

LU-24-027 IN-PERSON TESTIMONY SUBMITTAL COVER SHEET

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Chair Wyse, members of the Commission

Good evening, my name is Mark Yeager, I have lived in Benton County since 1982. I am a registered Civil and Environmental engineer, and a certified water rights examiner in Oregon. I also worked in municipal government for more than 30 years in Oregon, involved in many land use proceedings.

I have served multiple terms on Benton County's Solid Waste Advisory Council and Disposal Site Advisory Committee from the 1990s – through 2023. I am also a member of the Adair Rural Fire District Budget Committee.

I live at 37269 Helm Drive in Corvallis.

I appreciate the opportunity to speak with you tonight about the Coffin Butte expansion proposal, and I appreciate your service to our community.

I have also submitted multiple written comments for your consideration regarding leachate, traffic impacts, and undue burdens.

I am going to speak with you about Coffin Butte history, the land use expansion proceedings since 2020, and some thoughts about unresolvable impacts as a means for denial of this application.

HISTORY

Remember that Coffin Butte began as a hole in the ground to burn trash during World War II to support the Adair military installation.

It is an accidental dump.

When Coffin Butte was first being considered as a 3-county dump in 1973, the Chair of the North Benton Citizens Advisory Committee, Arthur Tollefson wrote to the Planning Commission chair on November 5, 1973...

“Let it be clearly understood that we are unalterably opposed to a long term continuation of the use of the Coffin Butte site for its current service area. We are even more vigorously opposed to its expansion to serve a three-county area.”

Coffin Butte now serves more than 23 counties in two states.

He also writes “There is a substantial body of facts relating to the unsuitability of this site and the surrounding area which have seemed so evident to us as to make any consideration of the Coffin Butte site utterly ridiculous, totally intolerable.”

“It is the consensus of the North Benton Area Committee that the location of a regional disposal

facility would be extremely short-sighted and very dangerous.”

“Coffin Butte is far better suited to be a public park than a public dump.”

Tollefson was a PhD professor at OSU.

The North Benton Citizens Advisory Committee was correct. Here we are 52 years later, the same story, with dramatically worse conditions.

In 1983, when the Coffin Butte landfill area was re-zoned from forest to landfill, the staff report states that NBCAC, SWAC and the staff all agreed with the zone change provided that NO LANDFILL BE ALLOWED SOUTH OF COFFIN BUTTE ROAD.

The Goal 5 exception required for this 1983 re-zoning of the property from forest to landfill site stated that the “USE OF THE LAND south of Coffin Butte Road AS A TREE FARM would not change.”

The narrative being spun today by the Applicant in their PR campaign about “completing the plan” and moving onto this parcel is totally false. This southern parcel was never intended for use as a dump.

In 1994 (PC-94-10 and PC-94-11), Valley Landfills applied for a conditional use permit to DUMP TRASH ON THE SOUTH SIDE OF COFFIN BUTTE ROAD and also requested a ZONE CHANGE to convert 26.5 acres of Rural Residential property into landfill property. This proposed 1994 dump expansion would have mounded trash on both sides of Coffin Butte Road, intruding ever closer into rural neighborhoods. Just like they want to do now.

Perhaps more problematic, the proposed 1994 expansion included specific reference to the inevitable closure of Coffin Butte Road:

“Filling on the Landfill Site zoned land to the south of Coffin Butte Road would EVENTUALLY REQUIRE VACATING COFFIN BUTTE ROAD as a through road and using it only for access to the landfill.”

No doubt Republic’s current proposal is the first step in this plan.

Coffin Butte Road is the EMERGENCY EVACUATION ROUTE for hundreds of residents in North Benton County. However, after public outrage over this proposal swelled, the 1994 plan to expand the dump south of Coffin Butte Road and re-zone

the rural residential property was unanimously denied by the County Commissioners. Bob Kipper spoke of them yesterday.

In 2021, Republic Services AGAIN PROPOSED TO EXPAND THE DUMP south of Coffin Butte Road and close the emergency evacuation route. Public outrage surfaced again. The Planning Commission adopted findings based on the evidence and the request was unanimously denied.

Republic Services came back in 2024 with yet another request to expand south of Coffin Butte Road. Marketing this as a modest proposal, when in fact it is the camel's nose under the tent.

After careful consideration of all the evidence, this request was also unanimously denied by the County Planning Commission in August 2025.

After unanimous denials by two different County Planning Commissions, Republic Services has now appealed to the Board of Commissioners to reconsider their expansion request.

Commissioners, this is your legacy decision.

If the 2025 Planning Commission decision is overturned, UNLIMITED AMOUNTS OF GARBAGE

CAN BE TRUCKED INTO THE COFFIN BUTTE LANDFILL, as outlined in the 2020 Franchise Agreement.

Contrary to the unanswered question last night, the proposed condition limiting trash to 1.3 million tons per year DOES NOT APPLY TO THE LANDFILL NORTH OF COFFIN BUTTE ROAD. So, Republic will be free to bring in as much garbage as they want to the north side of the road once the expansion parcel is approved as detailed in the Franchise Agreement. Residential Example.

Also, if this appeal is granted, Republic Services would be free to continue dump expansions without any further County approval or conditional use permits because none are required by the Development Code.

Because Republic owns all the contiguous land, Coffin Butte Road could be vacated by the County, the road closed and filled with trash without any public hearing process.

THIS TWISTED LAND USE PROCESS

During the development of the 2020 FA, it was made clear in the December 2020 staff report to the Commissioners that the County's long-term objective was to get more money through approval of a landfill expansion.

County Counsel stated "Republic repeatedly informed us that its ability to pay higher fees was dependent upon one of two factors, either reducing costs or increasing capacity. We all agreed that it's far, far more likely that increasing capacity would be the route most viable for Republic."

"Once that footprint expands, Republic is confident that it will be able to absorb a higher franchise fee because it will have greater capacity within which to accept waste."

So, an money incentive for the County to approve the expansion was built into the franchise agreement (Section 4): The County gets at least \$1 million more per year if the landfill expansion is approved by 2024.

As an incentive to Republic Services, the County also agreed to remove all limits on garbage intake from any sources once the expansion is approved.

The limit is currently 1.1 million tons of garbage per year. This also brings more money to the County.

Remember, even without the expansion, the County is guaranteed a minimum of \$2.5 million per year through 2040.

Now, I know that you have been advised by legal counsel that you cannot use the FA in your findings to justify approval or denial of the application. But frankly, it is the elephant in the room.

With this financial incentive on the table, how can the County fairly evaluate the impacts and long-term liabilities associated with approving an expansion? In my prior land use experience, I have never before seen a direct financial reward for approval of a land use permit.

The County's failure to push an expansion through the 2021 Planning Commission resulted in the formation of the BCTT workgroup.

An independent, situation assessment was requested by the County and conducted by Oregon Consensus to find out why the expansion request failed so miserably. Oregon Consensus found

that there was a profound lack of trust between County Legal and Planning staff and the public.

The report recommended independent planners and legal counsel be hired for any future expansion applications to improve transparency and trust. The County hired those consultants (funded by Republic Services), but the exact opposite has occurred. The County has instead used those private businesses as a shield and denied public requests to prevent any public disclosure of communications. That move has not improved trust or transparency.

And like 2021, those County hired consultants have worked tirelessly to advise Republic how to package their proposal to ensure approval of the expansion, and have summarily dismissed as “anecdotal” the many community concerns and impacts of the proposed expansion.

The landfill expansion south of Coffin Butte Road is not needed now and not needed for Benton County. The dump will not close if the expansion is denied. No jobs will be lost, money keeps flowing to the County. Republic Services is obligated to keep the landfill open for Benton County until 2040. They can

continue taking waste at the current rate for 12-14 years.

THIS EXPANSION IS ABOUT BENTON COUNTY GOVERNMENT LOSING ITS LAST SHRED OF CONTROL OVER THE FUTURE OF NORTH BENTON COUNTY.

There is ample evidence in the record to support a denial of this application. The hired legal counsel would like you to believe that you cannot consider evidence presented by members of the community (many of whom are highly educated and experts in pertinent fields) or that their testimony has less value than the testimony of Republic funded consultants, the so called "experts".

BLOWING LANDFILL TRASH

Substantial detailed evidence regarding windblown trash serious interference has been entered into the record.

How many adjacent homes and businesses does it take to constitute serious interference – Bit by Bit horse therapy, McKenna Bradley 4H, Krueger West Cattle Co, Ian Finn home, PriyarThakkar flower farm, Rose and Kathy Holdorf homestead, Sarah and Ken Edwardsson property?

I can tell you that it does not take a highly paid consultant to see livestock eating windblown trash from the dump. And how many dead, diseased, or traumatized livestock or people does it take to know that this expansion will seriously interfere with adjacent land uses?

Blowing trash has not been and cannot be prevented or mitigated by any conditions of approval. The proposed fencing scheme is the same they use today and it does not work. The proposal to pick up trash after it arrives on the property is too late.

Enclosing the dump in a big bag is the only way to capture the wind swept plastic and paper from leaving the site, therefore the litter problem cannot be mitigated with conditions of approval.

The same is true for odor – the proposed conditions of approval to monitor odor and investigate complaints **DO NOT** and **CANNOT PREVENT OR MITIGATE THE ODOR PROBLEMS**. Investigating after the odor exists is too late – and the odor problems happen all the time.

The offsite noise from the existing dump is incredibly disturbing – loud engine noises, jake brakes, banging metal doors, guns and fireworks for vector control.

The proposal to modify backup alarms FOR REPUBLIC'S ONSITE VEHICLES cannot mitigate the noise from the 130,000 vehicles per year that come from offsite to the dump. The noise cannot be mitigated through conditions.

Litter, odors and noise are all easy areas where the evidence in the record and common sense can be used by you to develop findings to deny this application.

SUMMARY

This decision boils down to whether you believe the personnel and consultants hired to develop reports and comments to support the application.

Or do you believe in the community and public testimony and the lived experiences of the residents of Benton County?

Your ENRAC also reviewed this application and recommended denial. Your Planning Commission record is clear, extensive, and decisive. Unanimous denial.

There are no second chances here, no do overs. If this expansion is approved, Republic Services will be free to expand and exploit as much land as they own to create a larger and larger dump.

In email communications with Republic, the County has invited future zone change requests to allow for continued expansion. Croney and Jackson 10/2020.

In fact, I believe the proposal before you is simply implementation of the plans they submitted in 2021 - to close Coffin Butte Road and fill the area between Coffin Butte and Tampico Ridge with trash. Same as 1994. Their proposed traffic plan and private, intense use of Coffin Butte Road will effectively close the road to the public.

Do you really believe that Republic is spending all this time and money to get approval for use of the property south of Coffin Butte Road for a mere 6 more years of life from the landfill? Of course not.

The County has cultivated a monopoly for Republic Services and without meaningful competition you are listening to one voice. Alternatives are being implemented in many places. We can lead, like Oregonians have done on many fronts.

I urge you to stop this and all future expansion efforts. Take the time available to develop a long-term plan and take into consideration the concerns of your residents and other dependent communities. We have 12-14 years. The landfill will not close if the expansion is denied. No jobs will be lost.

It is time for a paradigm shift in waste management in Oregon. You have a chance for a cleaner, more sustainable future, beginning now.

Expansion approval means business as usual with more residents exposed to air and water hazards, serious, irreparable harm and undue burdens, and a Corvallis and Benton County reputation as Trash Town.

Quoting Martin Luther King "The time is always right to do the right thing."

Finally, in recognition of the Kalapuya Tribe, I want to close by quoting from the Land Acknowledgement in the foreword of your BCTT report and other published documents:

"It is important that we recognize and honor the ongoing stewardship and spiritual relationship between the land and people indigenous to this place we now call Benton County. We thank them for continuing to share their knowledge and perspectives on how we care for, impact, and protect the land we live on."

I urge you to live up to that acknowledgement and deny this application.

SUBMITTED
By MARK PRABHU
10/23/25

History of Coffin Butte landfill:

1941-45 US Army Camp Adair

Volume of waste at landfill: yearly, unknown; waste in place, unknown¹

"For Camp Adair to be constructed, many families had to give up their homes ...they had no choice but to sell their land, livestock, and machinery and move out."²

WWII dump site for Camp Adair, 1944-45³

Army quarries gravel from Coffin Butte for extensive paving of muddy roads in the cantonment (called "Swamp Adair"), it is the "scars" left by this quarrying that are initially proposed to be filled by waste to return the geography of the Butte to its original condition and return it to productive use⁴

1948-1969 Burn pit

Coffin Butte 'Reservoir Site' Sold, 1948; open burn dump 1948 – 1973⁵; incinerator built; rodents, pollution seepage caused by the dump⁶

1970 Search for a regional landfill

Coffin Butte landfill life expectation 5-6 years, search for a new regional landfill⁷

1973 Sanitary landfill (pre RCRA Subtitle D landfill regulations)

1973 Initial Conditional Use Permit for landfilling applied for (final decision, 1974)

1974 Volume of waste at landfill: yearly, 88,827; waste in place, 88,827 (1974 projected)

1994 Volume of waste at landfill: yearly, 113,938; waste in place, 1,759,831 (1994 projected)⁸

Opposition:

"The Coffin Butte dump, never a wise choice given its wind patterns and heavy clay soil which makes daily coverage impossible in the heavy winter rain periods, must be phased out by 1975..."⁹

Opposition by Adair Village¹⁰

Petition against landfill expansion, 182 signatories¹¹ [some articles say 200]

¹ Landfill operator may have some insight into this, since they may have relocated the old WWII cells

² Benton County Historical Society, "Camp Adair; They called it 'Swamp Adair'"

<https://www.bentoncountymuseum.org/index.php/exhibitions/online-exhibitions/swamp-adair/>

³ Source: Republic Services, Coffin Butte Landfill presentation for OSU

https://fa.oregonstate.edu/sites/fa.oregonstate.edu/files/recycling/resources/MR_Class/coffin_butte_landfill.pdf

⁴ Roger W. Emmons CP-74-01, p. 143

⁵ Jeffrey R Tross "State Planning Goal Exception..." p. 42/60 Benton County File PC 83-07-C(1)

⁶ Corvallis Gazette Times, 12/14/1948; 2/28/1950; various: 4/5/1950, 7/31/1951, 7/19/1967

⁷ Corvallis Gazette Times, 9/8/1970

⁸ Benton County File CP-74-01, pp. 116-117 "Benton County Landfill Waste Projections"

⁹ Editorial, Corvallis Gazette Times, 5/21/1973

¹⁰ Corvallis Gazette Times, 11/2/1973

¹¹ Corvallis Gazette Times, 12/8/1973

Opposition by North Benton County Citizen's Advisory Committee¹²

"Although the date of closing the present operations has been delayed time after time, the people felt the commitment was made in good faith and therefore have demonstrated patience, tolerance and understanding..."

Applicant states:

[the landfill] will improve the appearance of Coffin Butte [a "battle scarred veteran" of WWII]; it's compatible with the comp plan; there's no better alternative; the operation will have a minimum impact on the environment; additional traffic from trucks connected with the landfill site would be negligible¹³ [as of 2021, the landfill logged 136,000 vehicles annually, for trip generation, that number must be doubled]

Commissioners' decision to approve, despite opposition, based on:

Low cost and road access¹⁴ also cited: running out of space, no alternatives

Commissioners promise the following to assuage public concern:

"[The planning commission's] decision to grant a conditional use permit was tied to a list of stipulations and conditions intended to satisfy most of the objections voiced at the hearing"¹⁵ [the following are a condensed version of the Conditions of Approval]

- Service area narrowly defined
- Review by County Sanitarian as to compliance with state and local regulations, made annually to Planning commission
- Efficient leachate collection, no pollution of nearby waterways, aquifers
- "...the scars that erode the face of Coffin Butte [from gravel mining during WWII] should be filled and compacted to a condition permitting re-seeding and eventual visual reclamation of the area"
- Resource recovery [i.e. greater emphasis on recycling]

Significant Quote: Corvallis Gazette Times, 11/21/1973

"Jeanette Simerville, chairman of the Benton County Board of Commissioners, said Tuesday 'the site would be used in increments and as each increment was filled it would be in better condition for productive use than it is now' "

¹² Attachment "C" Benton County File CP-74-01, pp. 87-91 of 262, & last page of minutes (traffic)

¹³ Roger W. Emmons CP-74-01, p. 143

¹⁴ Corvallis Gazette Times, 9/28/1973

¹⁵ Corvallis Gazette Times, 3/6/1974

1977 Solid Waste Management Plan prepared by Waste Control Systems

The SWMP was prepared per 1973 CUP Conditions of approval submitted to Benton County Planning Commission and accepted by that body

“Introduction: The purpose of this report is to familiarize the Planning Commission members of Benton County and its residents with our plans, objectives and goals to achieve an efficient and economical total resource recovery program”

Highlights: WtE (Waste to Energy facility to be built when feasible)
 Landfill to largely be unnecessary by the year 2000¹⁶

Importance:

Then, as now, expansion of the landfill was viewed as a solution to an emergency, and as a “bridge” to a better solution to solid waste management. The problem is that the “bridge” only ever seems to lead to another “bridge,” not an actual destination. Also, each successive “bridge” is larger and more congested than the last.

1983 Request for Amendment to the Comp Plan

- Zoning Ordinance and Zoning Map Amendments
- Review of a Site Development Plan

A rezone of the area from Forest Conservation to the newly created LS (Landfill Site) zone allowed the landfill operator to create new cells and conduct routine landfill support activities (such as leachate treatment) without having to come to Planning Commission each time for a conditional use permit resulting in operational flexibility. However, to remove Forest Conservation lands from forest use, the landfill operator had to pass significant hurdles with the DLDC (Oregon Department of Land Development and Conservation) because of Oregon’s statewide commitment to preserving productive agricultural and forest lands. [\[see footnote, request CDD staff confirmation as to accuracy of this statement\]](#)¹⁷

It is important to note that the LS zone was required for both disposal and non-disposal landfill support activities (leachate treatment). The designation of LS parcels north of Coffin Butte road, and below the Butte ridgeline was for disposal landfill operations; the land south of Coffin Butte road was for non-disposal landfill operations (primarily leachate treatment, which is the current use). This is most clearly illustrated in the MOU prepared and agreed to by the Board of Commissioners on November 5, 2002 (attached).¹⁸

The applicant asked to rezone all of the land held in ownership at that time as LS [\[county staff/assessor’s office to verify ownership at time of rezone\]](#).

¹⁶ Solid Waste Management Plan, pp. 5-20, Benton County File CP-74-01

¹⁷ Benton County Community Development staff confirmation requested for this statement

¹⁸ MOU, November 5 2002, page 5

Opposition:

There was much less opposition to the rezoning action, although it did double the size of area of active disposal from 100 acres to 224 acres¹⁹ However, it is important to note that of the four people who spoke in opposition to the landfill, at least two (Charlotte Wilkinson and Maureen Ratliff), and possibly three (Howard Suler) owned parcels that were subsequently purchased by the landfill and the structures upon those parcels were demolished or otherwise taken out of residential service²⁰ [county staff/assessor's office to verify ownership if possible, but the Ratliff parcel is currently the Republic Services landfill office]²¹

Mr. George Dannen testified that "seven years ago the County had been asked to approve a plan that was to last for twenty-five years and now Valley Landfill was already back for revisions to the plan"²²

Support:

The *North Benton County Citizen's Advisory Committee* unanimously **supported** the Amendments²³

"The North Benton County CAC met Feb 10, 1983 to discuss the current proposal of the Valley Landfills Co to have a zone change.

"Two matters are requested for consideration

"1. The land owned by Valley Landfills that is across the top of Coffin Butte...should remain in FC zoning...

"2. We want to specify no disposal of municipal solid waste on the 59.23 A[cre] property S of Coffin Butte Road

"A vote was taken –

"12 in favor

"0 opposed"

SWAC recommended **approval** of the [Amendment] requests subject to two conditions:

1. No landfill be allowed on north face of Coffin Butte
2. No landfill be allowed on property south of Coffin Butte Road

CDD **Staff concurred** with the **above two conditions**, in the Staff Report²⁴

Important information:

Important information is contained in the narrative statement that accompanied the application and which are expressly adopted as findings in the "Findings of Fact/Conclusions of Law"²⁵

...

(d) Background Review for the Proposed Coffin Butte Landfill Expansion

¹⁹ Corvallis Gazette Times, 2/3/1983 "Landfill owners ask county to allow dump size to double from 100 acres to 234 acres"

²⁰ See minutes, Benton County Process Group neighborhood tour

²¹ Minutes, regular meeting of the Benton County Planning Commission, April 26, 1983

²² Benton County Board of Commissioners minutes, June 15, 1983

²³ North Benton County Citizen's Advisory Council submission, Benton County File PC-83-07-C(5)

²⁴ Staff Report, File No: PC-83-7, p. 10

²⁵ Findings of Fact Conclusions of Law and Order, W/P 2999/19, page 3

(e) State Planning Goal Exception for the Coffin Butte Landfill

These are important because the justification for allowing Forest lands to be rezoned into the proposed new Landfill Site zone was as follows:

“None of the landfill property north of Coffin Butte Road, which includes all of the past, active, or planned disposal areas, is currently used for forest or forest-related purposes. The landfill property south of Coffin Butte Road is used as a tree farm to grow screening plants for the landfill...There will be no change in the existing or proposed uses as result [sic] of the proposed change in land use designations.”

In other words, even though the land north of Coffin Butte Road was zoned FC, it was actually being used for disposal, not forest purposes; the land to the south of Coffin Butte Road, which was being used for forest purposes, would continue to be used for forest purposes even though it was to be zoned LS, because it had been and would continue to be used as a tree farm (and for leachate storage/disposal, which is its current use).²⁶

Additionally, this document stresses how important it is to have hauling distances of ten miles or less of major population centers²⁷. Obviously, this is no longer the case. With vertical integration, large waste corporations can profitably haul waste great distances. Republic Services hauls most waste from Seattle to its Roosevelt Island landfill East of the Cascades, an “ideal site” for a landfill due to natural geology (1,500 feet to nearest aquifer) and low precipitation (6-9” per year)²⁸

Finally, important in this document is the following assertion:

“There is no evidence that the landfill has restricted the use of any adjacent properties or created any significant adverse impacts upon these lands”²⁹

This is why residents of the area thought it was so important for the workgroup to tour the neighborhood around the landfill³⁰ because it is clearly the case that the impact of the landfill on adjacent properties has been significant in the years since. It has increased in size to 766 acres, and each of these acres formerly belonged to an individual property owner who felt there was no choice but to sell to the landfill, as the owner of the property containing the contaminated Helms well did³¹

Applicant states:

There would not be increased truck traffic as a result of the zone change³²

Order:

- Cross reference narrative and the map [unsure if narrative has been located]
- Expand the narrative statement to include the physical configuration of the completed landfill [this document has not been located]

²⁶ State Planning Goal Exception for the Coffin Butte Landfill, page 6

²⁷ Ibid, p 7

²⁸ <https://www.republicservices.com/roosevelt-landfill>

²⁹ Ibid, p 7

³⁰ See minutes, Benton County Process Group neighborhood tour

³¹ Ibid

³² Benton County Board of Commissioners, minutes, June 15, 1983

- Describe the method of screening in detail, maintenance of screening [document not located]
- Leachate information, if used for irrigation south of Coffin Butte Road
- 10 acres proposed for addition to the landfill area [unknown reference]
- Provide a detailed reclamation plan that sets form [sic] the anticipated physical characteristics of the “terracing” including an average height and width of the terracing [very important document has not been located; there is no terracing currently]
- Plan to protect the small ponds [small ponds have not been protected; they are gone, but still show up on Google]³³
- Leachate, DEQ
- Monitoring wells, DEQ
- Screen the landfill operation with fencing or berms *so it cannot be seen* from the County Road or adjacent properties
- Exposed refuse areas not to exceed 2 acres October 15-June 1; not to exceed ¼ of an acre all other periods
- Channel leachate & DEQ permits

1988 Tampico Ridge Subdivision Purchase and Vacation

Applicant purchases entire 83-acre subdivision, some parcels of which had already been purchased and homes built, de-plats it, removing buildable RR lots from potential Benton County housing stock. These are the type of small acreage residential parcels that are particularly valued in unincorporated Benton County. It is believed that mobile homes were allowed on these parcels, which would have made them more affordable.

1991 Subtitle D begins to regulate landfill safety

This adds significant regulatory cost burden, beginning in 1992, dual liners are required for MSW landfills [staff/DEQ to check accuracy]

1994 Proposal to expand the landfill onto the 59.23 acres south of Coffin Butte Road

It is important to include this expansion proposal because in many respects it was identical to the 2021 expansion proposal. Like the 2021 proposal, the application was to expand disposal onto the 59.23 acres south of Coffin Butte Road (although the applicant did not immediately plan to cover over Coffin Butte Road with waste). It was denied on appeal to the Board of Commissioners.

Opposition:

“1. The landfill is growing at a very alarming rate; 2. We live north of Lewisburg and can often smell the landfill for the first time; 3. The traffic from garbage trucks is becoming hazardous; 4. The litter from the garbage trucks is very noticeable”³⁴

³³ Coffin Butte Landfill google maps

³⁴ Testimony, David L & Susan L Swanson, p. 19 of 30, Benton County file PC-94-10

"Soap Creek currently supports wild Coho Salmon runs"³⁵

"I hear that there are Three hundred thousand tons of waste hauled by truck into the Landfill each year. Just the process of conveying that much material poses questions of quality of life, not to mention safety...But I wonder about the effect if the RATE of expansion were increased, where we in this county, could be accepting massive quantities of refuse from far distant and overwhelmed urban locations. Expansion would mean more large trucks on adjacent roads, roads which are now busy, noisy, and dangerous for animals and people alike."³⁶

"SMELL The odor is directly proportional to size."³⁷

"The landfill has already become so large it is a dominant feature on the 99W landscape."³⁸

"What would the Kalapuya Indians who lived here for centuries and held these hills sacred...think of this horrendous [sic] mess we've created in their verdant valley and sacred hill"³⁹

"First of all it must be recognized that despite the double layers of plastic and clay, eventually all landfills will leak."⁴⁰ [note: this has been confirmed by the EPA and in fact on the process group tour of the landfill, one of the landfill guides confirmed that leachate is currently being collected in the secondary leachate collection system, which serves to alert operators that the primary layer has been breached.]⁴¹

If wastes from outside the area are accepted at Coffin Butte Landfill, the city's recycling efforts may serve just to save landfill space for other communities with less aggressive recycling programs⁴²

Making more space available to dump garbage won't provide any incentive to reduce consumption or recycle⁴³

Patricia Dunning said a buyer backed out of a deal to buy her house on Tampico Road after hearing that the landfill might be expanded⁴⁴

Applicant states:

Valley Landfill has provided visual screening in several locations...This screening will insure [sic] that visual impacts to adjacent properties are minimal.⁴⁵

³⁵ Rick Kipper letter of October 24, 1994, File No. PC 94-10 and PC94-11

³⁶ Letter from Ed Glick, 39234 Hwy 99W, page 38 of 300 in Benton County file PC-94-10

³⁷ Letter from John Dunning, 28831 Tampico Road, page 44 of 300 in Benton County file PC-94-10

³⁸ Letter from Mariellen Harper, page 46 of 300 in Benton County file PC-94-10

³⁹ Letter from Lorna & Don Grabe, page 47 of 300 in Benton County file PC-94-10

⁴⁰ Letter from Jack Dymond (geologist), page 52 of 300 in Benton County file PC-94-10

⁴¹ Process group landfill tour, see minutes (?)

⁴² Gazette Times, 4/6/1994

⁴³ Gazette Times, 11/1/1994

⁴⁴ Gazette Times, December 15, 1994, page 1

⁴⁵ Response to public comments, from VLI, Nov 16, 1994, page 75 of 300 in Benton County file PC-94-10

There is no plan or intent to accept waste from outside the region that has been historically served...The issues of disposal costs and accepting waste from outside areas have always been reviewed with the County and addressing these issues will continue to be a cooperative process⁴⁶

1999 Sale of landfill to Allied Waste Industries of Scottsdale, Arizona

2000 New Franchise agreement signed (early renewal due to sale of VLI)

In return for an increased franchise fee and the institution of a per ton host surcharge, Benton County relinquishes rate setting authority for the landfill and will no longer be consulted in regards to the origin or volume of solid waste disposed at the landfill⁴⁷

2001 2001 Baseline Study

Both parties of the agreement acknowledged that there may be adverse effects to Benton County's infrastructure and environmental conditions due to increased annual volumes of solid waste accepted at Coffin Butte Landfill. To establish a baseline for determining and measuring any adverse effects, Benton County agreed to complete an assessment of current conditions and areas of potential impacts of the landfill⁴⁸ The Baseline study attempted to quantify 2001 levels of: Litter, Traffic, Hours of Operation, Solid Waste Control Systems, Compliance with Solid Waste Permits, Soil Conditions, Surface and Ground Water Conditions, and Air Quality, and Noise, Odors, and Visual Screening.

2002 & 2003 CUP's to expand landfill, "West Triangle" and "East Triangle"

These two CUPs added an additional approximately 10 acres of land zoned FC to the landfill to be used for disposal.

Opposition: None recorded in available documentation

Applicant states:

Although the addition of the parcel is an expansion of the overall landfill footprint, it is not an expansion of current levels of operation at the landfill. VLI utilizes a phased approach for it [sic] operations – as one cell is closed, another cell is opened. This means that the level of operations at the site remains relatively constant. For this reason, the inclusion of the East Triangle will not affect farm or forest practices any more than the current landfill does⁴⁹

The landfill operator has made similar statements in previous CUP applications, rezoning applications, LUCS documents, etc. They have not proven to be true. The landfill operator made

⁴⁶ Response to public comments, from VLI, Nov 16, 1994, page 77 of 300 in Benton County file PC-94-10

⁴⁷ Coffin Butte Regional Sanitary Landfill 2001 Baseline Study, page 1 (Introduction)

⁴⁸ Baseline Study, Introduction, Page 1

⁴⁹ Benton County Board of Commissioners, minutes, June 15, 1983

a similar statement in the LU-21-047 application. The landfill has continuously expanded operations as the landfill area has expanded, which is both predictable and logical.

2012 Materials Management in Oregon 2050 Vision and Framework for Action

“We now have an abundance of disposal capacity, in landfills that are better operated and less polluting than their predecessors...Long-term landfill capacity is ample statewide”⁵⁰

2018 2040 Thriving Communities Initiative

“Vibrant, livable communities, community resilience, diverse economy that fits, supportive people and resources, high quality environment and access, equity and health”⁵¹

Stats: 2001 Volume of waste at landfill (tons): **yearly: 425,723 tons;**⁵²
Waste-in-place, capacity used at YE: unknown
 remaining capacity: 24,776,627 cu yd (19,821,301 tons @ .8 tons/cy density)⁵³
Total permitted airspace: unknown
Years of landfill space available: 44.1 years⁵⁴
Vehicle traffic: 83,668 vehicles (12,431 compacted, 22,251 uncompacted commercial; remainder, 48,986 are private vehicles)⁵⁵
Leachate trucked to water treatment plants: 7,297,500 gallons⁵⁶
2021 Volume of waste at landfill (tons): **yearly: 1,046,067 tons;**⁵⁷
Waste-in-place, capacity used at YE (cu yd): 21,389,767 cu yd⁵⁸
Remaining capacity: 17,249,778 cu yd (13,799,822 tons @ .8 tons/cy density)⁵⁹
Total permitted airspace: 38,997,848 cubic yards
Years of landfill space available: 18.4 years⁶⁰
Vehicle traffic: 131,360 vehicles (unknown compacted, unknown uncompacted commercial; remainder, unknown are private vehicles)⁶¹
Leachate trucked to water treatment plants: 34,570,513 gallons⁶²
20-year increase in annual waste deposited, volume: 246%
20-year increase in waste-in-place: unknown, need additional information
20-year increase in vehicle traffic: 157%; 20-year treated leachate volume increase: 474%
20-year over year increase in Benton County population: 123%⁶³

⁵⁰ Oregon 2050 framework, page 23 of 53

⁵¹ Benton County Thriving Communities Initiative

⁵² Coffin Butte Landfill Capacity as of the end of 2002, page 3 of 44

⁵³ Coffin Butte Landfill Capacity as of the end of 2002, page 3 of 44

⁵⁴ *ibid*

⁵⁵ Coffin Butte Landfill Vehicles Total for year 2001, page 28 of 44

⁵⁶ Summary of Coffin Butte 2001-2 Leachate volumes, page 16 of 44

⁵⁷ Coffin Butte 2021 Annual report, p 3 of 29

⁵⁸ *ibid*

⁵⁹ *ibid*

⁶⁰ *ibid*

⁶¹ *Ibid*, p. 7 of 29

⁶² Summary of 2020-21 Leachate Volumes, 2021 AEMR, page 43 OF 329

⁶³ Benton County Population, 2001: 78,186; Benton County Population, 2021: 96,017
<https://fred.stlouisfed.org/series/ORBENT3POP>