



February 6, 2020

Ms. Rachel McCrae  
Water Quality Section Manager  
Washington State Department of Ecology  
3190 160<sup>th</sup> Avenue SE  
Bellevue, WA 98008-5452  
(sent via email: rachel.mccrea@ecy.wa.gov)

**Re: DOE Sand and Gravel General Permit – WAG994432**

Dear Ms. McCrae;

This letter is regarding the above-mentioned Sand and Gravel General Permit, which regulates sand and gravel extraction activities underway at the subject site within the City of Bainbridge Island. The site is also known in Department of Ecology (DOE) documentation as the Fletcher Bay RD Triangle Site, or the Bucklin Hill Lynnwood Center Triangle Site.

It has come to the City's attention that the operator of the subject site may be in violation of state and local regulations regarding the types of activities on the site, the extent and location of the activities occurring on the site, and the reporting requirements associated with those activities. Therefore, the City is seeking action, as applicable, from the state agencies involved in regulating the site.

We understand that the site is regulated by at least two state agencies: the Department of Natural Resources, which issued a mining and reclamation permit for the site (in addition to regulatory requirements associated with that permit, such as SEPA), Surface Mining Permit No. 70-013120; and, the DOE, which issued the subject Sand and Gravel General Permit (issued February 17, 2016; with a modification effective date of April 1, 2018).

In order to complete the City's understanding of DOE's regulatory authority under this permit, the City is seeking a response from DOE that addresses the following:

- Please provide copies of the project's Stormwater Pollution Prevention Plan (SWPPP), Spill Control Plan, Sediment Control Plan, and Discharge Monitoring Plan.
- Please provide the dates and copies of the reports/materials submitted by the site operator that are required of the operator related to the Discharge Monitoring Plan. It is my understanding that the operator has received a warning letter or letters from DOE in recent months regarding the operator's failure to provide to DOE required Discharge Monitoring Report(s) and possibly other reporting.

- Please address what appears to be incorrect information in the permit application and possibly other associated documents, including that the work being performed is *not* located within a sole source aquifer, and also *not* within a wellhead protection area.

The City appreciates DOE's timely attention to this matter. Should you have any questions, please contact the City's Public Works Director, Chris Wierzbicki, at (206) 780-3718 or [cwierzbicki@bainbridgewa.gov](mailto:cwierzbicki@bainbridgewa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Morgan Smith". The signature is fluid and cursive, with the first name "Morgan" written in a larger, more prominent script than the last name "Smith".

Morgan Smith  
City Manager

Cc: Chris Wierzbicki, Public Works Director  
Stella Collier, NPDES Permit Coordinator  
Heather Wright, Planning Director  
David Greetham, Planning Manager  
Joe Levan, City Attorney