

From: [Ken Eklund](#)
To: [Coffin Butte Landfill Appeals](#)
Subject: Explainer 5 of 12: How Do I Find Things in the Record? Here's some help
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Attachments: [Explainer - how to find things in Public Record.pdf](#)

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Dear Chair Wyse and Commissioners Shepherd and Malone:

I've developed most of these "explainers" for myself, but this is mostly for you: some guidance on how to understand how the Public Testimony has come to be the chaotic mess that it is, and how you might navigate it. It's definitely in the public's interest to help you find material – the chaos is not our fault and certainly not our desire.

I hope you find this Explainer useful –

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#explainer

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Why Is Public Testimony So Unorganized? How Can I Find Anything?

– An Explainer –

Hello Commissioners Wyse, Shepherd and Malone,

The process of receiving and posting public information has been a challenge and the results as you well know are chaotic. Before I get into why that is, let me walk you through ways to work with the mass of public testimony as is, that I hope will be helpful in making sense of the public testimony parts of the public record.

1. UNDERSTAND WHAT'S HAPPENED:

- A. **TESTIMONIES SPLIT APART.** The pipelines through which the County has received public testimony, and the various platforms in which the County has recorded those testimonies, have in some cases split testimonies into separate documents and then made it difficult or impossible to link those documents, or even to search for a document's other half. So if you are reading a testimony and it refers to another part of itself which is not there, it's because the process has stripped that part off and made it a separate document.
- B. **DOCUMENTS CREATED WITH NO CONTEXT.** In cases like the above, the split-off parts are documents never intended to stand alone, so they are often without context as to what they are or why they are part of the record.
- C. **LARGE FILES UPLOADED SEPARATELY.** If a testimony includes files that are too large to email, which is common if the testimony attaches technical references or government reports, then those large files have to be sent separately through a special portal. This often means that they do not

appear under the author's name, but rather under the name of a community member who is helping other community members navigate this portal.

- D. **MEDIA IN AN ENTIRELY DIFFERENT SECTION.** All media such as audio or videos appears in its own Section – “Media Submissions” on this page in the Record: <https://www.bentoncountyor.gov/lu-24-027-proposed-coffin-butte-landfill-expansion/> This section contains only the media itself and not any document that came with the media, explaining the media.
- E. **NO CROSS-LINKING.** When a testimony is posted, it now has a unique URL. But because there's a delay between when that testimony was sent in and when it is posted (often up to a week), that URL arrives too late for the submitter to use to create links that would aid the Commissioners in navigating the testimony. A testimony submitted with a video, for example, can't link to that video.
- F. **NO LINKS TO PLANNING COMMISSION TESTIMONY.** For a variety of reasons, the public didn't know it could refer Commissioners to Planning Commission testimony, which was in an archive separate from the *de novo* archive. So there are no helpful links in testimony to anything in the Planning Commission archive, although it turns out there could have been.
- G. **AS IS, THE PUBLIC RECORD IS NON-SEARCHABLE.** Given these conditions, it would be useful if the Commissioners could use Search to navigate the information in the archive, but there is no way I know of to do that in its current electronic form.

- 2. **CREATE A SEARCHABLE SUB-ARCHIVE.** Commissioners, the only way we've found to navigate the Public Record is to create your own copy of it on your computer, which you can then search by having your computer search the folders in your local copy. Here's my suggestion on how to do that:

- A. Download the Planning Commission archive by downloading the following mega-pdfs into a folder on your desktop.
 - 1) Create a folder “Complete Planning Commission Record”.
 - 2) Into that subfolder, download the megapdf files below, all found in the record. Each of these are the complete contents of folders in the Munidocs record for the Planning Commission hearing, that I uploaded into the *de novo* record on October 9.

- a. https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC1_T0292_10092025_SFTP_EKLUND_Ken.pdf (Note: this particular material was not actually in the Planning Commission record; the Planning Commissioners saw only an empty folder. I obtained the contents only recently and added them to the public record.)
- b. https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC1_T0293_10092025_SFTP_EKLUND_Ken.pdf
- c. https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC1_T0294_10092025_SFTP_EKLUND_Ken.pdf
- d. https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC1_T0295_10092025_SFTP_EKLUND_Ken.pdf
- e. https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC1_T0296_10092025_SFTP_EKLUND_Ken.pdf
- f. https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC1_T0297_10092025_SFTP_EKLUND_Ken.pdf
- g. https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC1_T0298_10092025_SFTP_EKLUND_Ken.pdf
- h. https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC1_T0299_10092025_SFTP_EKLUND_Ken.pdf
- i. https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC1_T0300_10092025_SFTP_EKLUND_Ken.pdf
- j. Note that these documents can be verified in the county record for the Planning Commission in Munidocs: https://library.municode.com/or/benton_county/munidocs/munidocs?nodeId=828688c9d8ae8. They're also in the Planning Commission

section of the official Record, but edited and no longer in the same order.

- k. Note that you can separate out these documents into subfolders: one for Planning material, one for Applicant material, and one for Public Testimony. Then you can search only those areas for keywords, so that you can find all the public testimonies that mention PFAS, for example. The megapdfs should sort neatly into one of those subfolders or another; or at least they were that way when I uploaded them, although that information has been stripped away by the process.

3. Important: Creating this archive will only enable you to search the Planning Commission Public Record. But that's a big help, as most of the Applicant and Staff material is in there, not in the Appeals record.

4. Look for an additional Testimony from me with an updated version of this Explainer. I hope to make a similar copy of the Appeals Record that you can add to your searchable sub-archive. You can make your own, but it involves going through many hundreds of documents and downloading them into your Archive folder one by one.

Difficulties with the public testimony portion of the public record for LU-24-027 have plagued it from the start. There seems to have been no appropriate planning for the volume of testimonies that it would receive, nor for the various forms that those testimonies would be in (combinations of writing, images, video, and other online communications). The County's initial position on public testimony was that the public could only submit it in a web form that had a character limit, that couldn't accept attachments, and so on. It soon turned out that that was both unworkable and illegal.

Next the County moved to the Munidocs system, which was a great improvement, except that public testimony was aggregated into a few massive megapdfs, which made individual testimonies extremely difficult to find and to refer the Planning Commissioners to. Attempts to fix this generated different versions of the same material. Eventually all of the Planning Commission public record was retranslated into the new Planning Commission Public Record, but there were many testimonies that were "lost in translation" during this conversion.

Throughout this process, staff's communications about the records protocols were spotty and prone to error. County staff never seemed to grasp that the record should be actually useful to a reader or a contributor – that a person might want to group-search the pool of documents for a keyword, for example, or have a URL so that they could link one piece of testimony with another. And the various changes in format undid attempts to add this layer of organization.

After the Planning Commission's unanimous decision to deny – a precedent that you should follow, by the way – and Republic appealed that decision, the shift to the *de novo* Appeal process, a major miscommunication occurred. During the Planning Commission deliberations and decision, the *de novo* process was presented as requiring all testimonies to be resubmitted into the *de novo* record. Inquiring members of the public were told that the public could not ask staff to bring the Planning Commission record across into the *de novo* record. This seemed to be confirmed by the County website itself, which carefully separated the Planning Commission Public Record from the Appeal Process *De Novo* Record. As incongruities began to emerge, questions arose which staff did not answer. The public had to spend money on their own attorney to find out that anything that you, Commissioners, were consulting in the Appeal process was in the public record, and this was confirmed by staff just this last Friday, October 17, after consulting with their attorney. Staff then removed the misleading language on the Coffin Butte Landfill webpage.

I'll note that this confusion has led to turmoil among members of the public, who submit testimony but cannot find it, who wonder if it's really necessary to speak up given that their voice seems unlikely to just be lost in the chaos, and so on. But I'll say that the most common public reaction I've experienced has been concern for the people who are confronted with this chaos – first the Planning Commissioners, and now you, Commissioners. People realize what a burden it is for you to be charged with making a critically important decision, and to have the evidence and testimonies you must consult to be in such a disorganized state. As do I, which is why I have prepared this explainer and a number of other explainers, in hopes that you will find them useful.

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October 16, 2025

Read all the Explainers! Because I'm doing my best to pass on what I've learned in a clear, concise, readable narrative form.

Performance-testing the landfill gas flare: ODEQ's struggle to obtain compliance from Republic

DEQ made a rule in late 2021 and Coffin Butte Landfill complied with it in late 2024. Why did it take so long, and what about that Class 1 Notice of Violation from DEQ?

Explainer - DEQ gas flare compliance.pdf 

Carbon Mapper and landfill gas: an explainer

An award-winning, innovative third-party source sharing data with us about the landfill's performance.

Explainer - Carbon Mapper and methane detection.pdf 

EPA Enforcement: a timeline and explainer

The EPA is investigating Coffin Butte Landfill – why? Is it serious? How did that start and what's happening with it?

Explainer - Coffin Butte and EPA Enforcement.pdf 

Climate Damage and the Land Use Criteria

Evidence shows that Coffin Butte Landfill is large-scale producer of greenhouse gas emissions. How do the impacts from that relate to the land use criteria for LU-24-027?

Explainer - Climate Damage and land use criteria.pdf 

Gas Wells At Coffin Butte: Why So Many?

Republic asserts that all those gas wells are a sign of environmental commitment. What's the true reason?

Explainer - Why so many landfill gas wells at Coffin Butte.pdf 

Elevated Temperatures, Subsurface Landfill Fires

The way Coffin Butte Landfill is operated creates more risk of a dire event.

Explainer - elevated temperatures at Coffin Butte.pdf 

Avoiding Compliance: six narratives

How Republic avoids monitoring at Coffin Butte Landfill: the paper trails.

Explainer - avoiding compliance at Coffin Butte 1.pdf 

How to Find Things in the LU-24-027 Public Record

It's not easy, but here are some tips that may help.

Explainer - How to find things in Public Record.pdf 