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5 KITTITAS COUNTY HEARING EXAMINER

6 Kittitas County LPL Expansion SEPA Appeal)
7)
8) NO. CU-21-00003
9) COUNTY'S SUPPLEMENTAL BRIEF
10)
11)


12 COMES NOW RESPONDENT KITTITAS COUNTY, by and through its attorney of
13 record, Neil A. Caulkins, and files its supplemental brief in the above captioned appeal of a State
14 Environmental Policy Act (SEPA) threshold determination. The Appellant in this matter filed
15 additional documents the evening of the hearing, and the County was given one week to review
16 and respond to them. For the reasons set forth here, the documents are not relevant to the matter
17 before the Hearing Examiner, and the County stands upon its brief on the merits.

18 Document #78 is irrelevant. Given that there is no showing that the chemical content of the
19 water in the test wells is caused by the landfill, but is rather naturally occurring, item #78 is not
20 relevant. Regulation of the landfill by the Department of Ecology and the Department of Health,
21 that the County is and will remain compliant with, adequately regulates what material can be used
22 as cover for closing a landfill site. This again renders item #78 irrelevant.

23 Document #79 is also irrelevant. Kittitas County's Ryegrass landfill site is not open to
24 recreation and it is not land managed by either DNR or WDFW. The County's Ryegrass landfill
is not in the planning area of this document at all. (AR 879, 881, 907)(It is on the south side of the
Vantage Highway essentially opposite the Wild Horse Wind Farm.) So, this document, and the

1 discussion of different aspects of recreation management within it is not relevant to the matter
2 before the Hearing Examiner.

3 DATED this 18th day of October 2021.

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5 By 
6 Neil A. Caulkins
7 WSBA # 31759
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