

DECEMBER 27, 2022

RYEGRASS EXPANSION TESTIMONY, ROUND TWO  
KITITITAS COUNTY CDS STAFF

RE: [CU-21-00003](#)

DEAR STAFF:

As a property owners within 5 miles of this ill-conceived landfill expansion, who have previously raised concerns that remain unanswered regarding the proposed expansion of the landfill and activities that could affect the safety/potability of the groundwater and underlying aquifer which provide our well water, we are once again seeking answers from the County.

The revised SEPA was not done on the proposed 16 acre expansion site, but relies instead on current site of the LPL and the closed municipal landfill. Would a private citizen be permitted to conduct a SEPA on acreage other than that for which the CUP is sought? Are we allowed to say "it's close enough to make no difference?"

County experts state the current LPL location is ideal because of the low rainfall (citing 8" or less annually). Yet these exact conditions existed back when the County operated a municipal baleful landfill in the area from 1980-1998. Within 20 years of operation, leachate from the landfill catastrophically contaminated surrounding surface and ground water, resulting in the closing of the municipal landfill by DOE. If the prior landfill managed to contaminate surface and ground water under the exact same soil and rainfall conditions in fewer than 20 years, and as the County has no plans to line its expanded LPL, please explain the data and evidence that support the County's present contention that low rainfall and soil conditions would somehow magically and suddenly offer a 200-year buffer from LPL runoff reaching surface and groundwater.

Also as previously stated in original testimony, the current LPL is located within the Yakima Fold & Thrust Belt, a geologically active area of folding and faulting. Despite recent studies showing that nearby faults continue to actively move, the County still cites data nearly 20 years old stating otherwise. While the nearby faults are unlikely to result in catastrophic displacement, they will continue the fracturing of the underlying basalt, facilitating any movement into surface and groundwater. Gravity will not be denied.

Much of central and eastern Kittitas County lies within the Yakima Fold & Thrust Belt<sup>1</sup> (YFTB) which puts those areas at higher risk for earthquakes related to YFTB movement along both thrust and sideslip faults. While there are currently no known faults directly below the Ryegrass landfill or its proposed expansion area, there are many nearby. Known and mapped faults<sup>2</sup> in the area include: #561a – Frenchman Hills Thrust Fault which lays east/west and terminates in Kittitas County north of Ryegrass landfill; and #562a – Saddle Mountain Thrust Fault which lays east/west and terminates in Kittitas County south of landfill.

Please instruct the County to review the most current geologic data and studies and review against planned expansion plans of the LPL to confirm their contention that the expanded, unlined LPL poses no threat to surface and groundwater. As nearby landowners, we are not concerned with DOE's comfort level with your proposed plans as they are simply assuring the County adheres to minimum code requirements. We are concerned that your proposed activities over time pose a threat to the potability of our well water.

The Ryegrass LPL is surrounded by disappearing sagebrush steppe. As pointed out in original comments to the CUP, this includes rare and threatened species.

There are several threatened or sensitive plant species in the area, including Astragalus species such as Palouse milkvetch, pauper milkvetch, Cryptantha leucophaea, Pediocactus nigrispinus, and more.

Multiple satellite photos taken over 30 years (submitted in the original round of comments on this ill-conceived CUP) show that, counter to the stated goal of preserving the Shrub Steppe, the County has repeatedly bladed the Ryegrass property of native plants. This leads us to suspect that the County plans to continue an LPL at this site for decades to come. We would like the County to answer this question: if this CUP is approved and the LPL expanded, does the County commit to closing all LPL activities once and for all at the Ryegrass site when the LPL is at capacity in 20 years?

Further, the County plans to cap the current LPL with crushed concrete. We would like the County to explain how they expect to remediate the site with native shrub steppe plants under those conditions. We question whether the County actually plans to do so while at the same time actively making sure the plants can't grow.

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<sup>1</sup> Yakima Fold and Thrust Belt: [https://pubs.usgs.gov/sim/3212/sim3212\\_sheet.pdf](https://pubs.usgs.gov/sim/3212/sim3212_sheet.pdf)

<sup>2</sup> Faults and earthquakes in Washington State: [https://www.dnr.wa.gov/publications/ger\\_ofr2014-05\\_fault\\_earthquake\\_map.pdf](https://www.dnr.wa.gov/publications/ger_ofr2014-05_fault_earthquake_map.pdf)

In related documents, the County indicates the current LPL serves about 1600 users. Please provide us a summary of the total fees these users paid in each of the last five years for accessing the LPL.

So far, in the County's conditional use permit, it indicates it will do the bare minimum required under the law to operate this landfill. As landowners with wells at risk, we need the County to do better than that. We need the County to ensure every monitoring well in the Ryegrass LPL area is deep enough for sampling water continuously and rigorously (at least two are currently dry and offer no data). We need the County to show good faith in restoring the shrub steppe (and using concrete in an area prohibited in open range and forest by code is not good faith). We need the County to be as concerned with the health and wellbeing of the dozens of nearby landowners as they are with the LPL users.

Please deny CU-21-00003 as insufficient, inadequate, disingenuous, and the proposed LPL as poorly sited,.

Sincerely,

Nels & Charli Sorenson