

**BOARD OF YAKIMA COUNTY COMMISSIONERS****December 13, 2022****HEARING EXHIBIT LIST**

Created 12/5/2022

Updated 12/12/2022

Updated 12/16/2022

**File Nos.: LRN2021-00005/SEP2020-00004 – Caton-Strutner MRO (add the Mineral Resource Overlay)**

<b>No.</b>	<b>Document</b>	<b>Date Submitted</b>	<b>Number of Pages</b>
A	Truck volumes, speed statistics, and traffic counts for Allan Rd and Naches-Wenas Rd (submitted by County Roads)	10/20/2022	19
B	Truck volumes, speed statistics, and traffic counts for South Wenas Rd (submitted by County Roads)	10/20/2022	13
C	Shelley Byington comments	10/20/2022	2
D	Dept of Archaeology & Historic Preservation comments	10/21/2022	2
E	Dept of Natural Resources comments	10/24/2022	1
F	Pavement rating information for South Wenas Rd (submitted by County Roads)	11/2/2022	3
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H	Shelley Byington comments	12/9/2022	5
I	Dept. of Ecology (James Rivard) reply	12/9/2022	2
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L	Shelley Byington comments	12/10/2022	1
M	Ruth Pringle comments	12/11/2022	2
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O	Wendy Wickersham comments	12/11/2022	11
P	Shelley Byington comments	12/11/2022	2

Q	Wendy Wickersham comments	12/11/2022	2
R	Valerie Jill Yearout comments	12/11/2022	5
S	Vicki Grafton & David Edick comments	12/11/2022	2
T	Shelly Byington comments	12/12/2022	3
U	County Roads (Ivan Klingele) reply	12/12/2022	2
V	Jerrene Murray comments	12/12/2022	1
W	Wendy Wickersham comments	12/13/2022	16
X	Pam Wickersham's submittal at BOCC's hearing on 12/13/2022	12/13/2022	8
Y	Kent McHenry's submittal of documents requested by BOCC: 1) Rock test results and WSDOT standards; 2) Ecology's consultant's interest in using Caton Landfill as a model for providing clean soil.	12/14/2022	6
Z			

## Phil Hoge

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**From:** Jamie West  
**Sent:** Thursday, October 20, 2022 10:05 AM  
**To:** Phil Hoge  
**Subject:** FW: Requested Traffic + Speed Data  
**Attachments:** Truck Volume Allen Rd .22 mi South of Old Naches Hwy 10.21.2020.pdf; Truck Volume Naches-Wenas Rd .13 mi N of Cleman Dr 04.02.2021.pdf; Truck Volume Naches-Wenas Rd 0.06 mi W of Longmire Ln 04.02.2021.pdf; Speed Naches-Wenas Rd 0.06 mi W of Longmire Ln 04.02.2021.pdf; Speed Naches-Wenas Rd .13 mi N of Cleman Dr 04.02.2021.pdf; Speed Allen Rd .22 mi South of Old Naches Hwy 10.21.2020.pdf; Naches-Wenas Rd .13 mi N of Cleman Dr 04.02.2021.pdf; Naches-Wenas Rd 0.06 mi W of Longmire Ln 04.02.2021.pdf; Allen Rd .22 mi South of Old Naches Hwy 10.21.2020.pdf; Speed Naches-Wenas Rd 0.06 mi W of Longmire Ln 04.02.2021.pdf; Speed Allen Rd .22 mi South of Old Naches Hwy 10.21.2020.pdf; Naches-Wenas Rd 0.06 mi W of Longmire Ln 04.02.2021.pdf; Speed Naches-Wenas Rd .13 mi N of Cleman Dr 04.02.2021.pdf; Naches-Wenas Rd .13 mi N of Cleman Dr 04.02.2021.pdf; Allen Rd .22 mi South of Old Naches Hwy 10.21.2020.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Phil,

I meant to get these to you yesterday – if you still need traffic counts and truck volumes for Naches Wenas and Allen road they are attached.

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**From:** Ivan Klingele <ivan.klingele@co.yakima.wa.us>  
**Sent:** Wednesday, October 19, 2022 11:19 AM  
**To:** Jamie West <Jamie.West@co.yakima.wa.us>  
**Subject:** RE: Requested Traffic + Speed Data

Jamie,

See attached files. Truck volumes are quite high on all of these roads. The “truck percentage” is most nearly the “in profile” percentage in the truck PDFs, plus or minus 0.5% or so. FHWA Class 4-13 are what is used for the Classification Profile.

Regards,

Ivan Klingele, P.E.  
Yakima County Roads  
128 N. 2<sup>nd</sup> Street, 4<sup>th</sup> floor  
Traffic Engineering Manager  
[ivan.klingele@co.yakima.wa.us](mailto:ivan.klingele@co.yakima.wa.us)  
(509)574-2317

EXHIBIT NO. A  
DATE: 10/20/22  
FILE NO. LRN 2021-00005

## MetroCount Traffic Executive Vehicle Counts (Virtual Day)

### VirtVehicleCount-970 -- English (ENU)

#### Datasets:

**Site:** [1595000.22] Allen Rd .22 miles South of Old Naches Highway  
**Attribute:** Yakima  
**Direction:** 7 - North bound A>B, South bound B>A. **Lane:** 0  
**Survey Duration:** 14:02 Wednesday, October 14, 2020 => 14:14 Wednesday, October 21, 2020,  
**Zone:**  
**File:** SC\_1595000.22 0 2020-10-21 1414.EC0 (Plus )  
**Identifier:** JS29ZR0T MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v5.07)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 14:03 Wednesday, October 14, 2020 => 14:14 Wednesday, October 21, 2020 (7.00809)  
**Included classes:** 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** North, East, South, West (bound), P = North, Lane = 0-16  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 921 / 4979 (18.50%)



**\* Virtual Day - Total=131, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>5</b>	<b>9</b>	<b>9</b>	<b>8</b>	<b>10</b>	<b>13</b>	<b>10</b>	<b>9</b>	<b>11</b>	<b>10</b>	<b>12</b>	<b>9</b>	<b>5</b>	<b>4</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>1</b>
0	0	0	0	0	0	1	1	3	2	3	<b>3</b>	2	1	2	3	<b>3</b>	2	2	1	1	0	0	0
0	0	0	0	0	0	1	2	2	2	3	<b>3</b>	3	2	2	2	<b>4</b>	2	1	1	0	0	0	1
0	0	0	0	0	0	2	3	2	2	2	<b>3</b>	3	2	2	<b>3</b>	3	3	1	1	1	0	0	0
0	0	0	0	0	1	1	3	2	2	3	<b>4</b>	2	4	4	<b>3</b>	1	2	2	1	1	0	0	0

**AM Peak 1100 - 1200 (13), AM PHF=0.76 PM Peak 1530 - 1630 (13), PM PHF=0.77**

Numbers have been rounded to the nearest integer.

## MetroCount Traffic Executive Vehicle Counts (Virtual Day)

### VirtVehicleCount-969 -- English (ENU)

#### Datasets:

**Site:** [1035000.32] Naches - Wenas Rd .13 miles North of Cleman Dr  
**Attribute:** Yakima  
**Direction:** 7 - North bound A>B, South bound B>A. **Lane:** 0  
**Survey Duration:** 13:40 Thursday, April 1, 2021 => 14:04 Friday, April 2, 2021,  
**Zone:**  
**File:** 1035000.32 0 2021-04-02 1404.EC0 (Plus )  
**Identifier:** JV2332C1 MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v5.07)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 13:41 Thursday, April 1, 2021 => 14:04 Friday, April 2, 2021 (1.01612)  
**Included classes:** 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** North, East, South, West (bound), P = North, Lane = 0-16  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 158 / 1116 (14.16%)

**\* Virtual Day - Total=151, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>13</b>	<b>15</b>	<b>15</b>	<b>10</b>	<b>15</b>	<b>5</b>	<b>13</b>	<b>7</b>	<b>13</b>	<b>11</b>	<b>13</b>	<b>10</b>	<b>5</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>
0	0	0	0	0	0	3	5	<b>4</b>	2	6	3	2	0	2	3	<b>6</b>	2	2	0	1	0	0	0
0	0	1	0	0	0	1	2	<b>3</b>	3	2	1	4	1	4	2	<b>2</b>	6	0	1	0	0	0	0
0	0	0	0	0	1	4	3	<b>5</b>	1	3	0	4	1	4	1	<b>5</b>	2	3	0	0	0	0	0
0	0	0	0	0	2	5	<b>5</b>	3	4	4	1	3	5	3	<b>5</b>	0	0	0	0	0	0	0	0

**AM Peak 0745 - 0845 (17), AM PHF=0.85 PM Peak 1545 - 1645 (18), PM PHF=0.75**

Numbers have been rounded to the nearest integer.

## MetroCount Traffic Executive Vehicle Counts (Virtual Day)

### VirtVehicleCount-968 -- English (ENU)

#### Datasets:

**Site:** [1035003.03] Naches - Wensa Rd .06 miles West of Longmire Ln  
**Attribute:** Yakima  
**Direction:** 8 - East bound A>B, West bound B>A. **Lane:** 0  
**Survey Duration:** 13:57 Thursday, April 1, 2021 => 14:24 Friday, April 2, 2021,  
**Zone:**  
**File:** 1035003.03 0 2021-04-02 1425.EC0 (Plus )  
**Identifier:** JR781TDZ MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v5.07)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 13:58 Thursday, April 1, 2021 => 14:24 Friday, April 2, 2021 (1.01853)  
**Included classes:** 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** North, East, South, West (bound), P = East, Lane = 0-16  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 138 / 1021 (13.52%)

\* Virtual Day - Total=133, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	0	1	0	0	3	10	8	8	9	12	4	11	7	12	18	11	11	4	3	2	0	0	0
0	0	0	0	0	0	3	2	3	2	4	3	5	2	1	7	3	1	2	0	1	0	0	0
0	0	1	0	0	1	0	1	2	2	3	1	1	2	3	3	3	8	0	2	0	0	0	0
0	0	0	0	0	2	3	4	3	4	4	0	4	1	6	1	3	1	2	0	1	0	0	0
0	0	0	0	0	0	4	1	0	1	1	0	1	2	2	7	2	1	0	1	0	0	0	0

AM Peak 0930 - 1030 (12), AM PHF=0.75 PM Peak 1430 - 1530 (18), PM PHF=0.64

Numbers have been rounded to the nearest integer.

## MetroCount Traffic Executive Speed Statistics

### SpeedStat-965 -- English (ENU)

#### Datasets:

**Site:** [1595000.22] Allen Rd .22 miles South of Old Naches Highway  
**Attribute:** Yakima  
**Direction:** 7 - North bound A>B, South bound B>A. **Lane:** 0  
**Survey Duration:** 14:02 Wednesday, October 14, 2020 => 14:14 Wednesday, October 21, 2020,  
**Zone:**  
**File:** SC\_1595000.22 0 2020-10-21 1414.EC0 (Plus )  
**Identifier:** JS29ZR0T MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v5.07)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 14:03 Wednesday, October 14, 2020 => 14:14 Wednesday, October 21, 2020 (7.00809)  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** North, East, South, West (bound), P = North, Lane = 0-16  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 4956 / 4979 (99.54%)

## Speed Statistics

### SpeedStat-965

**Site:** 1595000.22.0.1NS  
**Description:** Allen Rd .22 miles South of Old Naches Highway  
**Filter time:** 14:03 Wednesday, October 14, 2020 => 14:14 Wednesday, October 21, 2020  
**Scheme:** Vehicle classification (Scheme F3)  
**Filter:** Cls(1-13) Dir(NESW) Sp(6,99) Headway(>0) Span(0 - 328.084) Lane(0-16)

Vehicles = 4956

Posted speed limit = 35 mph, Exceeding = 3286 (66.30%), Mean Exceeding = 44.61 mph

Limit 1 (Common Effective Speed Limit) (35 \* 110%) + 0 = 39 mph, Exceeding = 2286 (46.13%)

Limit 2 (5 over) (35 \* 100%) + 5 = 40 mph, Exceeding = 2103 (42.43%)

Limit 3 (10 over) (35 \* 100%) + 10 = 45 mph, Exceeding = 1372 (27.68%)

Maximum = 98.8 mph, Minimum = 6.4 mph, Mean = 39.9 mph

50% Speed = 38.03 mph, 85% Speed = 50.33 mph, Median = 38.03 mph

10 mph Pace = 30 - 40, Number in Pace = 2367 (47.76%)

Variance = 91.67, Standard Deviation = 9.57 mph

### Speed Bins (Partial days)

Speed	Bin	Below	Above	Energy	vMult	n * vMult
0 - 5	0 0.000%	0 0.000%	4956 100.0%	0.00	0.00	0.00
5 - 10	15 0.303%	15 0.303%	4941 99.70%	0.00	0.00	0.00
10 - 15	20 0.404%	35 0.706%	4921 99.29%	0.00	0.00	0.00
15 - 20	43 0.868%	78 1.574%	4878 98.43%	0.00	0.00	0.00
20 - 25	89 1.796%	167 3.370%	4789 96.63%	0.00	0.00	0.00
25 - 30	315 6.356%	482 9.726%	4474 90.27%	0.00	0.00	0.00
30 - 35	1188 23.97%	1670 33.70%	3286 66.30%	0.00	0.00	0.00
35 - 40	1183 23.87%	2853 57.57%	2103 42.43%	0.00	0.00	0.00
40 - 45	731 14.75%	3584 72.32%	1372 27.68%	0.00	0.00	0.00
45 - 50	588 11.86%	4172 84.18%	784 15.82%	0.00	0.00	0.00
50 - 55	442 8.918%	4614 93.10%	342 6.901%	0.00	0.00	0.00
55 - 60	211 4.257%	4825 97.36%	131 2.643%	0.00	0.00	0.00
60 - 65	80 1.614%	4905 98.97%	51 1.029%	0.00	0.00	0.00
65 - 70	31 0.626%	4936 99.60%	20 0.404%	0.00	0.00	0.00
70 - 75	13 0.262%	4949 99.86%	7 0.141%	0.00	0.00	0.00
75 - 80	2 0.040%	4951 99.90%	5 0.101%	0.00	0.00	0.00
80 - 85	4 0.081%	4955 100.0%	1 0.020%	0.00	0.00	0.00
85 - 90	0 0.000%	4955 100.0%	1 0.020%	0.00	0.00	0.00
90 - 95	0 0.000%	4955 100.0%	1 0.020%	0.00	0.00	0.00
95 - 100	1 0.020%	4956 100.0%	0 0.000%	0.00	0.00	0.00
100 - 105	0 0.000%	4956 100.0%	0 0.000%	0.00	0.00	0.00
105 - 110	0 0.000%	4956 100.0%	0 0.000%	0.00	0.00	0.00
110 - 115	0 0.000%	4956 100.0%	0 0.000%	0.00	0.00	0.00
115 - 120	0 0.000%	4956 100.0%	0 0.000%	0.00	0.00	0.00
120 - 125	0 0.000%	4956 100.0%	0 0.000%	0.00	0.00	0.00

Total Speed Rating = 0.00

Total Moving Energy (Estimated) = 0.00

### Speed limit fields (Partial days)

	Limit	Below	Above
0	35 (PSL)	1670 33.7%	3286 66.3%
1	39 (Common Effective Speed Limit)	2670 53.9%	2286 46.1%
2	40 (5 over)	2853 57.6%	2103 42.4%
3	45 (10 over)	3584 72.3%	1372 27.7%

## MetroCount Traffic Executive Speed Statistics

### SpeedStat-966 -- English (ENU)

#### Datasets:

**Site:** [1035000.32] Naches - Wenas Rd .13 miles North of Cleman Dr  
**Attribute:** Yakima  
**Direction:** 7 - North bound A>B, South bound B>A. **Lane:** 0  
**Survey Duration:** 13:40 Thursday, April 1, 2021 => 14:04 Friday, April 2, 2021,  
**Zone:**  
**File:** 1035000.32 0 2021-04-02 1404.EC0 (Plus )  
**Identifier:** JV2332C1 MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v5.07)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 13:41 Thursday, April 1, 2021 => 14:04 Friday, April 2, 2021 (1.01612)  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** North, East, South, West (bound), P = North, Lane = 0-16  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 1113 / 1116 (99.73%)



## Speed Statistics

### SpeedStat-966

**Site:** 1035000.32.0.1NS  
**Description:** Naches - Wenas Rd .13 miles North of Cleman Dr  
**Filter time:** 13:41 Thursday, April 1, 2021 => 14:04 Friday, April 2, 2021  
**Scheme:** Vehicle classification (Scheme F3)  
**Filter:** Cls(1-13) Dir(NESW) Sp(6,99) Headway(>0) Span(0 - 328.084) Lane(0-16)

Vehicles = 1113

Posted speed limit = 40 mph, Exceeding = 453 (40.70%), Mean Exceeding = 45.10 mph

Limit 1 (Common Effective Speed Limit) (40 \* 110%) + 0 = 44 mph, Exceeding = 240 (21.56%)

Limit 2 (5 over) (40 \* 100%) + 5 = 45 mph, Exceeding = 194 (17.43%)

Limit 3 (10 over) (40 \* 100%) + 10 = 50 mph, Exceeding = 55 (4.942%)

Maximum = 79.4 mph, Minimum = 12.9 mph, Mean = 38.4 mph

50% Speed = 38.25 mph, 85% Speed = 45.63 mph, Median = 38.25 mph

10 mph Pace = 33 - 43, Number in Pace = 611 (54.90%)

Variance = 53.97, Standard Deviation = 7.35 mph

### Speed Bins (Partial days)

Speed	Bin	Below	Above	Energy	vMult	n * vMult
0 - 5	0 0.000%	0 0.000%	1113 100.0%	0.00	0.00	0.00
5 - 10	0 0.000%	0 0.000%	1113 100.0%	0.00	0.00	0.00
10 - 15	4 0.359%	4 0.359%	1109 99.64%	0.00	0.00	0.00
15 - 20	17 1.527%	21 1.887%	1092 98.11%	0.00	0.00	0.00
20 - 25	20 1.797%	41 3.684%	1072 96.32%	0.00	0.00	0.00
25 - 30	74 6.649%	115 10.33%	998 89.67%	0.00	0.00	0.00
30 - 35	226 20.31%	341 30.64%	772 69.36%	0.00	0.00	0.00
35 - 40	319 28.66%	660 59.30%	453 40.70%	0.00	0.00	0.00
40 - 45	259 23.27%	919 82.57%	194 17.43%	0.00	0.00	0.00
45 - 50	139 12.49%	1058 95.06%	55 4.942%	0.00	0.00	0.00
50 - 55	45 4.043%	1103 99.10%	10 0.898%	0.00	0.00	0.00
55 - 60	7 0.629%	1110 99.73%	3 0.270%	0.00	0.00	0.00
60 - 65	2 0.180%	1112 99.91%	1 0.090%	0.00	0.00	0.00
65 - 70	0 0.000%	1112 99.91%	1 0.090%	0.00	0.00	0.00
70 - 75	0 0.000%	1112 99.91%	1 0.090%	0.00	0.00	0.00
75 - 80	1 0.090%	1113 100.0%	0 0.000%	0.00	0.00	0.00
80 - 85	0 0.000%	1113 100.0%	0 0.000%	0.00	0.00	0.00
85 - 90	0 0.000%	1113 100.0%	0 0.000%	0.00	0.00	0.00
90 - 95	0 0.000%	1113 100.0%	0 0.000%	0.00	0.00	0.00
95 - 100	0 0.000%	1113 100.0%	0 0.000%	0.00	0.00	0.00
100 - 105	0 0.000%	1113 100.0%	0 0.000%	0.00	0.00	0.00
105 - 110	0 0.000%	1113 100.0%	0 0.000%	0.00	0.00	0.00
110 - 115	0 0.000%	1113 100.0%	0 0.000%	0.00	0.00	0.00
115 - 120	0 0.000%	1113 100.0%	0 0.000%	0.00	0.00	0.00
120 - 125	0 0.000%	1113 100.0%	0 0.000%	0.00	0.00	0.00

Total Speed Rating = 0.00

Total Moving Energy (Estimated) = 0.00

### Speed limit fields (Partial days)

Limit	Below	Above
0   40 (PSL)	660 59.3%	453 40.7%
1   44 (Common Effective Speed Limit)	873 78.4%	240 21.6%
2   45 (5 over)	919 82.6%	194 17.4%
3   50 (10 over)	1058 95.1%	55 4.9%

## MetroCount Traffic Executive Speed Statistics

### SpeedStat-967 -- English (ENU)

#### Datasets:

**Site:** [1035003.03] Naches - Wensa Rd .06 miles West of Longmire Ln  
**Attribute:** Yakima  
**Direction:** 8 - East bound A>B, West bound B>A. **Lane:** 0  
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**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 1020 / 1021 (99.90%)

## Speed Statistics

### SpeedStat-967

**Site:** 1035003.03.0.1EW  
**Description:** Naches - Wensa Rd .06 miles West of Longmire Ln  
**Filter time:** 13:58 Thursday, April 1, 2021 => 14:24 Friday, April 2, 2021  
**Scheme:** Vehicle classification (Scheme F3)  
**Filter:** Cls(1-13) Dir(NESW) Sp(6,99) Headway(>0) Span(0 - 328.084) Lane(0-16)

Vehicles = 1020

Posted speed limit = 50 mph, Exceeding = 148 (14.51%), Mean Exceeding = 53.66 mph

Limit 1 (Common Effective Speed Limit) (50 \* 110%) + 0 = 55 mph, Exceeding = 39 (3.824%)

Limit 2 (5 over) (50 \* 100%) + 5 = 55 mph, Exceeding = 39 (3.824%)

Limit 3 (10 over) (50 \* 100%) + 10 = 60 mph, Exceeding = 8 (0.784%)

Maximum = 68.6 mph, Minimum = 7.3 mph, Mean = 43.3 mph

50% Speed = 43.62 mph, 85% Speed = 49.98 mph, Median = 43.62 mph

10 mph Pace = 40 - 50, Number in Pace = 573 (56.18%)

Variance = 49.53, Standard Deviation = 7.04 mph

### Speed Bins (Partial days)

Speed	Bin	Below	Above	Energy	vMult	n * vMult
0 - 5	0 0.000%	0 0.000%	1020 100.0%	0.00	0.00	0.00
5 - 10	1 0.098%	1 0.098%	1019 99.90%	0.00	0.00	0.00
10 - 15	2 0.196%	3 0.294%	1017 99.71%	0.00	0.00	0.00
15 - 20	4 0.392%	7 0.686%	1013 99.31%	0.00	0.00	0.00
20 - 25	5 0.490%	12 1.176%	1008 98.82%	0.00	0.00	0.00
25 - 30	23 2.255%	35 3.431%	985 96.57%	0.00	0.00	0.00
30 - 35	76 7.451%	111 10.88%	909 89.12%	0.00	0.00	0.00
35 - 40	193 18.92%	304 29.80%	716 70.20%	0.00	0.00	0.00
40 - 45	284 27.84%	588 57.65%	432 42.35%	0.00	0.00	0.00
45 - 50	284 27.84%	872 85.49%	148 14.51%	0.00	0.00	0.00
50 - 55	109 10.69%	981 96.18%	39 3.824%	0.00	0.00	0.00
55 - 60	31 3.039%	1012 99.22%	8 0.784%	0.00	0.00	0.00
60 - 65	6 0.588%	1018 99.80%	2 0.196%	0.00	0.00	0.00
65 - 70	2 0.196%	1020 100.0%	0 0.000%	0.00	0.00	0.00
70 - 75	0 0.000%	1020 100.0%	0 0.000%	0.00	0.00	0.00
75 - 80	0 0.000%	1020 100.0%	0 0.000%	0.00	0.00	0.00
80 - 85	0 0.000%	1020 100.0%	0 0.000%	0.00	0.00	0.00
85 - 90	0 0.000%	1020 100.0%	0 0.000%	0.00	0.00	0.00
90 - 95	0 0.000%	1020 100.0%	0 0.000%	0.00	0.00	0.00
95 - 100	0 0.000%	1020 100.0%	0 0.000%	0.00	0.00	0.00
100 - 105	0 0.000%	1020 100.0%	0 0.000%	0.00	0.00	0.00
105 - 110	0 0.000%	1020 100.0%	0 0.000%	0.00	0.00	0.00
110 - 115	0 0.000%	1020 100.0%	0 0.000%	0.00	0.00	0.00
115 - 120	0 0.000%	1020 100.0%	0 0.000%	0.00	0.00	0.00
120 - 125	0 0.000%	1020 100.0%	0 0.000%	0.00	0.00	0.00

Total Speed Rating = 0.00

Total Moving Energy (Estimated) = 0.00

### Speed limit fields (Partial days)

Limit	Below	Above
0   50 (PSL)	872 85.5%	148 14.5%
1   55 (Common Effective Speed Limit)	981 96.2%	39 3.8%
2   55 (5 over)	981 96.2%	39 3.8%
3   60 (10 over)	1012 99.2%	8 0.8%

## MetroCount Traffic Executive Vehicle Counts (Virtual Day)

### VirtVehicleCount-962 -- English (ENU)

#### Datasets:

**Site:** [1595000.22] Allen Rd .22 miles South of Old Naches Highway  
**Attribute:** Yakima  
**Direction:** 7 - North bound A>B, South bound B>A. **Lane:** 0  
**Survey Duration:** 14:02 Wednesday, October 14, 2020 => 14:14 Wednesday, October 21, 2020,  
**Zone:**  
**File:** SC\_1595000.22 0 2020-10-21 1414.EC0 (Plus )  
**Identifier:** JS29ZR0T MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v5.07)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 14:03 Wednesday, October 14, 2020 => 14:14 Wednesday, October 21, 2020 (7.00809)  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** North, East, South, West (bound), P = North, Lane = 0-16  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 4956 / 4979 (99.54%)

**\* Virtual Day - Total=706, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
<b>2</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>5</b>	<b>14</b>	<b>38</b>	<b>55</b>	<b>44</b>	<b>36</b>	<b>47</b>	<b>47</b>	<b>48</b>	<b>47</b>	<b>51</b>	<b>54</b>	<b>62</b>	<b>61</b>	<b>32</b>	<b>23</b>	<b>14</b>	<b>10</b>	<b>5</b>	<b>6</b>
1	0	0	0	1	4	5	<b>12</b>	12	8	11	9	10	12	12	11	<b>18</b>	15	11	7	5	2	1	2
0	0	0	1	1	2	9	<b>14</b>	11	8	12	12	13	11	11	14	<b>17</b>	17	8	6	3	3	1	1
0	0	1	1	1	3	13	<b>14</b>	10	10	12	12	13	11	12	14	<b>15</b>	15	7	5	3	3	2	1
1	0	1	0	2	5	11	<b>15</b>	11	9	13	14	12	14	16	<b>15</b>	12	15	6	4	3	2	1	1

**AM Peak 0700 - 0800 (55), AM PHF=0.91 PM Peak 1545 - 1645 (65), PM PHF=0.91**

**Numbers have been rounded to the nearest integer.**

## MetroCount Traffic Executive Vehicle Counts (Virtual Day)

### VirtVehicleCount-964 -- English (ENU)

#### Datasets:

**Site:** [1035000.32] Naches - Wenas Rd .13 miles North of Cleman Dr  
**Attribute:** Yakima  
**Direction:** 7 - North bound A>B, South bound B>A. **Lane:** 0  
**Survey Duration:** 13:40 Thursday, April 1, 2021 => 14:04 Friday, April 2, 2021,  
**Zone:**  
**File:** 1035000.32 0 2021-04-02 1404.EC0 (Plus )  
**Identifier:** JV2332C1 MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v5.07)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 13:41 Thursday, April 1, 2021 => 14:04 Friday, April 2, 2021 (1.01612)  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** North, East, South, West (bound), P = North, Lane = 0-16  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 1113 / 1116 (99.73%)

**\* Virtual Day - Total=1073, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
<b>3</b>	<b>1</b>	<b>4</b>	<b>3</b>	<b>4</b>	<b>16</b>	<b>58</b>	<b>86</b>	<b>55</b>	<b>74</b>	<b>62</b>	<b>72</b>	<b>65</b>	<b>61</b>	<b>80</b>	<b>89</b>	<b>86</b>	<b>82</b>	<b>68</b>	<b>47</b>	<b>28</b>	<b>15</b>	<b>10</b>	<b>4</b>
0	0	0	1	2	0	8	<b>27</b>	13	18	15	19	19	10	10	<b>21</b>	25	18	21	14	9	5	0	2
1	1	2	1	0	5	10	<b>15</b>	15	15	16	17	14	20	20	<b>25</b>	20	24	13	15	8	2	4	1
1	0	1	0	1	5	18	<b>24</b>	14	23	17	16	12	11	20	<b>25</b>	22	27	19	7	9	2	4	0
1	0	1	1	1	6	<b>22</b>	20	13	18	14	20	20	21	<b>30</b>	18	19	13	15	11	2	6	2	1

**AM Peak 0645 - 0745 (88), AM PHF=0.81 PM Peak 1445 - 1545 (101), PM PHF=0.84**

Numbers have been rounded to the nearest integer.

## MetroCount Traffic Executive Vehicle Counts (Virtual Day)

### VirtVehicleCount-963 -- English (ENU)

#### Datasets:

**Site:** [1035003.03] Naches - Wensa Rd .06 miles West of Longmire Ln  
**Attribute:** Yakima  
**Direction:** 8 - East bound A>B, West bound B>A. **Lane:** 0  
**Survey Duration:** 13:57 Thursday, April 1, 2021 => 14:24 Friday, April 2, 2021,  
**Zone:**  
**File:** 1035003.03 0 2021-04-02 1425.EC0 (Plus )  
**Identifier:** JR781TDZ MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v5.07)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 13:58 Thursday, April 1, 2021 => 14:24 Friday, April 2, 2021 (1.01853)  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** North, East, South, West (bound), P = East, Lane = 0-16  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 1020 / 1021 (99.90%)



**\* Virtual Day - Total=985, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
<b>3</b>	<b>1</b>	<b>3</b>	<b>6</b>	<b>4</b>	<b>18</b>	<b>52</b>	<b>70</b>	<b>47</b>	<b>67</b>	<b>58</b>	<b>62</b>	<b>56</b>	<b>66</b>	<b>67</b>	<b>81</b>	<b>83</b>	<b>75</b>	<b>65</b>	<b>50</b>	<b>24</b>	<b>11</b>	<b>12</b>	<b>4</b>
0	0	0	1	2	1	8	<b>22</b>	11	15	14	16	15	9	13	24	23	<b>13</b>	20	10	7	3	2	2
1	1	2	3	1	6	7	<b>11</b>	17	15	14	17	12	19	12	18	18	<b>27</b>	10	19	6	3	5	1
1	0	1	1	0	5	18	<b>24</b>	11	22	19	14	13	26	23	17	17	<b>24</b>	21	9	9	2	3	0
1	0	0	1	1	6	<b>19</b>	13	8	15	11	15	16	12	20	22	<b>25</b>	11	14	12	2	3	2	1

**AM Peak 0645 - 0745 (76), AM PHF=0.79 PM Peak 1645 - 1745 (89), PM PHF=0.82**

Numbers have been rounded to the nearest integer.

## Phil Hoge

---

**From:** Ivan Klingele  
**Sent:** Thursday, October 20, 2022 12:02 PM  
**To:** Jamie West; John Stanton  
**Cc:** Phil Hoge  
**Subject:** RE: Requested Traffic + Speed Data  
**Attachments:** Speed South Wenas Rd 1.67 mi East of Fletcher Ln.pdf; Speed South Wenas Rd 1.05 mi West of Fletcher Rd.pdf; Truck Volume South Wenas Rd 1.67 mi East of Fletcher Ln.pdf; South Wenas Rd 1.67 mi East of Fletcher Ln.pdf; Truck Volume South Wenas Rd 1.05 mi West of Fletcher Rd.pdf; South Wenas Rd 1.05 mi West of Fletcher Rd.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good afternoon,

See attached, requested, additional data for S Wenas Rd. Data provided was collected east and west of Fletcher Ln, as noted.

Regards,

Ivan Klingele, P.E.  
Yakima County Roads  
128 N. 2<sup>nd</sup> Street, 4<sup>th</sup> floor  
Traffic Engineering Manager  
[ivan.klingele@co.yakima.wa.us](mailto:ivan.klingele@co.yakima.wa.us)  
(509)574-2317

EXHIBIT NO. B  
DATE: 10/20/22  
FILE NO. LRN 2021-00005

## MetroCount Traffic Executive Vehicle Counts (Virtual Day)

### VirtVehicleCount-972 -- English (ENU)

#### Datasets:

**Site:** [1038003.69] South Wenas Rd 1.67 miles East of Fletcher Ln  
**Attribute:** Yakima  
**Direction:** 8 - East bound A>B, West bound B>A. **Lane:** 0  
**Survey Duration:** 13:38 Monday, April 12, 2021 => 14:13 Tuesday, April 13, 2021,  
**Zone:**  
**File:** 1038003.69 0 2021-04-13 1413.EC0 (Plus )  
**Identifier:** JS84VXZM MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v5.07)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 13:39 Monday, April 12, 2021 => 14:13 Tuesday, April 13, 2021 (1.02405)  
**Included classes:** 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** North, East, South, West (bound), P = East, Lane = 0-16  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 109 / 634 (17.19%)

\* Virtual Day - Total=104, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	0	1	0	1	4	9	6	6	6	7	4	10	6	12	10	8	4	5	3	2	0	0	0
0	0	0	0	0	2	0	2	0	2	2	0	2	2	2	2	3	0	1	2	0	0	0	0
0	0	1	0	0	1	3	1	3	1	3	3	3	0	2	3	3	1	1	1	1	0	0	0
0	0	0	0	1	1	2	1	1	2	1	1	1	2	5	1	0	2	2	0	1	0	0	0
0	0	0	0	0	0	4	2	2	1	1	0	4	3	3	4	2	1	1	0	0	0	0	0

AM Peak 0615 - 0715 (11), AM PHF=0.69 PM Peak 1430 - 1530 (13), PM PHF=0.65

Numbers have been rounded to the nearest integer.

## MetroCount Traffic Executive Vehicle Counts (Virtual Day)

### VirtVehicleCount-971 -- English (ENU)

#### Datasets:

**Site:** [103800.97] South Wenas RD .1.05 miles West of Fletcher Rd  
**Attribute:** Yakima  
**Direction:** 8 - East bound A>B, West bound B>A. **Lane:** 0  
**Survey Duration:** 14:11 Monday, April 12, 2021 => 14:38 Tuesday, April 13, 2021,  
**Zone:**  
**File:** 1038000.97 0 2021-04-13 1438.EC0 (Plus )  
**Identifier:** JT84GE9J MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v5.07)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 14:12 Monday, April 12, 2021 => 14:38 Tuesday, April 13, 2021 (1.01843)  
**Included classes:** 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** North, East, South, West (bound), P = East, Lane = 0-16  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 97 / 549 (17.67%)

**\* Virtual Day - Total=94, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>8</b>	<b>3</b>	<b>6</b>	<b>7</b>	<b>3</b>	<b>8</b>	<b>9</b>	<b>11</b>	<b>9</b>	<b>10</b>	<b>6</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>0</b>
1	0	0	0	0	1	0	3	2	1	0	2	2	3	1	1	1	2	0	0	0	0	0	0
0	0	1	0	0	0	2	0	0	1	1	2	3	3	3	2	2	0	2	2	1	0	0	0
0	0	0	0	0	0	3	0	2	3	2	1	2	3	2	2	1	0	0	0	1	0	0	0
0	0	0	0	0	2	3	0	2	2	0	3	2	2	3	5	2	0	0	0	0	1	0	0

**AM Peak 0615 - 0715 (11), AM PHF=0.92 PM Peak 1245 - 1345 (11), PM PHF=0.92**

**Numbers have been rounded to the nearest integer.**

## MetroCount Traffic Executive Speed Statistics

### SpeedStat-974 -- English (ENU)

#### Datasets:

**Site:** [1038003.69] South Wenas Rd 1.67 miles East of Fletcher Ln  
**Attribute:** Yakima  
**Direction:** 8 - East bound A>B, West bound B>A. **Lane:** 0  
**Survey Duration:** 13:38 Monday, April 12, 2021 => 14:13 Tuesday, April 13, 2021,  
**Zone:**  
**File:** 1038003.69 0 2021-04-13 1413.EC0 (Plus )  
**Identifier:** JS84VXZM MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v5.07)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 13:39 Monday, April 12, 2021 => 14:13 Tuesday, April 13, 2021 (1.02405)  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** North, East, South, West (bound), P = East, Lane = 0-16  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 627 / 634 (98.90%)

## Speed Statistics

### SpeedStat-974

**Site:** 1038003.69.0.1EW  
**Description:** South Wenas Rd 1.67 miles East of Fletcher Ln  
**Filter time:** 13:39 Monday, April 12, 2021 => 14:13 Tuesday, April 13, 2021  
**Scheme:** Vehicle classification (Scheme F3)  
**Filter:** Cls(1-13) Dir(NESW) Sp(6,99) Headway(>0) Span(0 - 328.084) Lane(0-16)

Vehicles = 627

Posted speed limit = 50 mph, Exceeding = 406 (64.75%), Mean Exceeding = 57.08 mph

Limit 1 (Common Effective Speed Limit) (50 \* 110%) + 0 = 55 mph, Exceeding = 239 (38.12%)

Limit 2 (5 over) (50 \* 100%) + 5 = 55 mph, Exceeding = 239 (38.12%)

Limit 3 (10 over) (50 \* 100%) + 10 = 60 mph, Exceeding = 93 (14.83%)

Maximum = 93.6 mph, Minimum = 11.5 mph, Mean = 52.6 mph

50% Speed = 52.68 mph, 85% Speed = 59.95 mph, Median = 52.68 mph

10 mph Pace = 49 - 59, Number in Pace = 318 (50.72%)

Variance = 67.67, Standard Deviation = 8.23 mph

### Speed Bins (Partial days)

Speed	Bin	Below	Above	Energy	vMult	n * vMult
0 - 5	0 0.000%	0 0.000%	627 100.0%	0.00	0.00	0.00
5 - 10	0 0.000%	0 0.000%	627 100.0%	0.00	0.00	0.00
10 - 15	1 0.159%	1 0.159%	626 99.84%	0.00	0.00	0.00
15 - 20	0 0.000%	1 0.159%	626 99.84%	0.00	0.00	0.00
20 - 25	0 0.000%	1 0.159%	626 99.84%	0.00	0.00	0.00
25 - 30	5 0.797%	6 0.957%	621 99.04%	0.00	0.00	0.00
30 - 35	4 0.638%	10 1.595%	617 98.41%	0.00	0.00	0.00
35 - 40	27 4.306%	37 5.901%	590 94.10%	0.00	0.00	0.00
40 - 45	59 9.410%	96 15.31%	531 84.69%	0.00	0.00	0.00
45 - 50	125 19.94%	221 35.25%	406 64.75%	0.00	0.00	0.00
50 - 55	167 26.63%	388 61.88%	239 38.12%	0.00	0.00	0.00
55 - 60	146 23.29%	534 85.17%	93 14.83%	0.00	0.00	0.00
60 - 65	65 10.37%	599 95.53%	28 4.466%	0.00	0.00	0.00
65 - 70	16 2.552%	615 98.09%	12 1.914%	0.00	0.00	0.00
70 - 75	7 1.116%	622 99.20%	5 0.797%	0.00	0.00	0.00
75 - 80	2 0.319%	624 99.52%	3 0.478%	0.00	0.00	0.00
80 - 85	1 0.159%	625 99.68%	2 0.319%	0.00	0.00	0.00
85 - 90	1 0.159%	626 99.84%	1 0.159%	0.00	0.00	0.00
90 - 95	1 0.159%	627 100.0%	0 0.000%	0.00	0.00	0.00
95 - 100	0 0.000%	627 100.0%	0 0.000%	0.00	0.00	0.00
100 - 105	0 0.000%	627 100.0%	0 0.000%	0.00	0.00	0.00
105 - 110	0 0.000%	627 100.0%	0 0.000%	0.00	0.00	0.00
110 - 115	0 0.000%	627 100.0%	0 0.000%	0.00	0.00	0.00
115 - 120	0 0.000%	627 100.0%	0 0.000%	0.00	0.00	0.00
120 - 125	0 0.000%	627 100.0%	0 0.000%	0.00	0.00	0.00

Total Speed Rating = 0.00

Total Moving Energy (Estimated) = 0.00

### Speed limit fields (Partial days)

Limit	Below	Above
0   50 (PSL)	221 35.2%	406 64.8%
1   55 (Common Effective Speed Limit)	388 61.9%	239 38.1%
2   55 (5 over)	388 61.9%	239 38.1%
3   60 (10 over)	534 85.2%	93 14.8%



## MetroCount Traffic Executive Speed Statistics

### SpeedStat-973 -- English (ENU)

#### Datasets:

**Site:** [103800.97] South Wenas RD .1.05 miles West of Fletcher Rd  
**Attribute:** Yakima  
**Direction:** 8 - East bound A>B, West bound B>A. **Lane:** 0  
**Survey Duration:** 14:11 Monday, April 12, 2021 => 14:38 Tuesday, April 13, 2021,  
**Zone:**  
**File:** 1038000.97 0 2021-04-13 1438.EC0 (Plus )  
**Identifier:** JT84GE9J MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v5.07)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 14:12 Monday, April 12, 2021 => 14:38 Tuesday, April 13, 2021 (1.01843)  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** North, East, South, West (bound), P = East, Lane = 0-16  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 546 / 549 (99.45%)

## Speed Statistics

### SpeedStat-973

**Site:** 103800.97.0.1EW  
**Description:** South Wenas RD .1.05 miles West of Fletcher Rd  
**Filter time:** 14:12 Monday, April 12, 2021 => 14:38 Tuesday, April 13, 2021  
**Scheme:** Vehicle classification (Scheme F3)  
**Filter:** Cls(1-13) Dir(NESW) Sp(6,99) Headway(>0) Span(0 - 328.084) Lane(0-16)

Vehicles = 546

Posted speed limit = 50 mph, Exceeding = 343 (62.82%), Mean Exceeding = 56.74 mph

Limit 1 (Common Effective Speed Limit) (50 \* 110%) + 0 = 55 mph, Exceeding = 183 (33.52%)

Limit 2 (5 over) (50 \* 100%) + 5 = 55 mph, Exceeding = 183 (33.52%)

Limit 3 (10 over) (50 \* 100%) + 10 = 60 mph, Exceeding = 69 (12.64%)

Maximum = 93.5 mph, Minimum = 10.0 mph, Mean = 51.9 mph

50% Speed = 52.34 mph, 85% Speed = 59.28 mph, Median = 52.34 mph

10 mph Pace = 47 - 57, Number in Pace = 291 (53.30%)

Variance = 75.37, Standard Deviation = 8.68 mph

### Speed Bins (Partial days)

Speed	Bin	Below	Above	Energy	vMult	n * vMult
0 - 5	0 0.000%	0 0.000%	546 100.0%	0.00	0.00	0.00
5 - 10	1 0.183%	1 0.183%	545 99.82%	0.00	0.00	0.00
10 - 15	1 0.183%	2 0.366%	544 99.63%	0.00	0.00	0.00
15 - 20	3 0.549%	5 0.916%	541 99.08%	0.00	0.00	0.00
20 - 25	1 0.183%	6 1.099%	540 98.90%	0.00	0.00	0.00
25 - 30	1 0.183%	7 1.282%	539 98.72%	0.00	0.00	0.00
30 - 35	7 1.282%	14 2.564%	532 97.44%	0.00	0.00	0.00
35 - 40	22 4.029%	36 6.593%	510 93.41%	0.00	0.00	0.00
40 - 45	59 10.81%	95 17.40%	451 82.60%	0.00	0.00	0.00
45 - 50	108 19.78%	203 37.18%	343 62.82%	0.00	0.00	0.00
50 - 55	160 29.30%	363 66.48%	183 33.52%	0.00	0.00	0.00
55 - 60	114 20.88%	477 87.36%	69 12.64%	0.00	0.00	0.00
60 - 65	43 7.875%	520 95.24%	26 4.762%	0.00	0.00	0.00
65 - 70	17 3.114%	537 98.35%	9 1.648%	0.00	0.00	0.00
70 - 75	3 0.549%	540 98.90%	6 1.099%	0.00	0.00	0.00
75 - 80	4 0.733%	544 99.63%	2 0.366%	0.00	0.00	0.00
80 - 85	1 0.183%	545 99.82%	1 0.183%	0.00	0.00	0.00
85 - 90	0 0.000%	545 99.82%	1 0.183%	0.00	0.00	0.00
90 - 95	1 0.183%	546 100.0%	0 0.000%	0.00	0.00	0.00
95 - 100	0 0.000%	546 100.0%	0 0.000%	0.00	0.00	0.00
100 - 105	0 0.000%	546 100.0%	0 0.000%	0.00	0.00	0.00
105 - 110	0 0.000%	546 100.0%	0 0.000%	0.00	0.00	0.00
110 - 115	0 0.000%	546 100.0%	0 0.000%	0.00	0.00	0.00
115 - 120	0 0.000%	546 100.0%	0 0.000%	0.00	0.00	0.00
120 - 125	0 0.000%	546 100.0%	0 0.000%	0.00	0.00	0.00

Total Speed Rating = 0.00

Total Moving Energy (Estimated) = 0.00

### Speed limit fields (Partial days)

	Limit	Below	Above
0	50 (PSL)	203 37.2%	343 62.8%
1	55 (Common Effective Speed Limit)	363 66.5%	183 33.5%
2	55 (5 over)	363 66.5%	183 33.5%
3	60 (10 over)	477 87.4%	69 12.6%

## MetroCount Traffic Executive Vehicle Counts (Virtual Day)

### VirtVehicleCount-972 -- English (ENU)

#### Datasets:

**Site:** [1038003.69] South Wenas Rd 1.67 miles East of Fletcher Ln  
**Attribute:** Yakima  
**Direction:** 8 - East bound A>B, West bound B>A. **Lane:** 0  
**Survey Duration:** 13:38 Monday, April 12, 2021 => 14:13 Tuesday, April 13, 2021,  
**Zone:**  
**File:** 1038003.69 0 2021-04-13 1413.EC0 (Plus )  
**Identifier:** JS84VXZM MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v5.07)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 13:39 Monday, April 12, 2021 => 14:13 Tuesday, April 13, 2021 (1.02405)  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** North, East, South, West (bound), P = East, Lane = 0-16  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 627 / 634 (98.90%)

**\* Virtual Day - Total=611, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
<b>2</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>8</b>	<b>28</b>	<b>46</b>	<b>44</b>	<b>22</b>	<b>25</b>	<b>38</b>	<b>30</b>	<b>40</b>	<b>21</b>	<b>58</b>	<b>53</b>	<b>51</b>	<b>60</b>	<b>34</b>	<b>23</b>	<b>17</b>	<b>2</b>	<b>5</b>	<b>0</b>
1	0	0	0	2	3	10	<b>14</b>	3	7	10	5	12	5	5	<b>20</b>	15	11	10	9	7	0	2	0
1	1	1	0	0	6	5	<b>14</b>	7	3	15	11	9	5	9	<b>15</b>	13	18	7	9	4	2	0	0
0	0	0	2	2	8	<b>16</b>	8	7	8	9	7	8	4	<b>34</b>	4	10	22	10	0	5	0	3	0
0	0	0	0	4	11	<b>15</b>	8	5	7	4	7	11	7	<b>10</b>	14	13	9	7	5	1	0	0	0

**AM Peak 0630 - 0730 (59), AM PHF=0.92 PM Peak 1430 - 1530 (79), PM PHF=0.58**

Numbers have been rounded to the nearest integer.

## MetroCount Traffic Executive Vehicle Counts (Virtual Day)

### VirtVehicleCount-971 -- English (ENU)

#### Datasets:

**Site:** [103800.97] South Wenas RD .1.05 miles West of Fletcher Rd  
**Attribute:** Yakima  
**Direction:** 8 - East bound A>B, West bound B>A. **Lane:** 0  
**Survey Duration:** 14:11 Monday, April 12, 2021 => 14:38 Tuesday, April 13, 2021,  
**Zone:**  
**File:** 1038000.97 0 2021-04-13 1438.EC0 (Plus )  
**Identifier:** JT84GE9J MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v5.07)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 14:12 Monday, April 12, 2021 => 14:38 Tuesday, April 13, 2021 (1.01843)  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** North, East, South, West (bound), P = East, Lane = 0-16  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 546 / 549 (99.45%)

**\* Virtual Day - Total=530, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
<b>3</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>4</b>	<b>19</b>	<b>33</b>	<b>39</b>	<b>24</b>	<b>29</b>	<b>27</b>	<b>38</b>	<b>37</b>	<b>29</b>	<b>27</b>	<b>46</b>	<b>47</b>	<b>48</b>	<b>31</b>	<b>18</b>	<b>21</b>	<b>3</b>	<b>4</b>	<b>0</b>
3	0	0	0	0	5	5	17	7	2	6	10	7	10	3	13	12	11	11	6	5	0	1	0
0	0	1	0	1	1	7	10	3	7	5	9	9	7	8	14	12	13	4	8	6	1	0	0
0	0	0	0	1	8	9	7	6	11	11	8	8	9	6	7	13	12	12	3	10	1	2	0
0	0	0	2	2	5	12	5	8	9	5	11	13	3	10	12	10	12	4	1	0	1	1	0

**AM Peak 0630 - 0730 (48), AM PHF=0.71 PM Peak 1545 - 1645 (49), PM PHF=0.94**

Numbers have been rounded to the nearest integer.

## Phil Hoge

---

**From:** Shelley Byington <olyshell64@gmail.com>  
**Sent:** Thursday, October 20, 2022 12:15 PM  
**To:** Phil Hoge; Long Range Planning  
**Subject:** Thank you for your time last night, 10/19/22

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

Hello Phil and members of the Planning Commission (PC) Team,

Last night was intense at the Holiday Inn, October 19, 2022, for Hearing Items: LRN21-001/SEP21-010 and LRN21-005/SEP20-004. Didn't help with the lack of sound equipment and 30-minute delay in meeting start time. I have little experience attending hearings but felt compelled to attend and hear both sides. My takeaway was the exhaustion from local citizens needing to defend their quality of life. Also, the feeling that they are not being heard or that laws and the comprehensive plan are being adhered to.

Please sit back and read the following takeaways from last night for your consideration at next week's deliberations you and your team will have the responsibility of deliberating, bring caffeine and snacks:

1. Caton/Strutners feel they should have the right to use their land as they see fit, "to make a living", as Charlotte Caton stated at the end of the meeting. I am confused about the "lies" she referred to so vehemently, or how the Lord has anything to do with their land use rights.
2. The opposition, the majority in the room, stated concerns to environmental impact and long-term planning, or lack thereof, for road improvement and safety. Or if roads can support increased traffic. Which we all know they cannot in a safe manner. Mr. Fickes referred to the area being zoned for agriculture and the roads can, and do, support large trucks now and do so well. This is not accurate, agriculture traffic is seasonal, the landfill traffic is six days per week from 6:30 am to 4:00 pm, if not longer as witnessed by neighbors, Monday thru Saturday. This is adding to the stress on the roads and quality of local human and animal life.
3. The RV Resort was granted their business venture five years ago by the PC. Now they are trying to protect their investment from deterioration and adverse, unsightly activity at the landfill and quarry potential that will impact their livelihood.
4. Other local business owners feel they follow the letter of the law while Caton/Strutner's business is allowed to do what they want. Is it because they just move ahead and do it anyway? No one is really watching, checking on them like they should be?
5. I was surprised that the county has been purchasing material from Caton, per their attorney. Is this a conflict of interest and hypocrisy?
6. My head is still reeling that the PC granted the RV Resort the go ahead with their business plan and now are putting it in jeopardy if they allow the expansion of gravel and sand to be excavated, transferred off the landfill area, across the street from them.
7. The PC cannot deny the concerns of the tax paying citizens directly impacted by the outcome if Caton/Strutner are granted the Mineral Resource Overlay. I was very relieved when a PC member stood up to Mark Fickes when he stated that we were not to speak about safety and roads last night. He was very abrasive, and was not received well, in my opinion.
8. The thought of attending hearings to voice our concerns as this project moves along, if granted, is exhausting and not my idea of good stewardship on behalf of Yakima County.

EXHIBIT NO. C  
DATE: 10/20/22  
FILE NO. LRN2021-00005

Again, thank you for your time last night and time spent on the two Naches area issues. My head is still reeling that Naches will grab land, eminent domain, from the Hucks' so that a few can profit from their business venture, it is not right. We have lived in Conrad Ranch since August 2020, so I'm learning the local political fervor. I was hoping to have left that in Thurston County.

Regards,

Shelley Byington  
780 Conrad Rd, Selah, WA 98942  
360-951-1117

EXHIBIT NO.  
DATE  
FILE NO.





Allyson Brooks Ph.D., Director  
State Historic Preservation Officer

October 21, 2022

Thomas Carroll  
Planning Official  
Yakima County  
128 N 2nd Street, 4th Floor  
Yakima, WA 98901

EXHIBIT NO. D  
DATE: 10/21/22  
FILE NO. LRN 2021-00005

In future correspondence please refer to:

Project Tracking Code: 2022-10-07012

Property: Yakima County\_Mineral Resource Overlay Map Amendment (LRN2021-00005)

Re: Survey Requested

Dear Thomas Carroll:

Thank you for contacting the Washington State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) and providing documentation regarding the above referenced project. These comments are based on the information available at the time of this review and on behalf of the SHPO in conformance Washington State law. Should additional information become available, our assessment may be revised.

The proposed project area may contain spiritually significant talus features, as well as other archaeological sites and/or materials. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present. Identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource. Therefore, we recommend a professional archaeological survey of the project area be conducted and a report be produced prior to ground disturbing activities. This report should meet DAHP's [Standards for Cultural Resource Reporting](#).

We also recommend that any historic buildings or structures (45 years in age or older) located within the project area are evaluated for eligibility for listing in the National Register of Historic Places on Historic Property Inventory (HPI) forms. We highly encourage the SEPA lead agency to ensure that these evaluations are written by a cultural resource professional meeting the [SOI Professional Qualification Standards in Architectural History](#).

Please note that the recommendations provided in this letter reflect only the opinions of DAHP. Any interested Tribes may have different recommendations. We appreciate receiving any correspondence or comments from Tribes or other parties concerning cultural resource issues that you receive.

Thank you for the opportunity to comment on this project. Please ensure that the DAHP Project Tracking Number is shared with any hired cultural resource consultants and is attached to any communications or submitted reports. Please also ensure that any reports, site forms, and/or historic property inventory (HPI) forms are uploaded to WISAARD by the consultant(s).



Should you have any questions, please feel free to contact me.

Sincerely,



Sydney Hanson  
Local Government Archaeologist  
(360) 280-7563  
Sydney.Hanson@dahp.wa.gov



## Phil Hoge

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**From:** Sears, Tricia (DNR) <Tricia.Sears@dnr.wa.gov>  
**Sent:** Monday, October 24, 2022 4:23 PM  
**To:** Phil Hoge  
**Cc:** Kuhta, Scott (COM); Sears, Tricia (DNR)  
**Subject:** Yakima County, proposal to revise comp plan map to add MRO to parcel, comments from WGS

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Hello Phil,

In keeping with the interagency correspondence principles, I am providing you with draft comments on Yakima County's proposed comprehensive plan map amendment to add a Mineral Resource Overlay (MRO) to a 744-acre site (Commerce ID# 2022-S-4438).

I looked at the entire proposal, Case Numbers: LRN2021-00005 / SEP2020-00004, regarding the MRO. It appears the proposed change to have the MRO (defined on page 4) placed on the property is in keeping with the protection of mineral resource lands as required by GMA.

Thank you for considering our comments. If you have any questions or need additional information, please contact me. For your convenience, if there are no concerns or follow-up discussion, you may consider these comments to be final as of the 60-day comment deadline of December 16, 2022.

Cheerio,  
Tricia

Tricia R. Sears (she/her/hers)  
**Geologic Planning Liaison**  
Washington Geological Survey (WGS)  
Washington Department of Natural Resources (DNR)  
Cell: 360-628-2867 | Email: [tricia.sears@dnr.wa.gov](mailto:tricia.sears@dnr.wa.gov)

EXHIBIT NO. E  
DATE: 10/24/22  
FILE NO. LRN 2021-00005

## Phil Hoge

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**From:** Jamie West  
**Sent:** Wednesday, November 2, 2022 7:58 AM  
**To:** Phil Hoge  
**Cc:** Thomas Carroll; Jason Earles  
**Subject:** FW: Requested Traffic + Speed Data  
**Attachments:** S Wenas weighted PSC 2022.xlsx

Hey Phil,

If it is still needed for the Caton Landfill/Struttner-McHenry project. I just received the pavement rating information from this years survey on S Wenas Road (Heading towards selah). In short, it is in good condition and will likely get on the maintenance schedule in the next couple years.

---

**From:** Becca McConnaughey <[beccamcco@hotmail.com](mailto:beccamcco@hotmail.com)>  
**Sent:** Tuesday, November 1, 2022 10:16 PM  
**To:** John Stanton <[johnjs@co.yakima.wa.us](mailto:johnjs@co.yakima.wa.us)>  
**Cc:** Jamie West <[Jamie.West@co.yakima.wa.us](mailto:Jamie.West@co.yakima.wa.us)>  
**Subject:** Re: Requested Traffic + Speed Data

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

John and Jamie,

S Wenas Rd #10380 was rated on 7/12/22. The weighted average PSC for this road was 85, which is in very good condition. In the next few years, the road should be considered for a minor surface treatment such as crack seal and chip seal. If you would like to compare the PSC to the PSC in 2020 John would need to pull the data from Mobility or GisMo, as I do not have access to that.

Please let me know if you have any questions. I have attached the data in case you would like to see it.

Thank you,  
Becca

---

**From:** John Stanton <[johnjs@co.yakima.wa.us](mailto:johnjs@co.yakima.wa.us)>  
**Sent:** Monday, October 24, 2022 8:50 AM  
**To:** Becca McConnaughey <[beccamcco@hotmail.com](mailto:beccamcco@hotmail.com)>  
**Cc:** Jamie West <[Jamie.West@co.yakima.wa.us](mailto:Jamie.West@co.yakima.wa.us)>  
**Subject:** FW: Requested Traffic + Speed Data

Becca would you be able to help with this one as well please.

EXHIBIT NO. F  
DATE: 11/2/22  
FILE NO. LRN2021-00005

## S Wenas Rd 2022 PSC

From MP	To MP	Length (mile)	2022 PSC
0.00	0.10	0.10	88
0.10	0.20	0.10	88
0.20	0.30	0.10	85
0.30	0.40	0.10	86
0.40	0.50	0.10	86
0.50	0.60	0.10	86
0.60	0.70	0.10	86
0.70	0.80	0.10	78
0.80	0.90	0.10	83
0.90	1.00	0.10	78
1.00	1.10	0.10	74
1.10	1.20	0.10	82
1.20	1.30	0.10	85
1.30	1.40	0.10	88
1.40	1.50	0.10	78
1.50	1.60	0.10	80
1.60	1.70	0.10	84
1.70	1.80	0.10	79
1.80	1.90	0.10	82
1.90	2.00	0.10	82
2.00	2.10	0.10	82
2.10	2.20	0.10	88
2.20	2.30	0.10	88
2.30	2.40	0.10	86
2.40	2.50	0.10	81
2.50	2.60	0.10	88
2.60	2.70	0.10	83
2.70	2.80	0.10	86
2.80	2.90	0.10	83
2.90	3.00	0.10	86
3.00	3.10	0.10	82
3.10	3.20	0.10	85
3.20	3.30	0.10	88
3.30	3.40	0.10	90
3.40	3.50	0.10	87
3.50	3.60	0.10	87
3.60	3.70	0.10	90
3.70	3.80	0.10	85
3.80	3.90	0.10	83
3.90	4.00	0.10	86
4.00	4.10	0.10	88
4.10	4.20	0.10	86
4.20	4.30	0.10	88
4.30	4.40	0.10	79
4.40	4.50	0.10	82
4.50	4.60	0.10	84

## S Wenas Rd 2022 PSC

4.60	4.70	0.10	88
4.70	4.80	0.10	88
4.80	4.90	0.10	84
4.90	5.00	0.10	90
5.00	5.10	0.10	88
5.10	5.20	0.10	90
5.20	5.30	0.10	87
5.30	5.40	0.10	85
5.40	5.50	0.10	90
5.50	5.60	0.10	90
5.60	5.70	0.10	83
5.70	5.80	0.10	88
5.80	5.90	0.10	88
5.90	6.00	0.10	86
6.00	6.10	0.10	88
6.10	6.20	0.10	83
6.20	6.30	0.10	86
6.30	6.40	0.10	83
6.40	6.50	0.10	88
6.50	6.54	0.04	85
Total Length (miles):		6.54	
Weighted PSC:		85	

## Phil Hoge

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**From:** Ted Silvestri  
**Sent:** Friday, October 28, 2022 3:37 PM  
**To:** jillyearout  
**Cc:** Thomas Carroll; Noelle Madera; Long Range Planning; Julie Lawrence; Steven Newchurch; Shawn Magee; Lisa Freund; Amanda McKinney  
**Subject:** Caton Landfill Concerns  
**Attachments:** Valerie Jill Yearout Reply.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

EXHIBIT NO. 9  
DATE: 10/28/2022  
FILE NO. LRN 2021-00005

Valerie,

Please see attached.

Ted

Ted Silvestri, R.S.  
Environmental Health Specialist  
Yakima Health District  
1210 Ahtanum Ridge Drive  
Union Gap, WA 98903  
[ted.silvestri@co.yakima.wa.us](mailto:ted.silvestri@co.yakima.wa.us)  
(509) 249-6562



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**From:** Lisa Freund <lisa.freund@co.yakima.wa.us>  
**Sent:** Monday, October 24, 2022 8:33 AM  
**To:** Amanda McKinney <amanda.mckinney@co.yakima.wa.us>; jillyearout <jillyearout@gmail.com>  
**Cc:** Thomas Carroll <thomas.carroll@co.yakima.wa.us>; Noelle Madera <Noelle.Madera@co.yakima.wa.us>; Long Range Planning <longrangeplanning@co.yakima.wa.us>; Julie Lawrence <julie.lawrence@co.yakima.wa.us>; Ted Silvestri <ted.silvestri@co.yakima.wa.us>; Steven Newchurch <steven.newchurch@co.yakima.wa.us>  
**Subject:** RE: Reference all communication with Case Number LRN-2021-00005/SEP2020-000004

Good morning Valerie,  
Great questions. I reached out to our Planning Official Tommy Carroll to answer them. See his responses, below.

**Regarding environmental test records:** I've included Ted Silvestri, Yakima Health District (YHD), in this email as YHD and/or Dept. of Ecology are the regulatory agencies with oversight over environmental testing of landfills.

**Future notices:** I've also cc'd Planning to add you to the Board's Hearing distribution list.



Please let me or Noelle Madera, Long Range Planning Manager (cc'd above), if you have any questions. Thank you for your interest. – Lisa Freund, Public Services Director

**Comprehensive Plan Hearing Schedule:**

**October 26:** Planning Commission (PC) will deliberate on the proposed comp plan amendment

**\*Approximately the Week of Nov. 7:** PC will issue its recommendation to the Board of County Commissioners (BOCC)

**\*Approximately the week of either Nov. 21 or 28:** BOCC will hold a Work Session on the Recommendations

**\*Approximately mid-December:** the BOCC will hold its public hearing

**End of Dec:** BOCC will deliberate and issue its decision

**\*dates approximate due to unknown length of public process, PC deliberations, and the BOCC's schedule**

1. Question: 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.

**Answer:** Based on the comments received from Yakima County Roads Division as part of the last two Caton comp plan amendment applications the current level of service for those roads are adequate for the truck traffic. Now that doesn't mean that the average person would call the roads "good roads." To many they may seem too narrow for large vehicles or the shoulders may be worn down, etc., but as far as their ability to support the existing traffic demands County Roads has indicated that are sufficient. However, any future land use application that would generate additional truck traffic would be reviewed by County Roads and they would decide whether a transportation impact study would be required and whether road improvements would be needed.

2. Q: 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!

**Answer:** Unfortunately, Yakima County Roads Division does not regulate the use of Jake Brakes nor the noise generated from them. Speeding and driving recklessly is regulated by the Yakima County Sheriff. We will forward your comment to the Sheriff's office; however, **we recommend you notify the Sheriff's office directly if you witnesses a specific truck or event after it occurs.**

3. Q: 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.

**Answer:** The dump trucks coming from Canada doesn't sit well with anyone, including Yakima County Public Services, unfortunately there is no rules against it. Publicly owned landfills do



have limitations on where the waste can come from, however private landfills don't have the same restriction. The Yakima Health District is responsible for ensuring that the waste deposited at the Caton Landfill meets their landfill permit requirements. Any and all documentation regarding what is being dumped should be available from them. The DTG/Anderson pit still accepts waste generated from outside the County. The neighbors were not able to stop them from accepting outside waste since it was not a restriction in their original landfill permits.

4. Q: 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.

**Answer:** I'm not aware of any environmental tests conducted at the Caton landfill. Typically, the Yakima Health District and Department of Ecology will require studies if they feel its necessary based on what they observe at the landfill. Since the Health District inspects the landfill, they would be the best source of information on this issue. The neighbors at DTG/Anderson were able to work with the Health District and Department of Ecology regarding their concerns which led to increased scrutiny and inspections, thus ultimately triggering an investigation and now potential studies are being conducted. At the present time however, I'm not aware of any investigation at the Caton Landfill.

4. Comment: 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!!

**Response:** Yes, the Strutner's have applied for a commercial composting operation. At the present time the application is on hold, so they can provide additional information regarding their operations plan for the facility so we can finish our review of their permit application. Keep in mind, the proposed composting facility is also regulated by the Yakima Health District and Department of Ecology.

5. Q: 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.

**Answer:** The Caton's paid the necessary fees associated with their comprehensive plan amendment application. Yakima County used the same method and process for notification as required by County Code and state law. The difference between this year's review and the one from 2020 was our current notification process just occurred closer to the Planning Commission then normal. Usually we try to start the notification process sooner, however the Planning Division had a significant loss in staff over the past year and half and we weren't able to start our review of the Caton comp plan amendment application until later this year. We still meet our statutory obligation, and I can see how it looks to the neighbors having such late notification, but I assure you it was solely related to our workload and lack of staff to do it. Legal case with Caton – Yakima County issued a code violation for illegal mining and intent to revoke their landfill permit a few years ago. The Caton's appealed our violation to the Yakima County Hearing Examiner. Yakima County prevailed, yet the Caton's subsequently appealed the Hearing Examiner's decision to Superior Court. The case is still pending. Under Yakima

County code, if a property owner has an active code case, they are prohibited from applying for any land use or building permit unless those permits would lead to resolution of the code case. In this case, the Caton's are applying for the Mineral Resource Overlay and if approved by the Board of Yakima County Commissioner's the Catons would be able to apply for a mining permit, thus satisfying the code violation.

I hope this helps. Please let us know if you'd like more information. -Lisa



Lisa H. Freund  
Yakima County Public Services Director  
128 N. 2<sup>nd</sup> St, Yakima, WA 98901  
Front desk: 509-574-2300  
Email: [Lisa.freund@co.yakima.wa.us](mailto:Lisa.freund@co.yakima.wa.us)  
[www.yakimacounty.us](http://www.yakimacounty.us)

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**From:** Amanda McKinney <[amanda.mckinney@co.yakima.wa.us](mailto:amanda.mckinney@co.yakima.wa.us)>  
**Sent:** Friday, October 21, 2022 12:49 PM  
**To:** jillyearout <[jillyearout@gmail.com](mailto:jillyearout@gmail.com)>; Lisa Freund <[lisa.freund@co.yakima.wa.us](mailto:lisa.freund@co.yakima.wa.us)>  
**Subject:** Re: Reference all communication with Case Number LRN-2021-00005/SEP2020-000004

Hello Valerie,

Thank you again for reaching out on this topic. I have had the opportunity to connect with staff to determine which case and site you are concerned with. This particular site has had a number of code enforcement actions and is currently in an application process to amend their current operating agreement. The Yakima County Planning Commission currently has the application being reviewed according to the required process. The Planning Commission will make a recommendation to the Board of County Commissioners, at which time the BOCC will begin a Public Hearing Process.

I have included in my reply Lisa Freund, Public Services Director, so that she can coordinate with you directly to provide you with the specific documents you are requesting related to this site. Lisa will also ensure that you receive notice when this application begins the hearing process with the Board of Commissioners. She can also provide an estimated timeframe for which the BOCC may see this application reach out office to begin the next portion of the hearing process.

Please let me know how I can be in further service to you, I am here to help.

*Best wishes,*



Amanda McKinney

Commissioner District 1 | Chair

Board of Yakima County Commissioners

509-424-0043

[www.Facebook.com/CommissionerAmandaMcKinney](https://www.Facebook.com/CommissionerAmandaMcKinney)

[www.yakimacounty.us](http://www.yakimacounty.us)

*This email is subject to disclosure as a public record under the Public Records Act, RCW Chapter 42.56*

"The **preservation of the sacred fire of liberty**, and the **destiny of the republican model of government**, are justly considered deeply, perhaps as finally, staked on the experiment entrusted to the hands of the American people." – George Washington

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**From:** jillyearout <[jillyearout@gmail.com](mailto:jillyearout@gmail.com)>  
**Sent:** Wednesday, October 19, 2022 9:45 AM  
**To:** Amanda McKinney <[amanda.mckinney@co.yakima.wa.us](mailto:amanda.mckinney@co.yakima.wa.us)>  
**Subject:** FW: 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.

Amanda, Im curious what your opinion is on this subject? Please let me know. It is worth a drive to see what the landfill looks like. This morning, for instance, there were several semi trucks (at least 3) passing my house before and at 6:00 am. I have gotten gravel from Strutner and it is not good quality gravel. It crushes because it is pumice. It is fleshy color like pumice. There is very little actual hard rock like basalt. And 42 years of 120 semi loads a week is alot of waste. I would like to see the environmental studies and inspections. Please let me know your feelingd on this. I have listened to your opinions on other topics and I like what you have said so far. This will impact a great number of individuals who are trying to get their opinion heard.

Thank you,  
Valerie Yearout

Sent from my U.S.Cellular© Smartphone

----- Original message -----

**From:** jillyearout <[jillyearout@gmail.com](mailto:jillyearout@gmail.com)>  
**Date:** 10/18/22 10:15 PM (GMT-08:00)  
**To:** [longrangeplanning@co.yakima.wa.us](mailto:longrangeplanning@co.yakima.wa.us)  
**Subject:** Reference all communication with Case Number LRN-2021-00005/SEP2020-000004

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

October 28, 2022

Valerie Jill Yearout  
Member of the Murray Family adjacent to Caton Landfill

Dear Valerie Jill Yearout:

While you did not send your comments to the Yakima Health District, I thought I might be able to address some of your concerns as well as aid in a better understanding of how solid waste facilities are regulated.

An often overlooked or poorly understood aspect of solid waste facility permitting are the roles of the various agencies. From a solid waste permitting viewpoint, the land use agency (Yakima County Planning in this case) determines if a facility, such as a landfill or composting facility, can be located at a site. If it can, the Yakima Health District, working with the Washington State Department of Ecology, permits the facility according to the requirements in WAC 173-350-400 for limited purpose landfills and WAC 173-350-220 for composting facilities.

That being said, the Yakima Health District does not regulate trucks, truck traffic, noise on the road – that is under the authority of the police and other agencies. You will need to contact those agencies for truck traffic, noise, road suitability, etc.

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.

The semi-trucks coming from British Columbia, Canada are hauling demolition waste to the Caton Landfill. I went to the landfill and inspected the first load that came in and it appeared to be just demolition waste. While we have not inspected every load that comes to the landfill, we make a point to inspect the Canadian waste at the landfill when we are there. It appears to be just what they say it is, construction/demolition debris. Ecology inspectors have also looked at this material and did not have any concerns.

While this material can be disposed of in Canada, it is cheaper to haul it down here and dispose of it. This also saves space in their municipal solid waste landfills that can be used for municipal solid waste. (MSW landfills have a higher standard to meet than limited purpose landfills.) Yakima County also diverts construction/demolition waste to limited purpose landfills to save space in their MSW landfills. Municipal solid waste is a broad category of waste that includes the kitchen garbage like materials.

Regarding the Canadian material no longer going to the DTG Landfill (formerly the Anderson Landfill): This material is acceptable at both landfills. However, DTG is having problems with proper waste acceptance and we could not determine which waste stream was bringing in unacceptable waste. This is the reason this partially chopped up waste no longer goes to the DTG facility. At the Caton Landfill,

operations are such that it is easier to look at this waste and continue to see that it is an acceptable waste for the Caton landfill.

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.

When this landfill was permitted, a hydrogeological assessment was done to delineate the ground water situation beneath the landfill. (This is required by WAC 173-350 and is done for all limited purpose landfills.) Based on that assessment, it was determined that ground water moves under this area, coming from the Naches Valley and moving towards the Wenas Valley. The ground water is more than 400 feet below the surface. One upgradient monitoring well was developed and two down gradient monitoring wells were also installed. This way we can compare the ground water coming under the site to the ground water leaving the site. Ground water monitoring wells are currently sampled twice a year for the constituents detailed in WAC 173-350-500(4). To date, nothing has been found to indicate any impact to the ground water.

Ground water monitoring reports are submitted annually to the Yakima Health District and to the Washington State Department of Ecology. These documents are public records. To get copies, fill out a request for information form and submit it to the Yakima Health District.

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!!

A composting operation at this site will require a permit from the Yakima Health District. The requirements for a composting site are detailed in WAC 173-350-220. To date, we have not received an application for a composting permit. The Yakima Health District cannot issue a permit for a composting operation until the land use agency (Yakima County Planning in this case) determines that the site is approved to have a composting facility.

You mentioned methane gas production in your comments. A properly operated compost facility should not be producing methane. The regulations require that piles be turned regularly to keep oxygen (air) flowing through it. If the pile quits getting oxygen, it goes anaerobic (without oxygen) and may produce methane – this is not proper composting. Please see WAC 173-350-220 for the requirements for a composting site permit, which includes operational requirements.

I hope this answers some of your questions. You can contact me at 509-249-6562, [ted.silvestri@co.yakima.wa.us](mailto:ted.silvestri@co.yakima.wa.us) or you may contact Steven Newchurch at 509-249-6504, [steven.newchurch@co.yakima.wa.us](mailto:steven.newchurch@co.yakima.wa.us).



## Phil Hoge

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**From:** Shelley Byington <olyshell64@gmail.com>  
**Sent:** Friday, December 9, 2022 7:14 AM  
**To:** Shawn Magee; James Rivard; wesm@triply.com; Ed Shoenbach; Wendy Wickersham; Phil Hoge; suestone1264@gmail.com; bob sound-investments.com; Thomas Carroll; Julie Lawrence  
**Subject:** Caton Landfill Fire, Friday, December 9, 2022  
**Attachments:** YHD\_Notice\_of\_Violation\_11-18-2022.pdf  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

To Whom it Concerns,

As of 6:30 am, Friday, December 9, 2022, flames are visible from the left side of the top tier at the Caton Landfill. The flames are coming from the very steep slope of exposed waste from the ongoing smoking area over the last months. Flames have appeared in this same area before. Dirt has not been applied to this area, it is very steep and cannot be reached easily.

As of 6:50 am Caton has heavy equipment at the top of the tier, I am curious how they will reach the flame area from the top, it is very steep.

An ERTS has been submitted to DOE.

I am sure Caton will willingly report the fire today to YHD and DOE as they are under strict orders to remedy the fire issues promptly, per the letter of violation dated 11/18/22. They have a very large responsibility and appear to be working hard on trying to correct the many issues on their site, but things are very volatile on the site, fires are still active, proof this morning and from escaping steam/smoke that continues.

The continued smoke and fires at the Caton Landfill do NOT meet the Governor's expectation to reduce greenhouse gases from landfills.

***If Caton is allowed to expand, my hope is that the YHD and County Commissioners' take into account the current management FAIL on behalf of the Caton and the environmental impact they are having on our Wenas Valley. If they are permitted to extract gravel, the direct future impact will be on their hands, the ones that allowed it to happen.***

Concerned citizen,  
Shelley Byington  
360-951-1117

EXHIBIT NO. H  
DATE: 12/9/2022  
FILE NO: LRN2021-00005



November 18<sup>th</sup>, 2022

Randy Caton  
Caton Limited Purpose Landfill  
1251 Humphrey Road  
Tieton, WA 98947

## **NOTICE OF VIOLATION**

RE: Notice of Violations at the Caton Limited Purpose Landfill (permit number HSW2018-00006).

Mr. Caton,

Chapter 70.95 RCW, promulgated through WAC 173-350, charges the local health jurisdiction with the responsibility of reviewing, permitting and regulating solid waste facilities.

Starting on November 2<sup>nd</sup>, 2022, the Yakima Health District (YHD) was made aware of an ongoing fire situation at the Caton Landfill. It was confirmed by on-site operators that the fire started the day before. We have been working with the Caton Landfill to address the fire and several actions must be taken regarding this ongoing situation. To remediate the severity of the issue at hand, YHD is outlining in this letter specific processes and requirements that must be met and/or followed by Caton Landfill.

Adhering to the requirements of this letter is essential to ensure this facility is in compliance. It is **the responsibility of the facility to be compliant** with WAC 173-350 and permit conditions. Under RCW 70A.205.140, the rule gives authority to YHD by stating:

*Any permit for a solid waste disposal site issued as provided herein shall be subject to suspension at any time the jurisdictional health department determines that the site or the solid waste disposal facilities located on the site are being operated in violation of this chapter, the regulations of the department, the rules of the department of agriculture, or local laws and regulations.*

The issues and corrective actions required to be met by YHD are outlined below:

## **LANDFILL FIRE**

Since YHD was notified of the fire on November 2<sup>nd</sup>, 2022, there have been numerous site visits from various agencies showing evidence of an underground landfill fire at this facility. Inspectors have seen numerous vents with smoke or steam being emitted encompassing the extent of the active and closed areas of the landfill. Condition 5 on your Limited Purpose Landfill permit states: "No burning of any waste will be allowed on the site. Should a fire accidentally start, it must be extinguished as soon as possible." Because this fire is subsurface and not immediately extinguishable, YHD allotted a period of (3) days to show significant progress on covering uncovered waste and slopes to remediate the visible evidence of fire or face temporary permit suspension. In concurrence with Washington State Department of Ecology (DOE), it was a consensus that significant progress was made over the timeframe warranted and the permit was not suspended. However, a few vents were still visible, and since then, YHD and DOE are still receiving complaints of fire visible by neighbors. **Effective immediately, YHD, in concurrence with recommendations made by DOE, is requiring Caton Landfill to cover all uncovered waste within (30) days of the receipt of this letter and covering of slopes within (60) days of the receipt of this letter to ensure oxygen does not increase the intensity of the fire.** This progress will be monitored by YHD, and other regulatory authorities, and evaluated based on our authority under RCW70A.205.140 (referenced above). YHD reserves the right to take potential enforcement action if necessary.

## **EXCESSIVE UNCOVERED WASTE AND WASTE PLACEMENT**

On November 4<sup>th</sup>, 2022, YHD made a site visit to assess the fire situation. It was apparent the situation had increased, and venting was seen on the full extent of the active fill area. Operators were continuing to place waste on the area where venting was occurring. YHD spoke with Charlotte Caton regarding the immediate stoppage of placing waste in the active fill area. An agreement was reached by operators and regulators on site that, because of an emergency response to the fire, waste may be placed elsewhere on site. The immediate stoppage was not lifted and on November 17<sup>th</sup>, 2022, YHD witnessed and documented two trucks placing waste on the affected fire area. **Effective immediately, YHD, in concurrence with recommendations made by DOE, is requiring the immediate stoppage of waste placement in the active fill area until the fire situation**



**is under control.** This directive will be monitored by YHD, and other regulatory authorities, and evaluated based on our authority under RCW70A.205.140 (referenced above). YHD reserves the right to take potential enforcement action if necessary. YHD will notify you in writing when placing waste in this fire affected area may resume.

During our site visits, we have brought up the issue of excessive uncovered waste at this facility. This has been brought up many times over the years and has been communicated to you via several inspection follow-up letters. This concerns regulators as it introduces oxygen into the waste a lot more readily as opposed to a face covered in soil. Oxygen will fuel the fire and increase the intensity. The slope on this active fill area is exceedingly steep and will likely require regrading in order to cover the waste with soil. Building up the east and west facing slopes is essential to ensure smothering of the fire as best as possible. **YHD, in concurrence with recommendations made by DOE, is requiring the uncovered waste in the fire affected area needs to be covered within (30) days of receipt of this letter.** Significant progress of this may be evaluated on a specific basis, but the deadline will still be applicable. This progress will be monitored by YHD, and other regulatory authorities, and evaluated based on our authority under RCW70A.205.140 (referenced above). YHD reserves the right to take potential enforcement action if necessary.

## **LANDFILL GAS SAMPLING**

On our site visits regarding the landfill fire, regulators have witnessed numerous areas or vents emitting smoke or steam. To ensure that the public and environmental health and safety is protected and monitored, YHD is requiring Caton Landfill to submit a gas sampling proposal that ensures emissions from steam or smoke will be tested for harmful chemicals and compounds. It is imperative that the safety of the public and environment is the number one priority regarding this fire situation and gas sampling can answer many unanswered questions. **YHD, in concurrence with recommendations made by DOE, is requiring proof of contract with third party consultants by December 15<sup>th</sup>, 2022, and the gas sampling plan proposal to be submitted by January 15<sup>th</sup>, 2023.** This proposal will be reviewed by YHD, and other regulatory authorities, and evaluated based on our authority under RCW70A.205.140 (referenced above). YHD reserves the right to review the proposal and require additional work if necessary.

Thank you for your consideration and cooperation during this ongoing environmental and public health situation. YHD continues to appreciate the time and effort it takes to address these serious issues. Additionally, YHD is willing to meet with applicable parties regarding this letter if requested.

If you have any questions, please contact [shawn.magee@co.yakima.wa.us](mailto:shawn.magee@co.yakima.wa.us) or (509) 249-6533.

Sincerely,



Shawn Magee, R.S.  
Environmental Health Director

cc: Washington State Department of Ecology  
Yakima County Planning Division  
Yakima Regional Clean Air Authority  
Yakima County Commissioners

## Phil Hoge

**From:** Rivard, James (ECY) <JRIV461@ECY.WA.GOV>  
**Sent:** Friday, December 9, 2022 4:05 PM  
**To:** Shelley Byington; Shawn Magee; wesm@triply.com; Ed Shoenbach; Wendy Wickersham; Phil Hoge; suestone1264@gmail.com; bob sound-investments.com; Thomas Carroll; Julie Lawrence; Provence, Cole (ECY); LeMond, Luke (ECY); Rounds, Megan (ECY)  
**Subject:** RE: Caton Landfill Fire, Friday, December 9, 2022

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**EXHIBIT NO.** I  
**DATE:** 12/9/2022  
**FILE NO.** LRN2021-00005

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

Hi Shelley,

Thanks for putting in the ERTS today. I know YHD was out at the facility for a significant amount of time today and a lot of progress was made and they will be back on Monday. It is likely that the facility will be pushing around more dirt this weekend.

James,

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**From:** Shelley Byington <olyshell64@gmail.com>  
**Sent:** Friday, December 9, 2022 7:14 AM  
**To:** Shawn Magee <shawn.magee@co.yakima.wa.us>; Rivard, James (ECY) <JRIV461@ECY.WA.GOV>; wesm@triply.com; Ed Shoenbach <rtes@fairpoint.net>; Wendy Wickersham <wendywickersham@icloud.com>; phil.hoge@co.yakima.wa.us; suestone1264@gmail.com; bob sound-investments.com <bob@sound-investments.com>; thomas.carroll@co.yakima.wa.us; julie.lawrence@co.yakima.wa.us  
**Subject:** Caton Landfill Fire, Friday, December 9, 2022

To Whom it Concerns,

As of 6:30 am, Friday, December 9, 2022, flames are visible from the left side of the top tier at the Caton Landfill. The flames are coming from the very steep slope of exposed waste from the ongoing smoking area over the last months. Flames have appeared in this same area before. Dirt has not been applied to this area, it is very steep and cannot be reached easily.

As of 6:50 am Caton has heavy equipment at the top of the tier, I am curious how they will reach the flame area from the top, it is very steep.

An ERTS has been submitted to DOE.

I am sure Caton will willingly report the fire today to YHD and DOE as they are under strict orders to remedy the fire issues promptly, per the letter of violation dated 11/18/22. They have a very large responsibility and appear to be working hard on trying to correct the many issues on their site, but things are very volatile on the site, fires are still active, proof this morning and from escaping steam/smoke that continues.

The continued smoke and fires at the Caton Landfill do NOT meet the Governor's expectation to reduce greenhouse gases from landfills.

***If Caton is allowed to expand, my hope is that the YHD and County Commissioners' take into account the current management FAIL on behalf of the Caton and the environmental impact they are having***

***on our Wenas Valley. If they are permitted to extract gravel, the direct future impact will be on their hands, the ones that allowed it to happen.***

Concerned citizen,  
Shelley Byington  
360-951-1117

## Phil Hoge

---

**From:** Shelley Byington <olyshell64@gmail.com>  
**Sent:** Saturday, December 10, 2022 2:39 PM  
**To:** Ed Shoenbach; Wendy Wickersham; wesm@triply.com; Thomas Carroll; bob sound-investments.com; Shawn Magee; suestone1264@gmail.com; James Rivard; Phil Hoge; Julie Lawrence; Steven Newchurch  
**Subject:** Sat., 12/10/22, Caton Smoke/Fire Issue  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

FYI,

The situation at Caton continues to grow, the smoke has now reached our neighborhood, it is really bad smelling. I am very concerned for the workers at Caton, there are nine heavy equipment vehicles operating since 6:50 this morning. It looks like the place could explode. The smoke is so bad. I have pictures and videos. I was outside snow shoveling and came back inside the house, the smell is that bad.

This is what I submitted in ERTS.

**Saturday, December 10, 2022, 6:30 am.** Fire continues burning at Caton Landfill through the night on the slope of the exposed waste area of the landfill. Employess arrived and were in their heavy equipment by 6:50. They have been working solid for the last seven and half hours, it is now 2:30, dumping dirt onto the area. The smoke has been so thick you cannot see the heavy equipment.

**THIS IS A HUGE SAFETY ISSUE FOR THESE WORKERS, THE SMELL HAS REACHED OUR HOUSE. IT SMELLS VERY UNNATURAL, NOT A GOOD SMELL AT ALL. THE WORKERS ARE RIGHT IN THE MIDDLE OF IT. THERE ARE NOW TWO LARGE PLUMES, GEYSERS, IF YOU WILL, OF SMOKE THEY ARE CONTENDING WITH. THEY HAVE NINE LARGE EQUIPMENT VEHICLES RUNNING AND THEY SEEM TO BE MAKING THE SITUATION WORSE. WHERE THEY HAVE APPLIED DIRT, THE SMOKE IS ESCAPING ALONG THE EDGE OF DIRT AND WASTE. THIS IS A VERY, VERY VOLATILE SITUATION. THEY NEED MORE HELP!!!!**

I have left a voicemail with Steven Newchurch, YHD and sent video and texts since 6:30 this morning. I encourage someone to get air quality samples. The smell is not like anything I have smelled before. **THIS IS NOT A SAFE WORKING CONDITION FOR THE FOLKS AT CATON.**

**As a concerned citizen I am wanting air samples taken ASAP. No excuses, this is unfit for humans and animals. PLEASE DON'T WAIT, THIS IS A POWDER KEG IN YOUR BACKYARD TOO!!!**

Thanks,

Shelley Byington

EXHIBIT NO. 5  
DATE: 12/10/2022  
FILE NO. LRN2024-00005



## Phil Hoge

---

**From:** Wendy Wickersham <wendywickersham@icloud.com>  
**Sent:** Saturday, December 10, 2022 10:47 PM  
**To:** Samuel Gipson; Jamie West; Phil Hoge; Thomas Carroll  
**Subject:** Guard rail question

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Hi! I'm doing some research on roads and would appreciate the WACs and RCWs and Yakima County requirements for roads where guard rails are required or necessary.

I didn't know who to send this to exactly, so I sent it to all of you.

Thank you so much!

Wendy Wickersham

Sent from my iPad

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

## Phil Hoge

---

**From:** Shelley Byington <olyshell64@gmail.com>  
**Sent:** Saturday, December 10, 2022 11:05 PM  
**To:** James Rivard; Steven Newchurch; Shawn Magee; bob sound-investments.com; Wendy Wickersham; Ed Shoenbach; Julie Lawrence; suestone1264@gmail.com; Thomas Carroll; wesm@triplify.com; Phil Hoge  
**Subject:** 10:45 PM, Sat., December 10, 2022-Fire visible at Caton Landfill  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

10:45 PM, Saturday, December 10, 2022.

The hillside is displaying full on fire flames, pretty good size too. I know it is fruitless to phone 911, so I won't, why bother. I am grateful we have snow on the ground to protect all of our property from fire at the Caton Landfill. BUT, this does not protect us from the fumes, toxic or otherwise. Air quality has been impacted today and tonight.

What should be done tomorrow, since this issue seems to be a 7:00 am to 5:00 pm problem, Monday thru Friday?

If it is burning tomorrow I will have to call 911, see something, say something!

Shelley Byington

EXHIBIT NO.   L    
DATE:   12/10/2022    
FILE NO.   LRN2021-000055

## Phil Hoge

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**From:** Ruth Pringle <ruthpringle@frontier.com>  
**Sent:** Sunday, December 11, 2022 7:21 AM  
**To:** amamda.mckinney@co.yakima.wa.us; Ron Anderson; landon.linde.  
@co.yakima.wa.us  
**Cc:** Phil Hoge; Thomas Carroll  
**Subject:** Caton/ Strutner Application for Mineral Overlay

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

December 11, 2022

To : Yakima County Commissioners

EXHIBIT NO. M  
DATE: 12/11/2022  
FILE NO. LRN2021-00005

### Caton Strutner Mineral Overlay Amendment LRN2021-00005/Sep2020-00004

Basic Requirements to qualify for the Mineral Resource Overlay:

1. **The presence of high-quality sand or gravel in the proposed area.** Documentation shows that no high-quality sand or gravel are present on this 744-acre site.
2. **There must be a need for additional sand and gravel for the Yakima Valley.** There is adequate high-quality sand and gravel from current companies to supply these materials for decades.
3. **The potential site must be within the DNR identified mineral resource lands.** Caton's property is not included in this designation.
4. **The site must have access roads that are suitable for truck traffic and are capable of supporting expected traffic.** The access roads to Caton's were technically ok for truck traffic many years ago. The present safety concerns are the lack of adequate shoulders, guard rails, slow traffic lanes, tight turns, and poor site lines at intersections. We do not need additional truck traffic on these roads.
5. **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? Presently residents of the Wenas Valley have had to endure the smoke, dust, and noise from this operation. Is this fair to adjacent property owners?
6. **The proximity of existing and planned markets.** There are businesses selling gravel, sand and soil that are much closer than the Caton property that provide a higher quality product for consumers in the Selah and the Yakima Valleys.

### **Violation at Caton's Landfill**

1. The Caton Landfill has violated many of the rules of the original agreement. At the hearing with the Planning Commission on October 19, the Caton's stated they have been selling dirt to the county for 20+ years which is in clear violation to the original agreement.

2. On November 18, the Caton's were served with a Notice of Violation from the Yakima Health Department outlining violations at the site. Especially concerning, is the ongoing problems with the fires. On the mornings of December 9 and 10, there were flames and smoke coming from the landfill. So, it appears that containing the fires remains an ongoing problem. What progress has happened to resolve the excessive uncovered waste and waste placement sited in the letter? Is the monitoring of toxic gases and water contamination being addressed?

3. The Yakima Health Department and the Department of Ecology are spending considerable time and resources to monitor this site. What about the numerous daily truck loads from Canada being dumped? The YHD doesn't have a budget to adequately monitor the waste coming from Canada. What is in these shredded palletized loads that would warrant the high cost of transporting this waste to the Caton Landfill from Canada? Without adequate monitoring are we looking at another toxic waste site?

Why would you want to grant the Caton Landfill approval of the mineral overlay for 744 acres when they do not meet the basic requirements and there are so many violations at their present site. Is it in the best interest of the county to have to spend so much time and resources to attempt to keep Caton's in compliance? The Planning Commission voted 4-1 to not allow this Mineral Overlay when factual documentation was presented to them. In the interest of Yakima County residents, vote NO on this application for the Mineral Overlay.

Ruth Pringle

## Phil Hoge

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**From:** Shelley Byington <olyshell64@gmail.com>  
**Sent:** Sunday, December 11, 2022 8:17 AM  
**To:** Thomas Carroll; Julie Lawrence; James Rivard; Phil Hoge; bob sound-investments.com; Shawn Magee; Wendy Wickersham; Ed Shoenbach; suestone1264@gmail.com; wesm@triply.com; Steven Newchurch  
**Subject:** HUGE FIRE AT CATON, SUNDAY, DECEMBER 11TH  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

FYI,  
ENORMOUS FIRE, LARGEST TO DATE, AT CATON LANDFILL. WORKERS ARE ON SITE SINCE 7:00 WORKING ON THIS MAMMOTH FIRE. THIS FIRE WAS REPORTED LAST NIGHT IN DOE'S ERTS ONLINE SYSTEM AND 911 AROUND 11:00 PM.  
WORKERS ARE AT RISK FIGHTING THIS FIRE, OUR AIR QUALITY IS IMPACTED, FUMES ARE NOTICEABLE FOR MILES.  
GUESS IT HAD TO GET THIS BIG SO OTHERS NOTICE, LOCALS ARE POSTING ON FACEBOOK THIS MORNING, "THE CAT IS OUT OF THE BAG". I HAVE REFRAINED FROM SHARING ON FB, WANTING TO GRANT CATON THE OPPORTUNITY TO RECTIFY THE SITUATION, IT IS NOW BIGGER THAN THEM, AND HAS BEEN FOR MONTHS.  
YHD, DOE, CODE ENFORCEMENT, CLEAN AIR, YAKIMA PLANNING COMMISSION ALL ARE AWARE OF THIS PROBLEM AND CATON IS ALLOWED TO REMAIN OPERATING. ANY OTHER BUSINESS WITH SUCH MASSIVE IMPACT, AND LESS IMPACT TO OUR AREA WOULD/SHOULD HAVE BEEN **SHUT DOWN**.  
WE ARE ALL CONFUSED BY THE CHOICES AND ACTIONS NOT BEING TAKEN BY THE POWERS THAT BE IN YAKIMA COUNTY.  
THIS IS A SUPERFUND SITE WAITING TO HAPPEN, IF NOT ALREADY. THE ENVIRONMENTAL IMPACT IS UNDENIABLE, WE ARE ALL BEING EXPOSED TO TOXINS THAT SHOULDN'T BE IN OUR AIR.  
YES, UPPERCASE FONT IS INTENTIONAL.  
CONCERNED, IMPACTED CITIZEN.  
SHELLEY BYINGTON

EXHIBIT NO. N  
DATE: 12/11/2022  
FILE NO. LRN2021-00005

## Phil Hoge

---

**From:** Wendy Wickersham <wendywickersham@icloud.com>  
**Sent:** Sunday, December 11, 2022 2:56 PM  
**To:** Julie Lawrence; kyle@kyleforyakima.com; Phil Hoge; Thomas Carroll  
**Subject:** LRN2021-00005 Caton Strutner 744 acre mineral overlay  
**Attachments:** Caton\_Fire\_Letter\_18Nov2022 (Revised Letter).pdf;  
YHD\_Notice\_of\_Violation\_11-18-2022.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Please add these to the info for the BOCC meeting on Dec 13 2022. There is a fire there at the Caton Landfill currently and has been off and on since Nov 1 or 2 2022. These are pictures from Thursday and Friday Dec 8 & 9 2022. The "smoke" can be smelled from miles away. Attached are letters from DOE and YHD about the fires. The commissioners should know about this, especially because they are on the YHD board.

Thank you!

Wendy Wickersham

EXHIBIT NO. 8  
DATE: 12/11/2022  
FILE NO. LRN2021-00005

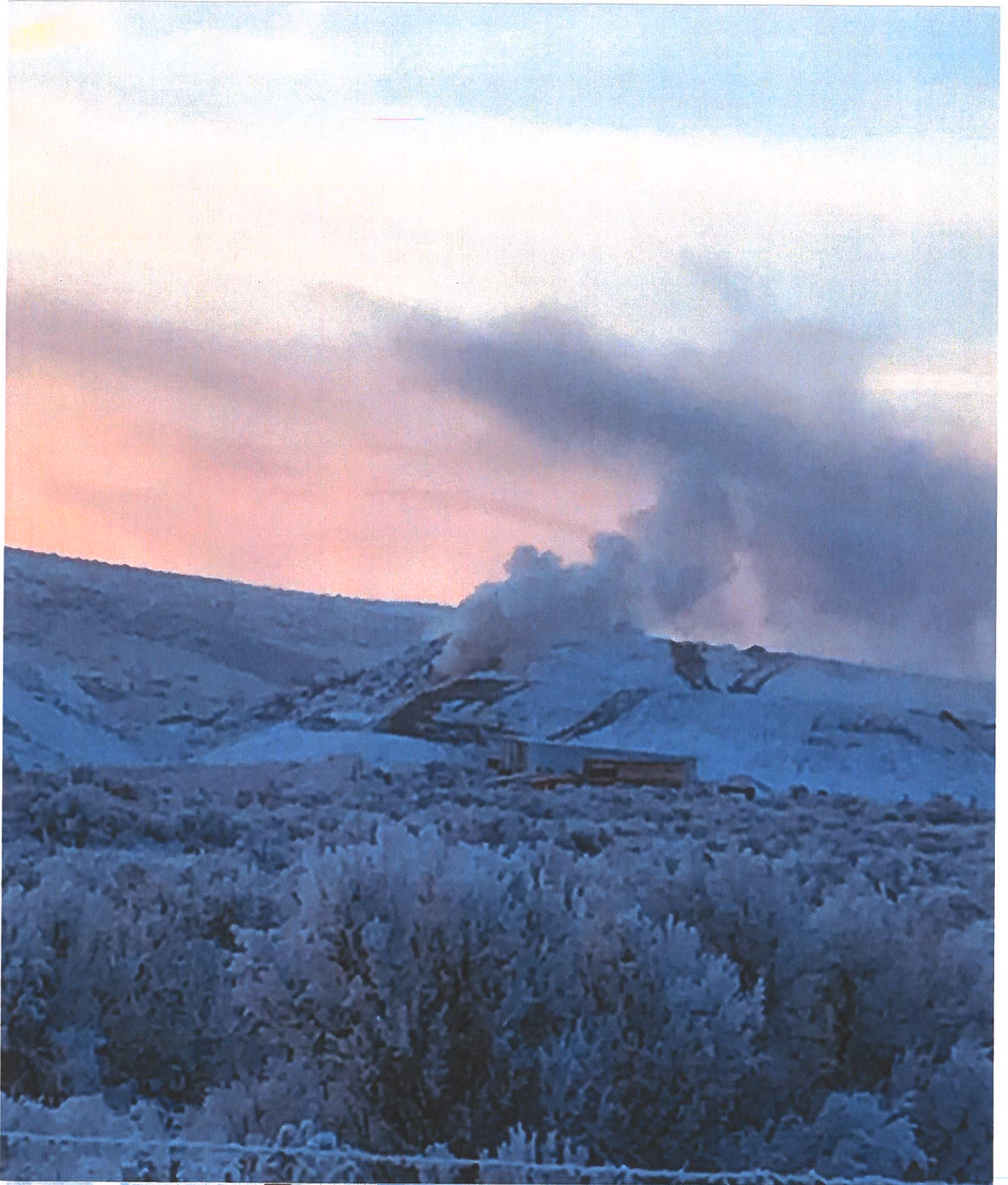




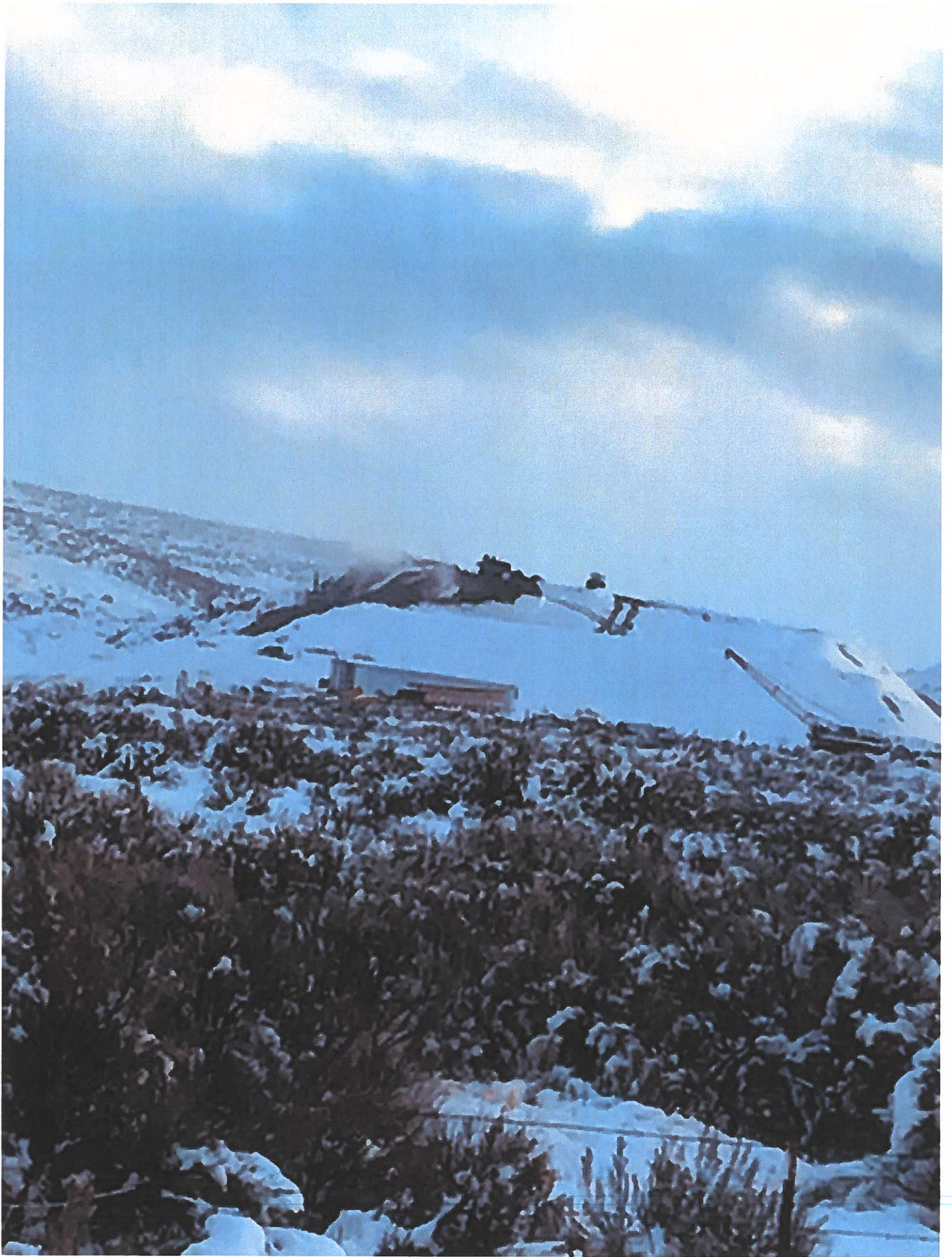
Selah  
Yesterday 7:49 AM



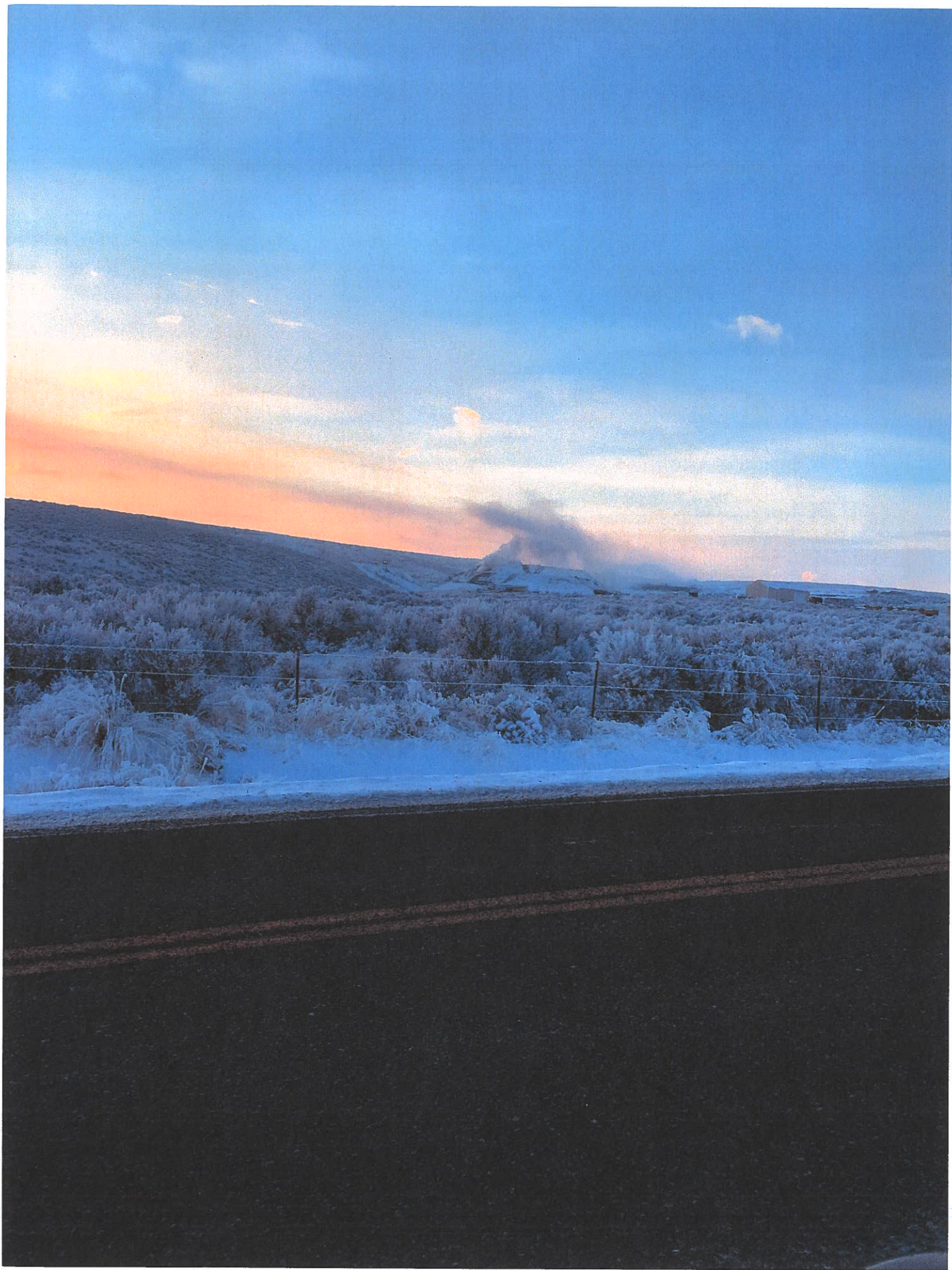
Edit













November 18<sup>th</sup>, 2022

Randy Caton  
Caton Limited Purpose Landfill  
1251 Humphrey Road  
Tieton, WA 98947

## **NOTICE OF VIOLATION**

RE: Notice of Violations at the Caton Limited Purpose Landfill (permit number HSW2018-00006).

Mr. Caton,

Chapter 70.95 RCW, promulgated through WAC 173-350, charges the local health jurisdiction with the responsibility of reviewing, permitting and regulating solid waste facilities.

Starting on November 2<sup>nd</sup>, 2022, the Yakima Health District (YHD) was made aware of an ongoing fire situation at the Caton Landfill. It was confirmed by on-site operators that the fire started the day before. We have been working with the Caton Landfill to address the fire and several actions must be taken regarding this ongoing situation. To remediate the severity of the issue at hand, YHD is outlining in this letter specific processes and requirements that must be met and/or followed by Caton Landfill.

Adhering to the requirements of this letter is essential to ensure this facility is in compliance. It is **the responsibility of the facility to be compliant** with WAC 173-350 and permit conditions. Under RCW 70A.205.140, the rule gives authority to YHD by stating:



*Any permit for a solid waste disposal site issued as provided herein shall be subject to suspension at any time the jurisdictional health department determines that the site or the solid waste disposal facilities located on the site are being operated in violation of this chapter, the regulations of the department, the rules of the department of agriculture, or local laws and regulations.*

The issues and corrective actions required to be met by YHD are outlined below:

## **LANDFILL FIRE**

Since YHD was notified of the fire on November 2<sup>nd</sup>, 2022, there have been numerous site visits from various agencies showing evidence of an underground landfill fire at this facility. Inspectors have seen numerous vents with smoke or steam being emitted encompassing the extent of the active and closed areas of the landfill. Condition 5 on your Limited Purpose Landfill permit states: "No burning of any waste will be allowed on the site. Should a fire accidentally start, it must be extinguished as soon as possible." Because this fire is subsurface and not immediately extinguishable, YHD allotted a period of (3) days to show significant progress on covering uncovered waste and slopes to remediate the visible evidence of fire or face temporary permit suspension. In concurrence with Washington State Department of Ecology (DOE), it was a consensus that significant progress was made over the timeframe warranted and the permit was not suspended. However, a few vents were still visible, and since then, YHD and DOE are still receiving complaints of fire visible by neighbors. **Effective immediately, YHD, in concurrence with recommendations made by DOE, is requiring Caton Landfill to cover all uncovered waste within (30) days of the receipt of this letter and covering of slopes within (60) days of the receipt of this letter to ensure oxygen does not increase the intensity of the fire.** This progress will be monitored by YHD, and other regulatory authorities, and evaluated based on our authority under RCW70A.205.140 (referenced above). YHD reserves the right to take potential enforcement action if necessary.

## **EXCESSIVE UNCOVERED WASTE AND WASTE PLACEMENT**

On November 4<sup>th</sup>, 2022, YHD made a site visit to assess the fire situation. It was apparent the situation had increased, and venting was seen on the full extent of the active fill area. Operators were continuing to place waste on the area where venting was occurring. YHD spoke with Charlotte Caton regarding the immediate stoppage of placing waste in the active fill area. An agreement was reached by operators and regulators on site that, because of an emergency response to the fire, waste may be placed elsewhere on site. The immediate stoppage was not lifted and on November 17<sup>th</sup>, 2022, YHD witnessed and documented two trucks placing waste on the affected fire area. **Effective immediately, YHD, in concurrence with recommendations made by DOE, is requiring the immediate stoppage of waste placement in the active fill area until the fire situation**

**is under control.** This directive will be monitored by YHD, and other regulatory authorities, and evaluated based on our authority under RCW70A.205.140 (referenced above). YHD reserves the right to take potential enforcement action if necessary. YHD will notify you in writing when placing waste in this fire affected area may resume.

During our site visits, we have brought up the issue of excessive uncovered waste at this facility. This has been brought up many times over the years and has been communicated to you via several inspection follow-up letters. This concerns regulators as it introduces oxygen into the waste a lot more readily as opposed to a face covered in soil. Oxygen will fuel the fire and increase the intensity. The slope on this active fill area is exceedingly steep and will likely require regrading in order to cover the waste with soil. Building up the east and west facing slopes is essential to ensure smothering of the fire as best as possible. **YHD, in concurrence with recommendations made by DOE, is requiring the uncovered waste in the fire affected area needs to be covered within (30) days of receipt of this letter.** Significant progress of this may be evaluated on a specific basis, but the deadline will still be applicable. This progress will be monitored by YHD, and other regulatory authorities, and evaluated based on our authority under RCW70A.205.140 (referenced above). YHD reserves the right to take potential enforcement action if necessary.

## **LANDFILL GAS SAMPLING**

On our site visits regarding the landfill fire, regulators have witnessed numerous areas or vents emitting smoke or steam. To ensure that the public and environmental health and safety is protected and monitored, YHD is requiring Caton Landfill to submit a gas sampling proposal that ensures emissions from steam or smoke will be tested for harmful chemicals and compounds. It is imperative that the safety of the public and environment is the number one priority regarding this fire situation and gas sampling can answer many unanswered questions. **YHD, in concurrence with recommendations made by DOE, is requiring proof of contract with third party consultants by December 15<sup>th</sup>, 2022, and the gas sampling plan proposal to be submitted by January 15<sup>th</sup>, 2023.** This proposal will be reviewed by YHD, and other regulatory authorities, and evaluated based on our authority under RCW70A.205.140 (referenced above). YHD reserves the right to review the proposal and require additional work if necessary.

Thank you for your consideration and cooperation during this ongoing environmental and public health situation. YHD continues to appreciate the time and effort it takes to address these serious issues. Additionally, YHD is willing to meet with applicable parties regarding this letter if requested.

If you have any questions, please contact [shawn.magee@co.yakima.wa.us](mailto:shawn.magee@co.yakima.wa.us) or (509) 249-6533.

Sincerely,



Shawn Magee, R.S.  
Environmental Health Director

cc: Washington State Department of Ecology  
Yakima County Planning Division  
Yakima Regional Clean Air Authority  
Yakima County Commissioners



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

1250 W. Alder Street • Union Gap, WA 98903-0009 • (509) 575-2490  
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

November 18, 2022

Yakima Health District  
ATTN: Shawn Magee  
Environmental Health Director  
1210 Ahtanum Ridge Drive  
Union Gap, WA 98903

**RE: Caton Limited Purpose Landfill – Fire (Revised letter 12/18/2022 12:18 PM)**

Dear Shawn,

The Caton Limited Purposed Landfill (LPL) is regulated under Washington Administrative Code (WAC) 173-350, which establishes minimum functional standards that the Yakima Health District (YHD) must enforce to ensure compliance with state regulations.

Neighbors notified Ecology on November 2, 2022 that the landfill was burning. Ecology, Yakima Clean Air Authority (YRCAA), and YHD staff arrived on the site on November 2, 2022 and witnessed smoke and vapor from many areas along the waste pile. WAC 173-350-400(6)(a)(x) requires the facility to plan for emergency activities. When Ecology and YHD arrived on the morning of November 9, 2022 the onsite operator did not have knowledge of the procedures for fire within the waste. On November 10, 2022 Ecology staff and YHD staff visited the landfill and observed smoke and vapor emanating from the waste. YHD sent an email to Mr. Caton on November 11, 2022 requiring the landfill to contain the fire. On the afternoon of November 14, 2022, no visible smoke was observed, a couple spots of vapor or steam venting were noted. This indicated that work directed by YHD and done by the facility to place soil was relatively effective. At that time, the visible signs of fire appeared to be eliminated or reduced from prior visits. However, the possibility remains that a fire is potentially still burning in the subsurface and may be emitting harmful chemicals to the atmosphere. More work is needed to adequately determine.

Ecology is aware of fires within the waste at this facility on at least four occasions in the last two years:

- November 2020
- October 2021



- May 2022
- November 2022

Ecology understands that there may be other times that fires have started that may not be documented in YHD's files. The recurrence of fire at this facility suggests that there are operational circumstances that exacerbate the fire risk. The facility operator has the obligation to provide reasonable assurance that the fire is out, whether that fire be above ground or subsurface, and there are no harmful air emissions. The YHD has the duty to require the facility to provide this reasonable assurance that human health and the environment is being protected.

It is recommended that Caton Landfill hire a consultant by December 15, 2022. It is recommended that a work plan for collecting data investigating the fire must be submitted to YHD, Yakima Regional Clean Air Authority (YRCAA), and Ecology for review and approval by January 15, 2023. It is recommended, that data collection and documentation of findings of the fire issue and extinguishment be provided by March 15, 2023. Before the fire issue can be determined to be extinguished, any emissions data must be permissible by YRCAA and acceptable without other concern to YHD and Ecology.

With regard to continued waste acceptance, Caton Landfill has two recommended options. It is recommended, that YHD require Caton Landfill to pick one of these options by December 15, 2022.

- Cease accepting waste and hire a consultant to determine the extent of the landfill fire and how they are going to proceed to extinguish.
- Continue to accept waste. Deposit waste in an area away from the landfill fire but in an area that is permitted. And hire a consultant to identify the extent of the fire. No new waste is to be place in the area of the fire, use of a schematic is highly recommended to identify and agree upon new waste placement.

However, if any new evidence of flames or smoke is confirmed and documented by regulatory agencies in the future, then Ecology would recommend to YHD that efforts to abate the landfill fire have not worked. Should this occur, Ecology recommends the facility to cease accepting waste until a later date/time that it can be determined to accept waste again.

Next steps will follow, once the completed report submitted by Caton's consultant and the regulatory agencies have time to review. Please be advised that additional requirements for

Yakima Health District  
Shawn Magee  
*Caton Limited Purpose Landfill – Fire*  
Page 3 of 3

operational controls to address ongoing issues that have led to the fire are necessary and will be outlined in upcoming correspondence.

Consequences of Non-Compliance:

For YHD and Caton Landfill's awareness – Ecology will not recommend permit renewal if Ecology is aware that a permit is non-compliant with WAC 173-350, Minimum Functional Standards for Solid Waste Facilities. Non-compliant permit renewals may be challenged and appealed to the Pollution Control Hearing Board.

Should you have any questions or concerns, please feel free to contact me by phone 509-731-5163 or email: [jriv461@ecy.wa.gov](mailto:jriv461@ecy.wa.gov)

Sincerely,

*James Rivard*

Regional Manager  
Solid Waste Management Program  
Central Regional Office

cc: Randy Caton, Caton Landfill  
Steven Newchurch, YHD  
Cole Provence, Ecology  
Megan Rounds, Ecology  
Luke LeMond, Ecology  
Tommy Carroll, Yakima County Planning  
Hassan Tahat, YRCAA



## Phil Hoge

---

**From:** Shelley Byington <olyshell64@gmail.com>  
**Sent:** Sunday, December 11, 2022 5:23 PM  
**To:** Thomas Carroll; Julie Lawrence; James Rivard; Phil Hoge; bob sound-investments.com; Shawn Magee; Wendy Wickersham; Ed Shoenbach; suestone1264@gmail.com; wesm@triply.com; Steven Newchurch  
**Subject:** Re: HUGE FIRE AT CATON, SUNDAY, DECEMBER 11TH  
**Attachments:** FB\_IMG\_1670806460929.jpg  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Here is a picture taken of the fire from the Resort area at 7:00 am on Sunday, December 11, 2022. It was a dangerously large fire, it continued to smoke at 5:00, the flames are knocked down for now. Thanks,  
Shelley Byington

On Sun, Dec 11, 2022 at 8:16 AM Shelley Byington <[olyshell64@gmail.com](mailto:olyshell64@gmail.com)> wrote:

FYI,

ENORMOUS FIRE, LARGEST TO DATE, AT CATON LANDFILL. WORKERS ARE ON SITE SINCE 7:00 WORKING ON THIS MAMMOTH FIRE. THIS FIRE WAS REPORTED LAST NIGHT IN DOE'S ERTS ONLINE SYSTEM AND 911 AROUND 11:00 PM.

WORKERS ARE AT RISK FIGHTING THIS FIRE, OUR AIR QUALITY IS IMPACTED, FUMES ARE NOTICEABLE FOR MILES.

GUESS IT HAD TO GET THIS BIG SO OTHERS NOTICE, LOCALS ARE POSTING ON FACEBOOK THIS MORNING, "THE CAT IS OUT OF THE BAG". I HAVE REFRAINED FROM SHARING ON FB, WANTING TO GRANT CATON THE OPPORTUNITY TO RECTIFY THE SITUATION, IT IS NOW BIGGER THAN THEM, AND HAS BEEN FOR MONTHS.

YHD, DOE, CODE ENFORCEMENT, CLEAN AIR, YAKIMA PLANNING COMMISSION ALL ARE AWARE OF THIS PROBLEM AND CATON IS ALLOWED TO REMAIN OPERATING. ANY OTHER BUSINESS WITH SUCH MASSIVE IMPACT, AND LESS IMPACT TO OUR AREA WOULD/SHOULD HAVE BEEN **SHUT DOWN**. WE ARE ALL CONFUSED BY THE CHOICES AND ACTIONS NOT BEING TAKEN BY THE POWERS THAT BE IN YAKIMA COUNTY.

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YES, UPPERCASE FONT IS INTENTIONAL.

CONCERNED, IMPACTED CITIZEN.

SHELLEY BYINGTON

EXHIBIT NO. P

DATE: 12/11/2021

FILE NO. LAN2021-00005



## Phil Hoge

---

**From:** Wendy Wickersham <wendywickersham@icloud.com>  
**Sent:** Sunday, December 11, 2022 9:58 AM  
**To:** Ed Shoenbach; Ruth Pringle; Shelley Byington; Wes Morris; James Rivard; Hasan Tahat; Steven Newchurch; Shawn Magee; aemiller4448@gmail.com; Phil Hoge; Thomas Carroll; Birdie Calvert; steve yochim; BettyJoe Murray; Phil Hoge; Thomas Carroll; Cynthia Banuelos; Raquel Crowley; Julie Lawrence; Ron Anderson; LaDon Linde; Amanda McKinney; kyle@kyleforyakima.com  
**Subject:** Caton Landfill visibly on fire since Dec 8 2022. Questions for DOE, YHD or YCA

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**EXHIBIT NO.** Q  
**DATE:** 12/11/2021  
**FILE NO.** LRN 2021-00005

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

Hi! I know that you are aware and trying to help solve the issues at the Caton Landfill. The neighbors and myself appreciate that.

Giant flames visible from many miles away have been happening since Saturday night Dec 10 and continuing through Dec 11 2022. Still going now. Had other visible flames off and on since Dec 8 2022. Smells horrible and has for a long time for miles around. Worried about everyone's health! Something has to be done! The EPA needs to be involved!

After seeing the flames, abnormal smells, and large amount of smoke the past few days from the Caton Landfill on the super steep section of the landfill, I was wondering if those areas should have been previously covered with soil to limit fire from the many other areas that have been smoking or steaming?

Are they in compliance with their SEPA and the regulations regarding limited purpose landfills with covering material? What about when a cell is completed—are they covering the waste like they are supposed to?

Also, I heard that the shredded waste could not be accepted about a year ago at the DTG Landfill in Yakima County since it was not in its original form. Why is this waste being accepted at the Caton Landfill if it was not okay at the DTG site? I reread their original SEPA and it puzzles me why shredded waste that is not distinguishable in its original form is being accepted. The scariest thing is that other "things" could be in that shredded material. Neighbors will be greatly impacted and already are. Sad!

Also, I am appalled that trucks dumping are not always being checked before dumping their debris. I know that when some of the regulators were on site, some trucks had materials that shouldn't be accepted. How many other times has that happened and no one knows? Who is checking the trucks when the employees and Catons are actively fighting the fires? That is the scary part.

Please continue monitoring as much as you can to keep us safe because obviously there are big issues.

Thank you!  
Wendy Wickersham

Sent from my iPad



## Phil Hoge

---

**From:** Julie Lawrence  
**Sent:** Monday, December 12, 2022 8:27 AM  
**To:** Ron Anderson; LaDon Linde; Amanda McKinney; Lisa Freund; Thomas Carroll; Phil Hoge  
**Subject:** FW: Caton/Strutner LRN 202100005  
**Attachments:** 20221209\_081909.jpg; 123952.jpg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged



**Julie Lawrence**

Clerk of the Board  
Board of Yakima County Commissioners  
Yakima County Board of Equalization  
509-574-1502 [www.yakimacounty.us](http://www.yakimacounty.us)

This email is subject to disclosure as a public record under the Public Records Act, RCW Chapter 42.56

EXHIBIT NO. R  
DATE: 12/11/2022  
FILE NO. LRN2021-00005

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**From:** jillyearout <jillyearout@gmail.com>  
**Sent:** Sunday, December 11, 2022 7:59 PM  
**To:** Julie Lawrence <julie.lawrence@co.yakima.wa.us>  
**Cc:** Wendy Wickersham <wendywickersham@icloud.com>; Rick Gilson <rlg@fairpoint.net>  
**Subject:** Caton/Strutner LRN 202100005

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

I am writing to express my opposition of expanding a mineral overlay to Caton's 744 acres. Once the mineral overlay is confirmed, the landfill will expand to 744 acres which will directly border our property.

The landfill started small. Then they got a contract to bring dirt from the big bertha project in Seattle. I presume the dirt had contaminates in it that Seattle didnt want. Each truckload brought in a lot of money to the landfill. Now the main contributors to the landfill are coming all the way from British Columbia. What is being transported to the landfill in large semi trucks proposed to be 20 trucks a day 5 days a week from British Columbia? Why is this allowed, to bring in another countries' waste and not know or document what is in the trucks? Is there a log? Are there inspections? After the ultimate contamination found in the DTG landfill recently, have we not learned anything? It sounds like the trucks had been traveling to Sunnyside as well, but ultimately stopped. With increases in cancers such as breast and thyroid, why is the county and the health district taking chances? I for one have been diagnosed with breast cancer in the last 2 years. The cancer was not familial nor hormone driven. That leaves possibly environmentally caused...

Landfills are supposed to follow the guidelines they are permitted. Unfortunately, too many times, landfills are caught not following the guidelines and the damage has been done. Caton has blatantly disregarded his parameters he should work within for years. With no regard to others. Similarities are seen in comparing the Caton landfill to the DTG landfill near Cowiche. The neighbors had been complaining of noncompliance on the part of DTG. They were not following the SEPA.

**Those DTG neighbors are having well water contamination, toxic gases, underground fires burning, bad smells, trucks delivering debris after hours.**

Here is what I have observed as one neighbor of the Caton Landfill:

1. On wednesday, November 23, 2022, I observed a great amount of steam and smoke coming out of the top of the debris in the landfill. I understand it had been burning since the first part of November.
2. A few days before that, the valley was filled with smoke from the Caton landfill fire.
3. On friday, December 9, 2022, I again observed a fire with a large amount of smoke from the same location on top of the debris. I could also see it was on the Northeast side of the pile as well. If it were not snowing heavily this weekend, this fire could catch the adjacent sage on fire and then a new problem exists. I saw the County vehicles so I know this has been documented. I did document this with a picture I will enclose. There is a possible semi truck waiting to unload in the photo.
4. The weekend of December 10th and 11th, I watched my grandson who has a history of asthma. He was sneezing and coughing and was congested. I had to give him his inhaler in the night. We had an inversion which held the smoke down. It smelled like smoke. And now at 6:30 pm on December 11, 2022, the town of Naches is filled with smoke. My 3 year old grandson cant escape the smoke. He lives there and he is struggling tonight. I worry about the health risks the fires at the Caton Landfill create. What is being dumped in the landfill? What toxic gases are emitted? It is time to find out.

According to a letter sent from the Department of Ecology to the Yakima Health District, this fire happening now should trigger a cease of all acceptance of waste until which a later date/time when they will be allowed to resume. They are aware of 4 fires in the last 2 years. This makes 5.

5. One afternoon on my way to Naches I saw many large scavenger birds circling the debris at the top of the pile in the landfill. I didnt note the date but it was around mid October to November 2022. Doesnt this indicate organic material? Organic material is not listed as approved waste. Yes, I believe they are accepting waste not approved by their original SEPA.
6. Two weeks ago a loud truck woke me at 5:30 am. I looked and it was another semi heading to the landfill. I see them on weekends and holidays. I see them daily even when the fires are burning in the landfill. On October 20, 2022 I was behind a British Columbia semi heading toward Selah on South Wenas Road and 3 more heading toward the landfill passed me. This was at 7:45 am. And this is just the British Columbia trucks. Yes, I am certain they are working outside of their approved hours as per their SEPA.

This is getting serious. And dangerous. Do we really want to be the dumping grounds of other counties and countries just so they can appear more "green"? Why is the debris burning? I was already worried about the "approved" waste material such as asphalt, and very old building materials containing asbestos. Now unknown material coming in? The debris pile has grown so large in the last couple years. Im worried about my drinking water and my air quality for myself and my family and future generations.

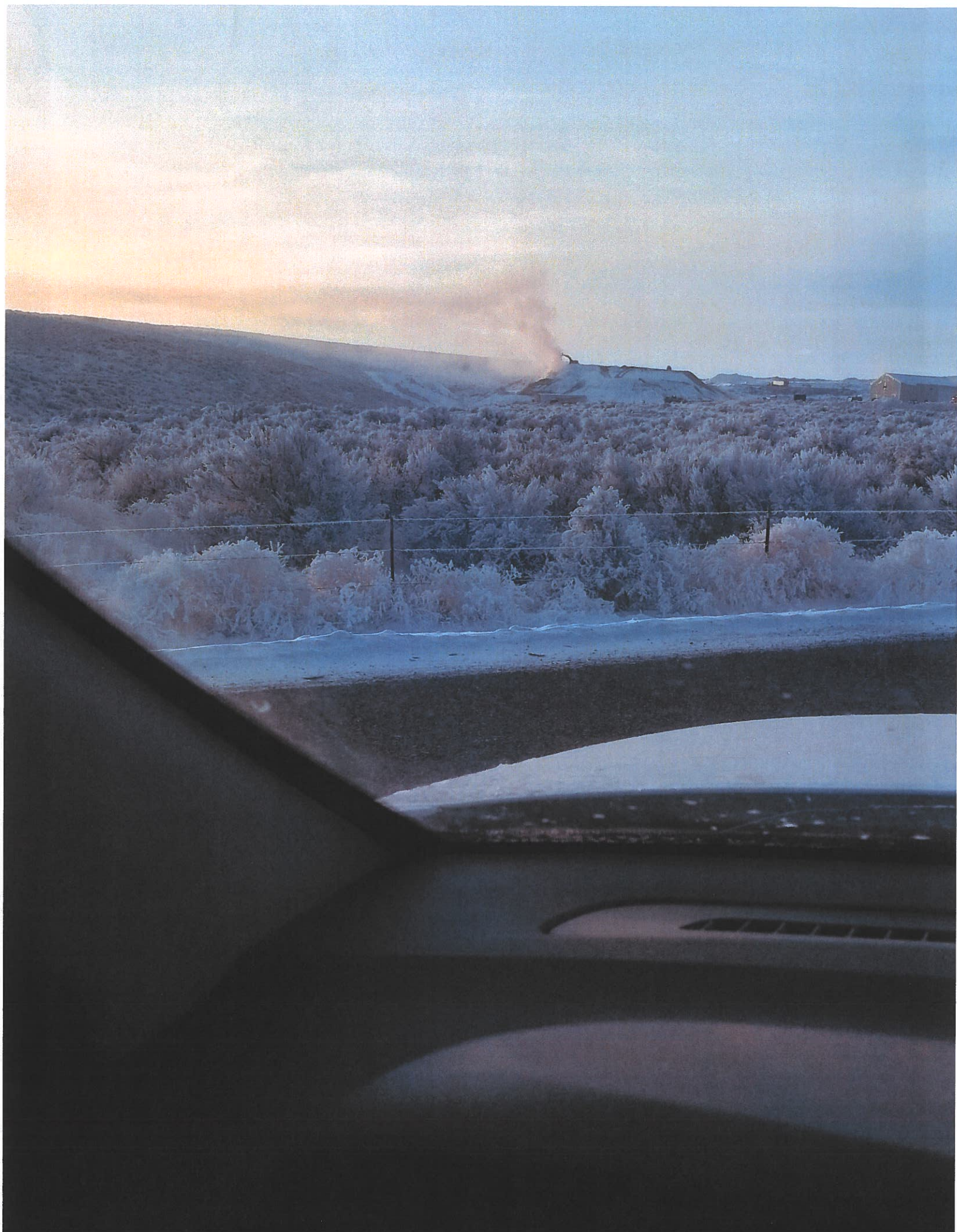
I am asking the Commissioners do not approve Caton/Strutner's proposal. It is time for accountability and protection for the citizens of this county. Studies should be done now to ensure that Caton/Strutner have not already created contamination. I believe it would be beneficial to Yakima County not to allow out of county or out of country dumping. Let them deal with their own waste.

And again, please consider the health implications that these fires of unknown substance cause and the possible consequences down the road.

Thank you,  
Valerie Yearout  
5891 South Wenas Road  
Selah, Wa 98942  
509-833-6316

Sent from my U.S.Cellular© Smartphone









## Phil Hoge

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**From:** Julie Lawrence  
**Sent:** Monday, December 12, 2022 8:27 AM  
**To:** Ron Anderson; LaDon Linde; Amanda McKinney; Lisa Freund; Phil Hoge; Thomas Carroll  
**Subject:** FW: Caton/Strutner LRN 2021-00005

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

EXHIBIT NO. S  
DATE: 12/11/2022  
FILE NO. LRN2021-00005



**Julie Lawrence**

Clerk of the Board  
Board of Yakima County Commissioners  
Yakima County Board of Equalization  
509-574-1502 [www.yakimacounty.us](http://www.yakimacounty.us)

This email is subject to disclosure as a public record under the Public Records Act, RCW Chapter 42.56

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**From:** vicki grafton <VictoriaM2@hotmail.com>  
**Sent:** Sunday, December 11, 2022 5:35 PM  
**To:** Julie Lawrence <julie.lawrence@co.yakima.wa.us>  
**Subject:** Caton/Strutner LRN 2021-00005

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

I am writing to state my concerns regarding the Catton landfill in the Wenas area. My husband and I have just moved to the area. We are building a house just above Clemens drive. We very recently learned of the Catton landfill operation and are trying to educate ourselves on their business and the potential hazards. We have read many of the concerns of the local neighbors and are developing our own concerns as well.

**Concerns:**

- Is there potential now or in the future of our water table being polluted? How often am I going to have to test my well water to make sure it is safe to drink?
- Has an environmental impact study been done?
- Is the Department of Ecology involved in making sure this business is not violating any rules and putting our safety at risk?
- The materials being dumped need to be closely regulated. If not, the business will take advantage in order to make their money.
- We picked this area to build out house for the location. We are both avid bicyclists and look forward to riding on the Greenway trail. Allen road is the best route to the trail. I no longer believe the road is a safe place to ride a bike. Let alone drive my car if large trucks are zooming down it.

The concerns of the folks in the community are valid. Many have lived there for generations. Their voices need to be heard.

Thanks for listening,  
Vicki Grafton and David Edick

Sent from Mail for Windows

## Phil Hoge

---

**From:** Shelley Byington <olyshell64@gmail.com>  
**Sent:** Monday, December 12, 2022 8:28 AM  
**To:** Steven Newchurch; James Rivard; Shawn Magee; Ed Shoenbach; Wendy Wickersham; Thomas Carroll; Julie Lawrence; bob sound-investments.com; suestone1264@gmail.com; wesm@triply.com; Phil Hoge  
**Subject:** Fwd: HUGE FIRE AT CATON, SUNDAY, DECEMBER 11TH  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Steven,

Your lack of response over the weekend is totally unacceptable. The situation at hand is not a Monday through Friday issue, it doesn't get neatly stuffed into a desk drawer until the next day. NOT OK to not at least respond, you have a work supplied cell phone, you are a public employee, it is a 24/7 job, especially in this situation. Forward my texts to someone that will respond, not acceptable nor appreciated.

I submitted four ERTS forms over the weekend. James Rivard did respond to my emails.

The situation is NOT getting better, it is only being covered up, literally, until the flames break through over and over.

The employees have increased onsite, their working conditions are extremely unsafe. They are working hard, to no avail!

I want air sample results ASAP, the particulate levels are what we should all be concerned about.

Especially, since the fire material is already "composted/shredded" unknown material that is on fire, easily escaping the surface of dirt.

Canadian trucks continue to arrive and are being dumped in the very same way that the current fires were, this will be a repeat performance for fires to occur. The trucks, since November 19th, are being dumped across the dirt road from the multi story tier of trash, still a valid concern to what will happen.

Wenas Valley citizens are now MORE aware of the ongoing fires, since yesterday it was so large.

Lawsuits are being talked about, not my plan, but others are alarmed and rightfully so.

Shelley

On Mon, Dec 12, 2022 at 8:10 AM Steven Newchurch <[steven.newchurch@co.yakima.wa.us](mailto:steven.newchurch@co.yakima.wa.us)> wrote:

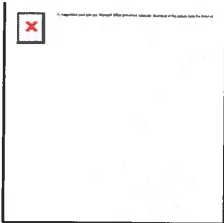
Hi Shelley,

Thank you for the notifications, I apologize I cannot be more responsive over the weekend. I will be out at Caton shortly.

EXHIBIT NO. T  
DATE: 12/12/2022  
FILE NO. LRN 2021-00005

Thanks,

Steven



**Steven Newchurch**

Environmental Health Specialist

Solid Waste Program Lead

**Office:** 509-249-6504

**Mobile:** 509-985-3058

1210 Ahtanum Ridge Drive

Union Gap, WA 98903



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**From:** Shelley Byington <[olyshell64@gmail.com](mailto:olyshell64@gmail.com)>

**Sent:** Sunday, December 11, 2022 5:23 PM

**To:** Thomas Carroll <[thomas.carroll@co.yakima.wa.us](mailto:thomas.carroll@co.yakima.wa.us)>; Julie Lawrence <[julie.lawrence@co.yakima.wa.us](mailto:julie.lawrence@co.yakima.wa.us)>; James Rivard <[james.rivard@ecy.wa.gov](mailto:james.rivard@ecy.wa.gov)>; Phil Hoge <[phil.hoge@co.yakima.wa.us](mailto:phil.hoge@co.yakima.wa.us)>; bob [sound-investments.com](http://sound-investments.com) <[bob@sound-investments.com](mailto:bob@sound-investments.com)>; Shawn Magee <[shawn.magee@co.yakima.wa.us](mailto:shawn.magee@co.yakima.wa.us)>; Wendy Wickersham <[wendywickersham@icloud.com](mailto:wendywickersham@icloud.com)>; Ed Shoenbach <[rtes@fairpoint.net](mailto:rtes@fairpoint.net)>; [suestone1264@gmail.com](mailto:suestone1264@gmail.com); [wesm@triply.com](mailto:wesm@triply.com); Steven Newchurch <[steven.newchurch@co.yakima.wa.us](mailto:steven.newchurch@co.yakima.wa.us)>

**Subject:** Re: HUGE FIRE AT CATON, SUNDAY, DECEMBER 11TH

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

Here is a picture taken of the fire from the Resort area at 7:00 am on Sunday, December 11, 2022.

It was a dangerously large fire, it continued to smoke at 5:00, the flames are knocked down for now.

Thanks,

Shelley Byington

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On Sun, Dec 11, 2022 at 8:16 AM Shelley Byington <[olyshell64@gmail.com](mailto:olyshell64@gmail.com)> wrote:

FYI,

ENORMOUS FIRE, LARGEST TO DATE, AT CATON LANDFILL. WORKERS ARE ON SITE SINCE 7:00 WORKING ON THIS MAMMOTH FIRE. THIS FIRE WAS REPORTED LAST NIGHT IN DOE'S ERTS ONLINE SYSTEM AND 911 AROUND 11:00 PM.

WORKERS ARE AT RISK FIGHTING THIS FIRE, OUR AIR QUALITY IS IMPACTED, FUMES ARE NOTICEABLE FOR MILES.

GUESS IT HAD TO GET THIS BIG SO OTHERS NOTICE, LOCALS ARE POSTING ON FACEBOOK THIS MORNING, "THE CAT IS OUT OF THE BAG". I HAVE REFRAINED FROM SHARING ON FB, WANTING TO GRANT CATON THE OPPORTUNITY TO RECTIFY THE SITUATION, IT IS NOW BIGGER THAN THEM, AND HAS BEEN FOR MONTHS.

YHD, DOE, CODE ENFORCEMENT, CLEAN AIR, YAKIMA PLANNING COMMISSION ALL ARE AWARE OF THIS PROBLEM AND CATON IS ALLOWED TO REMAIN OPERATING. ANY OTHER BUSINESS WITH SUCH MASSIVE IMPACT, AND LESS IMPACT TO OUR AREA WOULD/SHOULD HAVE BEEN **SHUT DOWN**.

WE ARE ALL CONFUSED BY THE CHOICES AND ACTIONS NOT BEING TAKEN BY THE POWERS THAT BE IN YAKIMA COUNTY.

THIS IS A SUPERFUND SITE WAITING TO HAPPEN, IF NOT ALREADY. THE ENVIRONMENTAL IMPACT IS UNDENIABLE, WE ARE ALL BEING EXPOSED TO TOXINS THAT SHOULDN'T BE IN OUR AIR.

YES, UPPERCASE FONT IS INTENTIONAL.

CONCERNED, IMPACTED CITIZEN.

SHELLEY BYINGTON



## Phil Hoge

---

**From:** Ivan Klingele  
**Sent:** Monday, December 12, 2022 9:36 AM  
**To:** wendywickersham@icloud.com  
**Cc:** Jamie West; Samuel Gipson; Phil Hoge; Thomas Carroll  
**Subject:** RE: Guard rail question

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good morning Wendy,

Yakima County primarily utilizes WSDOT and AASHTO standards for guardrail (barrier) warrants. WSDOT's guidelines are established in the WSDOT Design Manual. Specifically, [Exhibit 1600-6 Guidelines for Embankment Barrier](#) outlines the general rules for when guardrail is **recommended** on new installations along roadside embankments. However, to quote WSDOT's Design Manual, "The fact that recommended design values related to the installation of barrier and other mitigation countermeasures are presented in this chapter, does not mean that WSDOT is required to modify or upgrade existing locations to meet current criteria."

Beyond that, shielding is a near-last resort method. Regarding hazards along the roadway, the preferred order is to, per WSDOT:

1. Remove (the hazard)
2. Relocate (the hazard)
3. Redesign a fixed object by using **breakaway features** (a light pole for example might have a slip base to make the pole sheer off and breakaway when struck) or making the fixed object **traversable** (in context, this means reducing the foreslope of an embankment to 3H:1V or flatter)
4. Shield with a traffic barrier (installing guardrail or other MASH standard traffic barriers)
5. Delineate

Figure 5-1(b) and Figure 5-2(b) in AASHTO's Roadside Design Guide offer further guidance for the installation of barrier, but due to AASHTO's Roadside Design Guide being a copyrighted book, I cannot attach these figures. AASHTO's guidelines and recommendations are largely similar to WSDOT's guidelines.

I am unaware of RCWs or WACs as they relate to guardrail requirements specifically; I have asked and the Design Engineering Manager also was unaware of any.

Yakima County Code is available [online at this location](#), and Yakima County's established Road Design Guidelines defer to WSDOT and AASHTO for guidance regarding guardrail installation. We often receive questions regarding horizontal curves and whether or not guardrail could be installed at these locations. The answer is that, short of meeting the guardrail warrants from WSDOT and AASHTO, we cannot justify the installation of guardrail at these locations. The standards for guardrail installation were established by AASHTO and WSDOT because guardrail, itself, is a hazard along the roadway. When an embankment or other hazard has been identified as meeting the warrants for guardrail, careful consideration must still be done to see whether the hazard can be remediated in another way before guardrail is to be installed.

If you have any further questions, feel free to reach out.

EXHIBIT NO. U  
DATE: 12/12/2022  
FILE NO: LRN 2021-00005

Regards,

Ivan Klingele, P.E.  
Yakima County Roads  
128 N. 2<sup>nd</sup> Street, 4<sup>th</sup> floor  
Traffic Engineering Manager  
[ivan.klingele@co.yakima.wa.us](mailto:ivan.klingele@co.yakima.wa.us)  
(509)574-2317

-----Original Message-----

From: Jamie West  
Sent: Monday, December 12, 2022 8:46 AM  
To: Ivan Klingele <[ivan.klingele@co.yakima.wa.us](mailto:ivan.klingele@co.yakima.wa.us)>  
Subject: FW: Guard rail question

Ivan,

Please see the email below from Ms. Wickersham.

- Jamie

-----Original Message-----

From: Wendy Wickersham <[wendywickersham@icloud.com](mailto:wendywickersham@icloud.com)>  
Sent: Saturday, December 10, 2022 10:47 PM  
To: Samuel Gipson <[samuel.gipson@co.yakima.wa.us](mailto:samuel.gipson@co.yakima.wa.us)>; Jamie West <[Jamie.West@co.yakima.wa.us](mailto:Jamie.West@co.yakima.wa.us)>;  
Phil Hoge <[phil.hoge@co.yakima.wa.us](mailto:phil.hoge@co.yakima.wa.us)>; Thomas Carroll <[thomas.carroll@co.yakima.wa.us](mailto:thomas.carroll@co.yakima.wa.us)>  
Subject: Guard rail question

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

Hi! I'm doing some research on roads and would appreciate the WACs and RCWs and Yakima County requirements for roads where guard rails are required or necessary.

I didn't know who to send this to exactly, so I sent it to all of you.

Thank you so much!

Wendy Wickersham

Sent from my iPad



## Phil Hoge

---

**From:** Jerrene Murray <jerrene.murray@gmail.com>  
**Sent:** Monday, December 12, 2022 7:21 PM  
**To:** Long Range Planning; Jerrene Murray; Wendy Wickersham; Jill Yearout; Betty Jo Murray  
**Subject:** CaseLRN2021-00005/P2020-000004

**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  
Date: December 12, 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 strongly recommend that the proposal to rezone to allow mining be totally denied. I ask that you note the concerns raised in my letter to the Yakima Planning Commission of October 18, 2022.

Additionally, what is being done to protect the neighbors from the effects of the PRESENT operations now allowed? I understand that tall plumes have popped up from the dump this past week and weekend. I understand that Naches Fire Department apparently will not respond. That may work in snowy December, but what about dry July and August? What material is suddenly burning? What gas is being released? Will fire run underground and pop up on our property? What exactly is in that dump? According to THE COLUMBIAN, December 11, 2022, pC5, "...the Department of Ecology found leaching of hazardous substances into the land, including heavy oils, lead, arsenic and nitrate." This happened after the city of Yakima used the former site of Boise Cascade lumber mill as a disposal site for solid waste between 1963 and 1972. The Yakama Nation in 2020 filed suit to have the hazardous substances removed especially due to its proximity to the Yakima River. I understand that the most contaminated soil was shipped to Oregon but that many remaining truckloads were sent to Caton's landfill. My original understanding was that this landfill was to hold building material waste not hazardous waste. Was some other provision made to also accept materials from British Columbia and Seattle? Where is the oversight by all of the governmental departments we expect to be protecting us NOW?

With a mineral overlay, we can expect more noise, more traffic, more trucks too big for the roads, more pollution, and possible fouling of our water sources.

Sincerely,

Jerrene Murray  
20716 NE 10th Avenue  
Ridgefield, WA 98642  
360-887-8124

EXHIBIT NO. ✓  
DATE: 12/12/2022  
FILE NO. LRN 2021-00005

**From:** Wendy Wickersham <wendywickersham@icloud.com>

**Sent:** Tuesday, December 13, 2022 9:23 AM

**To:** Long Range Planning <longrangeplanning@co.yakima.wa.us>; Phil Hoge <phil.hoge@co.yakima.wa.us>; Shelley Byington <olyshell64@gmail.com>; Ed Shoenbach <rtes@fairpoint.net>; Ruth Pringle <ruthpringle@frontier.com>; Mary L. Rennie <renren1@rocketmail.com>; Birdie Calvert <birdcalvert@gmail.com>; Julie Lawrence <julie.lawrence@co.yakima.wa.us>; Wes Morris <wesm@triply.com>; steve yochim <newmedtc@hotmail.com>; jillyearout <jillyearout@gmail.com>

**Subject:** Letter to BOCC re Caton Strutner LRN 2021-00005

**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

To whom this may concern:

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

- 
- 
- YES, THERE'S A FIRE NOW! Adding the mineral overlay will only increase the possibility for I would say a larger underground
- fire. Currently, as per the Yakima Health District Letter dated November 18, 2022, it states that ...there have been numerous site visits from various agencies showing evidence of an underground fire at this facility. Inspectors have seen numerous vents with
- smoke or steam being emitted encompassing the extent of the active and closed areas of the landfill....Condition 5 on your limited purpose landfill permit states, "No burning of any waste will be allowed on the site. Should a fire accidentally start, it must
- be extinguished as soon as possible." The letter continues to talk about giving 3 days to show progress on covering uncovered waste. There was a lot uncovered!
- 
- 

EXHIBIT NO. W  
DATE: 12/13/22  
FILE NO. LRN 2021-00005

- 
- Well...since November 2, 2022–3 days would be November 5th, 2022. AND GUESS WHAT? There are still fires and there has
- been a raging inferno MORE THAN A MONTH LATER with large visible flames off and on since Thursday, December 8th 2022. ANY OTHER BUSINESS WOULD HAVE BEEN SHUT DOWN–but Caton's seems to get chance after chance. Why?
- - 
  - 
  - Even with the potentially toxic black smoke and raging flames over the weekend, NO ONE WAS EVACUATED, especially the
  - RV Park right across the street. As members of the Yakima Health District Board, you need to please examine what is being done to protect the public.
  - 
  - 
  - 
  - Why is that? Why treat other businesses differently?
  -
- 
- 
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- 
- 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 six days a week
  - of GROUND UP UNIDENTIFIABLE SHREDDED MATERIAL, which violates their current SEPA. Is that legal? Especially to continue for over a year???
  - 
  - 
  -

- Also, another concerning issue is that the DTG Landfill had to stop accepting shredded waste around a year ago. Why
- is it allowed at Catons when they are supposed to follow the same rules??? That is the scary part! It is impacting the neighbors both close by in the Wenas (air, dust, debris on the roadway, also potential well contamination, dangerous trucks taking more
- that their lane on a regular basis and in Naches—where the groundwater flows according to Ted Silvestri. , and roads in front of the school are already busy. That's where the river is...is this opening up another lawsuit by the Yakama Nation? Just wait...there's
- more...
- 

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- I asked in various meetings if the Vantage Interbed Layer of rock that protects our groundwater has been dug through—I
- have yet to find out the answer BUT DTG DID DIG THROUGH THE VANTAGE INTERBED AND NEIGHBORS ARE NOW HAVING WATER QUALITY ISSUES and POTENTIAL CONTAMINATION (from the DTG neighbors and regulators meeting on October 24, 2022 which I attended).

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- Loads come in large, wide heavy semi trucks/dump trucks/trailers through Allan Road, the grade, Naches Wenas Road
- and South Wenas OR North Wenas Road through Selah. These trucks are often over the centerline, speeding, and on/off the edge of the roads. It will be worse with 744 additional acres of mining then landfill. Sadly, I am waiting for someone to be killed.

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- Lack of Safe Roads:

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○

○

- Edges are crumbling on Allan Road, Naches Wenas Road, the Naches Wenas Grade, and North and South Wenas Roads. It

- is ironic that when those vehicle counters are out, trucks to Catons either don't come or go another way where they can't be measured. Numbers of trucks have also changed after the October 2022 Planning Commission meeting and right before the meeting.. Decreasing
- amounts of truck traffic for a short time does not and cannot eliminate the ongoing issues. Potholes are forming, plus big cracks across one lane every couple of feet. These weren't there before and are currently hidden by the tar and gravel that was put
- down this summer on Naches Wenas Road, but they are starting to show again. Sad times!.
- 
- 
- 
- Lack of visibility at the intersection of Allan Rd and Old Naches Hwy—around 15-20 feet only
- at the steep intersection. Did I mention that trucks sometimes go through the stop sign, especially coming up Allan to go the grade.
- 
- 
- 
- 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. North Wenas also has areas that would benefit from a guard rail. The Wenas Grade is lacking too. Is this in compliance? As commissioners, it is your job to see if it is. Take a drive up Allan Road, the Wenas Grade, through
- South Wenas to Selah and then come back through the Wenas through North Wenas Road. Typically people opt to veer to hit the side of the hill instead of going over the edge. Would you? Will someone die because of this??? Though with the amount of cars speeding
- and it is only a matter of time, I'm sad to say.
-

- 
- 
- There is a big hole at the edge of the top of the Wenas Grade—top right side heading towards Caton's. The grade is
- falling apart! How long until it washes away???? This was in my last letter and google slideshow. Now there are more and they are getting worse. Is there already a plan in place to solve this worsening issue???????? Who is liable for the roadway collapsing???
- Hmmmmm....
- 
- 
- 
- 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 (Yakima Herald). 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.
- 

- 
- 
- Air Quality Issues
- 

- 
- 
- Caton Landfill is a dustbowl! They are not following the prescribed dust prevention methods currently. Their SPU
- 11-1997 ER-22-1997 page 2 from when the landfill was started states that "If fugitive dust becomes a concern, as windy conditions could make it possible, then water will be applied to all the loose surfaces, minimizing the blowing dust."
- This has not been followed. Everytime I drive by on a weekend, there is never a water truck being used unless I missed it. I didn't even know that their water truck moved until one day I saw it parked in front of the building (this was around the time of
- the October meeting—right before it). It is normally parked along the side. Adding an additional 744 acres of mining will increase the problem by an exponential number. At what cost to the neighbors?
-

- 
- 
- Air quality needs to be regularly monitored at Caton's, including toxic gasses. They have obvious dust issues—but
- it might not all be “dirt” flying around. Fires release toxic fumes and particulates too. Think of all that smoke that ISN'T BEING MONITORED! Is exposing the public to known potentially hazardous smoke for 30 days or more SAFE (as per DOE and YHD letters)?
- - 
  - 
  - Who should I send my doctors bills to for exposing all of the neighbors to the HORRIBLE smoke and particulates since
  - Thursday Dec 7th! No wait! November 2 2022...
  - - 
    - 
    - I am having horrible breathing issues! I am probably not the only one. It is still smoking as of 12-13-22!
    -
- 
- 
- FIRES—
- - 
  - 
  - Letter from Department of Ecology to Caton Landfill dated 11-18-22
  - - 
    - 
    - There have been four fires that the Department of Ecology was aware of in their letter to Caton Landfill dated November
    - 18, 2022. They also stated that “Ecology understands that there may have been other fires that may not have been documented in YHD’s files.
    -
-

- 
- November 2020
- 
- 
- 
- October 2021
- 
- 
- 
- May 2022
- 
- 
- 
- November 2022
- 

- 
- 
- **The letter also states, “However if any new evidence of flames or smoke is confirmed and documented**
- **by regulatory agencies in the future, then Ecology would recommend to YHD (Yakima Health District) that efforts to abate the landfill fires have not worked. Should this occur, Ecology recommends the facility cease accepting waste until a later date/time that**
- **it can be determined to accept water again.”**
- 

- 
- 
- December 2022 also had numerous days of smoke and steam
- 
- 
- 

- 
- NOW ADD IN THE GIANT FLAMES that were visible on December 10th and 11th, along with the smaller ones on Dec 8th and 9th. I am sure that someone sent in pictures already.
  - 
  - 
  -



- Well, it keeps burning in what I am assuming is a multiple acre underground fire. I am not an expert but judging
- from how it keeps happening in different places, then that would make sense. Information from the letters from the Health District and Department of Ecology support that. Coming out of the edge of the steep face of debris would validate that assumption. It
- was in the middle of the steep uncovered face. Didn't the Health District tell them that had to have excessive uncovered waste be covered as per the YHD Nov 18 2022 letter? Didn't the letter also say that this has been told to Catons many times over the years?
- Looking at the steep face that has been a raging inferno, I think NOT! Before the snow, it was evident that the waste was NOT covered in my opinion. Shut them down! As I stated earlier, any other business would be shut down for their blatant lack of following
- rules and regulations—don't forget their SEPA!
- 
- 
- 
- Canadian trucks steaming after they dump their load can and have been observed over the past year. What would make
- them steam? Waste in its original form OR garbage OR lots of shredded material containing wood would steam. Have you ever seen a compost pile steaming? Is compost in a shredded form acceptable in their SEPA? Even if Canada throws in additional materials
- that are acceptable, should they be allowed to accept a large amount of shredded material? Why does Canada want to send it here? Oh, of course! To pollute our land and keep their land pristine in my opinion! IT IS TIME TO MAKE A RULING FOR ALL OF YAKIMA
- COUNTY TO ACCEPT ZERO IN BOTH PUBLIC AND PRIVATE LANDFILLS OUT OF COUNTY, COUNTRY, OR STATE WASTE AND MAKE IT ANOTHER IGNORANT COUNTY'S PROBLEM. Commissioners can do that! Would the public like to see how much MONEY this is costing the county? Doubtful!
- The public doesn't like waste!
-

- - Another well needs to be added to the current landfill in the middle of the cell (plus more) to monitor for water
  - contamination. Neighboring wells also need to be tested regularly. It seems like we are closely mirroring the issues at DTG—it is time!
  - 
  - 
  - 
  - 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 gasses are being released per DOE. Not good for your health!
      - 
      - 
      - 
      - DTG status was currently changed from SUSPECTED to
      - **SUSPECTED AND CONTAMINATED.**
      - 
      - 
      - 
      - Water contamination—yes they are testing neighboring wells
      - 
      -
- 
- - 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. Costing the taxpayers money!
    - 
    -

- - Possible underground fires. Temperature readings are 160-170 degrees. Yes–Caton’s has fires too!
  -
- 
- 
- MY BIGGEST CONCERN:
- 3 family members have gotten cancer all within 2 years and live within a mile of Catons. I keep finding
- more neighbors that have had cancer that are where the wind blows down from Catons. Seriously 4 days ago I found another but that isn’t my story to tell. Lawyers love this kind of stuff!
- - 
  - 
  - My family
  - - 
    - 
    - 1 has NO GENETIC MARKERS
    -
  - 
  - 
  - What do they all have in common?
  - - 
    - 
    - Air
    - 
    - 
    - 
    - Water
- 
-

- 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? Judging from the past month and almost a half, doubtful.
  - 
  - 
  - 
  - Have all of the neighbor complaints been examined by this commissioners?
  - 
  - 
  - 
  - 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? The Wenas Grade caving in in many areas hasn't changed. Snow pushed on it, typically makes roadways cave in a little bit more in my opinion. We shall have to see after the snow melts. OR wait and see the disaster unfold because it is
  - not being handled?
  -

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—OBVIOUSLY! 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

PS—I also included a copy of an article that was from the Columbian, but written by the Herald's Kate Smith on 12-10-22. It involves a \$295,000 offer of judgment for a lawsuit from 2020 by the Yakama Nation for the leaching of hazardous substances from the Boise Cascade site—WHICH CATON ACCEPTED AROUND 600 LOADS OF SOIL. Feel safe?

Sent from my iPad

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# City of Yakima offers to resolve claim over former landfill

Yakama Nation would be given \$295,000 for cleanup of site

By Kate Smith, Yakima Herald-Republic

Published: December 10, 2022, 5:33pm

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The city of Yakima has offered \$295,000 to resolve a lawsuit filed in 2020 by the Yakama Nation over a former landfill on city property.

The Yakima City Council approved the \$295,000 offer of judgment during a special meeting Nov. 29.

In an email dated Nov. 29, City Attorney Sara Watkins said, “The city does not admit to liability, but recognizes it may be in the interest of all parties to resolve the lawsuit without incurring additional fees and costs associated with a trial.”

As the litigation is ongoing, she declined to comment further. Attorneys for the Yakama Nation also declined to comment on pending litigation.

The former landfill sits on two parcels adjacent to the Yakima River east of North Eighth Street and north of East E Street. The area is part of the Boise Cascade mill site economic development project and the East-West Corridor.

The city used the land as a disposal site for solid waste between 1963 and 1972, when the Yakima County Health Department closed the landfill.

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## TRENDING NOW

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Subsequent surveys by the Department of Ecology found leaching of hazardous substances into the land, including heavy oils, lead, arsenic and nitrate. The department told Yakima in 2017 that the city was liable, and in 2018 ordered an action plan to remove the hazardous substances.

The Yakama Nation's lawsuit, filed in October 2020 and amended in August 2021 in the U.S. District Court for the Eastern District of Washington, states that the Nation helped to select a remedial course of action for the hazardous materials found at the site but had not been reimbursed by the city for the time and costs associated with that response.

The lawsuit says the Yakama Nation's response included participation in meetings, phone calls and emails with the Department of Ecology, the city and the Yakama Nation Fisheries program.

The Yakama Nation noted in the lawsuit that the Yakima River is a fishing place for tribal people, a right protected by treaty.

The amount of \$295,000 approved by the City Council in November includes the Yakama Nation's attorney fees and costs incurred through Nov. 1, according to the offer of judgment.



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The city reserves its rights of appeal, according to the offer.

The filing said the Yakama Nation has until Wednesday to accept the offer.



Did you know?  
**BIG TOBACCO  
USES MENTHOL  
TO HOOK LGBTQ  
TEENS?**



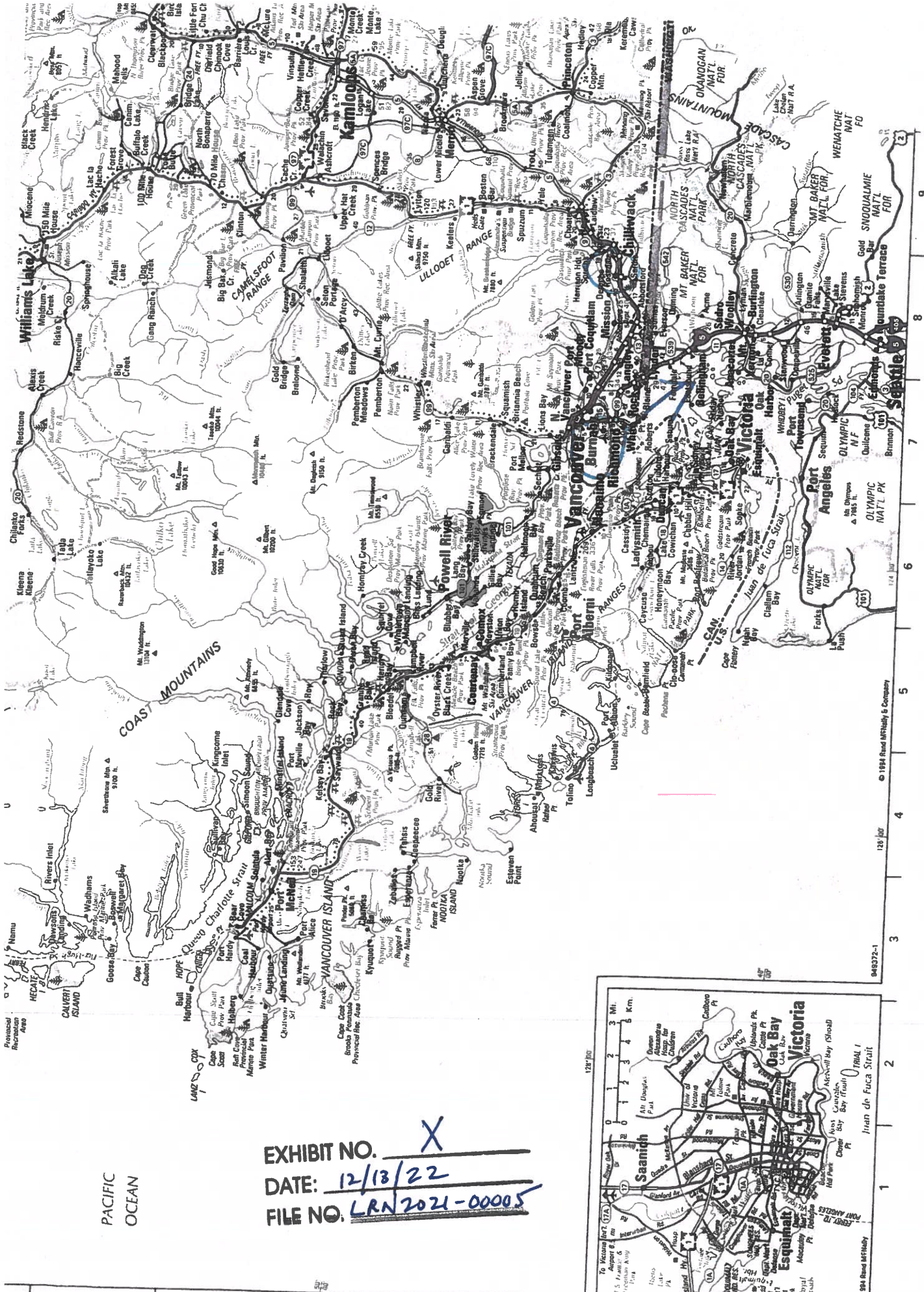
For decades, Big Tobacco has aggressively marketed menthol cigarettes to LGBTQ teens, leading to much higher tobacco use.

PHOTO BY THE COLUMBIAN FOR TOBACCOUSEXPOSURE.ORG© 2023 MOON 1304

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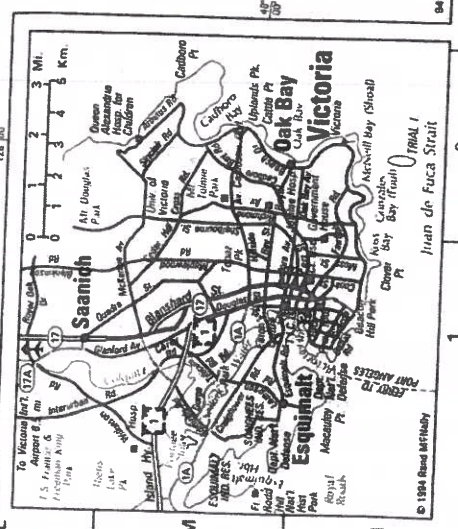
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OCEAN

EXHIBIT NO. X  
DATE: 12/13/22  
FILE NO. LRN2021-00005



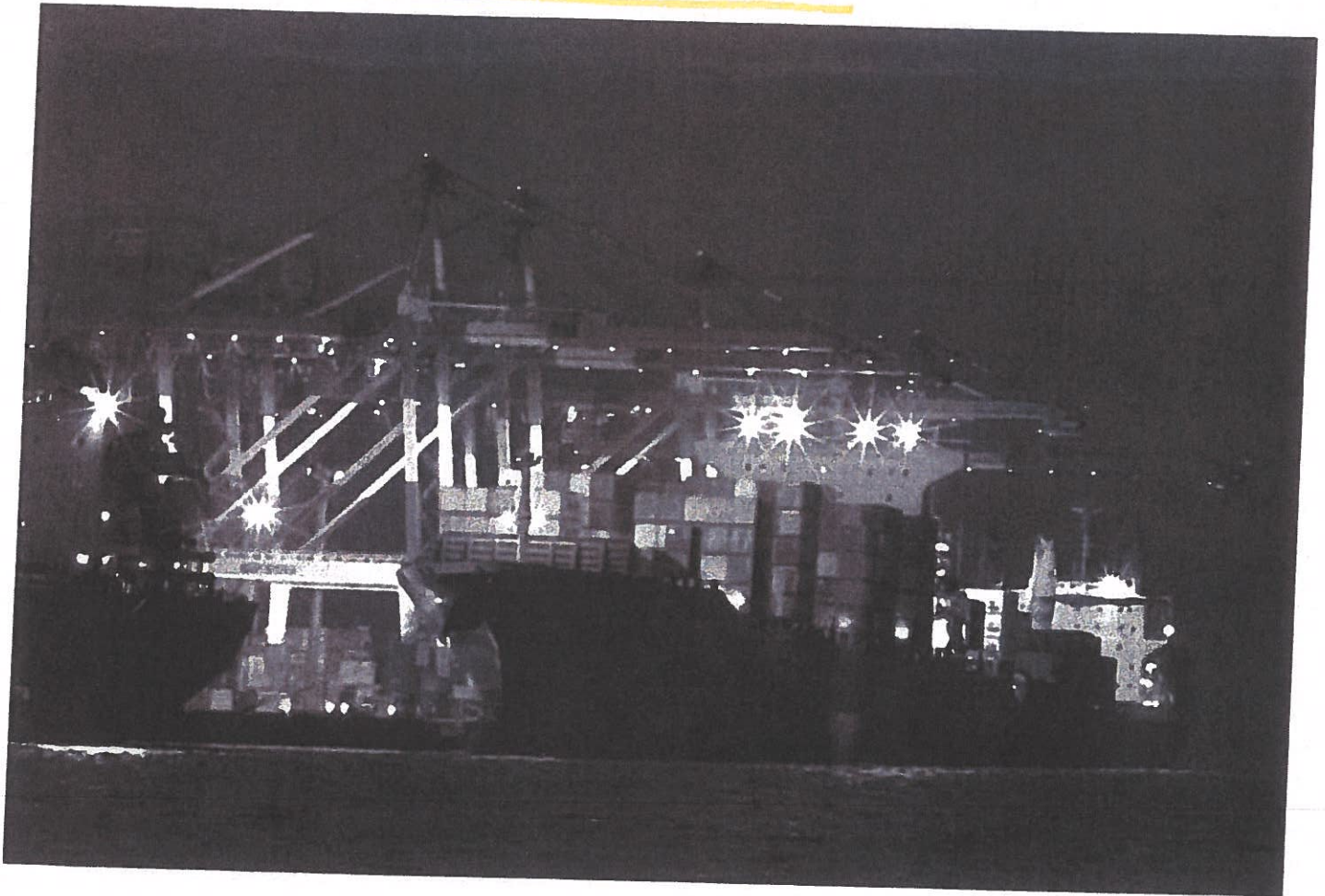




## CANADA

### Canadian companies illegally shipped at least 2,300 metric tons of waste overseas, documents show

"We should stop using developing countries as our dump sites," says environmental advocate Kathleen Ruff.



The port in Subic bay where a transport vessel is berthed to load waste materials on May 30, 2019, in Subic Bay, north of Manila, Philippines. A years-long dispute with the Philippines over dozens of cargo containers of Canadian garbage embarrassed the government. | Jes Aznar/Getty Images

By MAURA FORREST

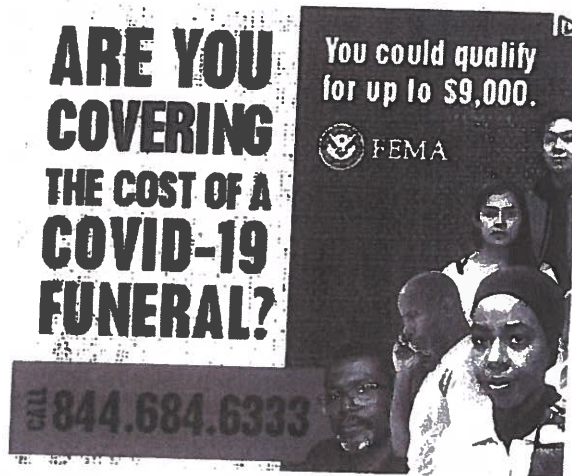
06/22/2022 03:21 PM EDT



OTTAWA — The federal government has issued dozens of warning letters and fines to Canadian companies for shipping illegal waste overseas in the last five years, but critics say the penalties do nothing to stem the tide of trash being dumped in developing countries.

Since 2017, Ottawa has identified well over 100 shipping containers of waste that have been illegally transported to developing countries from Canada, carrying more than 2,300 metric tons of garbage.

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Much of the waste was plastic scrap and contaminated paper bales, but there were also shipments of used batteries, electronic waste and metal scrap. Most of it was sent to Hong Kong, India, Vietnam and Malaysia.

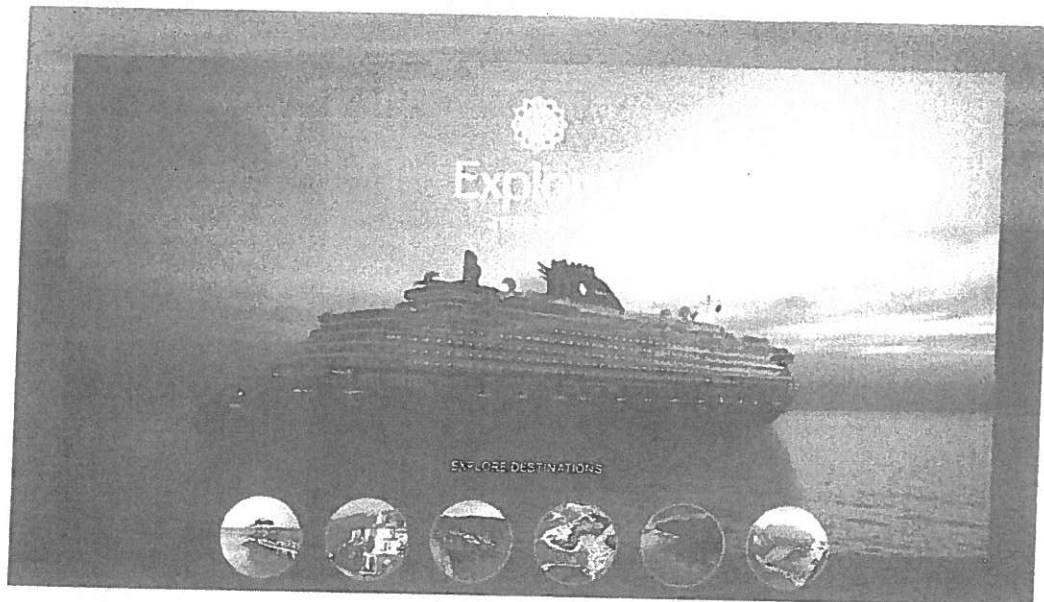
“It shows a lackadaisical attitude on the part of the government,” said Kathleen Ruff, founder of environmental advocacy group RightOnCanada. “They’re sending a message to the world that trivializes the seriousness of the issue.”

Canada has come under fire in recent years for sending waste overseas, often misidentified as recyclable material. A years-long dispute with the Philippines over dozens of cargo containers of Canadian garbage embarrassed the government, which eventually paid more than C\$1 million to ship the unwanted trash back to Vancouver.

That fiasco led to regulatory changes in 2016 that Ottawa said would prevent the export of such material without a permit.

But since then, the government has issued 21 warning letters and 23 fines to companies for shipping waste overseas without permits, according to a document tabled in the House of Commons last week. Environment and Climate Change Canada (ECCC) isn't releasing the names of the companies because they haven't been convicted in court.

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"Out of respect for the presumption of innocence... ECCC's policy is not to release identifying information with respect to enforcement measures applied where no conviction is recorded," the department says in the document.

The individual fines are for either C\$400 or C\$2,000 — a "laughable" amount, according to Ruff. "That would make no difference to the people receiving those warning notices and those fines," she said in an interview. "It sends a message that the government will not take serious action against you. There will not be serious consequences if you violate this law."

The department did not explain why it issued warning letters in some cases and fines in others, but said warning letters "will be taken into account in future responses to alleged violations, and may influence the frequency of inspections."

Sabaa Khan, director of the climate portfolio at the David Suzuki Foundation, said the shipments were likely intentionally mislabeled as clean, recyclable material which doesn't require the same insurance and documentation as



Canadian companies illegally shipped at least 2,300 metric tons of waste overseas, documents show - POLITICO  
contaminated scrap. She said they were probably only found during random inspections. "False labeling is a huge problem in the waste trade," she said. "It's a huge malpractice in the industry."

Khan also said there's a "major lack of transparency" around who's breaking the rules and how enforcement officers decide when to issue warning letters versus fines, and how much to fine.

Waste disposal and recycling — of plastics in particular — is an increasingly pressing problem for many wealthy nations, especially since China banned most imports of plastic scrap in 2018.

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The Liberals are aiming for Canada to reach zero plastic waste by 2030, in part by banning certain single-use items, requiring plastic packaging to contain 50 percent recycled content by 2030, and making plastic producers responsible for recycling. But Environment Minister Steven Guilbeault this week said only eight percent of the plastic produced in Canada each year is recycled.

Conservative MP Scot Davidson, who is trying to pass a bill that would ban the export of plastic waste, said the government's enforcement efforts are a "joke." The small fines are just "the cost of doing business" for recycling companies, he said. "You get more for a speeding ticket on the 417."



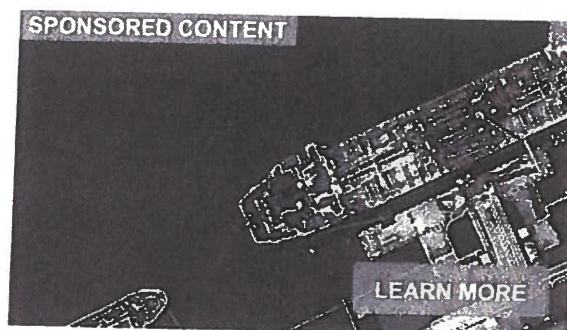
Davidson introduced a private member's bill in 2020 to halt the export of plastic waste for final disposal. He had the support of all parties except the governing Liberals, but the proposed legislation died on the order paper. He's now trying to shepherd a similar bill through the Senate.

However, environmental advocates have said Davidson's initiative won't get at the heart of the problem, since it only targets waste labeled for final disposal, not material that's misidentified as recyclable.

Ruff said the government should ratify an amendment to the Basel Convention, an international treaty designed to reduce the flow of waste from wealthy nations to poorer countries, which would prevent Canada from shipping hazardous waste, including plastic scrap, to the developing world.

Canada is a signatory to the Basel Convention, but has thus far refused to adopt the ban amendment, which has been ratified by roughly 100 countries.

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Are commodities part of your portfolio?



By Invesco

"Canada has been totally out of sync with the message of the Basel Convention," Ruff said. "The number one problem is we should stop using developing countries as our dump sites."

Ruff also pointed out that Canada sends the vast majority of its plastic waste to the United States, which is not a signatory to the Basel Convention, and can therefore export waste more freely to the developing world.

## Huddle

A play-by-play preview of the day's congressional news



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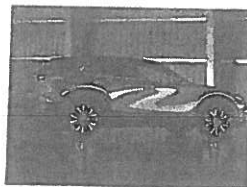
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## Phil Hoge

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**From:** kent@mchenry.us.com  
**Sent:** Wednesday, December 14, 2022 9:59 AM  
**To:** Phil Hoge  
**Subject:** Materials Requested by BOCC  
**Attachments:** Caton material test.pdf; Caton DOE Email.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Phil:

Attached are the materials that were requested by the BOCC at yesterday's public hearing. The first one is the test results on the rock along with the WSDOT standards for asphalt and concrete. The second one is an email from the Department of Ecology consultants regarding using the Caton Landfill as a model for the state.

Please let me know if you require any additional information.

Kent McHenry

EXHIBIT NO. Y  
DATE: 12/14/2022  
FILE NO: LRN 2021-00005



November 30, 2022

HWA Project No. 2022-000 Task 11

**Kris Strutner**

P.O. Box 4136

Yakima, Washington 98904

Attention: Mr. Kris Strutner

Subject: **Materials Laboratory Report  
2022 LA Wear Quality Control Testing**

Dear Mr. Strutner,

In accordance with your request, HWA GeoSciences Inc. (HWA) performed laboratory testing for the above referenced project. Herein we present the results of our laboratory analyses, which are summarized in Table 1. The laboratory testing program was performed in general accordance with your instructions and appropriate ASTM Standards as outlined below.

**SAMPLE INFORMATION:** One bulk sample of Crushed Surfacing Base Course was delivered to our laboratory by the client on November 22, 2022. The sample was designated as follows:

CSBC – Caton Landfill

**LOS ANGELES WEAR, 500 REVOLUTIONS:** The percentage loss of the sample in the Los Angeles Abrasion machine after 500 revolutions was determined in general accordance with method ASTM C 131. The entire sample was used to determine the grading; however, the portion retained on the 3/8" sieve was approximately 42 grams less than the mass required for the test (2500 +/- 10 grams). The test results are summarized below in Table 1.

**Table 1: L.A. Abrasion – Wear at 500 Revolutions**

Sample	Weight Before Test (g)	Weight After Test (g)	Grading	Loss (%)
CSBC – Caton Landfill	4965.0	3870.6	B	22.0





**CLOSURE:** Experience has shown that test values on soil and other natural materials vary with each representative sample. As such, HWA has no knowledge as to the extent and quantity of material the tested samples may represent. HWA also makes no warranty as to how representative either the samples tested or the test results obtained are to actual field conditions. It is a well-established fact that sampling methods present varying degrees of disturbance that affect sample representativeness.

No copy should be made of this report except in its entirety.

We appreciate the opportunity to provide laboratory testing services on this project. Should you have any questions or comments, or if we may be of further service, please call.

HWA GEOSCIENCES INC.

A handwritten signature in dark ink, appearing to read 'Kristin Nolan', with a long horizontal flourish extending to the right.

Kristin Nolan  
Materials Laboratory Manager

A handwritten signature in dark ink, appearing to read 'Steven E. Greene', with a large, stylized 'G' at the end.

Steven E. Greene, L.G., L.E.G.  
Principal Engineering Geologist  
Vice President

**9-03 Aggregates****9-03.1 Aggregates for Concrete****9-03.1(1) General Requirements**

Concrete aggregates shall be manufactured from ledge rock, talus, or sand and gravel in accordance with the provisions of Section 3-01. Reclaimed aggregate may be used if it complies with the specifications for concrete. Reclaimed aggregate is aggregate that has been recovered from plastic concrete by washing away the cementitious materials.

**Aggregates for Concrete shall meet the following test requirements:**

<b>Los Angeles Wear, 500 Rev.</b>	<b>35 max.</b>
Degradation Factor (Structural and Paving Concrete)	30 min.
Degradation Factor (Other as defined in 6-02.3(2)B)	20 min.

Aggregates tested in accordance with AASHTO T 303 with expansion greater than 0.20 percent are Alkali Silica Reactive (ASR) and will require mitigating measures.

Aggregates tested in accordance with ASTM C1293 with expansion greater than 0.04 percent are Alkali Silica Reactive (ASR) and will require mitigating measures.

Aggregates for use in Commercial Concrete as defined in Section 6-02.3(2)B shall not require mitigation.

Mitigating measures for aggregates with expansions from 0.21 to 0.45 percent, when tested in accordance with AASHTO T 303, may be accomplished by using low alkali cement as per Section 9-01.2(1)A or by using 25 percent Class F fly ash by total weight of the cementitious materials. The Contractor may submit an alternative mitigating measure through the Engineer to the State Materials Laboratory for approval along with evidence in the form of test results from ASTM C1567 that demonstrate the mitigation when used with the proposed aggregate controls expansion to 0.20 percent or less. The agency may test the proposed ASR mitigation measure to verify its effectiveness. In the event of a dispute, the agency's results will prevail.

Mitigating measures for aggregates with expansions greater than 0.45 percent when tested in accordance with AASHTO T 303 shall include the use of low alkali cement per Section 9-01.2(1)A and may include the use of fly ash, lithium compound admixtures, ground granulated blast furnace slag or other material as approved by the Engineer. The Contractor shall submit evidence in the form of test results from ASTM C1567 through the Engineer to the State Materials Laboratory that demonstrate the proposed mitigation when used with the aggregates proposed will control the potential expansion to 0.20 percent or less before the aggregate source may be used in concrete. The agency may test the proposed ASR mitigation measure to verify its effectiveness. In the event of a dispute, the agency's results will prevail.

The use of fly ash that does not meet the requirements of Table 2 of AASHTO M295 may be approved for use. The Contractor shall submit test results according to ASTM C1567 through the Engineer to the State Materials Laboratory that demonstrate that the proposed fly ash when used with the proposed aggregates and cement will control the potential expansion to 0.20 percent or less before the fly ash and aggregate sources may be used in concrete. The Contracting Agency may test the proposed ASR mitigation measure to verify its effectiveness. In the event of a dispute, the Contracting Agency's results will prevail.

ASTM C1293 sampling and testing must be coordinated through the WSDOT State Materials Laboratory, Documentation Section utilizing the ASA (Aggregate Source Approval) process. Cost of sampling, testing, and processing will be borne by the source owner.



Crushed Screening percent Passing					
	¾"-½"	¾"-No. 4	½"-No. 4	¾"-No. 4	No. 4-0
1"	99-100				
¾"	95-100	99-100			
½"		95-100	99-100		
¼"	0-20		90-100	99-100	
⅜"	0-5		60-85	70-90	99-100
No. 4		0-10	0-3	0-5	76-100
No. 10		0-3			30-60
No. 200	0-1.5	0-1.5	0-1.5	0-1.5	0-10.0
% fracture, by weight, min.	90	90	90	90	90

All percentages are by weight.

The fracture requirement shall be at least one fractured face and will apply to the combined aggregate retained on the No. 4 sieve in accordance with FOP for AASHTO T 335.

The finished product shall be clean, uniform in quality, and free from wood, bark, roots, and other deleterious materials.

Crushed screenings shall be substantially free from adherent coatings. The presence of a thin, firmly adhering film of weathered rock shall not be considered as coating unless it exists on more than 50 percent of the surface area of any size between successive laboratory sieves.

The portion of aggregate for bituminous surface treatment retained on a No. 4 sieve shall not contain more than 0.1 percent deleterious materials by weight.

Fine aggregate used for choke stone applications meeting the grading requirements of Section 9-03.1(2)B may be substituted for the No. 4-0 gradation.

9-03.5 Vacant

9-03.6 Vacant

9-03.7 Vacant

#### 9-03.8 Aggregates for Hot Mix Asphalt

##### 9-03.8(1) General Requirements

Aggregates for Hot Mix Asphalt shall meet the following test requirements:

Los Angeles Wear, 500 Rev.

30 percent max.

Degradation Factor, Wearing Course

30 min.

Degradation Factor, Other Courses

20 min.

Sand Equivalent

45 min.

Aggregate sources that have 100 percent of the mineral material passing the No. 4 sieve shall be limited to no more than 5 percent of the total weight of aggregate.

Aggregates shall be uniform in quality, substantially free from wood, roots, bark, extraneous materials, and adherent coatings. The presence of a thin, firmly adhering film of weathered rock will not be considered as coating unless it exists on more than 50 percent of the surface area of any size between consecutive laboratory sieves.

Aggregate removed from deposits contaminated with various types of wood waste shall be washed, processed, selected, or otherwise treated to remove sufficient wood waste so that the oven dried material retained on a No. 4 sieve shall not contain more than 0.1 percent by weight of material with a specific gravity less than 1.0.

**kent@mchenry.us.com**

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**From:** Evelyn Lundeen <elundeen@maulfoster.com>  
**Sent:** Thursday, December 1, 2022 2:25 PM  
**To:** kent@mchenry.us.com  
**Subject:** RE: Caton Landfill Clean Soil Follow Up

Hi Kent,

I just wanted to follow up on this email from my colleague Ben and see if you had any time in the next couple of the weeks for a call to discuss the Caton Landfill. I'm largely interested in some additional details regarding how the landfill works soil excavation into landfill operations and if they have any projections of how much soil they anticipate having to sell in the coming years.

Thank you,

**EVELYN LUNDEEN** | MAUL FOSTER & ALONGI, INC.  
Staff Engineer  
pronouns: she/her  
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**From:** Ben Johnson <bjohnson@maulfoster.com>  
**Sent:** Wednesday, November 16, 2022 4:29 PM  
**To:** kent@mchenry.us.com  
**Cc:** Evelyn Lundeen <elundeen@maulfoster.com>  
**Subject:** Caton Landfill Clean Soil Follow Up

Good Afternoon Kent,

I enjoyed chatting with you last week at the Yakima Orchard Cleanup Open House event. **As I mentioned, we would be interested in connecting with you and the Caton's about their soil mining and landfill operations as we are interested in their set up as a potential model for providing large quantities of affordable clean soil.** My colleague Evelyn Lundeen (CCed) is leading this phase of our Clean Soil Bank Feasibility Study. Evelyn plans to follow up with you directly to schedule a follow up conversation.

Thanks for your help and insights,

**BEN JOHNSON** | MAUL FOSTER & ALONGI, INC.  
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