

TO: Timothy Firestine, Chief Administrative Officer  
Joseph F. Beach, Director, Office of Management and Budget  
Jennifer Barrett, Director, Department of Finance

FROM: Keith Ligon  
Board Member, Derwood Station South HOA  
Chairman, Gude Landfill Concerned Citizens

DATE: December 5, 2008

RE: **Capital Improvement Project Budget**  
**Significant Impact of County's Proposed Re-Use of Gude Landfill**

I am a homeowner in the Derwood Station community, a Board member of the Derwood Stations South Homeowner's Association, and Chairman of a concerned citizen group created to address common concerns related to the County's planned re-use of Gude Landfill.

### **Community Understandably Concerned About Re-Use of Gude Landfill**

Our community is located right next door to the Gude Landfill. There is no buffer between the landfill and our houses. As one element of its "Smart Growth" property use initiatives and Shady Grove Sector planning, the County has announced plans to relocate a 400 school bus depot to the top of this actively venting and settling landfill.

Our community has formed the *Gude Landfill Concerned Citizens* group to ensure that our health and safety concerns are properly channeled and to ensure that the County focuses appropriate attention on the significant risks, costs and contingent liabilities associated with current proposed plans.

Please know that our community supports "smart growth" and the intelligent use of the limited green space available to the county. The current North Creek Sector Plan calls for the development of the Gude Recreational Park on the landfill. Recently, the MNPCC affirmed this long-standing plan and its interest in building a park there, but claims no Capital Improvement Project funds have been allocated to study its use.

### **County Study Show Bus Depot Relocation Not Viable - Twice as Expensive**

As you may know, in considering the re-use of the Gude Landfill the County conducted a feasibility study. This study found that the relocation of the MCPS Transportation Depot Bus Parking and Depot Operations to the Gude Landfill was "not feasible" due to the high cost of construction for the landfill site which shows obvious signs of above normal settlement. The study estimates that construction on the landfill will exceed \$55 million, or twice the normal construction costs. SCS Engineering Study (Nov. 2, 2007; pp. 3 and 12).

## **CIP requests to Fund Studies – Will They Be Comprehensive and Compare Alternatives?**

We understand that various funding requests for Capital Improvement Projects (CIP) are being submitted seeking approval to expend funds to conduct studies and to acquire or swap real estate properties (e.g., GE Tract; FinMarc and other properties) related to the Shady Grove “Smart Growth” property use initiatives. We support these studies. But ask you to ensure that the studies are comprehensive in scope and include a complete review of options and alternatives, and a thorough analysis of costs, risks and contingent liabilities to the county.

Specifically, please seek cost estimates that include direct and contingent exposures to the County, including:

- Health and safety risks to the community (e.g., explosion, exposure to methane and noxious gases, air pollution, water pollution, noise).
- Health and safety risks to the school children that will ride the buses parked at the Gude Landfill (e.g., explosion risk, exposure to methane and toxic gases and substances).
- Extra construction costs required to put a bus depot and parking area on the landfill at ZERO risk to adjacent neighbors.
- Long-term costs to mitigate and monitor the identified risks over the 30-50 year remaining life of the landfill.
- Negative impact on property values and impact to tax base in the adjoining community.

The County does have options and this next set of studies should compare costs among viable alternatives:

- Expanding bus space at existing depots
- Use of the larger and more stable Oaks Landfill
- Acquisition of commercial undeveloped property
- Making alternative "Smart Growth" uses of the Gude Landfill (including the currently planned Gude Recreational Park)

Thank you for understanding our concerns as you entertain these funding requests. In the next weeks, we will contact you to arrange a face-to-face meeting to express our concerns and explain in greater detail why alternatives must be considered.

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