

REQUEST FOR APPEAL  
of  
San Juan Island Solid Waste Transfer Station  
Final Environmental Impact Statement  
Submitted March, 2009

April 2, 2009

Mr. Ron Henrickson  
Director of the Community Development and Planning Department  
Responsible Official for the SEPA Process  
San Juan County  
Friday Harbor, Washington

Dear Mr. Henrickson:

The undersigned petitioners are residents of San Juan Island having standing in this matter as occupants of residential properties in the neighborhood of a property under consideration as the site for development into a new Solid Waste Transfer Station. Our names and contact information are:

John Gauthier  
150 Home Place  
Friday Harbor, Washington  
Telephone 378-3343

Juniper Maas  
1328 Beaverton Valley Road  
Friday Harbor, Washington  
Telephone 378-7764

Jack Yelverton  
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Friday Harbor, Washington  
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We are owners and/or occupants of residential properties which, like several dozen others, would be seriously affected and devalued and with residents thereof subjected to potential hazards to health and peaceful existence by a decision to locate a new Transfer Station on land at 1609 Beaverton Valley Road ("BVR" herein). We ask the Hearing Examiner to rule that the Final Environmental Impact Statement ("FEIS") and the Draft Environmental Impact Statement ("DEIS") are inadequate and do not contain vital facts and analyses essential for decision makers to come to well-informed judgments. We ask the Hearing Examiner to consider the following:

1. The Final Environmental Impact Statement states: "The DEIS and all technical appendices and background data are formally incorporated by reference in this FEIS."

S.J.C. COMMUNITY

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DEVELOPMENT & PLANNING

These publications contain many errors of fact and omissions that invalidate their use as required under WAC 197-11-440 requiring that the FEIS must “devote sufficiently detailed analysis to each reasonable alternative to permit a comparative evaluation of the alternatives...”

2. The FEIS contains omissions and factual errors. No ground or surface water data are contained in the FEIS and the DEIS data are incomplete and contain significant omissions, including omissions of data on domestic water wells in the vicinity of the BVR site.

3. Wetlands described in the FEIS are not consistent with the National Wetlands Inventory of the U.S. Fish and Wildlife Service, and in some cases wetland boundaries are not consistent with federal and state definitions and guidance.

4. Potential geologic hazards such as slope stability were not discussed or analyzed.

5. Neither FEIS nor DEIS discusses the County’s contractual obligation to construct a ten feet high by 48 feet wide by 600 feet long berm along the southern boundary of the BVR site nor of the source of the material to be used in building this structure. This structure cannot be built without environmental impact; this is not addressed.

6. The FEIS does not meet County Code (Chapter 18.06) requirements for subdivisions that require:

- A. Description of geologic setting of the site with geologic and soil maps.
- B. Description and occurrence of movement of underground water in the area.
- C. Discussion of groundwater availability in the area and historic problems.
- D. Scaled map showing all wells and springs within 1000 feet of the site.

While this obligation is directed to subdivisions, no less standard should apply to a complex transfer station with even greater risk of contamination.

7. The County’s Critical Aquifer Recharge Area Ordinance (SJCC 18.30.140) states that all San Juan County is highly susceptible to contamination, that high vulnerability is indicated by activities that contribute to the risk of contamination and it specifically lists solid waste handling facilities as potential problem areas. The FEIS does not address the impact of transfer station location on the sanitary setbacks related to water wells.


8. FAA guidelines require specific design, structural and operational standards must be met for development and operation of a transfer station within 10,000 feet of an airport. The FEIS acknowledges this requirement, but makes the misleading statement that “coordination with FAA may be required”. FAA guidelines, however, are specific and detailed. The FEIS omits discussion of these requirements.


9. In discussion of groundwater discharge from BVR, the FEIS fails to acknowledge the existence of an abandoned landfill on the property.

We, the petitioners, can present documentation and expert testimony to support these claims, and we beg the Hearing Examiner to rule that the FEIS is inadequate and therefore invalid because of numerous errors and omissions. We have read this document and we believe its contents to be true.

Sincerely,

  
Juniper Maas

  
John Gauthier

  
Jack Yelverton

CC: Mr. Pete Rose, County Administrator