

YAKIMA COUNTY PLANNING COMMISSION
October 19, 2022 HEARING
EXHIBIT LIST
Updated 10/21/2022

File Nos.: LRN2021-00005/SEP2020-00004 – 2022 Biennial Map Amendment (Caton/Strutner Mineral Resource Overlay)

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10/13/22

EXHIBIT NO. 1
DATE: 10/13/2022
FILE NO. LRN2021-00005

To Whom It May Concern

Case # LRN2021-00005/SEP2020-00004

Caton Family

We are opposed to what Caton Landfill and the Caton family are proposing. We have lived on Allan Road for years. Our Mailboxes were destroyed by one of the trucks going to the landfill and that was on a straight stretch! Allan road is EXTREMELY narrow...and has no side in which to move over. Not to mention the curve and steep incline at the top...there is a curve towards the bottom that is extremely hazardous as well. There have been numerous accidents and near misses on these curves with passenger cars ...with the amount of traffic of large trucks this will produce, it will be even MORE hazardous.

Allan road has several bus stops for the school children. Increasing traffic on this road will put the kids in danger...not to mention the amount of Orchard traffic that is already on the road. The workers for the Orchards are very cautious and watch out for everyone. We have witnessed the dump trucks FLYING up and down Allan road with no concern of the speed limit or the fact that there are other people on this road. They are only concerned with getting themselves to where they are going.

The intersection of Highway 12 and Allan Road is already a very hazardous intersection. My husband's step grandmother was killed there because she couldn't see around a big rig coming off the highway. That type off accident will only increase.

With the new school building now open and Allan Road is used to get to and from the school...there is twice as much traffic there already, throw in the warehouse traffic, it is already difficult to get on and off Allan road.

What will this do to property values...to have this traffic and this dust and noise in our neighborhood? I would imagine it wouldn't be good.

We would like to be denied please. It will only make things worse for the people that actually live in the area.

Thank you


Vickie and Daryl Winters

50 Tyler Road

Naches WA 98937

Phil Hoge

From: Vickie <viky423@aol.com>
Sent: Friday, October 14, 2022 10:59 AM
To: Long Range Planning; ruthpringle@frontier.com
Subject: LRN2021-00005/SEP2020-00004 Open before Oct 19 2021 please
Attachments: CASE LRN2021-00005SEP2020-0004.pdf

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Attention Phil Hoge:

Please see attached letter Opposing the above Case #.

We hope that we can be heard to stop this. Unfortunately we may not be able to attend the meeting but would like an update on the case.

Thank you

Vickie Winters

Phil Hoge

From: Delaine Cowdrey <mtcleman72@yahoo.com>
Sent: Sunday, October 16, 2022 3:35 PM
To: Long Range Planning
Subject: Caton Landfill

EXHIBIT NO. 2
DATE: 10/16/2022
FILE NO. LRN2021-00005

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Case #LRN021-00005/Sep2020-00004Vik

Attention: County Planning Commission

I have written before expressing my concerns of the operations of the Caton Landfill. I do not feel that the proposed Mining Overlay has any merit. Not only would it increase traffic on the existing approach roads but the air pollution of this operation would be a factor for all nearby residents. Is there a need for another sand-gravel operation? If they sell off the top soil what will they use to bury the refuse?

As a resident living on Allan Road I have already been affected by the heavy semi-truck traffic travelling to the Caton Land Fill. The existing county road was not made for this type of traffic. The semi-trucks do not stay in their lanes on the curves of the roads leading to the Caton Landfill therefore cause a danger to the other vehicles on the roads. There are no shoulders or guard rails. Allan road has not been repaired in several years by the county and is deteriorating due to the heavy truck traffic heading to the Caton Dump.

I do not feel that Yakima County has properly monitored the type of refuse being accepted by this Land fill. There are a high number of semi-trucks from Canada delivering some type of refuse each day. What type of refuse would be worth bringing this far into the State of Washington that Canada does not accept at their own landfill sites?

The Caton Landfill has not been transparent in what they are allowing to be brought onto their site. They have had several citations concerning their operations.

I believe that the proposed Mining Overlay for the Caton Landfill should be denied..

Sincerely,

Delaine L. Cowdrey
124 Legendary Lane
Naches, WA. 98937

October 18, 2022

Yakima County Planning
128 N. 2nd St. 4th Floor Courthouse
Yakima, WA 98901

EXHIBIT NO. 3
DATE: 10/18/2022
FILE NO. LNR2021-00005

Subject: Caton /Strutner Comprehensive Plan Amendment
Case LNR2021-00005/SEP2020-00004

To: Phil Hoge

After reading the application for the 744-acre Caton/ Strutner's proposed mineral overlay amendment, I feel that it does not meet the criteria needed to be approved for the following reasons:

1. The Caton/ Strutner property is not part of the DNR's Rock Aggregate Resource Land inventory map for Yakima County. This map identifies locations and quantities of high-quality aggregate and sand in the Yakima Valley. On the Caton/Strutner land there is no high-quality sand or gravel present. The potential site must be within the DNR 's identified mineral resource land to be considered for a mineral overlay.
2. The site must have access roads that are suitable for truck traffic and are capable of supporting expected traffic. All roads leading to the Caton/Strutner's property are not adequate for large truck traffic due to narrow roadways, inadequate or damaged shoulders, lack of guardrails, and poor site lines at intersections and on tight turns. These roads are also used by local truck and car traffic, farm equipment, school buses and parents picking up their children at the Naches Primary. The roads are already a safety concern and do not need additional truck traffic.
3. There must be a need for additional sand and gravel sites in the Yakima Valley. There is adequate high-quality sand and gravel from current companies (Central Premix, Granite Construction, Horseshoe Bend Quarry, Wheeler, Wapanish Sand and Gravel) to supply these materials for decades. These companies also have adequate highway access to their sites for heavy truck traffic.
4. The applicant must show compatibility with the use patterns of present and planned patterns in the area. Would this mineral overlay be compatible with future home sites and the new RV park? Is it fair that all the Wenas valley must endure the dust and noise of this operation that will only be worse if the Mineral Overlay is approved? Mining allows use of explosives and how will this affect the surrounding homes and farms?
5. When you consider the proximity of existing and planned markets is the Caton/Strutner land within this criteria? There are established businesses selling gravel, sand and soil that are much closer than the Caton property that provide a higher quality product for consumers in the Yakima Valley.

The bottom line is that the Caton/Strutner's request should be denied. Caton/ Strutner has not proven that they have met the necessary criteria to be approved for this Mineral Resource Overlay.

Ruth Pringle

130 E. Allan Rd

Naches, WA 98937

From: Jerrene Murray <jerrene.murray@gmail.com>
Sent: Tuesday, October 18, 2022 7:46 PM
To: Long Range Planning; Jerrene Murray; Wendy Wickersham; Betty Jo Murray; Jill Yearout
Subject: CaseLRN-2021-00005/SEP2020-000004 1574 Naches Wenas Road

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

From: Jerrene Murray, 20716 NE 10th Avenue, Ridgefield, WA 98642, member, Murray Family, LLC
Oct. 18, 2022

To Whom It May Concern:

As a member of Murray Family, LLC, owners of property adjacent to the Caton property and potentially affected by this proposal, I have serious concerns, and I recommend that this proposal to rezone to allow mining be totally denied.

1. Is this proposal just a stepping stone toward expanding the existing landfill by creating holes open to be filled with more garbage?
2. Mining implies digging and blasting. I understand the potential exists for blasting aftershocks to be felt up to a mile away. We use our land for cattle grazing as we have for over sixty-five years. I don't believe cattle with their babies are compatible with blasting.
3. I am concerned about noise created by this operation regarding residents, as well. When will blasting and increased truck traffic be occurring--twenty-four hours a day, seven days a week? What about rules concerning this? Who is in charge of monitoring compliance if rules are established?
4. What has been discussed concerning dust control? Wind already blows in the Wenas; blowing loosened dirt has potential for endangering traffic on the Naches-Wenas Road.
5. I am concerned about maintaining a high-quality aquifer in this area because all residents in the valley depend upon well-water for drinking, irrigating, and watering animals. What will happen to a mining area when the spring rains bring flooding? What happens to this run-off and the stability of the land?
6. Residents in north Clark County Washington have found their drinking water fouled and undrinkable after Storedbahl and Sons, Inc. began mining in their neighborhood. Residents near Livingston Mountain Mine filed complaints regarding truck traffic (and speed) and lack of oversight. Residents near East Fork Lewis River mining projects were concerned about environmental threats and contamination of the Troutdale Formation aquifer, which provides ground for Clark County and Portland.
7. Road conditions are a concern. The edges are already deteriorating on the Naches-Wenas Road, a fairly narrow road never designed for the frequent heavy, wide trucks already traveling here.
8. Does this proposal meet qualifications for more mining? A study done previously showed no high-quality sand or gravel exists on this 744 acres. As a child, I played with pumice stones on the hills around the corner from this property.
9. Finally, were the people involved in this proposal rule-followers in their previous endeavors? Current permitted use does not include mining, but that has previously occurred.

I feel that if this proposal is approved, it has the potential to devalue our property as well as other neighboring property.
Sincerely,

Jerrene Murray

360-887-8124

20716 NE 10th Ave.

Ridgefield, WA

98642

From: Shelley Byington <olyshell64@gmail.com>
Sent: Tuesday, October 18, 2022 9:36 PM
To: Long Range Planning <longrangeplanning@co.yakima.wa.us>; Phil Hoge <phil.hoge@co.yakima.wa.us>
Subject: Case Number: LRN-2021-00005/SEP2020-000004-Canton Strutner

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

To Whom It May Concern,

This is my response in opposition to Canton Landfill expansion with Mineral Resource Overlay for gravel mining (LRN-2021-00005/SEP2020-000004).

First, I have lived at 780 Conrad Rd beginning in August 2020. Since moving here we have witnessed three suspicious fires at the Canton Landfill, two of which I phoned them directly, spoke to Randy, I was told it was a "combustible" situation. The latest fire on Sunday, May 1, 2022 took firefighters a longtime to get behind the locked gate to assess the fire. Canton proceeded to cover the lower tier trash pile with dirt snuffing it out. Fire concerns me greatly, we had to evacuate on our fifth day of living here due to the Evan's Canyon wildfire. It is a **REAL** concern everywhere.

Second, I understand Canton is trying for a second time to get a permit for their expansion, exactly two years ago in 2020 they tried. I have read through the correspondence that was submitted by many concerned individuals all stating valid reasons to not move forward with their request. Thankfully, they were denied in 2020, as they should be stopped again in 2022. Honestly, this is getting old and I question their integrity.

My question is why are we doing this again? **ALL issues brought forward by concerned citizens in 2020 have NOT been addressed and have only grown into larger issues, such as:**

1. Traffic due to semi trucks, SIX days per week on our inadequate country roads.
2. Canton operates outside of their operating hours of 7:30-4:00. They are receiving trucks at 6:30 am, M-F. Saturday is hit and miss on operation.
3. Saturdays are questionable, trucks have dumped their loads and it has not been covered, or seem to have staff on site.
4. NO guard rails on many dangerous areas of roadways such as Wenas grade and South Wenas.
5. Roads declining from heavily loaded semi trucks, broken, missing pieces of roadway.
6. Debris, litter from unsecured loads to and from the Canton site on both sides of the road.
7. Semi trucks taking corners using both lanes, pushing citizens from their lanes.
8. Is there a need for additional gravel & sand in the county?
9. Canton appears to be expanding their operation in the last month, increasing air quality control issues with massive dust clouds.
10. How many contaminated soil loads can one area handle safely before we have a Super Fund site on our hands?
11. Canton is NOT within the DNR identified mineral resource land plan, confirmed in 2020.
12. Gravel mining would disrupt settled contaminated soil that is on their site.
13. Disrupt local wildlife and unique high desert vegetation.
14. Concern for groundwater quality changes if allowed to mine gravel.
15. What are we leaving future generations?
16. What is being delivered in Canadian semi trucks to Canton?
17. Does Canton maintain accurate logs of loads received?

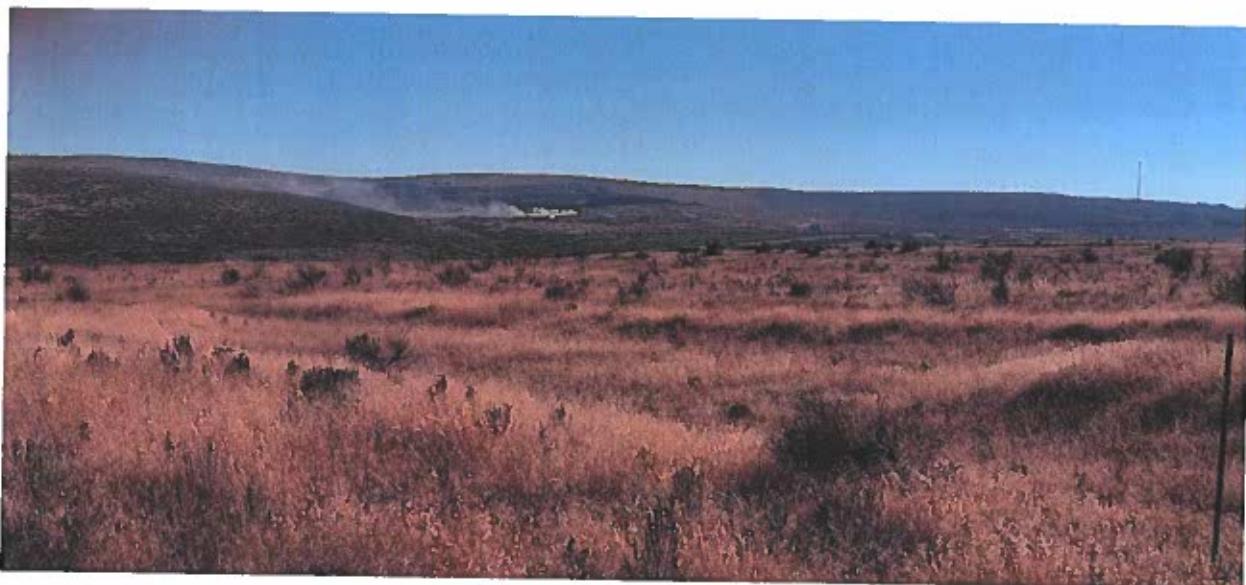
Please feel free to contact me regarding my opposition to Canton expanding in any way, please keep the integrity of our Wenas Valley for generations to come, PLEASE.

Concerned Citizen of Wenas Valley and Yakima County,
Shelley Byington, 780 Conrad Rd, Selah, WA 98942, (360) 951-1117

From: Shelley Byington <olyshell64@gmail.com>
Sent: Tuesday, October 18, 2022 9:47 PM
To: Long Range Planning <longrangeplanning@co.yakima.wa.us>; Phil Hoge <phil.hoge@co.yakima.wa.us>
Subject: Fwd:

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Hello Phil,
Please add this photo to Case Number: LRN-2021-00005/SEP2020-000004-Canton Strutner. Photo was taken Monday, October 17, 2020. Please note the large amount of dust due to Caton's earth movers.
Thanks,
Shelley Byington
360-951-1117



From: jillyearout <jillyearout@gmail.com>
Sent: Tuesday, October 18, 2022 10:15 PM
To: Long Range Planning
Subject: Reference all communication with Case Number LRN-2021-00005/SEP2020-000004

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Regarding the decision for rezoning and expansion of the Caton landfill, I am strongly against this and here is why. I have many questions.

1. I want to know if our rural roads on South Wenas Road and Naches Wenas Road and Allan Lane are rated for the frequency and weight of these British Columbia, Canada semi trucks that are already going back and forth to the Caton Landfill approximately 20 times daily, sometimes 6 days a week and, I have seen them dumping on holidays as well.
2. Will they be regulated for noise control. When these semi trucks go by my house at a high rate of speed heading towards the dump, they have a tight corner to negotiate before Naches Wenas junction. When they are passing my house, they use their Jake brake to slow their engine which is very loud and scary. It does startle my animals. And sometimes they wake me at 4:00 AM going by.

I live on South Wenas Road, 1/4 mile approximately from the revised intersection of Longmire Lane, South Wenas Road and the Naches-Wenas Road. This "Y" intersection was engineered to significantly slow traffic. I was behind a Canadian semi heading towards Selah after emptying their load. He could not make that tight "S" curve and so basically ran straight through into the gravel and over the top of the flexible reflector. The sides of the roads are crumbled already due to heavy traffic from oversized vehicles. The width of rural roads are not meant for semi trucks going back and forth 24 TIMES A DAY FOR 42 YEARS!

3. I want to know what is in those semi trucks from British Columbia, Canada. Are they being inspected? What could it be that they can't or won't be able to discard in their own country? The neighbors of the Anderson Pit were able to stop these Canadian trucks from dumping, I have heard. What did they unveil that we don't know. I want transparency.
4. I have already expressed my concerns of contamination from "inert/demolition" waste which could contain lead, asbestos, creosote, etc... for approximately 42 more years. I worry about our ground water. Does anybody care to prove to me that there have been adequate environmental tests and continued monitoring of safety? I have been diagnosed with a high grade breast cancer. It was not familial as the DNA tests were negative. It was not hormone driven. The other probable cause is environmental. I am at the base of the hills from Catons landfill. As is my brother and niece and we have all developed cancer within the last 1 1/2 years. I know another person who has died filled with cancer in his 50's at the base of the Naches side as well. Many many people have been concerned about their drinking water. The liability could be huge if safety measures are not taken.
4. Recent proposal from the Caton/Strutner's was for a large compost operation. This creates methane gas from a multitude of miscellaneous organic material. Wow, the health concerns from this property is endless!!
5. Is the county being reimbursed or do they feel threatened by Caton's? This request for Special Property Use permit was attempted to quietly slip through. There was no notification to neighbors as there was last time Catons requested a permit. The last permit was denied for exactly the same reasons we neighbors keep bringing up. And I hear

Caton filed a lawsuit against the County for being treated unfairly. The landfill is making SO MUCH MONEY right now with 20 loads a day of unknown Canadian contents and varieties more of local loads.

In conclusion, I want the Hearing Examiner to take note that: the roads are not handling the frequency and weight of multiple trucks. The noise and disruption of multiple loads going to and from the landfill at all hours outside their approved operation times proves to me they are already operating at their proposal. I want the Hearing Examiner to realize we could already be experiencing health problems from this Landfill. And I want the Hearing Examiner to observe the dump filling at a very quick rate and is bulging way above the level of the adjacent fields as you very gently proposed. You make it sound like in just a few short years (42), the land will be returned to its natural appearance and no one will be harmed.

Please take these things into consideration before making such a decision that will affect generations.

Sincerely and with great consideration,
Valerie Jill Yearout
Member of the Murray Family adjacent to Caton land

Sent from my U.S.Cellular© Smartphone

From: Wendy Wickersham <wendywickersham@icloud.com>
Sent: Tuesday, October 18, 2022 11:09 PM
To: Long Range Planning
Subject: Caton Strutner LRN2021-00005/SEP2020-00004

DATE: 10/18/2022
FILE NO. LRN2021-00005

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Please print and add all to the comments about the mineral overlay. I will also send the letter as part of an email just in case.

Please reply to let me know that it worked.

Thank you!

Letter

https://docs.google.com/document/d/1i7UVzJGQU905U6ASqzQvTrn74v9IC3s_Id01Ua-jguM/edit?usp=sharing

PPT--Google Slides Version

https://docs.google.com/presentation/d/1pxiDnENoBNMPlkHasq6h8dQ0mwO-ozVmQpCipu_Qo9Y/edit?usp=sharing

Sent from my iPad

Wendy Wickersham

6281 S. Wenås Rd. Selah, WA

Regarding Caton/Strutner LRN 2021-00005/SEP2020-00004

Link to pictures on my Google Slides show:

<https://docs.google.com/presentation/d/1pxiDnENoBNMPlkHasq6h8dQ0mwO-ozVmQpCipu-Qo9Y/edit?usp=sharing>

To whom this may concern:

I urge you to deny the mineral overlay for many reasons:

- In 2018, the Caton Landfill disposed of 71,761 TONS of disposed solid waste. This was **2nd in the state out of 12 limited use landfills listed**, only behind the Graham Road Recycling & Disposal in Medical Lake. Currently, I believe that we would be 1st in the state, but this was the most current data that I could find on the DOE website.
<https://ecology.wa.gov/DOE/files/c8/c853302f-eeea-4719-a112-54f75ff941bb.xls>
 - Does Yakima need to be the dumping ground for the state, as well as other countries?
 - For around the past year, Caton Landfill has been receiving around 120 loads a week from Canada. Why spend the \$ to come here?
 - Loads come in large, wide heavy semi trucks/dump trucks/trailers through Allan Road, the grade, Naches Wenås Road and South Wenås Road through Selah. These trucks are often over the centerline, speeding, and on/off the edge of the roads. Semi trucks are 8.5 feet wide, a school bus is 7.5 feet wide, and some lanes of our roads are as narrow as 7 feet wide per lane. How can vehicles safely pass? It will be worse with 744 additional acres of mining then landfill. Sadly, I am waiting for someone to be killed.
- Lack of Safe Roads:
 - Edges are crumbling on Allan Road, Naches Wenås Road, the Naches Wenås Grade, and South Wenås. Potholes are forming.

- Lack of visibility at the intersection of Allan Rd and Old Naches Hwy—around 15-20 feet only at the steep intersection.
 - Fresh tire tracks are off the roadway on all of those roads. Wide loads means that vehicles have to hug the edge to avoid a collision.
 - Where are the guardrails? South Wenas has 10, 20, 30 foot drops and ZERO guardrails on the many reduced speed sharp corners. The grade is lacking too. Is this in compliance? Will someone die because of this???
 - There is a big hole at the edge of the top of the grade—top right side heading towards Caton's. The grade is falling apart! How long until it washes away?????
 - To have the Naches Wenas Grade be in compliance, additional truck lanes would need to be added. The cost a few years ago for that to be added to the Naches Tieton Grade was 6.1 MILLION dollars. Is it worth spending that much money for Caton's Landfill? Other counties and countries come here to Caton's to dump their debris—not to spend money. Dump and go! That should be their motto!
- Environmental Concerns:
 - Caton Landfill is a dustbowl! They are not following the prescribed dust prevention methods currently. Adding an additional 744 acres of mining will increase the problem by an exponential number.
 - Air quality needs to be regularly monitored at Caton's, including toxic gases. They have obvious dust issues—but it might not all be “dirt” flying around. Fires release toxic fumes too.
 - Are they currently abiding to the necessary setbacks on the edge of the current landfill bordering the DNR land? Following rules and regulations is important.
 - Another well needs to be added to the current landfill in the middle of the cell to monitor for water contamination. Neighboring wells also need to be tested regularly.
- What's happening at neighboring limited use landfills like DTG (the old Anderson Pit)? This has the potential to be our future after the mineral overlay is added, then the landfill is expanded. It might even be happening now, but lacks monitoring.
 - At DTG:

- Toxic, measurable gases are being released per DOE. Not good for your health!
- DTG status was currently changed from SUSPECTED to **SUSPECTED AND CONTAMINATED**.
- Water contamination
- DTG dug through the Vantage Interbed layer of the soil—it is 30-40 feet thick and was dug through. It is the layer that protects our groundwater. They still are taking in waste.
- Possible underground fires. Temperature readings are 160-170 degrees. Yes—Caton's has had fires too!
- Geology that I see:
 - I have lived here all of my life. The quality of minerals, sand, and gravel here are lacking the quality that is required to be used by the consumer. The hillsides contain a lot of pumice which isn't the best material to use for building and roads. Other people got gravel from Strutner before when they were mining without a permit (I may be wrong???) and it contained a lot of pumice.
 - There are plenty of other great sources of great quality gravel and sand found throughout our valley to last for many, many years. Why allow production of a mediocre, poor at best, product?
- MY BIGGEST CONCERN: 3 family members have gotten cancer all within 2 years.
 - 1 has NO GENETIC MARKERS
 - What do they all have in common?
 - Air
 - Water
 - Live within a mile of Caton's
- Questions that I have:
 - Is the public's safety being taken into consideration?
 - Has the lack of following the SPU from 1997 and SEPA/LRNs been taken into consideration?
 - Have all of the neighbor complaints been examined by this commission?
 - Has the road department or WSDOT looked into whether our roads are up to code for safety, especially with all of the heavy truck traffic?

- How much blasting can be done to mine?

These are a majority of my concerns. I feel like this is just an excuse for Caton and Strutner to expand the moneymaker landfill at the expense of the people and the environment. I urge you to please DENY any and all requests for mineral overlay or landfill expansion in the future for the safety of the people.

Thank you!

Wendy Wickersham

Caton Landfill Mineral Overlay

**LRN2021-00005/SEP2
020-00004**

Wendy Wickersham
6281 S Wenas Rd, Selah

Caton Landfill as of 10-16-22





**I urge you to vote NO and DENY the Caton Landfill
Mineral
Overlay—LRN2021-00005/SEP2020-00004**

Please put the public's safety and well-being first.



Future Impact:

- More Canada Trucks**
 - Hauling 100s of miles to dump at Caton's**
- Damaged Roads**
- Road Hazards**
- Driving a car on the roads shouldn't be like a game of dodgeball where the ball is a many ton semi and you are trying to avoid getting hit..**

Canadian Trucks

- Around 20 a day 6 days a week
- Coming via Allan Rd/Naches Wenas and South Wenas through Selah
- Speeding
- Running through stop signs
- Why spend the money to haul to Caton's Landfill?







Caton takes a lot of out of county and country debris already-imagine it magnified!

- Past accepted loads that add a lot of material:
 - 600 loads of contaminated material from Boise Cascade
 - All the too acidic for the westside material from Big Bertha when it was drilling the 1.7 mile long tunnel in Seattle
 - Estimated 6,000 +/- loads from Canada in a year

PROPOSAL DESCRIPTION: The Caton proposes an agricultural waste landfill within a natural ravine on a portion of their dry land farm. Approximate dimensions of the landfill itself will be 3,267 east side, 3,437 west side, 399' north side, and 719' south side. The depth will be approximately 10' and the size approximately 59.7 acres. Normal operations are proposed to be 8:00 a.m. to 5:00 p.m. Monday through Friday, 50 weeks per year. The applicants estimate approximately 120 round trip truck loads per week, which will fill the landfill in approximately 43 years (year 2019). When the landfill has reached its capacity, approximately two feet of soil, with the last foot being top soil, will be spread across the facility and the site will be prepared for grazing or dry land farming. The top of the closed landfill will be the same height as the surrounding fields.



Caton's 1997 SPU-11-1997 page 1 June 9, 1997



- **Caton's SPU from 1997 states:**
 - **120 loads a week**
 - **Estimated to last 42 years—until 2039**
 - **Top of the closed landfill will be the same height as surrounding fields.**
 - **8-5 Monday - Friday**
- **Is that true now? Was it followed? NO!**
 - **More loads a week than 120**
 - **Taller than surrounding hills**
 - **6 am? to 4 pm M-Saturday and by appointment, so more than that too.**
 - **Trucks go by my house at 6 AM—I hear the jake brakes**



Road Issues Already—What will more trucks do to our roads?

- The following pictures are all about the damage to all the roads coming to and from that Caton Landfill.
- I could have taken 100s of pictures but the roadway all looks the same—damaged edges with cracks due to wide heavy loads.



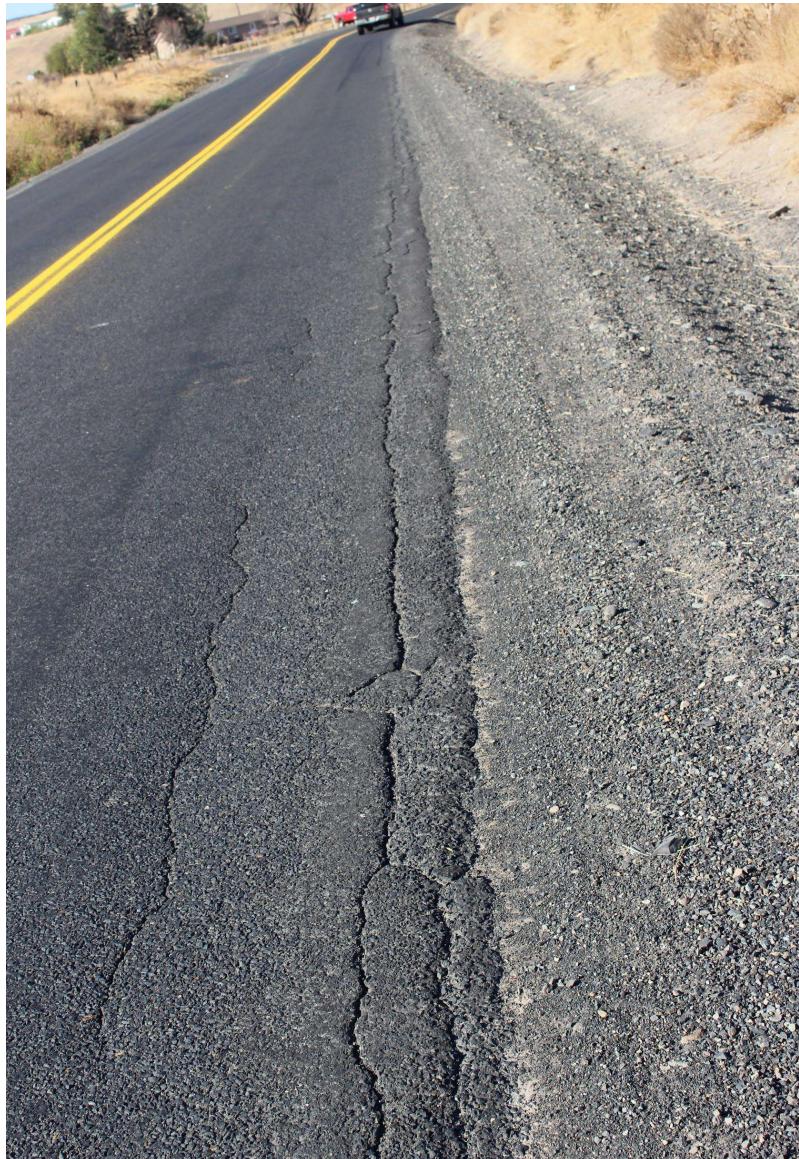






Tire tracks go about 2 feet off the side of the road. There are broken windshields just up the road. Over the years, lots of people wrecked here. Big trucks struggle with making the sharp corners. More would make it worse!





Lots of tire tracks off the roadway...on South Wenas

You can find this on many of the road around here.

Vehicles have to go off the road on the narrow roads.



South Wenatchee Rd Pothole





Naches Wenatchee Rd just down the road from the landfill. This was after the county put down tar and gravel. Wasn't fixed.



Guardrails: Do we need more of them?

- South Wenas has 0 guardrails.
- Allan Rd is lacking too–
- Naches Wenas Grade needs more.

There are numerous places that have a 10, 20, to 30 foot drop....no guardrails!!

Is Yakima County in compliance??????

Naches Wenatchee Grade

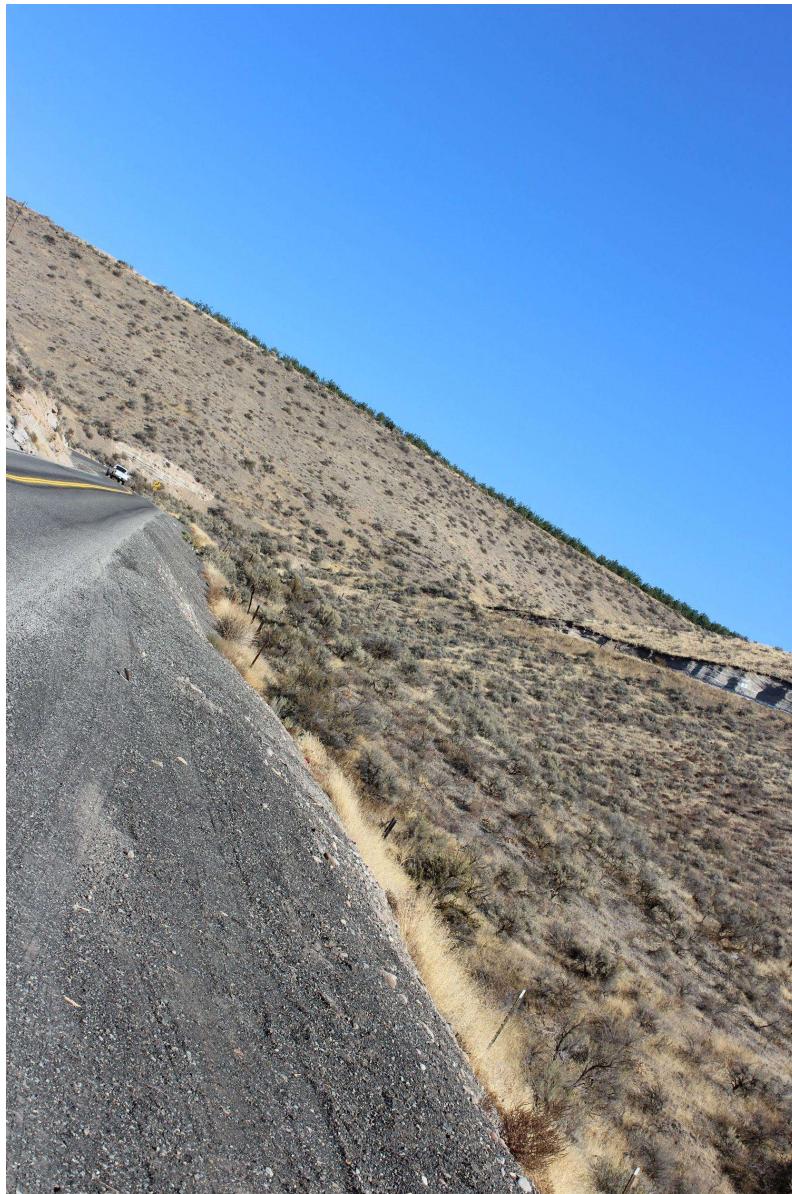






Naches Wenac Grade

**Big drop off the edge
with no guardrails....**



Naches Wenas Grade

**More big drops....no
guardrail until the
top.**

Corner of Allan Road and Old Naches Hwy

- **Narrow-7 feet in places**
- **Semi Trucks-8.5 feet wide**
- **Bus 7.5 feet wide**

How can 2 vehicles safely pass each other? The school is just down the road.



Corner of Allan Road and Old Naches Highway



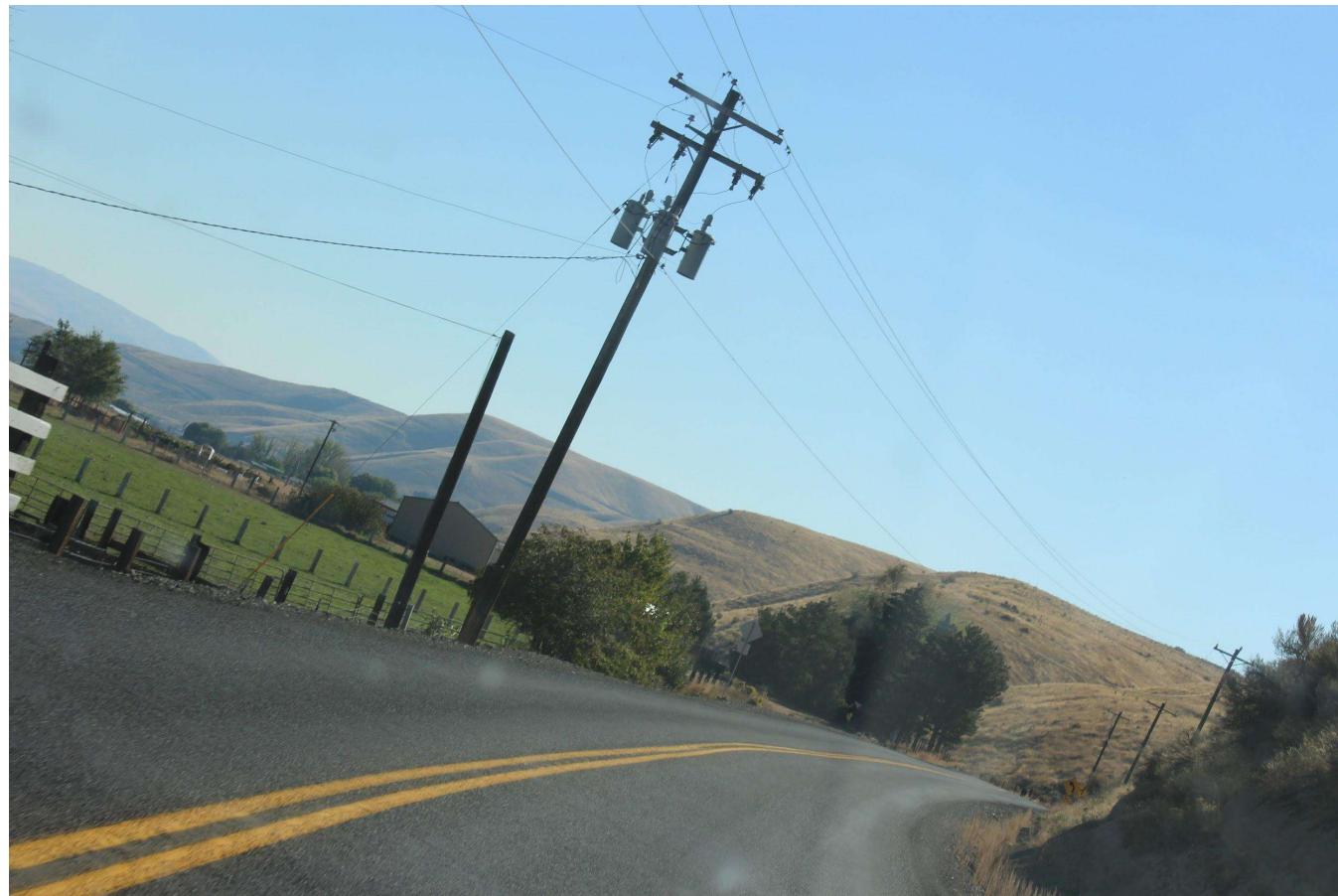


Corner of Allan Road and Old Naches Highway

Decay decay decay





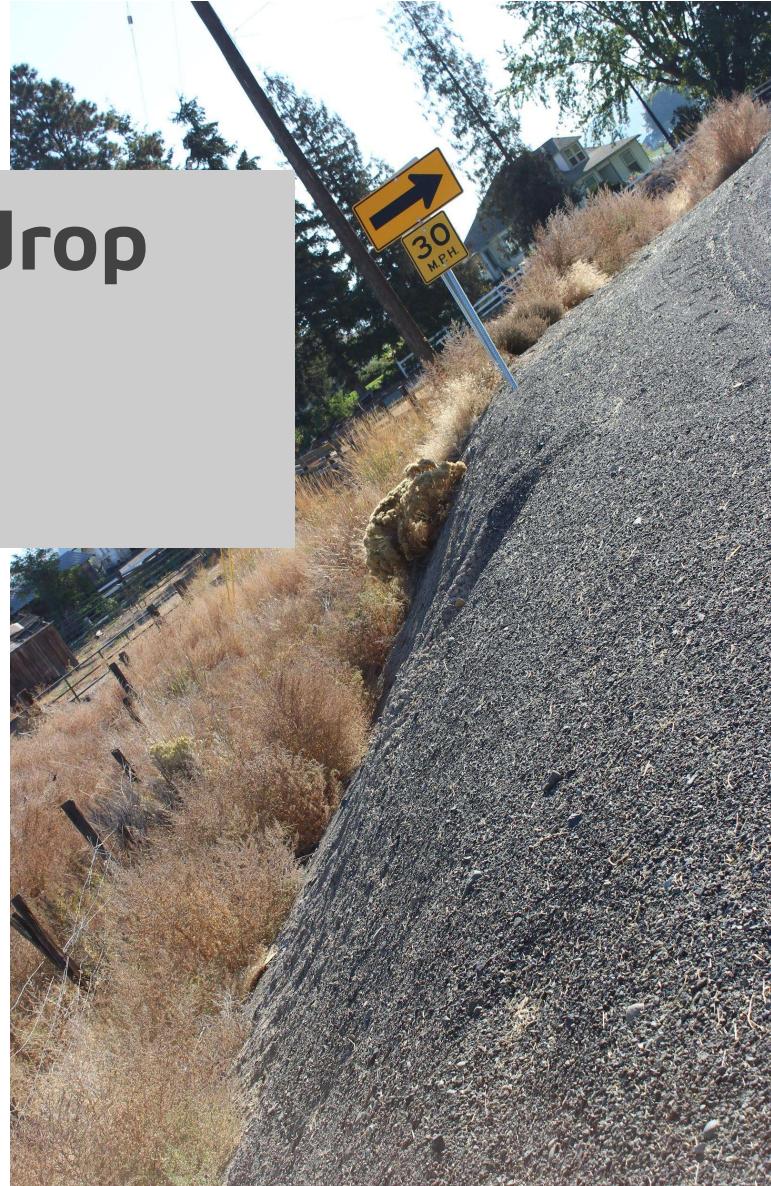


South Wenatchee Road

- **Narrow**
- **Curvy**
- **0 guardrails**



**10 foot or more drop
Last corner on S.
Wenas**



Different corner on South Wenas
10 feet or more drop



Different corner on South Wenatchee

Another big drop off of the edge



Different corner on South Wenas—10 feet or more drop



Different corner on South Wenas—10 feet or more drop



Different corner on South
Wenas-10-20 feet drop



Different corner on South
Wenas—more 10 plus feet drops



Different corner on South
Wenas—more big drops





Different corner on South Wenatchee

Different corner on South –more
big drops



Different corner on South
-Wenas–30 feet or more drop





**The top of the
Naches Wenac
Grade has some
issues....the road is
eroding away.**

About 2 feet deep



Top of the grade from hole next to guardrail



Blind intersection at Old Naches Hwy, Allan Road, and Naches Wenatchee Road

Visibility is limited to around 15-20 feet both to the left and right.



Top of Allan Rd looking
left



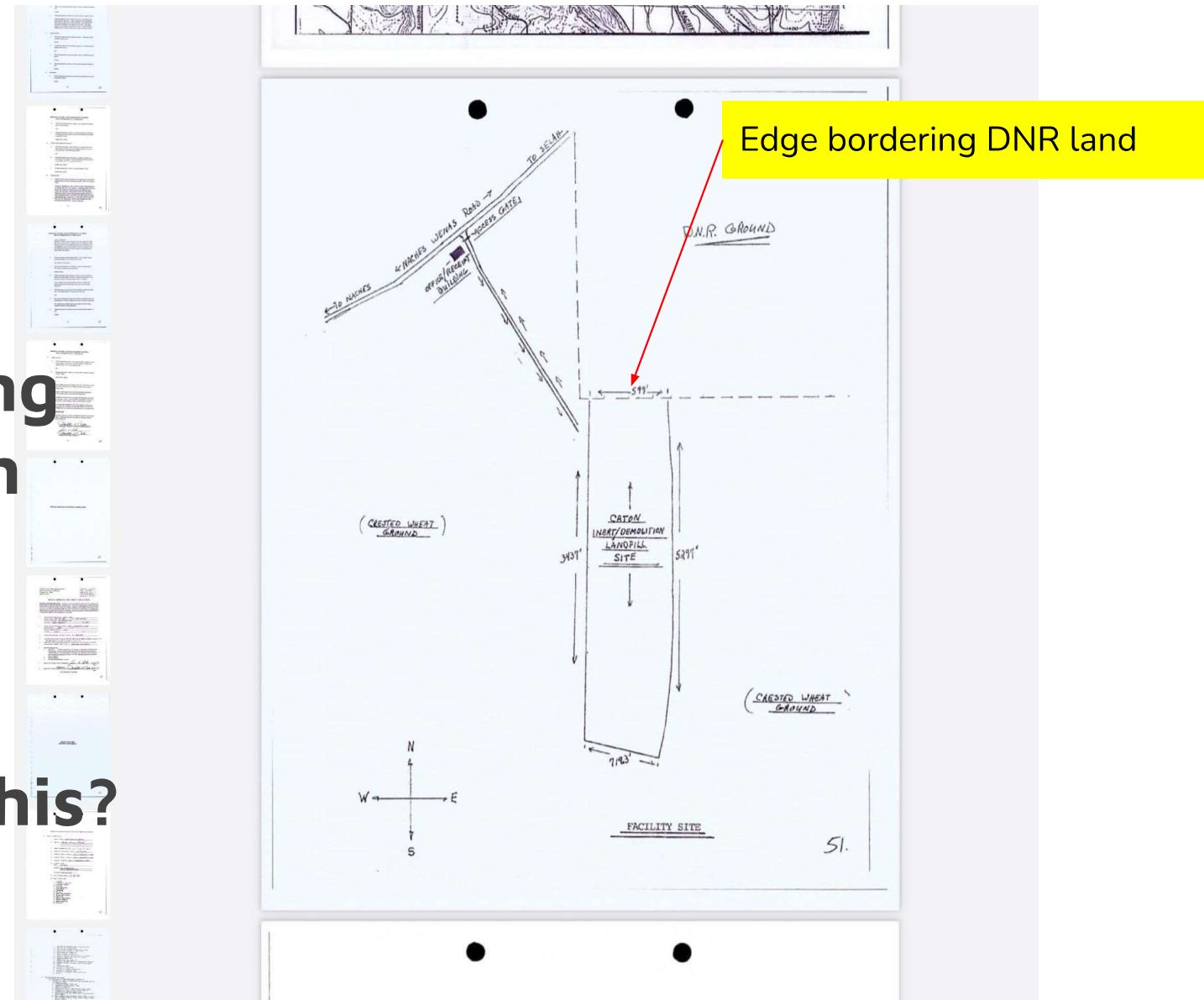
Top of Allan Rd
looking right





Setbacks:

- Are they being followed with the current landfill?
- Who is monitoring this?





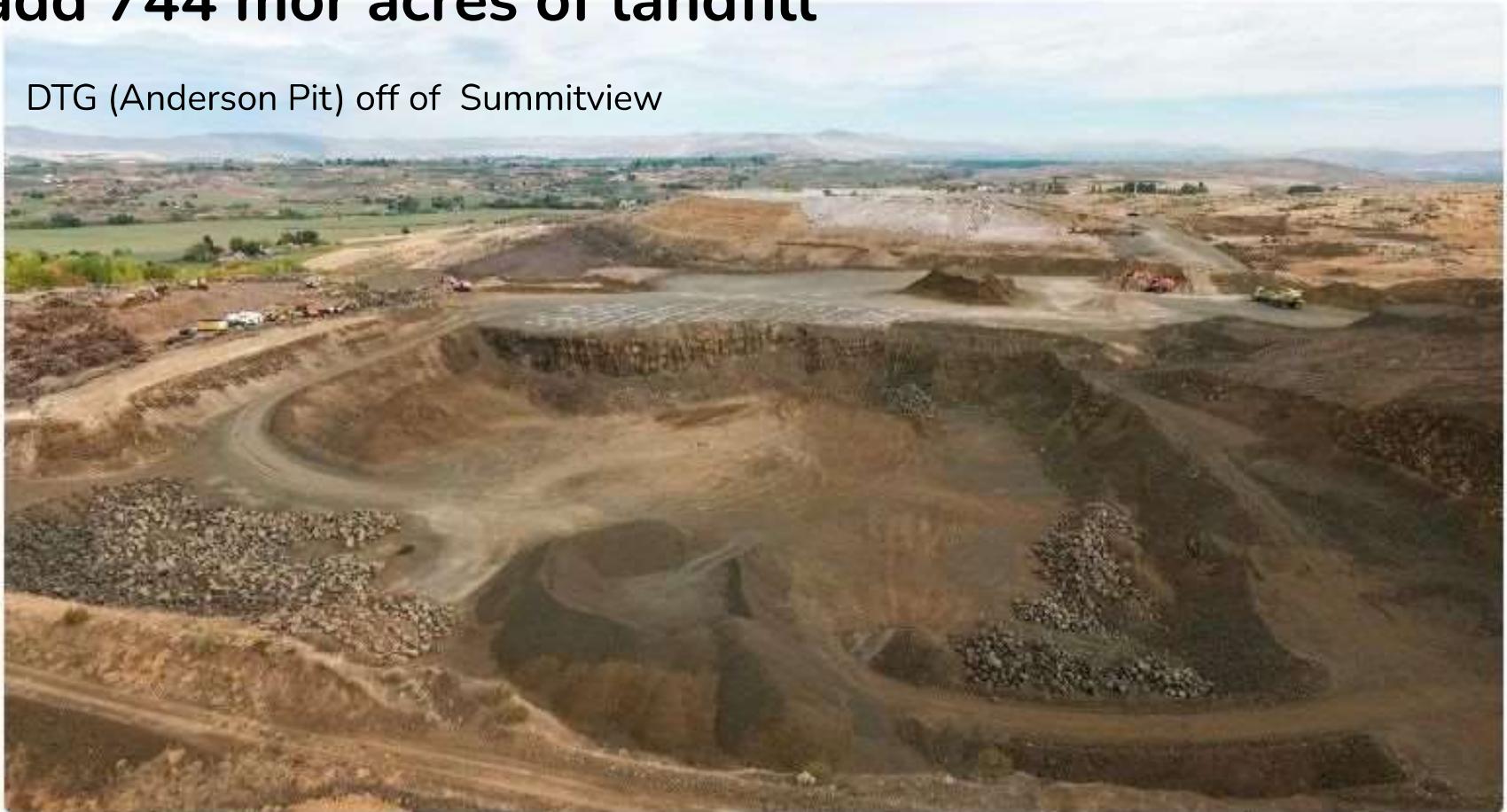
Worried about the future....

The status of the DTG Landfill (Anderson Pit) on Summitview is a nightmare for all of those neighbors.

Yakima County already has 2 of the 12 (some places say 16 so??) limited use landfills in the state. Why do we need to be the dumping ground and deal with all the environmental hazards?

Future of Caton's might be 1st–Mineral Overlay then 2nd–add 744 mor acres of landfill

DTG (Anderson Pit) off of Summitview



Provided by DTG Recycle

<https://www.wastedive.com/news/dtg-acquires-first-landfill-as-company-expands-mrf-r>



Plans to expand the Rocky Top landfill west of Yakima is drawing opposition from nearby residents and those who use the nearby trails.

Yakima Herald-Republic/Evan Abell



- **Dangerous Issues at DTG (Anderson Pit)**
 - **Limited Use Landfill, like Caton's.**
 - **Will it be our future? 744 more acres of landfill after the mineral overlay**

1. Toxic, measurable gases are being released as per DOE.
2. DTG status was recently changed from **Suspected** to **Suspected and Contaminated** .
3. Water contamination
4. DTG dug through the Vantage Interbed Layer but the can still take in waste. The Vantage Interbed is 30-40 feet thick and most of that was removed in places there. It protects our groundwater.
5. Possible underground fires—temps 160 to 170 degrees.



Questions I have:

1. Who is monitoring the Caton Landfill to be sure that they are not digging through the Vantage Interbed?
2. Who is monitoring for the toxic gases at Caton's? Why isn't that a normal, regular test?
3. Is Caton's regularly being monitored with temperature readings to check for fires? By whom? When? They have had fires.
4. Does Caton's have a liner in all cells?
5. BIGGEST QUESTION!!!!
 - a. Who is supposed to protect the public?



Has my health been affected by the current landfill? Not sure....

- **3 family neighbors have gotten cancer within 2 years**
- **No genetic markers on 1 for sure**

What's in common?

- **Air**
- **Water**
- **Live within 1 mile of Caton's**



Deny the Mineral Overlay please!

Thank you for your time!

Phil Hoge

From: Wendy Wickersham <wendywickersham@icloud.com
Sent: Tuesday, October 18, 2022 11:10 PM
To: Long Range Planning
Subject: Caton Strutner LRN2021-00005

EXHIBIT NO. 8
DATE: 10/18/2022
FILE NO. LRN2021-00005

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Wendy Wickersham

6281 S. Wenas Rd. Selah, WA

Regarding Caton/Strutner LRN 2021-00005/SEP2020-00004

Link to pictures on my Google Slides

show: <https://docs.google.com/presentation/d/1pxiDnENoBNMPlkHasq6h8dQ0mwO-ozVmQpCipu-Qo9Y/edit?usp=sharing>

To whom this may concern:

I urge you to deny the mineral overlay for many reasons:

-
-
- In 2018, the Caton Landfill disposed of 71,761 TONS of disposed solid waste. This was **2nd in the state out of 12 limited use landfills listed**,
- only behind the Graham Road Recycling & Disposal in Medical Lake. Currently, I believe that we would be 1st in the state, but this was the most current data that I could find on the DOE website.
- <https://ecology.wa.gov/DOE/files/c8/c853302f-eeee-4719-a112-54f75ff941bb.xlsx>
- -
 -
 - Does Yakima need to be the dumping ground for the state, as well as other countries?
 -
 -
 -
 - For around the past year, Caton Landfill has been receiving around 120 loads a week
 - from Canada. Why spend the \$ to come here?
 -
 -
 -

- Loads come in large, wide heavy semi trucks/dump trucks/trailers through Allan Road,
- the grade, Naches Wenas Road and South Wenas Road through Selah. These trucks are often over the centerline, speeding, and on/off the edge of the roads. Semi trucks are 8.5 feet wide, a school bus is 7.5 feet wide, and some lanes of our roads are as narrow
- as 7 feet wide per lane. How can vehicles safely pass? It will be worse with 744 additional acres of mining then landfill. Sadly, I am waiting for someone to be killed.
-
-
-
- Lack of Safe Roads:
- -
 -
 - Edges are crumbling on Allan Road, Naches Wenas Road, the Naches Wenas Grade, and
 - South Wenas. Potholes are forming.
 -
 -
 -
 - Lack of visibility at the intersection of Allan Rd and Old Naches Hwy-around 15-20 feet only at the steep intersection.
 -
 -
 -
 - Fresh tire tracks are off the roadway on all of those roads. Wide loads means that
 - vehicles have to hug the edge to avoid a collision.
 -
 -
 -
 - Where are the guardrails? South Wenas has 10, 20. 30 foot drops and ZERO guardrails
 - on the many
 - reduced speed sharp corners. The grade is lacking too. Is this in compliance? Will someone die because of this???
 -
 -
 -
 - There is a big hole at the edge of the top of the grade-top right side heading towards
 - Caton's. The grade is falling apart! How long until it washes away?????
 -
 -

- - To have the Naches Wenas Grade be in compliance, additional truck lanes would need to be added. The cost a few years ago for that to be added to the Naches Tieton Grade was 6.1 MILLION dollars. Is it worth spending that much money for Caton's Landfill? Other counties and countries come here to Caton's to dump their debris—not to spend
 - money. Dump and go! That should be their motto!
 -
-
-
- Environmental Concerns:
-
- -
 - Caton Landfill is a dustbowl! They are not following the prescribed dust prevention methods currently. Adding an additional 744 acres of mining will increase the problem by an exponential number.
 -
 -
 -
 - Air quality needs to be regularly monitored at Caton's, including toxic gases. They have obvious dust issues—but it might not all be “dirt” flying around. Fires release toxic fumes too.
 -
 -
 -
 - Are they currently abiding to the necessary setbacks on the edge of the current landfill bordering the DNR land? Following rules and regulations is important.
 -
 -
 -
 - Another well needs to be added to the current landfill in the middle of the cell to monitor for water contamination. Neighboring wells also need to be tested regularly.
 -
-
-
- What's happening at neighboring limited use landfills like DTG (the old Anderson Pit)? This has the potential to be our future after the mineral overlay is added, then the landfill is expanded. It might even be happening now, but lacks monitoring.
-
- -
 - At DTG:

- - Toxic, measurable gases are being released per DOE. Not good for your health!
 -
 -
 -
 - DTG status was currently changed from SUSPECTED to
 - **SUSPECTED AND CONTAMINATED.**
 -
 -
 -
 - Water contamination
 -
 -
 -
 - DTG dug through the Vantage Interbed layer of the soil—it is 30-40 feet thick and
 - was dug through. It is the layer that protects our groundwater. They still are taking in waste.
 -
 -
 -
 - Possible underground fires. Temperature readings are 160-170 degrees. Yes—Caton's
 - has had fires too!
 -
 -
 -
 -
 -
 - Geology that I see:
 -
 -
 - I have lived here all of my life. The quality of minerals, sand, and gravel here
 - are lacking the quality that is required to be used by the consumer. The hillsides contain a lot of pumice which isn't the best material to use for building and roads. Other people got gravel from Strutner before when they were mining without a permit (I may
 - be wrong???) and it contained a lot of pumice.
 -
 -
 -
 - There are plenty of other great sources of great quality gravel and sand found throughout

- our valley to last for many, many years. Why allow production of a mediocre, poor at best, product?
-
-
-
- MY BIGGEST CONCERN:
- 3 family members have gotten cancer all within 2 years.
-
-
-
- 1 has NO GENETIC MARKERS
-
-
-
-
- What do they all have in common?
-
-
-
- Air
-
-
-
- Water
-
-
-
-
-
- Live within a mile of Caton's
-
-
-
- Questions that I have:
-
-
-
- Is the public's safety being taken into consideration?
-
-
-
- Has the lack of following the SPU from 1997 and SEPAs/LRNs been taken into consideration?
-
-
-
- Have all of the neighbor complaints been examined by this commision?

-
-
-
- Has the road department or WSDOT looked into whether our roads are up to code for safety, especially with all of the heavy truck traffic?
-
-
-
- How much blasting can be done to mine?
-

These are a majority of my concerns. I feel like this is just an excuse for Caton and Strutner to expand the moneymaker landfill at the expense of the people and the environment. I urge you to please DENY any and all requests for mineral overlay or landfill expansion in the future for the safety of the people.

Thank you!

Wendy Wickersham

Sent from my iPad

EXHIBIT NO. 9
DATE: 10/19/2022
FILE NO. LRN2021-00005

From: Wes Morris <wesm@triplly.com>

Sent: Wednesday, October 19, 2022 7:13 AM

To: Amanda McKinney <amanda.mckinney@co.yakima.wa.us>; LaDon Linde <ladon.linde@co.yakima.wa.us>; Thomas Carroll <thomas.carroll@co.yakima.wa.us>; Lisa Freund <lisa.freund@co.yakima.wa.us>

Cc: Planning_Info <Planning_Info@co.yakima.wa.us>

Subject: LRN2021-00005

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Good Morning, Here is my letter in opposition to LRN2021-00005 application. I am still amazed that this operation has not been shut down. Does this mean that the SEPA, CUP process that I go through on so many projects are for those who follow the rules and the ones that do not have a consequence? Now the county is recommending approval for a larger operation that will be a detriment to the surrounding landowners and communities. This operation has gone from a local disposal resource (as intended) to a dumping ground for Seattle and trucks that are registered in Vancouver B.C. , how is this good for our community. The trucks come at all hours and on weekends, nothing done by Yakima County to stop it. Isn't it your job to enforce land use and compliance? It seems you are rewarding this behavior and I am very disappointed in the selective enforcement of the rules. How many citations does it take? Please visit the site today and see for yourself the noncompliance of this facility and the safety of intersections and condition of the roads due to the excess truck traffic.

As a business owner that works with the county to ensure that our projects are considerate of the surrounding landowners it is frustrating to see this have a chance of passing.

We just went through the process with the Giddings facility and advised the owner to spend a considerable amount of money to screen the neighboring properties to minimize the impact. **WE CARED ABOUT THE COMMENTS.**

The same cannot be said about the landfill operators.

I am personally invested in our community in many ways through Rotary and the generosity of our business and will be deeply disappointed with the county planning staff if this is approved.

Sincerely,

Wes Morris

wesm@triplly.com

October 19, 2022

Yakima County Planning

128 N. 2nd St. 4th Floor Courthouse

Yakima WA

Subject LRN-2021-00005 & SEP2020-00004

I am writing this letter in opposition of the proposed land use designation change.

The applicant previously applied for this change, LRN2020-00004 and was denied based on information provided by the surrounding property owners and concerned citizens of the upper Yakima valley.

One of the many reasons to deny the application is -stated in Yakima County's own Horizon 2040 Land Use Element and the DNR's Rock Aggregate Resource map, dated November 2005. Since that map was adopted, several of the current conforming mining operations have expanded their available resources. This site was specifically mentioned in the 2001 study as having a minimal layer of sand and gravel that would not be considered a significant resource.

There is no shortage of quality materials in the upper and lower Yakima valley currently, or in the near future. The purpose of the Rock Aggregate Study and the Map has been met with existing resources. Based on this information alone, the application should be denied. I have attached a previously provided letter outlining the findings of the Horizon 2040 report adopted by Yakima County.

I would also add the fact that the roads serving the existing landfill are being destroyed by the number of trucks accessing the land fill now. The truck count far exceeds the current land use permit that the Caton Landfill is operating under now. (Picture of road edge attached)

The "S" curve at the intersection of Allan Rd and the Old Naches Highway has had many close calls when trucks come toward Highway 12 and occupy part of the northbound lane around the blind corner created by the trees on the West side. The trucks often go too fast for the configuration of the "S" curve. The same conditions and events occur at the "S" curves going up the Wenas grade. Approving the land use application will only make things worse and put the public in danger.

The current Caton Landfill operation has received many complaints and citations for operations outside of the original application/permit for the landfill.-We have experienced trucks on Saturday morning before 7:00 am and well after 5:00 pm. The same problems occur during the week. The original trip count was to be approximately 120 loads per week and operation hours 8:00 am to 5:00 pm Monday thru Friday. The original application stated the landfill would provide a local area for contractors to properly dispose of waste. The landfill has become a dumping ground for Seattle and trucks coming from Vancouver B.C., how is this a positive asset to our valley?

Nothing was in the application about selling topsoil. The zoning R -10/5 per title 19 does not allow mining or the amount of equipment that is currently onsite, yet it has been going on for years and even advertised on their website.

On Saturday 10/15/22, a heavy truck heading for the landfill was stuck below the curve due to stopping for car traffic and was unable to get moving again due to the slope of the road and the heavy load. (Picture attached) Saturday operation was not in the original application.

Not only am I asking the commissioners to deny the current LRN and SEP, I am also asking the county to enforce the landfill's current permit conditions and revoke it if they do not comply within a reasonable time frame. I would suggest the commissioners read the permit the Caton Landfill is operating under now and the description of sequence that was permitted. Then take time to visit the site for themselves to see what the concerns and complaints are about.

In closing, to not deny this permit application, would be a slap in the face for the landowners and businesses that follow the rules set forth in the land use permits that they are granted and their efforts to be good citizens in our county. It is the opinion of many, based on the violations and complaints, that the rules are disregarded by the applicant now and probably will be in the future.

Sincerely,

William Morris

105 E Allan Rd

Naches, WA 98937

**PROPOSAL OF THE CATON DEMOLITION LANDFILL
SEPA ENVIRONMENTAL CHECKLIST**

10. List any governmental approvals or permits that will be needed for your proposal, if known.

AN INERT/DEMOLITION LANDFILL PERMIT IS REQUIRED FROM THE YAKIMA HEALTH DISTRICT. ALSO A SPECIAL LAND USE PERMIT IS REQUIRED FROM THE YAKIMA COUNTY PLANNING DEPARTMENT. A SEPA CHECKLIST WILL BE SUBMITTED TO THE WASHINGTON STATE DEPARTMENT OF ECOLOGY FOR APPROVAL.

11. Give a brief complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this check list that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

JIM AND CHARLOTTE CATON PROPOSE TO OPEN AN INERT/DEMOLITION LANDFILL ON A PORTION OF THEIR DRY LAND FARM LOCATED SOUTH OF THE NACHES WENAS ROAD. THIS LANDFILL WILL BE LOCATED IN THE NORTHWEST QUARTER AND SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1; TOWNSHIP 14; RANGE 17 AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1; TOWNSHIP 14; RANGE 17. DIMENSIONS WILL BE APPROXIMATELY 5297'/EASTSIDE, 3437'/WESTSIDE, 599'/NORTHSIDE, 719.3'/SOUTHSIDE, WITH A DEPTH OF 90'. IT WILL INCLUDE APPROXIMATELY 59.7 ACRES.

OPERATIONS AT THE SITE PROPOSE TO OPEN FROM 8 A.M. TO 5 P.M. FIVE DAYS PER WEEK, 50 WEEKS PER YEAR. BASED ON THE PREDICTED USAGE, THE LANDFILL WILL BE FILLED IN 42 PLUS YEARS.

ENTRY INTO THE FACILITY WILL BE LIMITED TO THE ACCESS GATE LOCATED ON THE NACHES WENAS ROAD. AN OFFICE/RECEIPT BUILDING WILL BE PLACED ON THE PREMISES WHERE VEHICLES WILL BE DIRECTED TO FOR LOAD CHARACTERIZATION. ONCE CHARACTERIZED, AND NO TOXIC OR HAZARDOUS COMPONENTS HAVE BEEN FOUND PRESENT, THE LOAD WILL BE DIRECTED TO THE LANDFILL.

AN INERT/DEMOLITION WASTE FACILITY IN THIS VICINITY WOULD PROVIDE A LOCAL AREA FOR CONTRACTORS TO PROPERLY DISPOSE OF WASTE. THE REVENUES PRODUCED WOULD PROVIDE ADDITIONAL REVENUE FOR THE LOCAL ECONOMY AS WELL AS PROVIDE 4 PART TIME/FULL TIME JOBS. AT CLOSURE OF THE FACILITY, THE END RESULT WOULD ENHANCE THE AGRICULTURE LAND.

**PROPOSAL OF THE CATON DEMOLITION LANDFILL
SEPA ENVIRONMENTAL CHECKLIST**

4. Date Checklist Submitted: March 20th, 1997
5. Agency Requiring Checklist: YAKIMA COUNTY HEALTH DEPARTMENT and YAKIMA COUNTY PLANNING DEPARTMENT
6. Name of Proposal, if Applicable: CATON DEMOLITION LANDFILL
6. Proposed timing or schedule (including phasing, if applicable):

AS SOON AS THE NECESSARY PERMIT APPLICATIONS ARE APPROVED THE FACILITY WILL BEGIN STRUCTURAL PREPARATIONS TO READY THE SITE FOR FULL OPERATION. ONCE COMPLETED, THE FACILITY WILL BEGIN ACCEPTING INERT/DEMOLITION WASTE AND WILL BE FULLY OPERATIONAL AT THIS TIME.

THE FACILITY, BASED ON ESTIMATED USE, WILL OPERATE FROM 8 A.M. TO 5 P.M, FIVE DAYS PER WEEK, FIFTY WEEKS A YEAR. AT THE PREDICTED USAGE IT WILL TAKE 42 (give or take) YEARS TO FILL THIS PROPOSED LANDFILL.

ONCE FILLED, THE LANDFILL WILL BE CLOSED, TOP SOIL WILL BE SPREAD ACROSS THE WASTE MATERIAL AND THE SITE WILL BE PREPARED FOR GRAZING OR DRY LAND FARMING. THE ENTIRE SITE WILL BE USED FOR AGRICULTURAL PURPOSES DURING THE POST-CLOSURE PERIOD.

7. Do you have any plans for future additions, expansions, or further activity related to or connected with this proposal? If yes, explain.

NO

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

THE ONLY KNOWN ENVIRONMENTAL DOCUMENTATION PREPARED FOR THIS SITE IS INCLUDED IN THE CURRENT PERMIT APPLICATION.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

NO. NO OTHER APPLICATIONS ARE PENDING APPROVAL FOR THIS PROPOSAL.

PROPOSAL OF THE CATON DEMOLITION LANDFILL

LOCATION:

Jim and Charlotte Caton are proposing to open an inert/demolition landfill on a portion of their dry land farm located on the Naches Wenas Road. The legal description of the landfill will take in the Northwest Quarter and Southwest Quarter of the Northwest Quarter of Section 1; Township 14; Range 17 and the Northwest Quarter of the Southwest Quarter of Section 1; Township 14; Range 17 (NW 1/4 & SW1/4 of the NW1/4 of Sec 1; T 14; R 17 and the NW1/4 of the SW1/4 of Sec 1; T 14; R 17). Approximate dimension of the landfill itself, will be 5297'/Eastside, 3437'/ Westside, 599'/Northside, 719.3'/Southside with a depth of approximately 90'. This area will encompass approximately 59.7 acres.

OPERATION:

Operations at the proposed Caton landfill site will operate from 8 A.M. to 5 P.M. Monday through Friday, 50 weeks per year. Weather conditions could alter operation hours. Estimation of disposal rates will run between \$5.00 to \$10.00 per cubic yard, however this price may vary. There will be approximately 50,000 cubic yards of inert/demolition waste deposited in this landfill per year. This estimated waste deposit will create approximately 120 round trip truck loads per week. At this rate the landfill will be filled in approximately 42 years. It is estimated this Caton landfill facility will employ four part-time/full-time personnel; the facility owner/operator, an accountant/ bookkeeper and assistant operators.

Preparations to ready the landfill site for full operation will begin as soon as the necessary permit applications are approved. Once approved and the site has been readied, the facility will begin accepting inert/demolition waste and will be fully operational at this time. The facility will begin to fill the draw at the NW1/4 of the NW1/4 of Sec 1; T 14; R 17. A section approximately 80' long by 80' wide by 15' high will be filled with inert/demolition material, compressed with heavy equipment and covered over the top and sides with approximately one foot of fill dirt. Another section, along the side of the first and the same size as the first, will be filled with inert/demolition waste and then covered with fill dirt in the same manner as the first area. This procedure will continue until eight consecutive sections have been filled and covered. The operation will then go back to the first section, place another approximate 15' high tier of inert/demolition waste on top, cover with approximately one foot of fill dirt, move to the top of the second section and continue operations as prescribed until one side of the landfill has reached its designated height. At that time the operation will move to the other side of the landfill and begin filling sections in the same manner as previously described. A diversion ditch constructed in the landfill area will be used to divert any run off water from penetrating the inert/demolition material.

The Caton Inert/Demolition Landfill will be closed when it has reached its estimated capacity. Approximately two feet of soil, with the last 12 inches being top soil, will be spread across the facility and the site will be prepared for grazing or dry land farming. No added preparations for run off water will be needed. The closed landfill will be the same height as the surrounding fields.

PROPOSAL OF THE CATON DEMOLITION LANDFILL

SECURITY:

An access gate into the Caton Landfill will be established along the North perimeter off the Naches Wenas Road. This road will be of adequate dimensions and will be graveled, controlling a vast amount of fugitive dust. The East, South and West perimeters of the facility are restricted by farm ground, steep terrain or fence. The access gate will remain open during all hours of operation. The access gate will be kept locked whenever the facility is closed.

In the event of any unforeseen emergency, the employees of this facility will be trained in first aid to provide the immediate attention needed. Emergency services will be requested via 911 if additional assistance is necessary. An established Medical Center, if needed, is just five or six minutes from the facility. In the event of a fire or explosion the facility will be immediately evacuated and emergency services will be contacted. The office/receipt building will house a telephone for general company business. Cellular phones will be carried by the owners. A means of communication will be established on site from operator to operator via hand held devices.

All employees will be trained in Hazardous Waste Emergency Response which provides an awareness of safety concerns at the facility and the potential danger of hazardous wastes. Hazardous waste will not be allowed at the facility, however it may be contacted during the inspection of arriving loads.

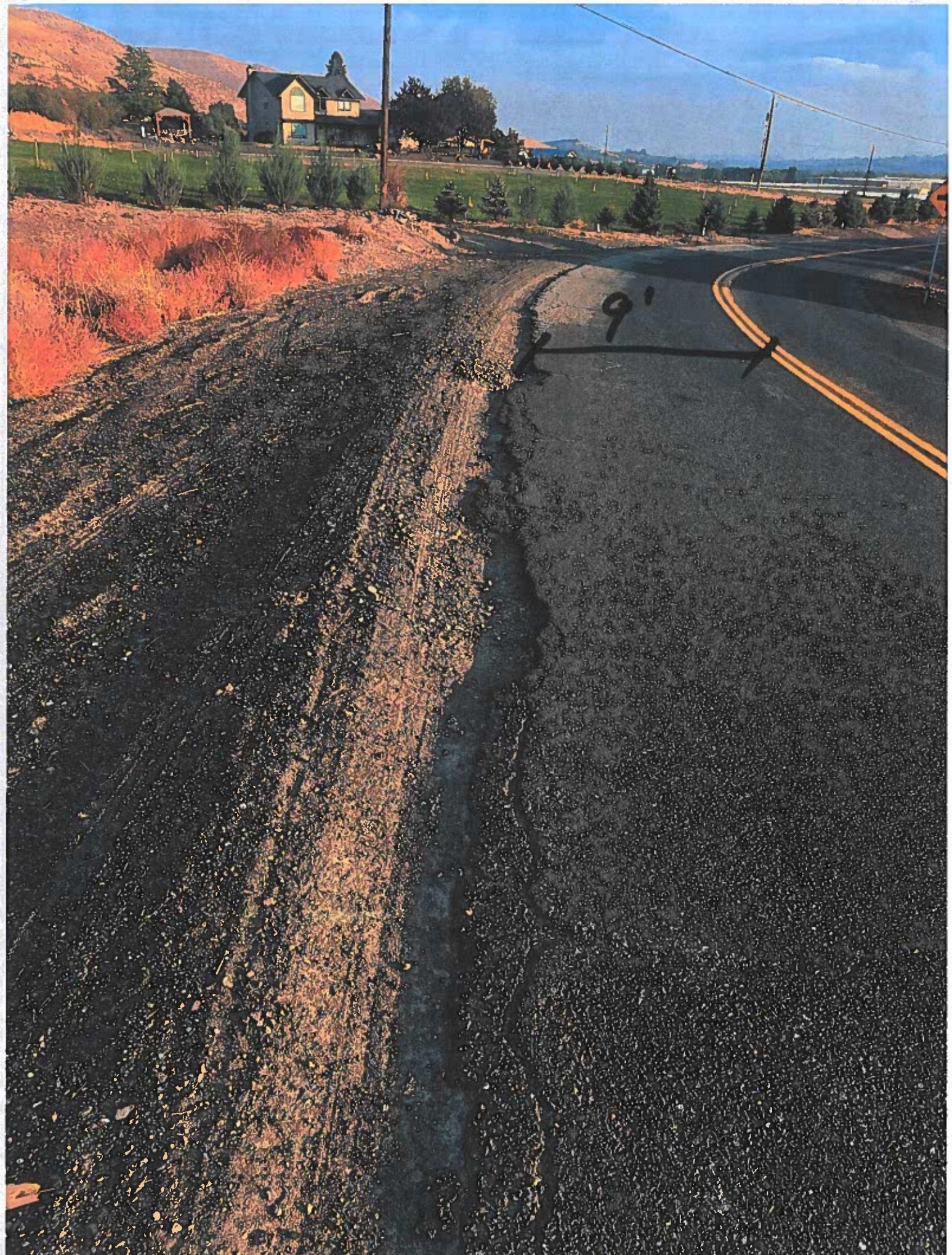
WASTE ANALYSIS:

All vehicles loaded with waste material will be directed to the office/receipt building for volume evaluation and characterization. Once ensured of containing no toxic or hazardous components, the load will be directed to the fill area of the site.

According to WAS 173-304-100 demolition waste is solid waste, largely inert waste, resulting from the demolition or razing of buildings, roads, and other man-made structures. Demolition waste consists of, but is not limited to concrete, brick, bituminous concrete, wood and masonry, composition roofing and roofing paper, steel, and minor amounts of other metals like copper. Inert wastes are noncombustible, nondangerous solid wastes that are likely to retain their physical and chemical structure under expected conditions of disposal, including resistance to biological attack and chemical attack from acidic rainwater. These are the only waste types which will be accepted for disposal at the Landfill Facility. If waste material arrives that does not meet the standard, it will be rejected, not allowed into the landfill area and turned back to exit the site.

RECORD KEEPING:

Each time a load of inert/demolition material arrives at the Landfill Facility there will be a complete record maintained of the generator, volume (or weight) of load, composition of the load, if the load was accepted or rejected and the location in the landfill will be noted. Bookkeeping will provide all information necessary from compiled Load Profile Forms (next page), completed for each load when it arrives at the Landfill Facility.



ALLAN ROAD

10/15/2022 9:26
AM



October 17, 2022

**Yakima County Planning Division
128 N 2nd St., 4th Floor Courthouse
Yakima, WA 98901**

The applicant attempts to make the case that high-quality sands exist within the proposed 744 acre area, however no evidence is given to back up this claim. On the contrary, no high-quality aggregate or sand in any quantity exists in the proposed area. Included at the end of this document is a map of Rock Aggregate Resource Lands Inventory for Yakima County provided by the Department of Natural Resources. This map was used by the Yakima County Mineral Resource Task Force when mineral resource overlays were originally adopted and all sites selected were in the high quality and quantity designations show on the map. As shown on the map no Bedrock, Sand or Gravel exist anywhere near the proposed site. There is a reason concrete aggregates and sand come from river channel areas and not upland mud flows. High quality concrete sand typically comes from high quality rock which is ground down by natural causes most of the time by flowing water. Again no high quality mineral resource exists on this site, which is a requirement of the Horizon 2040 Plan prior to designation of a mineral resource overlay.

The applicant states "There has been a reduction in the availability of Sand and Gravel Materials in the Yakima Valley." He then cites an out of date report – Information Circular 92 from the Department of Natural Resources – dated April 2001. The citation is taken verbatim, it states the Yakima Quadrangle which includes Kittitas County would be depleted of Concrete Aggregates by 2003, did this happen? No of course not, since then Central Premix has expanded to a new pit near Moxee giving a life of 45 to 50 years until depletion. Wheeler rock has also opened a massive sand and gravel operation with many decades of reserves. Wapanish Sand and Gravel is another, as well as Ellensburg Cement Products which has acquired additional sources of concrete aggregates in Kittitas County.

He also misinterpreted the report stating that the change in source materials from alluvial to upland has contributed to the depletion of the concrete aggregate sources. The authors meant the opposite, quarries such as Horseshoe Bend have filled the need for crushed aggregates such as road base and driveway gravel that had previously been supplied by Concrete Aggregate sources. Now, the focus for gravel pits has been to preserve concrete aggregate for concrete purposes instead of using it for road base and gravel driveways etc. giving further longevity to these concrete aggregate sources. To add, if the applicant would have scrolled down to the very end of the report he would have found the same map provided by DNR showing there is no Bedrock, Sand or Gravel in the proposed 744 acre area or anywhere close.

My background with the MRO began with attending meetings of the Mineral Resource task force in the early 2000's. Steve Erickson and Tommy Carroll were members of this task force along with many from the mining industry. The purpose of this task force was to provide and ensure that the county had a fifty year reserve of mineral resources. The 744 acre area proposed by the applicant was brought up during this process and identified as a mud flow containing no high quality mineral resources by Tom Ring a

geologist with the Yakima Nation. Thus, this site was specifically excluded from the mineral resource overlay district.

Addressing the Statement of the applicant that the approval of this project is consistent with the Horizon 2040 plan, the proposal does meet one of the mapping criteria in the Horizon 2040 plan which is Access Suitability. However virtually every other criteria is not met. Please see criteria below with comments added:

Horizon 2040 Land Use Element

Mapping Criteria:

The actual location (area of deposition) of the mineral resource is the primary factor in determining the future location of a mining site. Other factors that influence the location of a mineral resource area include: quality of the resource, volume of the resource, access suitability, the compatibility with existing or planned land uses, and the proximity to existing or planned market areas. The following designation/mapping criteria are based on Chapter 365-190-070 of the Washington Administrative Code – Minimum Guidelines to classify Agriculture, Forest and Mineral Resource Lands.

1. Quality of the Mineral Resource

- a. The quality and type of the mineral resource at the potential site must meet current/and or future project and/or specifications.*
- b. The quality and type of the mineral resource must satisfy the markets current and/or future demands.*
- c. The potential site must be within the DNR identified mineral resource lands.*

Comment- In this case a specific project is not being considered so (a.) is not applicable. The quality of the resource is not established or present so (b.) is not met. Most importantly the potential site is NOT within the DNR identified Mineral resource lands as seen on the provided DNR map.

2. Volume of the Resource

- a. The volume of the available mineral resource at the potential site, on single or contiguous parcels, should be feasibly marketable by a mining operation to supply the market demands.*
- b. The volume of available mineral resource at the potential site should be of sufficient volume to meet the following minimum requirements;*
 - i. Thickness of the sand, gravel or bedrock deposits that exceed 25 feet.*
 - ii. The "Stripping ratio" (ratio of overburden to resource) is less than one to three.*

Comment- No resource exists and no market demand would require it anyways, the demand is currently met. The stripping ratio does not meet the mapping criteria as well with the overburden being the vast majority of the material.

3. Access Suitability

The potential mineral resource site must have access or potential access to public and/or private roads that are suitable for truck traffic and/or are capable of supporting the level of expected traffic.

Comment- With the current Caton Landfill and Monson Fruits Cherry orchard (100's of acres) the truck traffic especially at certain times of the year is maxed out on the shared two lane rural county road.

Additional truck traffic could pose a problem.

4. Compatibility with Present or Planned Use Patterns in the Area

General land use issues in the resource area to consider;

- a. Surrounding parcel sizes and surrounding uses;*
- b. Subdivision or zoning for urban or small lots;*

- i. Designated mineral lands should not be located adjacent to any zoning district boundary that has a minimum lot size greater than 1 dwelling units per 5 acres, where doing so would create a non-conforming setback distance.
- ii. Designated mineral resource lands should not be located in any zoning district that has a minimum lot size of 1 dwelling unit per 5 acres.
- c. Sites located in or adjacent to UGA boundaries;
 - i. Mineral resource lands should not be designated in existing Urban Growth Areas.
- d. Proximity to public facilities;
- e. Sites located within inconsistent zoning districts;
- f. Sites located within publicly owned lands;
- g. Sites within other natural resource designated areas.

Comment- Compatibility with present or planned land use patterns in the area should also be considered. Adjacent to the site (west) are several future home sites owned by Harvest View Estates. One of the proposed parcels contained in this proposal 171402-11003 is owned by Harvest View Estates. Adjacent to the north is a planned RV park/Trailer park owned by Naches RV Properties LLC. Along with the MRO comes a 500 foot setback from the designated area. This means no development is permitted within 500' of the mine area which would render the surrounding properties including those to the North and West un-useable for development within this buffer. Monson Fruit also owns hundreds of acres of cherry orchards less than 1000 feet from the proposed project area. Agricultural (AG) zoning is consistent with the surrounding area, not Mining (MIN).

5. Proximity to Existing and Planned Market Areas;

The site must be located within an economically feasible radius from existing and planned market areas.

Comment- The proposed site is located in a rural area with low population density, the market is largely the Selah and Yakima areas which already have concrete aggregate sources located in closer proximity. The following are excerpts taken from a letter from Yakima County Planning to an appraiser Stephen Shapiro in 2014 regarding the MRO designation;

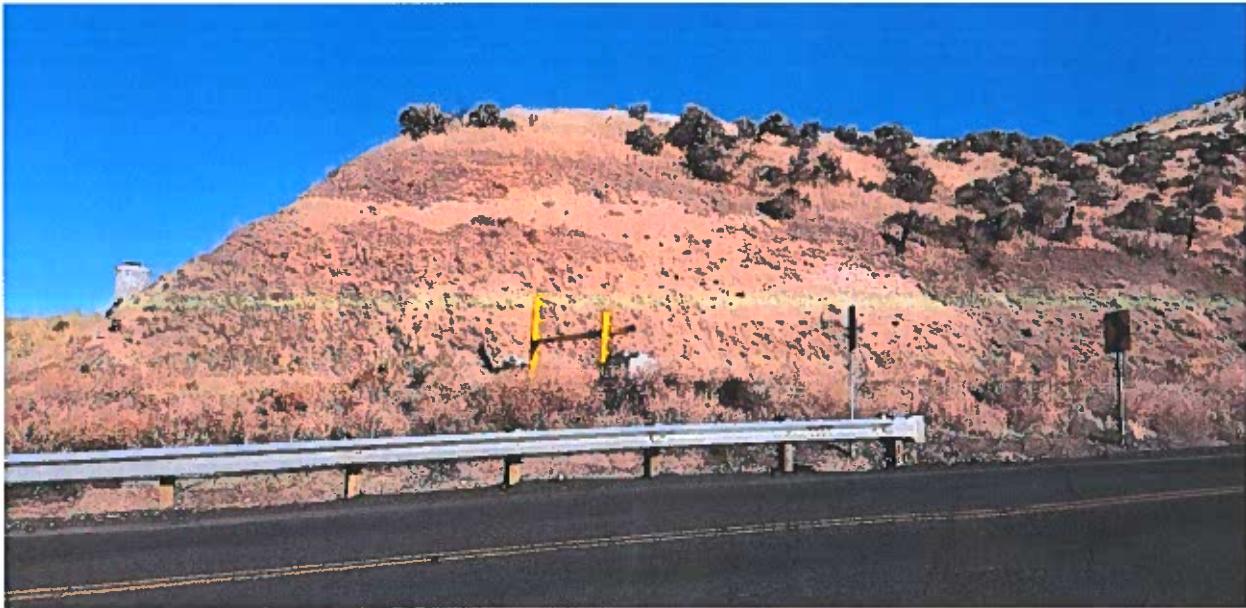
As a beginning point, Yakima County engaged in an exhaustive effort under Growth Management Act (GMA) to identify and designate mineral resource sites. The Focus was to provide and protect mineral resources that are sufficient to provide inventory for a 50-year planning horizon. The designations were a product of an extended and cooperative public review process.

Objective: Designates sufficient existing size in future area to ensure a 50 year supply of aggregates, sands, gravels and rock-based on the following criteria:

1. **Quality of the resource;**
2. **Volume of the resource;**
3. **Topographic Characteristics of the site;**
4. **Access suitability;**
5. **Compatibility with land use patterns in the area; and**
6. **Proximity to urban and rural settlement markets**

A primary consideration in any requested amendment is the public "need" for additional mineral resource sites. If mineral resources are available from existing sites, it is highly unlikely that any additional resource overlays will be allowed by the County.... Yakima county looks favorably upon expansion of existing mines when there is a need for additional aggregate resources.

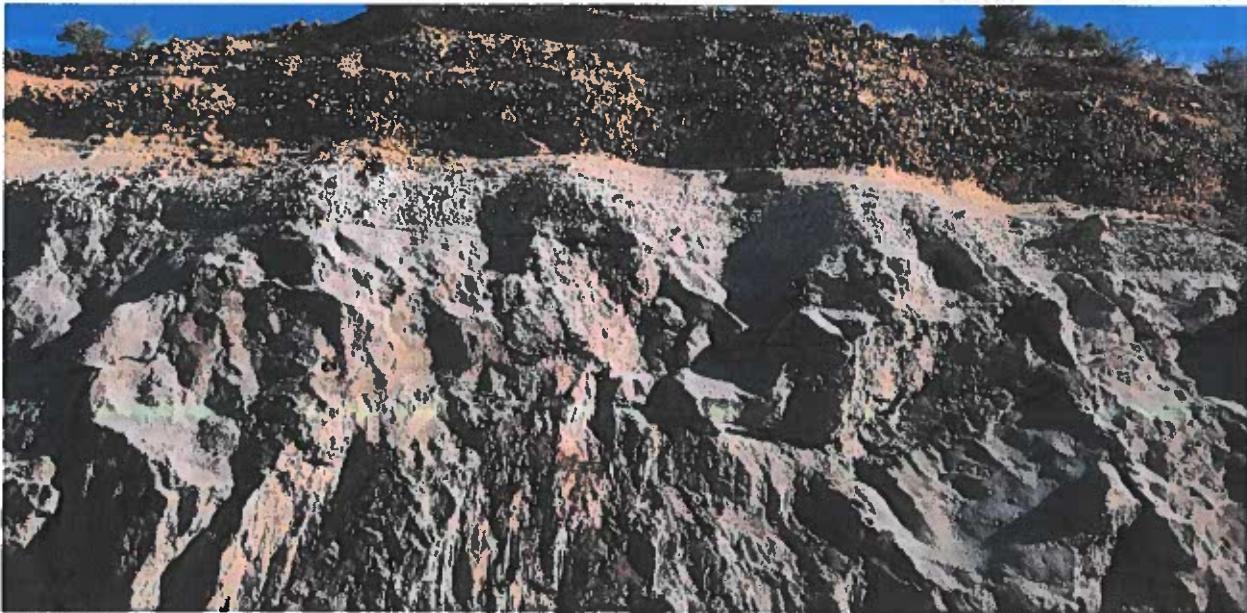
Below are photos of cut sections of the ridge which comprises the proposed project area, each photo is at differing elevations.



1550' Elevation



1600' Elevation

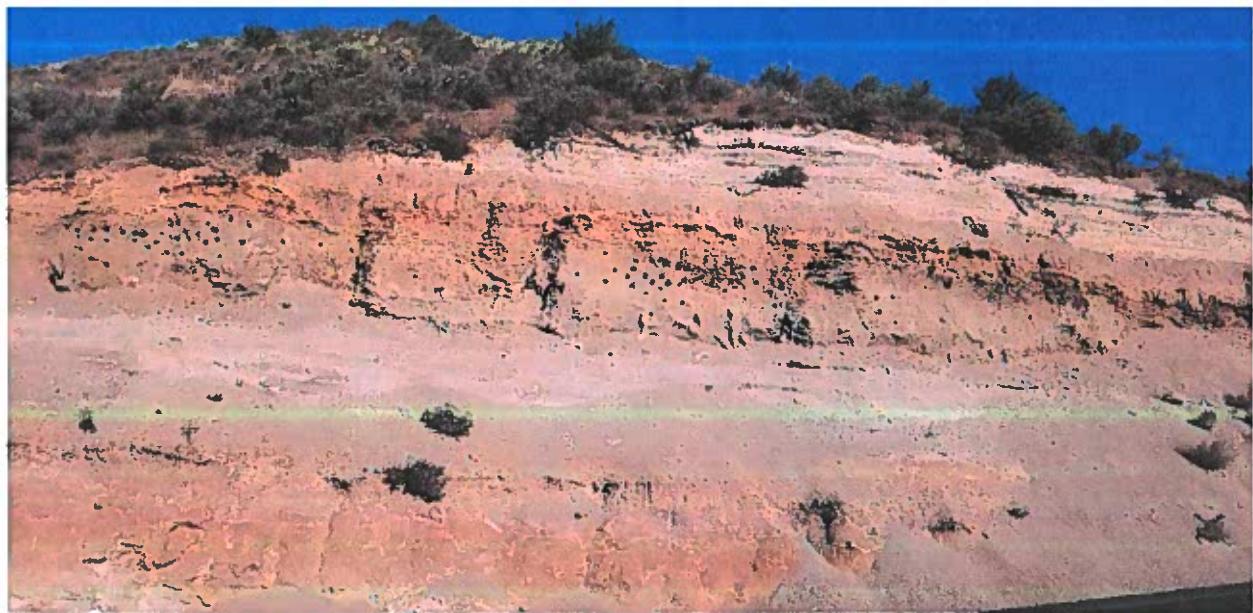


1850' Elevation

As seen from the photographs the only existing aggregate material consists of 4 foot layers at the 1850' mark and the 1600' mark. The rest is clay and *Caliche* which is a hardened cement of calcium carbonate that binds other materials such as sand clay and silt. It is exceedingly difficult to excavate and provides no use in any aggregate or concrete production application. The geologists in the 2001 report cited by the applicant states that the very minimum layer of sand gravel or bedrock that satisfies the threshold of significant resource is 25 feet, this also coincides with the Horizon 2040 plan. I spoke with the drilling company Yellow Jacket Drilling Services who are drilling a water well at the RV/Mobile home park adjacent to the north of the proposed project. They were at 100 feet in depth and had hit clay material and 1/16 inch granular silt from the surface to the 100 foot depth. Given the elevation, it is equivalent roughly to 200' of depth at the proposed site. No mineral resource of commercial significance exists.

So there exists no high-quality bedrock, sand or gravel at the site. There is no need for additional aggregate resources, with many new sources being opened in the past 5 years alone. This includes a new source permitted by the applicant on parcel number 161423-23001 where the applicant gives his own reserve estimate at 3 million cubic yards and 30 years. Granite Construction is going through a massive expansion process in East Selah as well as Horseshoe Bend Quarry which is permitting an additional 50 acres to the Northwest and 186 acres to the East. As mentioned Central Pre-Mix opened a 45-50 year sand and gravel source, Wheeler rock opened a massive sand and gravel operation, Wapanish Sand and Gravel, most importantly Yakima County on April 7th 2020 just approved a 181.26 acre **Sand and Gravel** quarry – CUP2019-00009/SEP2019-00007/CAO2019-00002 Ulises Perez, Rannulfo Perez. This adds significant sand and gravel reserves to Yakima County near population centers and did not need an amendment to the comprehensive plan because the parcels had the MRO designation and were considered resource lands of long term significance by the Mineral Resource Task Force. It would be detrimental to the existing mineral resource sites to add a site that was specifically left out of the mineral resource designation when sites were first established.

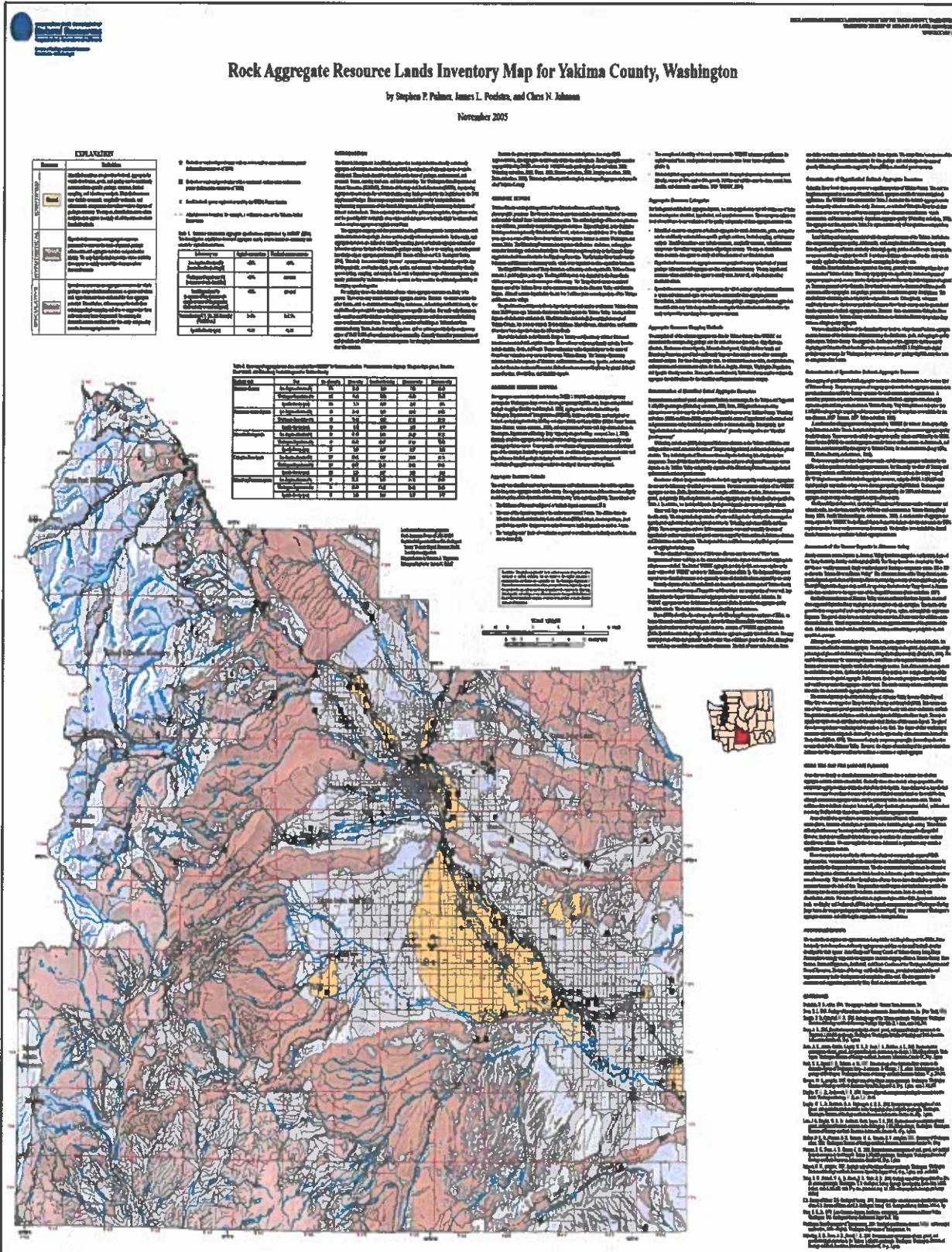
Yakima County has sufficient Sand, Gravel and Bedrock resources for the long term as set forth by the Mineral Resource Task Force and adopted by the Yakima County Commissioners. All types of Sources (Sand, Gravel and Bedrock) have expanded to meet the long term demands of Yakima County as well as



1700' Elevation



1800' Elevation



additions of new permits on designated mineral resource land. The Caton Landfill has no need for cell construction, if it did, it is currently allowed to do so. However all material excavated must remain to sufficiently cover the debris material as stated in their permit. Absolutely no resource of long term significance exists within the 744 acre proposed site worth designating MRO, as seen on the Department of Natural Resources Resource Lands Inventory for Yakima County which is the primary mapping resource for minerals. There is nothing about the proposed site that is consistent with the Horizon 2040 plan. If Yakima County was to approve the applicants poorly constructed proposal comprised of fact less claims and inaccurately interpreted reports, it would open the flood gates for others to designate properties which do not meet the criteria. Not to mention the devaluation of the surrounding properties from the proposed site to HWY 12, unneeded traffic increase and adverse environmental impacts.

Planning Staff and the Planning Commission should deny this unneeded request by the applicant.

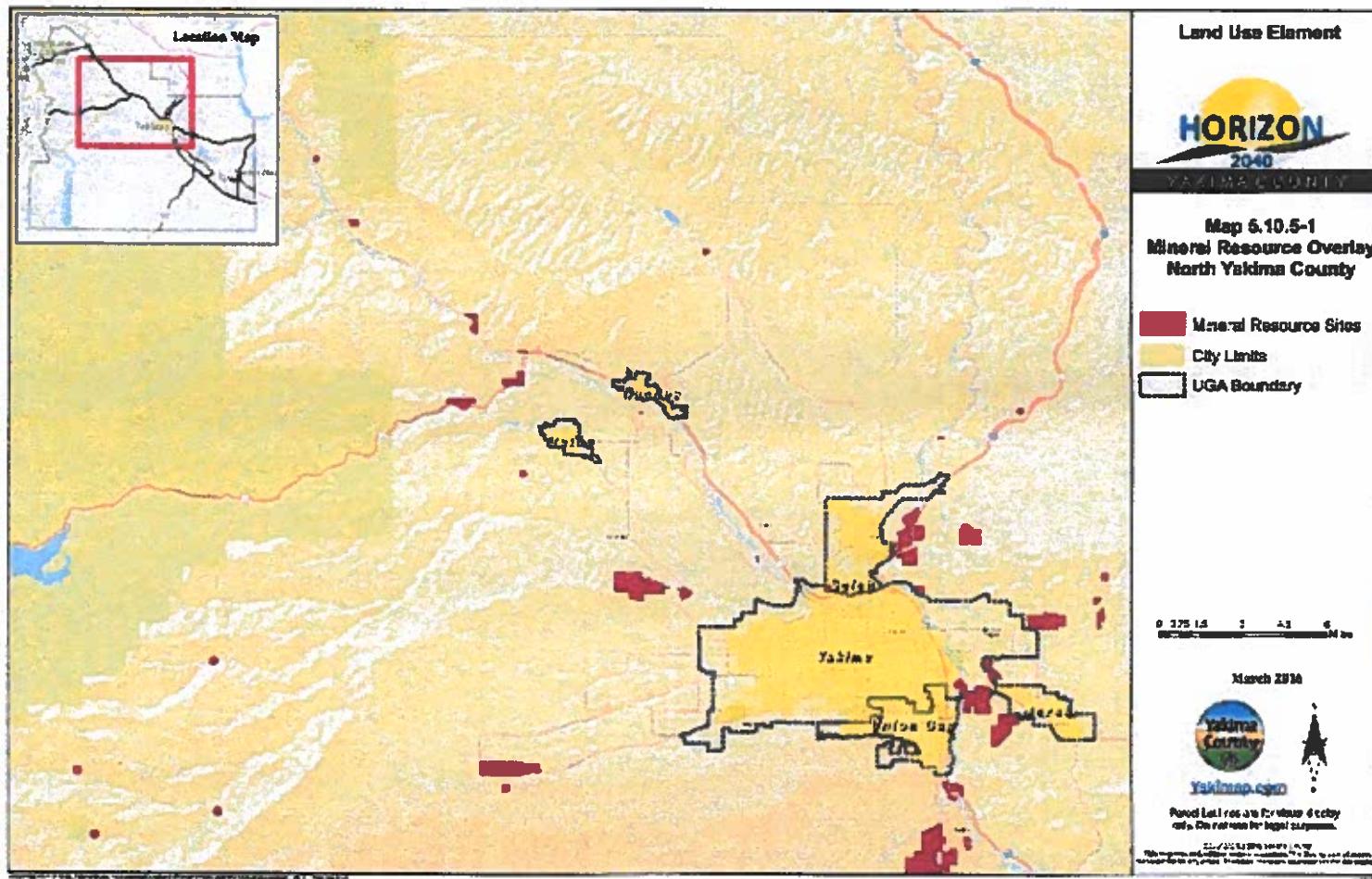
Attachments;

https://services3.arcgis.com/9Qz94N8Zml9hnG84/arcgis/rest/services/Permits_ViewLayer/FeatureServer/0/414922/attachments/2023

https://services3.arcgis.com/9Qz94N8Zml9hnG84/arcgis/rest/services/Permits_ViewLayer/FeatureServer/0/415934/attachments/273

https://www.dnr.wa.gov/Publications/ger_ic92_sand_gravel_bedrock_yakima_100K.pdf

Sincerely,
David Williamson
HBQ Inc. / HBQ Land Co. LLC/ Miocene Resource



1 mining permit is not required from the Department of Natural
2 Resources.

3

4 • Mineral processing: "Mineral processing" means the crushing, non-
5 chemical washing (including sedimentation ponds), screening,
6 sorting, stockpiling and blending of rock, sand, gravel and other
7 earth, natural materials and/or precious metals. Processing does not
8 include batching of sand and gravel or rock into asphaltic or
9 Portland cement concrete products, the manufacturing of products
10 such as concrete pipe, bricks, concrete forms and the like or the
11 chemical blending or extraction of precious or semi-precious
12 minerals.

13

14 Mining activity of this nature requires the property to be designated by the
15 Yakima County Comprehensive Plan - *Horizon 2040* with the Mineral
16 Resource Overlay (MRO) and have received land use approval from
17 Yakima County Public Services, neither of which have been obtained for
18 this property.

19

20 II. Violation of Existing Landfill Approval

21

22 1. Excavation of Earthen Materials

23

24 Excavation of earthen materials (i.e. topsoil, sand and gravel) beyond
25 the 1 or 2 feet of topsoil approved under SPU1997-011 is not allowed.
26 The landfill operation was approved for the disposal of inert/demolition
27 waste within an existing draw. The disposal area within the draw is
28 rectangular in shape, with the dimensions of 599' on the north, 3,437' on
29 the west side, 5,297' on the east side and 719' on the south for a total of
30 59.7 acres. The Plan of Operation provided in SPU application submittal⁴,
31 indicated that the draw would be filled with inert demolition waste in
32 eight segments. Each segment of 80' long by 80' wide by 15' high would
33 be filled and then covered with one foot of fill dirt. Once one segment is
34 filled, the operation would move to second segment and so on. After
35 the eighth segment is filled, the process would start over again, back on
36 top of the first segment, until the disposal area is filled to a height of 90'.
37

38

39 The SEPA Checklist⁴, Planning Department's Staff Report⁵ and the above
40 referenced Hearing Examiner decision each indicate that there will be
41 no excavations for cell development beyond the scraping of 1 foot of
42 topsoil. Those documents also state that once the landfill reached its
43 determined height, roughly the height of the two sides of the draw, two
44 feet of topsoil would be applied over the area, and the closed landfill
45 will be the same height as the surrounding fields and would potentially
46 revert to agriculture.

⁴Special Property Use Application submitted on March 20, 1997 by Jim and Charlotte Caton

⁵SEPA Checklist submitted with SPU1997-011 on March 20, 1997 by Jim and Charlotte Caton.

⁶Yakima County Planning Department Staff Report - drafted by Phil Hoge Assistant Planner on June 9, 1997.

1 i. Observed Violation(s)

2
3 Please be advised that the Yakima County has determined that two separate
4 violations of Yakima County Code (YCC) Title 19 exist at the above referenced
5 parcels.

6
7 i. Illegal Mining

8
9 Use of parcels 171535-44404, 171402-11003, and 171401-22003, which are
10 currently zoned Rural 10/5 (R 10/5), for mining activity as defined in YCC
11 19.01.070(13). This includes, but is not limited to, establishment of a mining
12 site/operation, mineral processing, stockpiling, and removal and sale of
13 topsoil, sand and gravel excavated as part of the approved landfill
14 operation is not authorized under YCC Title 19, as well as your existing
15 Special Property Use permit (SPU1997-11)¹ and the associated SEPA
16 Determination of Non-significance (ER1997-22)².

17
18 YCC Title 19.30.020(1) clearly states that no use, development or
19 modification to a use or development, as those terms are defined by this
20 Title, may be established, placed, performed, constructed, made or
21 implemented, in whole or in part without the issuance of a project permit by
22 the Reviewing Official. The mining activity currently being conducted on
23 your property clearly falls within the mining related definitions found in YCC
24 Title 19.01.070:

25
26 • Mineral Resources: "Mineral resources" means rock, gravel, sand and
27 metallic and non-metallic substances of commercial value.

28
29 • Mining: "Mining" means all or any part of, the process involved in
30 quarrying, mineral extraction, crushing, asphalt mixing plants,
31 concrete batch plants, or other uses of a similar nature, but does not
32 include petroleum or natural gas exploration or production.

33
34 • Mining site/operation: "Mining site/operation" means a tract of land
35 and the operations necessary to excavate, process, stockpile, or
36 remove materials such as sand, gravel, aggregate, rock or other
37 mineral resources. The retail, wholesale, contract purchase, or
38 transfer of mineral products is within the scope of this definition. For
39 purposes of this Title, the leveling, grading, filling, or removal of
40 materials during the course of normal site preparation for an
41 approved use (e.g. residential subdivision, commercial
42 development, etc.) does not constitute a mining site/operation, if
43 processing of the material does not occur on the property; the
44 activity is completed quickly, does not occur over an extended
45 period of time, and on-site stockpiles are fully depleted; and a

¹ Special Property Use Permit (SPU1997-011) approved by the Yakima County Hearing Examiner on August 21, 1997.

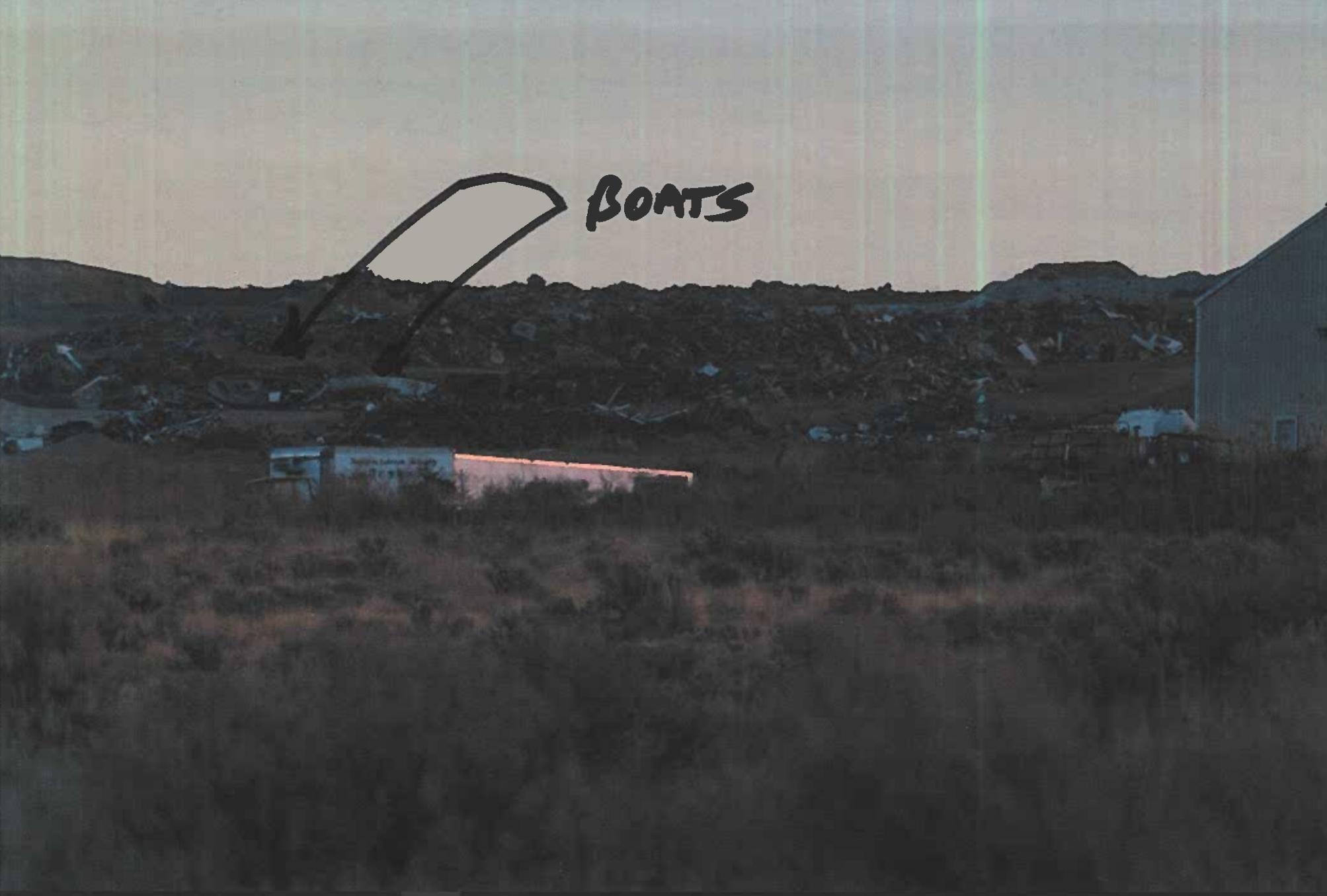
² SEPA Determination of Non-Significance (ER1997-022) issued on May 6, 1997 by the SEPA Responsible Official Richard Anderwald.

Table 19.14-1 Allowable Land Uses

Uses ¹⁵	AG	FW ¹	MIN	R/ELDP - 40	RURAL 10/5	RT ⁴	RS ⁵	HTC ⁶	SR ⁸	R-Js. ⁹	R-2 ^{8,10}	R-3 ^{9,11}	B-1 ⁸	B-2 ⁸	SCC ⁹	LCC ⁹	GC ⁹	M-1 ⁸	M-2 ⁸	
Machinery and equipment						3										2	1	1		
Meat, poultry and dairy products						3											1	1		
Metal, plastic or glass containers						3											2	1		
Paints, varnishes, lacquers, enamels and allied products																	3	1		
Paperboard containers and boxes							3										3	2	1	
Petroleum products, refinings and manufacture																	3	1		
Plastic products																	3	1	1	
Printing, publishing and binding							2										3	1	1	
Printing, trade (service industries)							2									2	2	2	1	
Rendering plants, slaughterhouses																	3	3		
Rubber products																	2	1		
Rubber reclaiming																	3	2		
Sawmills and plan mills																	3	1		
Sign manufacturing*																2	1	1	1	
Sheet metal and welding shops																	3	1	1	
Stone products (includes finishing of monuments for retail sale)					1												3	1	1	
Transportation equipment, including camping and recreational vehicles																	3	1	1	
Vehicle assembly, including automobile, truck, farm, heavy equipment, etc.																	3	2		
Wholesale trade*							2										2	2	1	1
Winery*	1				3		2										3	1	1	
Woodworking, not otherwise listed							3										3	3	1	1
20. Mining, Refining, Offsite Hazardous Waste Treatment.																				
Chemical washing, blending or extraction of precious or semi-precious minerals					3												3	3		
Manufacture, fabrication and sale of concrete, asphalt and mineral products						1											3	1		
Mineral processing*, Mining site/operation* (Long-term or temporary)	2	2	1				3	3	3	3	3						3	3		
Mineral batching* (Long-term)					1			3		3										
Mineral batching* (Temporary)	3	3	1					3	3	3							3	3	3	
Recycled asphalt or concrete, Stockpiling or storage of (when accessory to an approved mining site/operation)	2	2	1	2			3	3	3	3							2	2		

Table 19.14-1 Allowable Land Uses

Uses ¹⁵	AG	FW ¹	MIN	R/ELDP-40	RURAL 10/5	RT ⁴	RS ⁵	HTC ⁶	SR ⁸	R-1 ^{8,9}	R-2 ^{8,10}	R-3 ^{8,11}	B-1 ⁸	B-2 ⁸	SCC ⁸	LCC ⁸	GC ⁸	M-1 ⁸	M-2 ⁸	
The following mining related uses within areas not designated Mineral Resource by the comprehensive plan:																				
Mineral processing*, Mining site/operation* (Long-term)																		3	3	
Mineral processing*, Mining site/operation* (Temporary)	2	2		3		3	3	3										2	2	
Mineral batching* (Long-term)																		3	3	
Mineral batching* (Temporary)					3		3													
Chemical washing, chemical blending, or chemical extraction of precious or semi-precious minerals																		3	3	
Manufacture, fabrication and sale of concrete, asphalt and mineral products																		3	3	
Recycled asphalt or concrete, Stockpiling or storage of																		3	3	
Additional uses:																				
Extraction of mineral resources as part of a federal or state approved fish or wildlife habitat restoration – enhancement project (Temporary)	2	2	1	2		2	2	2	2	2	2	2	2	2	2	2	2	2	2	
Federal or state approved wetland mitigation projects requiring extraction of mineral resources (Temporary)	2	2	1	2		2	2	2	2	2	2	2	2	2	2	2	2	2	2	
Emergency mining exemption																				
Hazardous waste treatment and storage facilities subject to the State siting criteria of Chapter 70.105 RCW: Offsite					3															
Hazardous waste treatment and storage facilities subject to State siting criteria of Chapter 70.105 RCW: Onsite and storage of chemicals and empty chemical containers	1	1	1	1		1	1	1	1	1	1	1	1	1	1	1	1	1	1	
Petroleum and natural gas exploration and production	2	2		2																
Refuse landfills*	3	3	3	3																
Solid waste transfer stations*	3	3	2	3			3								2	2		2	3	
Solid waste drop box site* for recyclable materials only	2	2	2	2		2	2	2	2	2	2	2	2	2	2	2	2	2	1	
Stockpiling of earthen materials not within 100-year floodplain*								1	1	2	2	2	2	2		1	1	1	1	
21. Other.																				
Cemetery, columbaria and mausoleums	2	2		2		2	2		3	3	3	3								
Major industrial development*																		3	3	
Outdoor advertising (billboard)																	2 ¹³	2 ¹³		



BOATS



EXCESS EQUIPMENT

EXCEEDS 15'



EXCERAS 15'







3D





Phil Hoge

From: Caroline Clark <carolineandmike@gmail.com>
Sent: Wednesday, October 19, 2022 8:38 AM
To: Long Range Planning
Subject: Case Number: LRN-2021-00005/SEP2020-000004

EXHIBIT NO. 10
DATE: 10/19/2022
FILE NO. LRN2021-00005

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

To Whom It May Concern:

I am opposed to changing the land use designation as specified in the Caton Strutner Proposal. I have been told that mineral mining may result in loud explosions and noise not far from the home where that family has lived for over 40 years. As a mom of 4 kids living in the county, we lack some of the amenities of being in the city, but value the relative quiet of our peaceful primarily agricultural and residential Naches valley. Please consider how you would feel if this measure was proposed near your home and stop this change.

Thank you for your consideration.

Sincerely,

Caroline Clark

7631 Old Naches Hwy

Naches WA 98937

Phil Hoge

From: Jaylene O. stark <dandjstark4@gmail.com>
Sent: Wednesday, October 19, 2022 8:48 AM
To: Long Range Planning
Subject: Mining above Naches

EXHIBIT NO. 11
DATE: 10/19/2022
FILE NO. LRN2021-00005

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Hi I am emailing in response to Reference case number LRN-2021-00005/SEP2020-000004. I strongly urge this proposal to be turned down. Naches is a quiet, peaceful town that does not need to listen to blasting. Being on the hills this will echo throughout the Naches valley. This is above the school and will also be a great disturbance to the learning environment and the community as a whole.

Jaylene Stark

Phil Hoge

From: MARILYNN CLARK <mariclark50@aol.com>
Sent: Wednesday, October 19, 2022 11:02 AM
To: Long Range Planning
Subject: LRN-2021-00005/Sep2020-000004

EXHIBIT NO. 12
DATE: 10/19/2022
FILE NO. LRN2021-00005-

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

I vote to reject this proposal as it will negatively impact the residents and development of this area. It is too close to a growing community. I am strongly against this.

Sent from my iPhone

Phil Hoge

EXHIBIT NO. 13

From: Ed Shoenbach <rtes@fairpoint.net>
Sent: Wednesday, October 19, 2022 11:51 AM
To: Phil Hoge
Subject: Reference current communication with Case Number LRN-2021-00005/SEP2020-000004

DATE: 10/19/2022
FILE NO. LRN2021-00005

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Mr. Hoge-thank you for the opportunity to respond to the proposal to approve the "Mineral Resources Overlay (MOR)". This proposal was denied a couple years ago and since then, there have been several changes that would have a very negative impact on the many people using South Wenas and Naches/Wenas roads. Listed below are some of the changes that make it a high priority to deny the addition of the MOR;

1. There has been in addition of am RV Park which has increased the traffic of recreational vehicles on both of the roads mentioned previously.
2. The addition of a Canadian contract with Caton landfill to accept an estimated nine trucks per day coming from Canada. This puts an additional burden on the already heavy traffic from local trucking wishing to dispose of their industrial waste.
3. The 2 Lane Rd. is already seeing the asphalt separating from the road at its outer edges. The burden of repair from these additions will fall to the taxpayers of Yakima County.
4. The opportunity for a car – truck collision multiplies exponentially because there is no way to avoid a head-on because of the deep ditches on each side of the road. Additionally, there are significant drop-offs that are not protected by guardrails. This occurs on Naches/Wenas as well as South Wenas roads.

In addition, Caton landfill creates dust plumes that are visible from my front door and they are consistently present during most of their operation. I don't believe there is any proof that they are using the water trucks to cut down on the dust and the dust needs to blow somewhere, maybe causing bad air in the vicinity. I have also viewed at least two fires from the dump and a fire truck didn't show up for a couple hours to aid in extinguishing the fire. Since this area is ubiquitous with sagebrush, it wouldn't take long to destroy the land around Caton landfill.

These are just a few of the concerns that face all of the residents that bought homes that were originally zoned agricultural and now we are seeing signs of unacceptable industrialization. The dust, the fires, the increased truck and trailer traffic, the deteriorating roads, the lack of guardrails at dangerous curves and the potential for the county to inherit the bill to cleaning up the entire mess

Thank you

Ed Shoenbach
720 Conrad Road
Selah, WA 98942
phone (509) 698 – 5822

From: Jamie West <Jamie.West@co.yakima.wa.us>
Sent: Wednesday, October 19, 2022 10:29 AM
To: Phil Hoge <phil.hoge@co.yakima.wa.us>
Subject: RE: Condition of Allan Rd & Naches-Wenas Rd

EXHIBIT NO. 14
DATE: 10/19/2022
FILE NO. LRN 2021-00005

Phil –

As we discussed, Yakima County Roads has in place a system to evaluate pavement. The pavement evaluation is required to be done every two years. Yakima County Roads alternates regions every year, so we are constantly doing the pavement evaluation. Every year, the maintenance manager scores the roads based on the results of the evaluation and several other factors to determine which roads are in most need of maintenance . If a road gets to a point where it receives a poor or very poor score, the design team starts to evaluate if a total reconstruction is needed- this is the time that the roadway would show up on the County Engineer's TIP and we are able to pursue outside funding for the project.

The below data was collected just last weekend (10/14-10/16).

Naches-Wenas Road received a chip seal this summer and scored a rating of very good (in 2020 it was rated at 87.8 and improved to a 99.7 in 2022).

Allan Road received fair rating at the top of the fair range. No additional maintenance was done to Allan Road this year, and we saw a 1 point decrease in the pavement rating (From 56.8 in 2020 down to 55.7 in 2022).

Naches-Wenatchee Rd #10350					Allan Rd #15950				
Limits: Old Naches Hwy (MP 0.00) to Longmire Ln (MP 3.09)					Limits: Old Naches Hwy (MP 0.00) to (MP 0.74)				
From MP	To MP	Length	PSC (2020)	PSC (2022)	From MP	To MP	Length	PSC (2020)	PSC (2022)
0.00	0.10	0.10	92	100	0.00	0.10	0.10	51	53
0.10	0.20	0.10	95	100	0.10	0.20	0.10	63	58
0.20	0.30	0.10	90	91	0.20	0.30	0.10	60	63
0.30	0.40	0.10	86	100	0.30	0.40	0.10	41	45
0.40	0.50	0.10	89	100	0.40	0.50	0.10	43	42
0.50	0.60	0.10	95	100	0.50	0.60	0.10	47	48
0.60	0.70	0.10	86	100	0.60	0.70	0.10	77	65
0.70	0.80	0.10	94	100	0.70	0.74	0.04	95	95
0.80	0.90	0.10	88	100					
0.90	1.00	0.10	94	100					
1.00	1.10	0.10	92	100					
1.10	1.20	0.10	88	100					
1.20	1.30	0.10	86	100					
1.30	1.40	0.10	85	100					
1.40	1.50	0.10	89	100					
1.50	1.60	0.10	92	100					
1.60	1.70	0.10	88	100					
1.70	1.80	0.10	92	100					
1.80	1.90	0.10	87	100					
1.90	2.00	0.10	83	100					
2.00	2.10	0.10	83	100					
2.10	2.20	0.10	82	100					
2.20	2.30	0.10	87	100					
2.30	2.40	0.10	90	100					
2.40	2.50	0.10	88	100					
2.50	2.60	0.10	88	100					
2.60	2.70	0.10	85	100					
2.70	2.80	0.10	88	100					
2.80	2.90	0.10	80	100					
2.90	3.00	0.10	78	100					
3.00	3.09	0.09	80	100					

total length (miles)= 3.09
Weighted average PSC (2020)= 87.8
Weighted average PSC (2022)= 99.7

total length (miles)= 0.74
Weighted average PSC (2020)= 56.8
Weighted average PSC (2022)= 55.7

To better understand the data to others, I recommend this chart and explanation of condition categories taken from WSDOT:

- **Pavement Condition** – Pavement condition is categorized using three factors: Pavement Structural Condition (PSC), International Roughness Index (IRI), and Rutting. Pavement rated in good condition is smooth and has few defects. Pavement in poor condition is characterized by cracking, patching, roughness and rutting.

Category	PSC or RCN
Very Good	80 - 100
Good	60 - 79
Fair	40 - 59
Poor	20 - 39
Very Poor	0 - 19

It should be noted that no roadway improvements have been historically been able to be required with rezones, as the rezone in and of itself does not add traffic. It would be the follow-on land use application, triggering SEPA, where we would be able to request a TIA to be done to further evaluate the network of roads specific to the permit proposal.

From: Phil Hoge <phil.hoge@co.yakima.wa.us>
Sent: Tuesday, October 18, 2022 2:59 PM
To: Jamie West <Jamie.West@co.yakima.wa.us>
Subject: Re: Condition of Allan Rd & Naches-Wenas Rd

Jamie,
Matt's email is in the below chain, dated 10-14-20.

Information on the existing and prognosticated conditions of the subject roads would be appreciated so we could share it with the Planning Commission for their deliberations on the comp plan amendment that they are currently considering, i.e., LRN2021-00005 (Caton-Strutner, adding the Mineral Resource Overlay to 18 parcels south of Naches-Wenas Rd, 744 acres).

Thank you,

Phil Hoge
Planning Division | Yakima County Public Services
509-574-2254 direct

Phil Hoge

From: Jamie West
Sent: Wednesday, October 19, 2022 10:30 AM
To: Phil Hoge
Subject: FW: Pavement rating?
Attachments: Naches Wenas Rd and Allan Rd PSC.xlsx

This is the email I received from the company contracted to do our pavement rating.

From: Becca McConaughey <beccamcco@hotmail.com>
Sent: Tuesday, October 18, 2022 9:30 PM
To: John Stanton <johnjs@co.yakima.wa.us>
Cc: Jamie West <Jamie.West@co.yakima.wa.us>
Subject: Re: Pavement rating?

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Hi John,

Both roads were rated this past weekend. I've included the spreadsheet, in case you would like to see the data. I compared the PSC from the previous rating in 2020 to the current rating to determine if the roads are failing faster than average and just to see the surface condition in general.

Naches-Wenas Rd PSC in 2020 was a 87.8 and is currently 99.7 due to a new chip seal. As you can see by the PSC, the road is in very good condition. You would have to look at the PSC around 2014 to see what the condition was prior to the chip seal in 2016.

Allan Rd PSC has declined only 1.1 deduct points in the past two years (56.8 in 2020 to 55.7 currently). While the good news is that the road is staying in the same condition as two years ago, the bad news is that a PSC in the mid-50's usually is showing some significant signs of distress. This road had significant patching, alligator, longitudinal and edge condition. A PSC in the 50's is considered in fair condition and would typically require an overlay or structural overlay to rehabilitate the surface.

Thank you,
Becca McConaughey
VPR Services
(509)496-7950

From: Becca McConaughey <beccamcco@hotmail.com>
Sent: Tuesday, October 18, 2022 5:25 PM

To: John Stanton <johnjs@co.yakima.wa.us>
Cc: Jamie West <Jamie.West@co.yakima.wa.us>
Subject: Re: Pavement rating?

Hi John,

I just rated those roads this past weekend. I'll look at the data tonight and send you what I found.

Thank you,
Becca

Get [Outlook for Android](#)

From: John Stanton <johnjs@co.yakima.wa.us>
Sent: Tuesday, October 18, 2022 3:40:19 PM
To: Becca McConaughey <beccamcco@hotmail.com>
Cc: Jamie West <Jamie.West@co.yakima.wa.us>
Subject: FW: Pavement rating?

Becca,

Can you help me out with this one?

From: Jamie West <Jamie.West@co.yakima.wa.us>
Sent: Tuesday, October 18, 2022 3:38 PM
To: John Stanton <johnjs@co.yakima.wa.us>
Subject: Pavement rating?

John –

Do you by chance have the results of the latest pavement ratings yet? I'm specifically looking to know how Naches Wenas RD and Allen RD ended up scoring. There is a development occurring at Caton Landfill and the public commentary is coming in strongly against it because they believe the roads are falling apart out there.



Naches-Wenas Rd #10350

Limits: Old Naches Hwy (MP 0.00) to Longmire Ln (MP 3.09)

Weighted average PSC (2020)= 87.8

Weighted average PSC (2022)= 99.7

Allan Rd #15950

Limits: Old Naches Hwy (MP 0.00) to (MP 0.74)

Weighted average PSC (2020)= 56.8

Weighted average PSC (2022)= 55.7

Phil Hoge

From: Mary L. Rennie <renren1@rocketmail.com>
Sent: Wednesday, October 19, 2022 2:04 PM
To: Long Range Planning
Subject: Catron Land use meeting
Attachments: Caton protest.pdf

EXHIBIT NO. 15
DATE: 10/19/2022
FILE NO. LRN 2021-00005

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Hello,
I just found out that I cannot attend the meeting due to a family emergency. Please accept my letter as my protest for the landfill.

Any questions, please let me know.

Mary L. Rennie

Mary L. Rennie
2201 Longmire Lane
Selah, WA 98942

RE: Case Number LRN-2021-00005/Sept2020-000004

To Whom It May Concern:

I have lived throughout my whole life in the Wenatchee Valley. My grandfather bought property back in the late 1800's. We have seen a lot of change through the years, and actually, most of it has been for the better for all of us.

But that changed when you allowed the Caton Landfill. They promised several things that were never followed. They were never required to do anything but start the business. How has it changed? Well, they went from a Landfill to accepting substances that were not on their approval from the county. They wanted to do a mining operation, but that was denied after they had been doing this already. Are all loads secured and covered. What about dust control?

So where are we today? They are applying for more land into which they can expand their land fill area. They want to operate 8:00 to 5:00 pm and expect 120 round trip truck loads per week (which should make the landfill last 42 years). They are already exceeding this limit at this time.

Recently, we have been seeing a lot of truck traffic on the North Wenatchee Road (trucks coming from Seattle), South Wenatchee Road (trucks coming from the lower valley and Seattle), Allan Rd in the Naches area, and finally, the Wenatchee Grade. We also do see traffic from Matsons during harvest, and we see additional traffic from the RV Park (this is very minimal). The roads in our area were never built to withstand this type of abuse. Is the county the one who will be sued when a big truck kills one of our local residents? Who is at fault for allowing this to happen?

Why do we care? Our roads for the first time in a long history are crumbling. The grade is being constantly used by big trucks. The North Wenatchee Road has had stop signs broken, and are using Longmire Lane to get to the Landfill. Allan Road is also crumbling. All of this has happened since you, as a county, okayed this business without improving roads or making them improve roads.

I personally have almost been run off the road four times on the grade, and on the South Wenatchee Road. Those roads were not made for this size, length, and weight of these trucks. I worry for my grandchildren who are in cars, trucks, and busses traveling that road.

I also question the dumping of materials from other counties in the state of Washington. We do not really know what is in this landfill. The county currently has a legal problem ongoing with the former Anderson landfill. Is the Caton one next since it is also not adhering to local concerns of the citizens that live around it. There are an awful lot of concerns and no answers when it comes to this landfill.

I suggest you strongly deny their permit until roads, content of loads, where the loads are coming from, hours, etc are all addressed.

Sincerely,

Mary L. Renn
Renren1@rocketmail.com

Phil Hoge

From: Mary L. Rennie <renren1@rocketmail.com>
Sent: Wednesday, October 19, 2022 2:37 PM
To: Long Range Planning
Subject: Fw: Catron Land use meeting
Attachments: Caton protest.pdf

EXHIBIT NO. 16
DATE: 10/19/2022
FILE NO. LRN 2021-00005

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded Message -----

From: Mary L. Rennie <renren1@rocketmail.com>
To: longrangeplanning@co.yakima.wa.us <longrangeplanning@co.yakima.wa.us>
Sent: Wednesday, October 19, 2022 at 02:35:39 PM PDT
Subject: Re: Catron Land use meeting

Please accept this updated version.

Mary Rennie

On Wednesday, October 19, 2022 at 02:04:13 PM PDT, Mary L. Rennie <renren1@rocketmail.com> wrote:

Hello,

I just found out that I cannot attend the meeting due to a family emergency. Please accept my letter as my protest for the landfill.

Any questions, please let me know.

Mary L. Rennie

Mary L. Rennie
2201 Longmire Lane
Selah, WA 98942

RE: Case Number LRN-2021-00005/Sept2020-000004

To Whom It May Concern:

I have lived throughout my whole life in the Wenatchee Valley. My grandfather bought property back in the late 1800's. We have seen a lot of change through the years, and actually, most of it has been for the better for all of us.

But that changed when you allowed the Caton Landfill. They promised several things that were never followed. They were never required to do anything but start the business. How has it changed? Well, they went from a Landfill to accepting substances that were not on their approval from the county. They wanted to do a mining operation, but that was denied after they had been doing this already. Are all loads secured and covered. What about dust control?

So where are we today? They are applying for more land into which they can expand their land fill area. They want to operate 8:00 to 5:00 pm and expect 120 round trip truck loads per week (which should make the landfill last 42 years). They are already exceeding this limit at this time.

Recently, we have been seeing a lot of truck traffic on the North Wenatchee Road (trucks coming from Seattle), South Wenatchee Road (trucks coming from the lower valley and Seattle), Allan Rd in the Naches area, and finally, the Wenatchee Grade. We also do see traffic from Matsons during harvest, and we see additional traffic from the RV Park (this is very minimal). The roads in our area were never built to withstand this type of abuse. Is the county the one who will be sued when a big truck kills one of our local residents? Who is at fault for allowing this to happen?

Why do we care? Our roads for the first time in a long history are crumbling. The grade is being constantly used by big trucks. The North Wenatchee Road has had stop signs broken, and are using Longmire Lane to get to the Landfill. Allan Road is also crumbling. All of this has happened since you, as a county, okayed this business without improving roads or making them improve roads.

I personally have almost been run off the road four times on the grade, and on the South Wenatchee Road. Those roads were not made for this size, length, and weight of these trucks. I worry for my grandchildren who are in cars, trucks, and busses traveling that road.

I also question the dumping of materials from other counties in the state of Washington. We do not really know what is in this landfill. The county currently has a legal problem ongoing with the former Anderson landfill. Is the Caton one next since it is also not adhering to local concerns of the citizens that live around it. There are an awful lot of concerns and no answers when it comes to this landfill.

I suggest you strongly deny their permit until roads, content of loads, where the loads are coming from, hours, etc are all addressed.

Sincerely,

Mary L. Rennie
Renren1@rocketmail.com



March 3, 2014

Public Services

128 North Second Street • Fourth Floor Courthouse • Yakima, Washington 98901
(509) 574-2300 • 1-800-572-7354 • FAX (509) 574-2301 • www.co.yakima.wa.us

VERN M. REDIFER, P.E. - Director

EXHIBIT NO. 17
DATE: 10/19/2022
FILE NO. L'RN 2021-0005

Stephen Shapiro, MAI
Stephen Shapiro Commercial Appraisal, LLC
P.O. Box 11757
Bainbridge Island, WA 98110

RE: HBQ-WDFW Exchange Properties
Yakima County Tax ID No. 161527-11001 (37.03 Acre Portion)
Yakima County Tax ID No. 161528-12002 and 161528-11002 (33.34
Acre Portion)
Yakima County Tax ID No. 161528-12002 (148.12 Acre Portion)

Dear Mr. Shapiro:

It is my understanding that you have appraised the three (3) above-listed parcels for a contemplated land exchange between HBQ and Washington Department of Fish & Wildlife. I have reviewed the "Self-Contained Appraisal Report" ("Appraisal") issued on January 9, 2014. The Appraisal references conversations with me regarding zoning status and feasibility of redesignating or permitting properties for mineral resource operations. The purpose of this letter is to clarify our conversations and confirm various considerations referenced in the appraisal report.

Background

I am a senior planner at Yakima County Public Services, 128 North Second Street, 4th Floor, Courthouse, Yakima, Washington. I have been primarily responsible for planning as it relates to mineral resource designations, overlays and processes. In preparing these comments, I can state that I am familiar with the HBQ operating mine as well as the properties that are subject to the appraisal.

Yakima County does not take a position on the valuation, appraisal or exchange of properties. The purpose of this letter is simply to set forth and clarify the status of the properties, designation processes and similar matters.

Zone and Comprehensive Plan Designations for Properties

As a beginning point, Yakima County engaged in an exhaustive effort under Growth Management Act (GMA) to identify and designate mineral resource sites. The focus was to provide and protect mineral resources that are sufficient to provide an inventory for a 50-year planning horizon. The designations were a product of an extended and cooperative public review process.

Yakima County ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, national origin, or sex in the provision of benefits and services resulting from its federally assisted programs and activities. For questions regarding Yakima County's Title VI Program, you may contact the Title VI Coordinator at 509-574-2300.

If this letter pertains to a meeting and you need special accommodations, please call us at 509-574-2300 by 10:00 a.m. three days prior to the meeting. For TDD users, please use the State's toll free relay service 1-800-833-6388 and ask the operator to dial 509-574-2300.

Horseshoe Bend Quarry was one of the sites designated as mineral resource lands of long-term commercial significance. There are two HBQ properties that received a mineral resource designation. (Assessor's Parcel Nos. 161528-12002 and 161528-14401). In this geographic area, Yakima County also designated the Simmons' mine mineral resource, as well as several sites owned by the State of Washington (WSDOT and WDFW). These sites are intended to include sufficient aggregate resources to serve the local market. The fact of these designations is significant because Yakima County will not authorize new mineral resource areas until there is a demonstrated "need" for additional aggregate material.

I want to clarify the current status of various properties which are the subject of the appraisal process. I will address each property separately and provide comments.

1. Existing HBQ Mine. HBQ operates an existing mine known as the Horseshoe Bend Quarry. (Assessor's Parcel No. 161528-14001). The mining operation has been permitted on the site since the initial issuance in 1976 of a Special Property Use (SPU 35-1976) permit. The permit has been expanded and extended over time with subsequent renewal approvals (SPU 15-1993 and 49-1995). Current operations are permitted by a Conditional Use Permit (CUP 2013-060). The mine is active and provides quality mineral resources to the local market. HBQ advises that the aggregate reserve is approximately 4,652,000 tons. At a use rate of 150,000 tons per year, this reserve would provide for approximately 31 years of operations.

(a) Zoning and Comprehensive Plan Designation. Yakima County Comprehensive Plan *Plan 2015* Future Land Use Map designates the property as *Remote Rural/Extremely Limited Development Potential* and has also been designated Mineral Resource Overlay (MRO). The property is zoned *Remote/Extremely Limited Development Potential*. YCC Ch. 15.27. The purpose of the R/ELDP zoning district is to protect the environment and retain open spaces at a level consistent with carrying capacity of the land and cost-effective service availability. YCC 15.27.010. Permitted uses within the R/ELDP zoning district are set forth on Table 15.18. There are limited and circumscribed rights to engage in mineral extraction and processing within the zoning district.

A portion of the HBQ property has been designated as *Mineral Resource Overlay (MRO)*. This is significant. In the absence of a Mineral Resource Overlay designation, long-term mining and batching operations are prohibited. Temporary mineral extraction (18 months or less) may be allowed but only upon proof that the operation is necessary to provide mineral products to a specific project and there are no existing sites with available mineral products for the specific project. YCC 15.18.030(10)(d).

(b) Mining Rights. The existing HBQ site is zoned, designated and permitted for excavation, processing and batching of mineral resource materials.

2. HBQ 33.34 Acre Parcel. The appraisal identifies a 33.34 acre parcel owned by HBQ for purposes of valuation. This area is a portion of a larger parcel. (Assessor's Parcel No. 161528-12002). There is no current mining operation on this property.

(a) Zoning and Comprehensive Plan Designation. The 33.34-Acre Parcel is designated *Remote Rural/Extremely Limited Development Potential* under *Plan 2015*

Future Land Use Map. Yakima County zoning ordinance's official zoning map zones the parcel as *Remote/Extremely Limited Development Potential*. (R/ELDP) And, the property has been further designated as *Mineral Resource Overlay (MRO)* and available for mineral resource operations.

(b) Mining Rights. The 33.34-Acre parcel is zoned and designated to allow both temporary and long-term batching, processing and mining site operations. Table 15.18. The mining operations are Type II uses and subject to ordinance review standards. YCC 15.45.020. The review shall consider the following:

- (a) Confirmed presence of large volumes of high-quality, mineral resource deposits that will sustain an operation over a long term.
- (b) Adequacy of state and local transportation systems, and private access and haul road(s) to accommodate heavy equipment and truck traffic.
- (c) Compatibility with existing or planned land use patterns in the area.
- (d) Presence of fish and wildlife habitat, hydrologically-related critical areas.
- (e) Impacts to air and water quality.
- (f) Impacts identified through environmental review.
- (g) Proximity to major transportation corridors and market areas.

YCC 15.45.020. HBQ has advised that the 33.34-Acre parcel has an estimated 842,000 ton of aggregate reserves. While I cannot predetermine the outcome of a permit process, I would say that Yakima County would favorably review an application for extension of the HBQ operations on to the 33.34-Acre parcel as dictated by need for additional material.

3. 37-Acre Parcel. Washington Department of Fish and Wildlife is the owner of a larger parcel consisting of approximately 608.75 acres. (Assessor's Parcel No. 161527-11001). A portion of the parcel – approximately 37.03 acres – is the subject of the appraisal and specific questions were asked about the parcel for an intended mine site. The parcel is not currently designated for *Mineral Resource Overlay*.

(a) Comprehensive Plan Designation and Zoning. The 37-Acre Parcel is designated as *Remote Rural/Extremely Limited Development Potential* under *Plan 2015* Future Land Use Map. Yakima County zoning ordinance's official zoning map zones the property as *Remote/Extremely Limited Development Potential*. Permitted uses are set forth in Table 15.18. In the context of mining, the permitted uses depend on whether the property has been designated as *Mineral Resource Overlay*. This property has *not* been designated mineral resource.

(b) Current Use Rights. The existing zoning prohibits long-term mining and batching operations. YCC 15.18.030(10)(e). Temporary mining may occur under Type III review only when:

(i) Temporary mining site/operations, mineral batching and processing are limited to 18 months or less in duration.

(ii) Temporary mining, batching and processing may be permitted *only when necessary to provide mineral products to a specific project*, or when the temporary mining, batching and processing is for the purpose of preparing a property for an improved use that necessitates removal of mineral resources. In addition, temporary mining, batching and processing may *only be permitted outside of areas designated mineral resource when there is no existing sites that are practicable to provide mineral products to a specific project*.

YCC 15.18.030(10)(d). This site would not be eligible for any mining operations under the current facts and circumstances. This parcel lies outside of a designated mineral resource area and there is an existing site able to provide aggregate products to any local project.

(c) Designation is Mineral Resource. In order for this parcel to be eligible for long-term mining, it would be necessary to submit and receive approval through the comprehensive plan amendment process. Yakima County has an established procedure for amendments to the Comprehensive Plan and zoning ordinances. This review process takes place once every two years with applications considered in conjunction with all other proposed plan amendments. To assist in the review of proposed amendments to mineral resource designations, *Plan 2015* (LU-ER-MR 1) provides:

OBJECTIVE: Designates sufficient existing size in future areas to ensure a 50-year supply of aggregates, sands, gravels and rock-based on the following criteria:

1. *Quality of the resource;*
2. *Volume of the resource;*
3. *Topographic characteristics of the site;*
4. *Access suitability;*
5. *Compatibility with land use patterns in the area; and*
6. *Proximity to urban and rural settlement markets.*

A primary consideration in any requested amendment is the public "need" for additional mineral resource sites. If mineral resources are available from existing sites, it is highly unlikely that any additional resource overlays will be allowed in the County. In this particular instance, it is highly unlikely that any additional resource overlays will be designated until such time as the existing mines are depleted and no longer productive.

4. 148.12-Acre HBQ Parcel. HBQ is the owner of an additional 149.76 Acre parcel located across the river from the existing mining operation. (Assessor's Parcel No.

161528-12002). The property is designated *Remote Rural/Extremely Limited Development Potential* under *Plan 2015* Future Land Use Map. Yakima County zoning ordinance's official zoning map zones the parcel as *Remote/Extremely Limited Development Potential (R/ELDP)*. Although the property was originally designated under prior ordinances as mineral resource, the property is not currently designated as Mineral Resource Overlay.

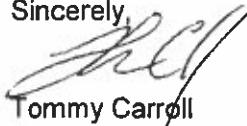
The existing zoning prohibits long-term mining and batching operations. YCC 15.18.030. Temporary mining operations would be potentially permitted upon a showing that (a) the mineral products are necessary to a specific project; and (b) there are no existing sites that are practicable to provide mineral products to the specific project. YCC 15.18.030(10)(d). This property could be considered for redesignation at such time as HBQ required additional aggregate resources for mining operations. Any redesignation will consider other available aggregate resources as applicable review criteria.

5. Highest & Best Use – Comments. The Appraisal references me with certain comments. Appraisal – 51. I want to clarify my comments.

- I did not indicate that a change in land use designation for the 37.03 Acre WDFW Parcel "... is considered to be highly feasible." This parcel may have good characteristics for mining use but Yakima County would not allow temporary mining operations on the property where aggregate resources are available to the local market. HBQ advises that it has at least a thirty (30) year supply of quality aggregate resources.
- It is highly unlikely that the 37.03 Acre WDFW Parcel would be designated as Mineral Resource Overlay until such time as there is an established public need for additional aggregate resources.
- The Appraisal attributes to me a comment that "... a very likely condition of approval would be that the mineral resources would be required to be mined by the operator of the Horseshoe Bend Quarry." First, it is highly unlikely that the property would be redesignated as mineral resource. Second, Yakima County cannot limit property use to particular business operations. My comment was intended to reflect that Yakima County looks favorably upon expansion of existing mines where there is a need for additional aggregate resources.
- The appraisal correctly recognizes that conditions to expansion are intended "... to prevent the expansion of mining operations within the county beyond what is needed to satisfy projected demand."
- Yakima County has no authority to direct leasing of property to any particular operator subject to a landowner collecting a royalty payment. This is simply outside the scope of land use review processes and authority.

I appreciate the opportunity to comment. I would be happy to further clarify my comments if needed for purposes of the appraisal.

Sincerely,

A handwritten signature in black ink, appearing to read "TCC".

Tommy Carroll
Senior Project Planner
Yakima County Public Services