

THURSTON COUNTY CP-11 RECYCLED ASPHALT POLICY

BOARD OF COUNTY COMMISSIONERS – DECEMBER 2, 2020



Public Hearing Follow Up & Next Steps

OVERVIEW

CP-11 Recycled Asphalt Policy

- Overview of Public Comment
- Summary of Options
- Next Steps



GOAL OF TODAY'S BRIEFING

Direct staff which options to include in the final Nisqually Subarea Plan and resolution.

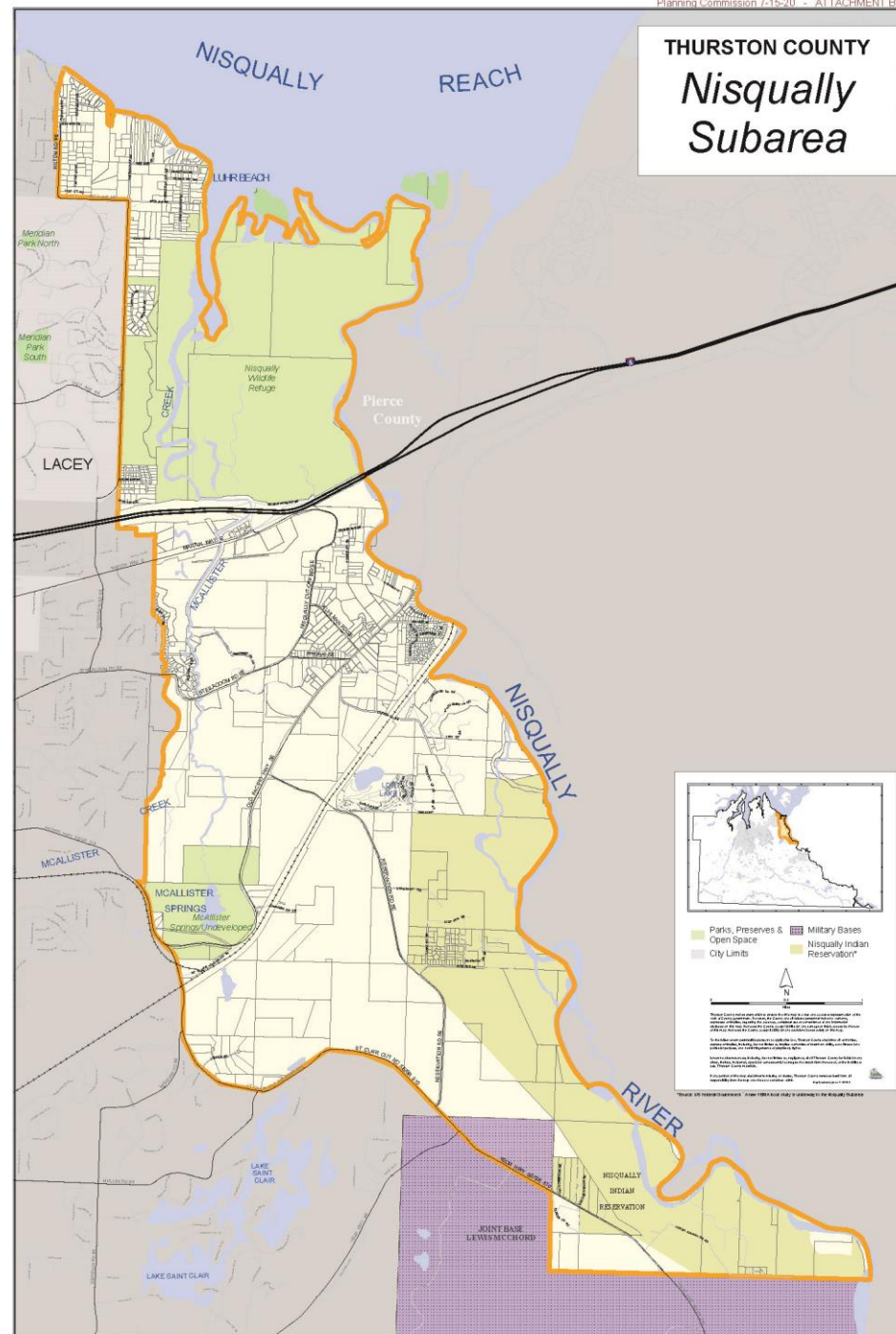
Decision requested no later than 12/8

WHAT IS THE REQUEST

- Lakeside Industries submitted an application in 2016 for a Comprehensive Plan Amendment.
- Request is to amend Policy E.5 of the Nisqually Subarea Plan, which currently prohibits asphalt recycling based on water quality concerns.
- Item is CP-11 on the 2020/2021 Official Comprehensive Plan Docket.

WHAT THIS REQUEST DOESN'T DO

- No decisions regarding individual site permit applications will be made under this policy review.



PUBLIC COMMENTS

- 26 oral comments and 56 written comments for the Board public hearing. Of the written comments:
- 24 comments against proposed amendment, major themes:
 - 18 of the 24 against reference the League of Women Voters comment letter, submitted on November 4
 - **Major themes:** reject amendment now and combine with the Nisqually Subarea Plan Update for a holistic review; science does not support the amendment; the area is a Critical Aquifer Recharge Area with fragile ecosystems; concerns over the SEPA process; concerns of pollution; concerns over hydrocarbons and impact to fish and wildlife
 - One comment encourages further site-specific studies
- 31 comments against proposed amendment, major themes:
 - 3 comments specified they are only supportive if RAP stockpiles are required to be covered, as presented in option 3
 - 3 comments specified support for option 2, which would allow asphalt recycling but does not require coverage of RAP stockpiles
 - **Major themes:** reduces cost; sustainable; conserve natural resources; recycling asphalt is encouraged at local, state and federal level; allows industry to remain competitive and protects against economic downturns; reduces waste

OPTIONS MOVING FORWARD (NEXT STEPS/TIMEFRAME)

- **Option A:** Direct staff to move forward proposed amendment for final adoption, and direct which option (1, 2, 3) to include.
 - Adoption would be scheduled for December 15, 2020.
- **Option B:** Direct staff to hold additional briefings, conduct further research, stakeholder work, or develop new options.
 - Delays final action to 2021.
- **Option C:** Direct staff to delay action on proposed amendment and review further with Nisqually Subarea Plan Update.
 - Delays action to 2021 or possibly later.

OPTIONS

Option 1:

No Change of Policy E.5. Continue to prohibit RAP in Nisqually Subarea.

Option 2:

Adopt the applicant's proposed amendment of Policy E.5, removing the prohibition on asphalt recycling as an accessory use in the Nisqually Subarea.

Option 3 (Planning Commission Recommended Option):

Adopt the applicant's proposed amendment, with additional amendments that would require Best Management Practices to cover RAP stockpiles be employed.

OPTION I – NO CHANGE TO CURRENT POLICY

POLICY E.5

- Allow accessory activities to be considered inside the mined out portion of the gravel pit through the site plan review process. Examples of allowable accessory uses would include concrete pipe and/or septic tank construction and the recycling of used concrete. The reprocessing of imported mineral materials shall not be the primary accessory use and the reprocessing of asphalt shall not be allowed due to water quality concerns. These activities shall be discontinued once reclamation of the pit is completed in accordance with the WDNR standards.

OPTION 2 TEXT

Policy E.5

Allow accessory activities to be considered inside the mined out portion of the gravel pit through the site plan review process. Examples of allowable accessory uses would include concrete pipe and/or septic tank construction and the recycling of used concrete and asphalt pavement. The reprocessing of imported mineral materials shall not be the primary accessory use. ~~and the reprocessing of asphalt shall not be allowed due to water quality concerns.~~ These activities shall be discontinued once reclamation of the pit is completed in accordance with the WDNR standards.

OPTION 3 TEXT (PC RECOMMENDATION)

Policy E.5

Allow accessory activities to be considered inside the mined out portion of the gravel pit through the site plan review process. Examples of allowable accessory uses would include concrete pipe and/or septic tank construction and the recycling of used concrete and asphalt pavement. Operators shall employ best management practices for covered storage of recycled asphalt to ensure minimal environmental harm and impact due to leachate. Best management practices will be determined through the site-level permit review process, but may include tarping, storage sheds, or other methods. The reprocessing of imported mineral materials shall not be the primary accessory use. ~~and the reprocessing of asphalt shall not be allowed due to water quality concerns.~~ These activities shall be discontinued once reclamation of the pit is completed in accordance with the WDNR standards.

OPTION 3 ASSOCIATED CODE CHANGE (PC RECOMMENDATION)

20.54.070 – Use – Specific Standards.

...

3.1 Asphalt Production. Asphalt plants (hot mix or batch plants) are subject to the following provisions:

...

1. For operations that process and store Recycled Asphalt Pavement (RAP) within the Nisqually Subarea, operators shall employ best management practices to mitigate leachate by providing covered storage of processed/recycled asphalt stockpiles. Specific practices will be determined through the site-level permit review process, but may include tarping, storage sheds, or other methods.

OPTIONS FOR NEXT STEPS

- Direct staff which options to include in the final Nisqually Subarea Plan and resolution. (*Direction requested by 12/8*)

Option A

Direct staff to move forward proposed amendment, and direct which option (1, 2, 3)

Action on December 15, 2020

- Action on RAP, with Rochester Subarea Plan and 2020 Comprehensive Plan Update (*continuing items*)

Option B

Direct staff hold further research, conduct additional stakeholder work, or develop new options

2021

- Continued review of recycled asphalt policy in 2021. Additional briefings may be necessary for the Board to specify what additional information is needed.

Option C

Direct staff to delay action and review further with Nisqually Subarea Plan

2021 and beyond

- Item reviewed further with Nisqually Subarea Plan Update.

Questions?

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