

To: San Juan County Council

January 12, 2009

From: San Juan County Solid Waste Committee

Re: San Juan Island Solid Waste Facility Site Recommendation

Selecting a site for a solid waste facility on an island with limited options, all of which have pros and cons, has proven to be a long and sometimes controversial process. This committee has identified what we believed to be the most favorable site for a facility that can accommodate the County's solid waste programs now and in the future.

In addition to transfer capacity, our investment in solid waste infrastructure must reflect the increasing ecological and economic need for a facility that allows and encourages reduction of our waste. That is a primary goal of the laws and the spirit governing our national, state and local solid waste policies. It is in recognition of that goal that the accompanying site recommendation is offered.

We look forward to discussing this and other important policy issues with you as we work toward a more sustainable solid waste program together.

Respectfully,

George Post, Chairman

SWAC Site Recommendation Presented to the San Juan County Council

At the request of the San Juan County Council in October 2006, the Solid Waste Advisory Committee (SWAC) took on the task of recommending a site and a conceptual design of a new waste transfer facility for San Juan County to be located on San Juan Island. A rigorous scoping procedure identified five potential sites and a “No Action” option.

SWAC members visited the sites and deliberated the pros and cons of the environmental issues itemized in the Draft Environmental Impact Statement as well as other issues raised by concerned citizens. Based on these inputs, the input from staff, and guided by the goals of the Solid Waste Management Plan, a majority of the committee members have agreed:

that the Egg Lake site not be further considered

- too far from town and the south of the island
- wetlands incursion
- incompatibility with lake environment
- traffic flow

that the Golf Course Road site not be further considered

- property no longer available
- too small to accommodate anticipated services
- very exposed
- traffic and safety concerns

that the “No Action” option not be further considered

- existing facility is out of compliance
- too small to accommodate anticipated services
- proximity to existing, closed landfill
- zoning and ownership issues.

Of the remaining three sites, a majority of 6 to 3 members felt that the Sutton Rd. site was the least favorable

- sloping terrain restricts efficient design
- rocky terrain may cause design & excavation issues
- noise mitigation due to terrain and death of forestation on the down slope
- potential landfill leakage (possibly exacerbated by excavation)
- traffic flow design and mitigation issues
- proximity to populous neighborhood
- extensive excavation requirements
- zoning and ownership issues of the considered property
- zoning of surrounding areas
- service disruption during construction.

It is important to note that three SWAC members found this site to be their preferred site:

- the nearby neighbors are already used to the transfer station and an up-to-date facility would be a significant improvement
- the site is already environmentally compromised
- if the County were to locate its facility elsewhere, the Town of Friday Harbor may opt to operate its own facility which could impact the County's rate structure and raise duplication of services issues discouraged by the Comprehensive Plan.

A majority of the committee agreed that the Daniel Lane site is the second most preferred site

- adequate size
- gentle topography
- centrally located near town

Factors that were considered unfavorable

- increase in traffic volume
- proximity to neighbors
- Port of Friday Harbor has expressed concern regarding bird strike issues at this specific site.

A majority of the committee agreed that the Beaverton Valley site is the most preferred of the five potential sites

- size and terrain would accommodate all recommended facility services
- centrally located near town
- best potential for overall mitigation of adverse effects on neighbors
- the County owns the property
- fewer impacted neighbors
- reduced visibility from road
- traffic mitigation appears feasible.

Two committee members felt that this site was the least preferred

- vehicular safety could not be achieved
- impact to the neighbors would be high
- this use was not known when neighboring property was purchased

It is important to note that some committee members felt the Draft EIS was incomplete or flawed such that SWAC could not make an informed recommendation based on it. However, a majority of members agreed that any possible changes to the Draft EIS would likely not be substantive and that the final decision by the County Council will include information and data not now available to SWAC .

It should also be noted that the issue of bird strike potential and adherence to FAA guidelines regarding siting of a transfer station near an operating airport continued to be of concern to several SWAC members. It is, therefore, the consensus of SWAC to recommend a professional wildlife assessment be done on the final site selected.

In addition, it was a majority opinion of SWAC that while total costs must be considered by the Council when making its final decision, it is critical to weigh those costs in

balance with the cost of effective solid waste management over time. Since the new transfer station has an expected life of at least 50 years, SWAC encourages the Council to consider how we, as a community, can over time make this facility as effective and appealing as possible to reduce solid waste over many years and many generations.

In keeping with SWAC's mission of guiding solid waste policy in accordance with the goals of the County's Solid Waste Management Plan, the committee considers waste reduction to be a fundamental principle underlying the infrastructure and operational requirements of the County's waste management programs. Considering that this is likely to be the last major waste facility sited on San Juan Island, the committee feels strongly that it should recommend a site that will best accommodate all anticipated programs. While cost of building a new facility is an issue, the cost effectiveness of waste reduction and a well designed, well managed facility over the next several generations should not be ignored.

Since SWAC members have given considerable time and effort to this task, they were encouraged to write an individual recommendation if they felt it was necessary. These reports are attached.

Addendum to SWAC Report to San Juan County Council
Submitted by Mike Macdonald

January 13, 2009

San Juan County Council,

The SWAC majority has recommended a site for the solid waste transfer facility, Beaverton Valley, that is the most dangerous, most expensive, and least in compliance with pertinent federal, state, and county codes of all the alternatives we considered.

The best, most compliant, most cost-effective alternative---remodeling and improving the existing facility--was not specifically considered. The second-best choice, the inaccurately named “no action” alternative, was not “evaluated and compared to other alternatives,” as required by state law.

How could this happen, that the majority of SWAC, composed of civic-minded individuals intent on doing the right thing, confused north from south, best from worst, right from wrong?

A *de facto* and erroneous judgment was made that the Solid Waste Management Plan ((SWMP) takes precedence over all other considerations. Chairman George Post, supported by the majority, refused to seriously discuss costs of mitigation, possible conflicts of applicable laws and regulations, or fully examine certain specific safety information and regulations.

Citizen input was curtailed or accepted begrudgingly and not examined fully even when specific federal or state regulations were cited. Questions about costs and increased liability for the county were routinely turned aside and not answered by either the SWAC or Public Works staff.

Post made multiple rulings, some which went to defeated motions, that the SWAC was not to consider the accuracy of the evidence presented to us, not to consider the legality, code compliance, nor to consider any cost issues. The majority defeated a motion to request specific county council guidance on fiscal issues, as our county, state, and country slide into budget shortfalls and recession.

The result is a SWAC majority decision that is a liability to the council and is overwhelmingly opposed by citizens.

The SWAC refused to fully consider the defensibility of our recommendation or its usefulness to the council. To be defensible, this project and the decision to build it must be:

1. Safe
2. Legal

3. Of public benefit. The risk/benefit analyses must be fair and just.
4. Cost effective. The cost/benefit analyses must be rational.
5. Functional. In this case, conforming to the SWMP.

The SWAC turned this list on its head and only considered functionality. Public Works' consultants said any site, with mitigation, could be made to work. If that is true, it is indefensible to choose the most problematic site as the best.

The SWAC made a serious legal and logical error in a process essential to good decision-making and good government. Every act and every contention must be judged by three criteria:

- Is it true?
- Is it lawful?
- Is it just?

Your predecessors on the BOCC, spearheaded by Kevin Ranker, failed to exercise the appropriate due diligence and answer these questions before the Beaverton Valley property was purchased without public input.

The director of Public Works has failed to answer these questions. Throughout the process to date, facts and law have been ignored or omitted to fit a predetermined decision and action.

Even today, with millions of public funds spent, it is impossible to turn to any official material and find the answer to the fundamental question.

Where is the safest, most cost effective, least environmentally damaging location to process solid waste on San Juan Island? Federal, state, and local law require a defensible answer. To ignore this will incur tremendous liability for the taxpayers.

The SWAC's failure to make these judgments and the majority opposition to this form of inquiry makes the subsequent recommendation indefensible and a liability to the council decision-making process.

In my minority opinion, the majority choice is the least true, least lawful, contains the most liability, and is the most unjust and most costly of all we considered. After listening to citizen input, I believe the vast majority disagrees with SWAC's recommendation and disapproves of the methods by which it was reached. In the end, those are the opinions that count most, the taxpayers for whom we all want to provide better decisions, better service, and better government.

Thank you for your time.

Mike Macdonald

Addendum to SWAC Report to San Juan County Council
Submitted by Jack Yelverton

The Solid Waste Advisory Committee made an unfortunate error some time ago when it decided that cost must not be a factor in the process of selecting a site for the proposed transfer station. The policies of the Comprehensive Plan state clearly and unambiguously that minimizing public cost of a project is and must be a leading consideration. Ignoring both project cost and the present economic condition of the County and the State has led the Committee to issue a report that must be rejected by the Council. The Town of Friday Harbor has formally requested the County to consider economic factors in developing a new facility but this request has not been considered. The people of San Juan County understand that the County must make financially-driven decisions, not decisions that may offer marginal improvements only at far greater cost, particularly when the benefit is to only one island but the cost becomes a burden for all.

In selecting a location for the San Juan Island transfer station, there are substantial cost differences among the alternatives available to the County and the Council will certainly need thorough, accurate advice in selecting a site that meets the technical and operational needs of the County at the lowest possible expenditure.

Three sites have been under serious consideration: Beaverton Valley Road, Daniel Lane and Sutton Road. While cost data so far have been only engineering estimates and the true costs will be known only at some future date, one fact is abundantly clear. The Beaverton Valley Road location is certain to be by far **THE MOST EXPENSIVE** of the alternatives available to the County. While this location meets the SWAC self-defined task of selecting the absolutely best site for a state-of-the-art "resource recovery" center to serve the needs of the County for many years to come, it does so at excessive cost at the very time that the County is more financially stressed than ever before. Selecting the most expensive alternative at marginal benefit, if there are any benefits at all, would be a disservice to the people of San Juan County.

The Beaverton Valley Road property was purchased by the Public Works Department three years ago for the express purpose of moving the transfer station to that location. The County is obligated to build an extensive ten-foot high berm along the southern boundary of the property, an obligation that adds to the expense of land acquisition for what has so far been an idle asset. The physical facility for the designed transfer stations is estimated to be roughly the same for each of the three locations. However, the Beaverton Valley Road project will require major additional expenditures not needed at the other two sites. If the Beaverton Valley site is selected, Number Two Schoolhouse road must be paved (including new ballast and culverts). More significantly, Beaverton Valley Road itself must be widened, a process that the traffic engineers hired by Public Works succinctly describe as "**PROHIBITIVELY EXPENSIVE**". This caveat has been ignored by SWAC. At this time nobody knows exactly what this will cost, but current best estimates suggest that the roadwork and earthwork will add between two and three million dollars to the total cost of the project.

While Public Works paid an unfortunately high price for the Beaverton Valley Road property, at least some of these funds could be recovered by selling the parcel. Sales proceeds would give the county a good start on constructing required facilities at another location. Going forward with the Beaverton Valley site will require additional funding of at least \$10 million. Selling the property and applying the money to either alternative site would require the County to fund only about \$5 million.

The County has other alternatives and the SWAC report is remiss in not providing the Council with an evaluation of these. By far the least expensive alternative available to the Council is mandating curbside pickup by the private contractor who provides this service to the Town of Friday Harbor. The County could simply get out of the trash/recycle business. Many municipalities throughout the country have found this to be economic wisdom. The existing site at Sutton Road could be brought into compliance simply by erecting a structure over the tipping site. This would cost a few hundred thousand dollars, not several million. Similarly, the County could eliminate the plan for a recovery/resale facility in the new transfer station. An existing private concern, Consignment Treasures, is providing recovery and resale of appliances and construction materials and offers to expand the business. Together with the nonprofit resale shop that provides funds to the Fire Department, the Thrift House, this function can continue to be served very well without need for the County to be involved. The County should not use public funds to establish operations that will compete with private or charitable organizations.

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The conclusions of the SWAC report fail to take into consideration a number of issues that will have a negative cost impact on the Beaverton Valley Road site as final engineering and construction details are sure to show. For example, the Draft Environmental Impact Statement points out that the consultants' measurement of sound propagation at both Beaverton Valley and Daniel Lane sites exceeds WAC limits while the same measurements at Sutton Road were well below the same WAC limits. The SWAC report ignores these findings. Those excessive noise levels will have to be mitigated in some way. Also, the Draft Environmental Impact Statement does not address FAA regulations that will affect the design and construction of facilities at Beaverton Valley Road. Perhaps the final Statement will correctly address these matters and cost estimates can then more accurately demonstrate the expense of a move to Beaverton Valley Road.