

From: [Mark Yeager](#)
To: [Coffin Butte Landfill Appeals](#)
Subject: Litter - Serious Interference with Use of Adjacent Properties and Character of the Area
Date: Sunday, October 19, 2025 9:20:56 AM
Attachments: [Litter Testimony Yeager.pdf](#)

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Commissioners Wyse, Malone and Shepherd:

The litter impacts from the existing operation and the proposed landfill expansion have not and cannot be mitigated to prevent serious interference with uses on adjacent property and the character of the area in violation of 53.215(1).

Please see the attached letter, and be sure to see the embedded link to testimony from adjacent properties with detailed description and evidence of these impacts to farm and business operations.

I am a registered civil and environmental engineer and served on the Benton County Solid Waste Advisory Council both in the 1990s and again in 2021-22.

Thank you for your time.

Mark Yeager

Mark Yeager
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October 15, 2025

Commissioners Wyse, Malone and Sheperd:

Testimony in opposition – LU-24-027

Litter from dump operations (both current and proposed expanded) seriously interferes with uses on adjacent property and seriously interferes with the character of the area in violation of 53.215(1).

This letter is submitted in response to the written materials (LU-24-027) presented by Republic Services and the written materials submitted by Benton County and their consultants titled “Staff Report Conditional Use Permit,” UNDATED, but publicly released on October 15, 2025.

In addressing LITTER IMPACTS, Republic Services in their materials make it clear that they will employ NO NEW MEASURES to control litter. In fact, they state in their July 8th presentation to the Planning Commission (Record ID A0096) that they will “Maintain at least the same level of litter control measures as part of the expansion process.” As shown in the photo below, from Coffin Butte, their existing measures do not actually capture any litter when employed. This method of fencing, whether bull fencing or defender fencing, cannot and does not capture the trash that is picked up by swirling wind that takes it high into the air and deposits it on adjacent and nearby properties.



You have received testimony from the Bradley family: https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC1_T0245_10072025_Email_YEAGER_Mark.pdf

and the Krueger/Wilson family:

https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC1_T0244_10072025_Email_YEAGER_Mark.pdf

as well as photographic evidence in the record that shows how the trash that rains down on their properties seriously interferes with their agricultural and therapy operations on their adjacent property.

Republic Services proposed “mitigation efforts” are nothing more than window dressing on an issue that they have not previously controlled and cannot control on the expansion parcel. No amount of fencing will capture that litter, particularly given its placement relative to the working face (as shown in the photo above).

A physical aerial net over the entire operation might be the only means capable of capturing the litter that floats hundreds of feet into the air before coming down on adjacent properties. That, of course, is not feasible and Republic is not proposing, nor is the County requiring anything of that nature.

The condition of approval recommended by staff (OP-9) contains no effective means of controlling offsite litter that seriously interferes with uses on adjacent properties:

“Expand litter collection activities to include Tampico and Soap Creek Roads.”

Republic’s proposal to pick up litter along Tampico and Soap Creek Roads will not mitigate the litter that ends up on private properties and seriously interferes with agricultural and residential uses.

The staff recommended condition of approval OP-9(F)(ii) envisions property owners requesting an allowing Republic staff to enter their property to clean up wind blown trash from the dump on their property. Picking up trash that lands on their properties and PREVENTS the use of their property for grazing IS TOO LATE. Once an animal has ingested the windblown trash, IT’S TOO LATE.

BENTON COUNTY PROPOSED CONDITIONS OF APPROVAL – LITTER

The staff’s proposed conditions of approval will necessarily be ineffective because they do not control the atmospheric conditions that lift the feather-light trash from the working face and haul roads high into the air and deposit them onto adjacent and nearby properties.

From County staff report), page 106, OP-9(A):

The Applicant shall implement and maintain all current litter control measures.....

THE CURRENT LITTER CONTROL MEASURES ARE NOT WORKING NOW AND WILL NOT BE EFFECTIVE IN THE EXPANSION AREA.

OP-8 limits the final elevation to 450 feet, and **OP-9(B-E)** requires litter control measures such as fencing, a collection program, monitoring and reporting

Analysis and comments:

Limiting the top of the dump to 450 feet will have no effect on the prevalence or distribution of windblown trash. There is no evidence or analysis in the record that limiting the height of the new dump will have any effect on litter ending up on adjacent or nearby properties and seriously interfering with the use of their properties or the character of the area.

Regarding the required daily cover condition of approval (OP-2(B), the applicant already supposedly applies daily cover to the working face of the existing dump, and that has not proven effective at controlling airborne litter. The litter that makes its way to adjacent and nearby properties is generated during the active hours of operation when there is no cover on the working face.

Condition of approval OP-14 to limit the number and size of the working faces has so many loopholes you could drive a trash truck through it. Republic has already testified that they will frequently have more than one working face during transitions and cell development (so the total working face will likely be far greater than two acres) and the exceptions in the condition are completely vague and unenforceable.

The additional sub-conditions in OP-9 are similarly vague and unenforceable.

Condition of approval OP-9 regarding implementing and maintaining existing litter control measures has no value at all because their existing litter control measures are not working and the evidence in the record has proven that case.

As far as litter affecting the character of the area, the pictures of the trash in the vicinity of the existing dump and along the main haul routes to and from the facility demonstrate serious interference with the character of the area.

The images below demonstrate serious interference with the character of the area and represent a sampling of the impacts of hosting an expanded landfill on the character of the area.

Soap Creek Valley looking south – character of the area:





Roadside litter



Roadside litter



Roadside litter

Thank you for your time and attention. Please deny LU-24-027.

Sincerely,

Mark Yeager

Registered Civil and Environmental Engineer