and acknowledge intent to comply.

**Site Operator:** Interstate Concrete & Asphalt Co. dba American Rock Products

**Site Contact Information:**

Wade Blagg  
American Rock Products  
General Manager – Aggregates  
509.727.0943

Troy Hewett  
American Rock Products  
Site Production Manager  
509.727.2606

American Rock Products Office  
509.371.4600

The CUP 2018-004 has conditions for plans to mitigate impacts and ensure compliance. The following plans have been submitted as stand alone documents:

- Dust Control Plan and Water Truck (Conditions #6 & 7)
- Lighting Plan (Condition #11)
- Screening Plan (Condition #13)
- Haul Road Agreement (Condition #18)
- Reclamation Plan (Condition #20)

CUP 2018-004 has additional conditions that should be highlighted and addressed. They are as follows:

**Condition #14: Hours of Operation.** No blasting or rock crushing activity shall occur outside of Monday-Friday, 7:00 a.m. to 5:00 p.m. The project manager shall retain an e-mail list of interested parties and provide an e-mail alert at least 48 hours before any blasting occurs. The Benton County Planning department

may approve crushing activities from 5:00 a.m. to 7:00 p.m. seven days per week on a limited basis, but only following e-mail notification and a minimum ten-day opportunity to comment to those who have requested such notification. Such permission may only be granted if requirements identified in Condition 15 are met.

**Control Measure:** The following will be notified at least 48 hours prior to blasting:

- Benton County Planning Department will be emailed at [planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us) and any other emails provided by the Planning Department.
- Benton County Fire District #160 will be notified by telephone at 509.737.0911 unless another number, contact or an email is otherwise provided.
- Southridge High School will be notified by telephone at 509.222.7200 unless another number, contact or an email is otherwise provided.
- Sage Crest Elementary School will be notified by telephone at 509.222.6500 unless another number, contact or an email is otherwise provided.
- Trios Hospital will be notified by telephone at 509.221.7000 unless another number, contact or an email is otherwise provided.
- Any contacts that the Planning Department currently has on record will be added to the notifications if provided by the Planning Department.
- Any future contacts as provided by the Planning Department will be added to the notifications.

**Condition #15: Noise.** All operations will be conducted so they comply with Ch. 173-60 WAC, including the maximum permissible noise levels specified in WAC-173-60-040 and at Ch.6A.15, Benton County Code Public Nuisance Noise. Noise levels shall not exceed the dBA limits established at WAC 173-60-040, as measured at the property line. Blasting activities shall comply with all requirements and be conducted in a way which does not result in damage to neighboring properties. The project shall utilize a no-idling and low-noise policy for operating equipment and trucks. All equipment used on site shall have mufflers, and be properly maintained to reduce noise. If noise becomes an issue for nearby residents, the Planning Department may require a Noise Control Plan, which may utilize increased berming or other measures, including more restrictive operational hours, which may extend to truck traffic operational times, to resolve noise issues. The Noise Control Plan may require noise monitoring.

**Control Measure:** Not required, but will be submitted upon request if conditions warrant.

**Condition #19: Employee Facilities.** At minimum, sanicans and hand washing facilities shall be provided for the employees working on-site.

**Control Measure:** Site has 1 sanican with hand washing and/or hand sanitizing facilities for 1-2 intermittent employees throughout the year. An additional 1-2 sanicans are brought in when a portable crusher is working at the site. The sanicans at the facility are currently provided by contract from Ace Portable Toilets & Septic Tank Pumping and are maintained weekly. (Supplier is subject to change)

**Condition #21: Signage Plan.** No more than one sign (not to exceed 4ft. x 8 ft.) shall be permitted in connection with the use. Sign illumination, if any, shall be only be hooded directional lighting so that only the sign surface is illuminated. The posting of such sign is limited to the parcel on which the use is located. On-street (inside the road right-of-way) sign posting is prohibited and no sign outside of a road right-of-way may interfere with the line of sight for road intersection. A signage plan shall be submitted and approved by the Planning Department before signage construction commences to ensure consistency with the CUP and other relevant County requirements.

**Control Measure:** A 4x8 foot sign will be posted at the location on the map attached to this plan. Installation will be pending written approval from the Planning Department. Please send approval to Jana McDonald.