

LU-24-027 Staff Report to Benton County Planning Commission

Benton County Exhibit 1 (BC1)
Compiled County Engineering and Public Works Comments

Contents:

- Maul Foster Alongi (MFA) and sub-consultants - engineering comments
- Kellar Engineering – transportation comments
- Benton County Public Works – engineering and public works comments



April 17, 2025

Project No. M0732.02.001

Petra Schuetz, Interim Director
Benton County Community Development Department
4500 Research Way
Corvallis, OR 97333

Sent only electronically to: petra_schuetz@bentoncountyor.gov

Re: Third-Party Review: Coffin Butte Landfill Submittal

Dear Petra Schuetz:

Maul Foster & Alongi, Inc. (MFA) is contracted with Benton County (County) to perform third-party engineering review of the land use application for the proposed Coffin Butte Landfill expansion. This letter provides a summary of our review of the correspondence and exhibits prepared by Valley Landfills, Inc. (Applicant), and submitted to the County in support of their application for a Conditional Use Permit (CUP) to expand the Coffin Butte Landfill. This review is intended to be an assessment of the engineering and other related elements of the submitted documents to establish their adequacy and feasibility for the County to make a land use determination. MFA's scope of review is limited to Exhibits 2, 5, 6, 11 through 14, 16 through 18, 20 through 22, 27 through 30, and 33.

Review of Submitted Exhibits

Exhibit 2: Engineering Plans

Exhibit Description: Exhibit 2 contains the revised engineering plans prepared by Civil and Environmental Consultants, Inc. (CEC) dated January 2025.

Comments: While the plan is preliminary in nature, meaning that it describes the intended site development without all the details that will be necessary for final construction, Exhibit 2 appears to adequately show the appropriate level of detail for the expansion of the landfill for a land use decision. MFA acknowledges the Applicant's proposed plan to defer the detailed engineering design, analysis, and calculations for the landfill expansion to the solid waste permitting application for Oregon Department of Environmental Quality (ODEQ) review.

Findings: If the CUP is approved by Benton County, the future plans submitted to ODEQ and the County will need to include additional design and detail for more in-depth review as mentioned in the Applicant's Response to Comments letter dated January 15, 2025.

Recommended Conditions for Approval:

- 2.1 The Applicant shall provide the County with copies of all documents submitted to the ODEQ for approval of this landfill expansion, including but not limited to, reports, design/construction drawings, specifications, and operations plan.

- 2.2 Prior to submitting a building application that will include human occupancy (i.e., Employee Building), the Applicant shall demonstrate that they satisfy the relevant portions of Benton County Code (BCC), including BCC 99.70 Sewage Disposal and obtain a site evaluation as outlined in BCC 99.710.

Reviewers: Cem Gokcora, Erik Bakkom

Exhibits 5, 6, 16, and 30

Exhibit Description:

Exhibit 5 is the Phase II Geotechnical Exploration Report and addendum to the South Expansion Area prepared by Wallace Group dated July 15, 2024.

Exhibit 6 contains the well logs for PW-2 and the Berkland Well.

Exhibit 16 initially included a July 3, 2024, technical memorandum regarding the “Environmental and Operational Considerations” of the landfill prepared by Tuppan Consultants LLC. This exhibit was revised and resubmitted by the Applicant on March 14, 2025, with an updated technical memorandum by Tuppan Consultants LLC dated February 25, 2025.

Exhibit 30 is the Proposed Coffin Butte Landfill Seismic Design prepared by CEC dated July 9, 2024.

Comments: A review of this group of documents was provided by Columbia West Engineering, Inc. (CWE), as a geotechnical subconsultant to MFA. CWE’s comments are summarized below, while the entire CWE letter is provided as Attachment A.

Findings: In general, the scope of the field exploration, laboratory testing program, and analysis methods are appropriate for the geologic complexity and nature of the proposed development. The geotechnical report provides a thorough discussion of regional geology, local subsurface conditions, and relevant seismically-induced geologic hazards, as required by the Oregon Structural Specialty Code.

Strain-based compression index values used in the settlement analysis are generally supported by the results of one-dimensional consolidation tests included in the geotechnical report. Similarly, soil/rock properties and strength parameters used in the slope stability analyses are supported by laboratory test results and generally fall within the ranges found in typically found in published literature for similar soil types.

Our sole comment requiring potential further analysis or clarification from Wallace Group concerns the slope stability analysis along Section B-B’. While the analyses generally address the more critical portions (i.e., larger cuts) of the cross-section, the north end of Section B-B’ may require explicit consideration due to the proximity of the cut slope crest to the public right-of-way. Aerial imagery indicates utilities at the surface in this area are approximately 25 feet south of the roadway edge, and it is unclear whether additional buried utilities are present. While we expect the slope to be stable under static conditions, the potential for slope movement under pseudo-static loading may impact the right-of-way. We recommend an explicit analysis of the subject slope, including the computation of factors of safety and, if necessary, the estimation of earthquake-induced horizontal deformation.

We also completed a review of the discussion of future geotechnical evaluations outlined in the “Geotechnical Issues and Seismic Stability” section of Exhibit 16. We conclude that the existing geotechnical data and analysis presented in the geotechnical report (Exhibit 5) do not indicate that there are any geotechnical or geologic constraints that would adversely impact landfill development.

We note that additional geotechnical evaluation related to design of the landfill itself will be provided before landfill construction.

Recommended Conditions for Approval:

- 5.1 At the time of submittal of the grading or site plan submittal to the County, the Applicant shall provide further geotechnical analysis or clarification related to the slope stability analysis along the north end of Section B-B'. Due to the proximity of the cut slope crest to the public right-of-way and existing utilities, an explicit analysis of the subject slope, including the computation of factors of safety and, if necessary, the estimation of earthquake-induced horizontal deformation is recommended.

Reviewers: Columbia West Engineering, Inc.

Exhibit 11: Noise Study

Exhibit Description: Exhibit 11 is the Noise Study prepared by The Greenbusch Group (Greenbusch) dated September 25, 2023

Comments: The Noise Study summarizes existing sound levels measured near the proposed expansion area, sound levels produced by equipment currently being used at the landfill and predicted sound levels for both beginning and maximum future grade conditions. The report concludes that noise mitigation is not required to comply with regulatory limits. However, Greenbusch recommended that all backup alarms used on the site be replaced with ambient sensing broadband backup alarms if permitted by safety regulations.

MFA understands that the Applicant provided the following Operating Approval Conditions:

OA-1. Hours of Operation. Operating hours for disposal of waste in the landfill shall be as follows:

- (A) Monday through Saturday, the site may open to vehicles using the commercial tipping area starting at 5 a.m. and to all other customers starting at 8 a.m. The site shall close to both commercial and other customers at 5 p.m. Internal operations, including but not limited to leachate hauling, infrastructure construction, disposal area activities and site maintenance is permitted to occur prior to and after these hours.
- (B) On Sunday, the site will not open before 12 p.m. and will close no later than 5:00 p.m. Internal operations, including but not limited to leachate hauling, infrastructure construction, disposal area activities and site maintenance is permitted to occur prior to and after these hours.
- (C) During an emergency or when requested by a State, Federal, or County agency, Applicant may open the landfill outside of these hours.

OA-2. Vehicle Noise. All Applicant vehicles being used for operations on the new site shall be outfitted with white noise back up alarms.

OA-3. Noise Study Updates. Applicant shall provide an updated noise study prepared by Applicant's noise consultants once every three years. Applicant will implement mitigation measures to bring any non-compliant noise levels into compliance with ODEQ noise regulations.

Findings: Greenbusch used the median instead of the lowest measurement when establishing ambient noise levels. Greenbusch collected several hourly readings of existing sound levels, and they presented a low, high, and median value in Table 5.2 of the Noise Study. Greenbusch correctly states that Oregon Administrative Rules (OAR) 340-035-0035(1)(B) prohibits ambient sound levels

from being exceeded by more than 10 decibels on the A-weighted scale (dBA). Specifically, the rule states:

No person owning or controlling a new industrial or commercial noise source located on a previously unused industrial or commercial site shall cause or permit the operation of that noise source if the noise levels generated or indirectly caused by that noise source increase the ambient statistical noise levels, L10 or L50, by more than 10 dBA in any one hour...

MFA is not aware of anything in the ODEQ rules that states facilities are allowed to use the median noise value instead of the lowest noise value when establishing ambient noise levels. The inclusion of the phrase “in any one hour” implies that ODEQ rules require using the lowest measured value. If Greenbusch had selected the lowest measured noise levels, the predicted sound levels presented in Tables 7.1 would show that three of the four locations exceeded the allowable L50 noise level, while the fourth location approached the limit.

MFA finds that the noise study demonstrates that the applicable ODEQ noise standard will be exceeded at neighboring properties if Greenbusch used the lowest hourly noise value as MFA believes is required by DEQ rules. Even if the median value was considered as suggested by Greenbusch, the predicated sound level at location four is exactly equal to the ODEQ limit.

MFA believes that the noise study indicates that the proposed use may seriously interfere with uses on adjacent property or with the character of the area.

Recommended Conditions for Approval:

If the Applicant provides additional information demonstrating compliance with the ODEQ noise standards, MFA recommends that the County considers the following permit conditions in addition to the Operating Approval Conditions proposed by the Applicant:

11.1 The Applicant shall develop and implement a program to periodically (e.g., weekly) measure equipment sound levels and compare results to levels in Table 5.3. If results exceed the levels in Table 5.3 by more than 2 dBA, the Applicant shall remove the equipment from service and complete repairs to reduce sound pressure levels. The Applicant shall maintain records of measurements and provide a summary of results and subsequent repairs (if applicable) with the updated noise study provided every three years consistent with OA-3.

The Applicant should be allowed to use a mobile application, such as the National Institute for Occupational Safety and Health (NIOSH) Sound Level Meter, to make periodic sound level measurements if the Applicant can demonstrate results are not more than 2 dBA lower than measurements with a Type II sound level meter. Side-by-side measurements with a calibrated Type II sound level meter at least once every three years is an adequate method to demonstrate the sufficiency of measurements with a mobile application.

Reviewers: Bill Beadie

Exhibit 12: Findings on Odor

Exhibit Description: Exhibit 12 is the Findings on Odor memorandum prepared by Weaver Consultants Group dated April 26, 2024

Comments: MFA has no further comments on this exhibit. Refer to the odor-related comments and findings presented under Exhibit 33.

Reviewers: Chad Darby

Exhibit 13: Memo Regarding Odor, Methane, and Hydrogen Sulfide Control

Exhibit Description: Exhibit 13 is letter regarding odor, methane, and hydrogen sulfide control prepared by Ian Macnab (of Coffin Butte Landfill) dated November 19, 2021.

Comments: MFA has no further comments on this exhibit. Refer to the odor-related comments and findings presented under Exhibit 33.

Reviewers: Chad Darby

Exhibit 14: Odor Dispersion Modeling Study for Landfill Expansion

Exhibit Description: Exhibit 14 contains the Odor Dispersion Modeling Study (2024 Odor Study) prepared by SCS Engineers and dated October 22, 2024. This exhibit was initially reviewed for completeness by MFA and noted several issues related to the assumptions and findings outlined in this study in a letter dated November 27, 2024. The Applicant submitted an additional odor dispersion study and report on March 14, 2025 (Exhibit 33). MFA did not provide the subsequent technical review of Exhibit 14 per the County's direction but instead completed a review of Exhibit 33.

Exhibit 16: Environmental and Operational Considerations

Exhibit Description: Exhibit 16 initially included a July 3, 2024, technical memorandum titled Environmental and Operational Considerations of the landfill prepared by Tuppan Consultants LLC. This exhibit was revised and resubmitted by the Applicant on March 14, 2025, with an updated technical memorandum by Tuppan Consultants LLC dated February 25, 2025.

Comments: MFA has no further comments on this exhibit. Refer to other prior sections of this letter for Columbia West's comments on a portion of this exhibit.

Reviewers: Derek Heitz, Cem Gokcora, Columbia West Engineering, Inc.

Exhibit 17 Preliminary Drainage Report

Exhibit Description: Exhibit 17 is the Preliminary Drainage Report prepared by CEC dated January 2025, and updated March 2025

Comments: MFA recommends the Applicant follow the Benton County Stormwater Support Documents, instead of the Corvallis Stormwater Standards, to finalize the stormwater calculations and design components for the ODEQ submittal. Based on MFA's review of the information provided, the proposed stormwater detention facilities appear to be conservatively sized, and despite the use of a different standard, the overall design of the stormwater facilities appears adequate from a land use perspective.

Recommended Conditions for Approval

17.1 Prior to the ODEQ solid waste permitting submittal, the Applicant shall prepare the stormwater report and all related designs for the detention and conveyance features utilizing the most recent version of the Benton County Stormwater Support Documents.

Reviewers: Cem Gokcora

Exhibit 18: Aerial Renderings of Coffin Butte Landfill

Exhibit Description: Exhibit 18 contains the aerial renderings of Coffin Butte Landfill prepared by CEC dated July 2024.

Comments: MFA has no comments on this exhibit.

Reviewers: Cem Gokcora

Exhibit 20: Fire Risk Assessment of Coffin Butte Landfill

Exhibit Description: Exhibit 20 initially included the Fire Risk Assessment of Coffin Butte Landfill, Corvallis, Oregon prepared by SCS Engineers dated November 29, 2023. MFA reviewed its content for completeness in their letter dated November 27, 2024. However, on December 11, 2023, the Applicant submitted a more recent fire risk assessment dated September 24, 2024. This exhibit was later amended with an addendum memorandum prepared by SCS Engineers on January 14, 2025, addressing the completeness review comments.

Comments: MFA and our subconsultant, Dr. Tony Sperling of Landfill Fire Control Inc. (LFCI), have the following comments on this exhibit:

The Coffin Butte Landfill should continue to employ best industry practices for fire risk management, including but not limited to:

- Temperature and landfill gas (LFG) monitoring
 - Routine temperature monitoring via a thermal camera to confirm that temperature in affected areas remains below 50°C (122°F), after removal of hot materials.
 - Monitoring carbon monoxide (CO) in addition to the primary LFGs (methane, and carbon dioxide), as CO levels are good indicators of the presence of incomplete combustion.
- Maintain firefighting supplies on site, such as full water trucks and soil stockpiles
 - Sufficient soil should be kept near the working face to fully cover the active area with a minimum thickness of one foot.
- Proper acceptance and disposal of battery and electronic waste
- Periodic maintenance of the landfill gas (LFG) management system

LFCI agrees with the Applicant's statement that excessive extraction of LFG can lead to increased temperatures and the potential for subsurface fires. However, LFCI notes that a review of data from several major landfill fire incidents indicates that there are documented cases where subsurface fire has breached the surface. Given the associated risks of surface fires, it is strongly recommended that landfill operations prioritize the proper maintenance of LFG management systems and closely monitor for subsurface fire activity, particularly in cases of system failure or interruption.

Reviewers: Landfill Fire Control Inc.

Exhibit 21: Conditions of Approval

Exhibit Description: Exhibit 21 contains the Proposed Conditions of Approval prepared by the Applicant and dated January 15, 2025

Comments: The Applicant's proposed OA-7 states that the final grade of the new landfill cell shall not exceed 500 feet in elevation. MFA notes that the highest elevation for the final grade of the

proposed landfill cell is shown as 450 feet on the revised engineering plan set. It is our recommendation that the operating approval conditions should reflect the 450 feet maximum elevation.

Recommended Conditions for Approval

21.1 The Applicant shall ensure the final grade of the new landfill cell does not exceed 450 feet in elevation.

Reviewers: Erik Bakkom, Cem Gokcora, Ellery Howard

Exhibit 22: Reclamation Plan for Expansion Area

Exhibit Description: Exhibit 22 contains the Reclamation Plan for Expansion Area prepared by CEC dated April 2022.

Comments: MFA has no comments on this exhibit.

Reviewers: Cem Gokcora

Exhibit 27: Leachate Management Summary

Exhibit Description: Exhibit 27 contains the Leachate Management Summary prepared by CEC dated March 2024 and updated January 15, 2025

Comments: MFA acknowledges that the detailed calculations regarding leachate quantities and collection system components will be developed and submitted to the ODEQ during the solid waste permitting process and recommends County to be copied with the ODEQ submittal, as noted in the prior section of this letter under Exhibit 2.

MFA noted that Coffin Butte Landfill has an agreement with the Corvallis wastewater treatment plant (CWWTP) to dispose of its leachate at their plant. The landfill currently disposes of 50% of their leachate at CWWTP. The permit for this operation expires December 31, 2025. The remaining 50% of the leachate is currently disposed of at the Salem wastewater treatment plant (SWWTP). Coffin Butte Landfill's discharge agreement with SWWTP expires December 31, 2027.

Reviewers: Cem Gokcora

Exhibit 28: Letter to County Regarding Methane Emissions

Exhibit Description: Exhibit 28 initially contained a letter to the County regarding methane emissions prepared by Ginger Rough dated February 23, 2024. MFA reviewed this for completeness in their letter dated November 27, 2024. This exhibit was later amended by the Applicant with an addendum prepared by Ginger Richardson dated January 15, 2025, addressing the completeness review comments.

Comments: MFA has no further comments on this exhibit. Refer to the odor-related comments and findings presented under Exhibit 33.

Reviewers: Chad Darby, Derek Heitz

Exhibit 29: Letter to County Related to Arsenic

Exhibit Description: Exhibit 29 initially contained a letter to the County regarding arsenic prepared by Ginger Rough dated February 15, 2024. MFA reviewed this for completeness in their letter dated

November 27, 2024. This exhibit was later amended by the Applicant with an addendum prepared by Ginger Richardson dated January 15, 2025, addressing the completeness review comments.

Comments: MFA has no further comments on this exhibit.

Reviewer: Derek Heitz

Exhibit 33: Updated Odor Dispersion Modeling Study

Exhibit Description: Exhibit 33 contains the updated Odor Dispersion Modeling Study (2025 Odor Study) prepared by SCS Engineers dated March 2025. The report portion of this exhibit was submitted by the Applicant on March 14, 2025. The Applicant provided additional submittals on March 20, 2025, and April 10, 2025, to include the odor modeling files that were originally requested by MFA in their completeness review letter dated November 27, 2024.

Comments: As noted previously, the 2025 Odor Study follows a 2024 Odor Study (Exhibit 14). MFA previously found that the 2024 Odor Study did not incorporate emission rates, in units of grams per second, in the dispersion model representation of the landfill. For that reason, MFA does not feel the 2024 Odor Study can be relied upon. Overall, the 2025 Odor Study addressed the primary concerns MFA identified in the 2024 Odor Study.

The below comments follow a review of Exhibit 33 (2025 Odor Study) along with a cover letter from Miller Nash and the First Addendum to the Burden of Proof (BOP) dated March 14, 2025.

Comment 1: The BOP refers to the 2024 Odor Study on page 1 and in the conclusions on page 3, and it makes assertions from that study about the project odor impacts. MFA does not believe that the 2024 Odor Study should be cited as it does not rely on actual emissions from the landfill to draw conclusions. MFA submitted comments on the 2024 Odor Study pointing out several issues, which have largely been addressed in the 2025 Odor Study.

Comment 2: Per Item C in the BOP and section 5.2 of the 2025 Odor Study, Scenario #1 (2023 actual operations) was not expected to cause detectable nuisance odors since the [dilution-to-odor threshold] (D/T) ratio for each pollutant modeled was well below one. MFA recommends that the 2025 Odor Study include a section on model uncertainties and refer to these uncertainties when making concluding statements. For instance, the model is able to predict offsite odor pollutant concentrations for the majority of hours included in the modeled meteorological dataset. However, the model is unable to accurately predict impacts during low wind speeds, inversions, and very short-term meteorological conditions (less than 1 hour) that may result in less dispersion and, therefore, higher concentrations of odor-causing pollutants on neighboring properties. However, some of these same conditions are also likely to result in higher concentrations of odor-causing pollutants from other neighboring sources as well.

Comment 3: Per Item C in the BOP and section 5.2 of the 2025 Odor Study, Scenario #2 (2052 proposed operations) D/T ratios increased by 2 to 2.5 times as compared to Scenario #1 (2023 actual operation) for all pollutants except [total oxides of nitrogen] (NOX). The above statement alludes to the possibility that either the odor detected will be of higher intensity or the odor will be noticed by more people with greater frequency. If odors are primarily detected during calm periods, it is possible it will be more noticeable, but not necessarily more frequently noticed. MFA

recommends that the Applicant includes a discussion about what the change in model results between Scenario #1 and Scenario #2 likely indicates.

Comment 4: MFA recommends that the Applicant clarify what emission units are included in the aggregate insignificant model identified in Section 3.3.

Comment 5: MFA recommends that the Applicant confirm if the November 2024 Modeling Report was reviewed and approved by the ODEQ. If not, the Applicant should provide supporting justification for the following modeled release parameters:

- The modeled release height (262.5-feet) and initial vertical dimension (122.1-feet) for the current landfill fugitive surface (Model ID: FUG). MFA is concerned that setting the entire waste-containing area for the current landfill fugitive emissions unit to the north of Coffin Butte Road at a single release height, plus the additive vertical dimension, is unrealistic and will result in a less conservative assessment.
- It is unclear from Table 3 whether the modeled release parameters for the current landfill fugitive surface (Model ID: FUG) are the same for Scenario #1 (2023) and Scenario #2 (2052). However, based on a review of the dispersion model output files for Scenario #1 and Scenario #2, MFA understands the modeled release parameters are unchanged between either scenario. The effective release heights appear to be nearly 100 feet above the highest point of the current landfill footprint based on a review of Google Earth terrain data (current as of July 2024) and would be inappropriate to represent existing conditions for 2023. Given the surface heights vary for waste-containing areas on the landfill, and it appears that emissions are being spread evenly over the entire landfill surface area, it would seem more appropriate to assume an average effective release height equal to half of the height of the landfill above the base elevation.
- The modeled release height (154-feet) and initial vertical dimension (71.6-feet) for the expanded landfill fugitive surface (Model ID: FUG_EXP).
- The modeled extents for the current landfill fugitive surface area (Model ID: FUG) and the expanded landfill fugitive surface area (Model ID: FUG_EXP). Modeled emission rates are divided by the modeled area, meaning the larger the modeled extents, the lower the corresponding modeled emission rate which results in a less conservative assessment.

MFA recommends separate release parameters for 2023 and 2052, as the landfill heights will be different. Separate tables for the release parameters should be provided and labeled in the 2025 Odor Study. MFA recommends that the modeled surface area be set at half the height of the landfill to account for areas that are both above and below this height unless other values are justified. MFA further recommends that the model include no initial vertical dimension. The landfill gas being released as fugitives from the landfill surface will be slow moving and may only be thermally buoyant a portion of the year. To be conservative, MFA does not recommend an initial vertical dimension for Scenario #1 or Scenario #2.

Comment 6: The Applicant should clarify the following statement from Section 3.6: Note, wind data in Figure 7 was measured during a different time period and at a different location than the on-site wind data used for the odor complaint analysis. Therefore, the wind data in Figure 7 was not used in the odor complaint analysis. The Applicant

should also confirm that the onsite meteorological dataset collected from November 1, 2004 to October 30, 2005 was used for each odor model run.

- Comment 7: An outdated version of the AERMET program executable (v18081) was used to process the meteorological dataset included in the AERMOD model runs. The selected AERMET executable is outdated and was originally issued in 2018. There have been several new executables issued by the EPA since 2018 that incorporate a wide variety of changes to preprocessing meteorological data. The potential impacts to offsite modeled concentrations may be significantly impacted by using the latest AERMET executable version. MFA recommends that each AERMOD model iteration use the most recent version of the AERMET program executable (v24142).
- Comment 8: Each dispersion model was executed using the 1-hour averaging period. Odors are generally considered a nuisance if they recur over longer periods of time. Modeling for one-hour impacts may not accurately reflect the potential impacts from longer exposure. As a result, MFA recommends the AERMOD model iterations assume the 24-hour averaging period to more accurately represent exposure to emissions from the landfill and to local weather patterns.
- Comment 9: As noted above, each dispersion model was executed using the 1-hour averaging period, but annual emission estimates were used as the basis for modeled emission rates. Annual emission rates in units of pounds per year were converted to grams per second (g/s) by dividing by 31,536,000 seconds (e.g., the number of seconds in a calendar year) and multiplying by 453.592 grams as shown in Appendix C and D of the 2025 Odor Study. Modeling annual-based emission rates with 1-hour averaging periods is inconsistent and may not accurately reflect short-term emission rates that tend to bias high for a wide variety of factors. MFA recommends that the Applicant add clarifying justification for modeled emission rates or conservatively incorporate a short-term variability factor (e.g., 20% or 30% contingency factor) to better represent potential short-term surges to emission rates.
- Comment 10: Per Section 3.9, the total landfill fugitive surface area is 1,011,815 square meters, with 81% of this being in the current area, and 19% in the southern proposed expansion. Total fugitive emissions were split between FUG and FUG_EXP based on this area percentage. However, the modeled emission rates for the current and expanded landfill fugitive source representations (Model IDs: FUG and FUG_EXP, respectively) are equal as shown in the dispersion modeling output (*.ADO) files for each Scenario #2 model run, except for the NOX models. The Applicant should review, clarify, and update modeled emission rates.
- Comment 11: The 1-hour nitrogen dioxide (NO₂) National Ambient Air Quality Standard (NAAQS) is 188 micrograms per cubic meter (ug/m³). As shown in Tables 6 and 7, Scenario #1 and Scenario #2 result in maximum predicted offsite concentrations of 769 and 512 ug/m³, respectively, which are well above the NAAQS. Although this is not an odor-related issue, presenting a NAAQS exceedance may represent a larger issue for the Coffin Butte Landfill.
- Comment 12: In Section 4.0 it is stated, “A D/T ratio of less than one indicates that the predicted impact would not cause a detectable nuisance odor impact. Detectable, nuisance, and impact all have arguably different thresholds and meaning. While a D/T ratio of less than 1 would not result in a detectable odor for the average person, there will be some people that are more sensitive and would still smell something. A nuisance is

typically assumed to be a D/T value greater than or equal to 7 for state agencies that rely on this measurement method. Oregon does not utilize a technology-based method, choosing to rely instead on documenting frequency, duration, intensity and offensiveness of an odor. Because Oregon does not establish a numeric threshold based on D/T measurement, the predicted impact is subject to legal interpretation. It may be more appropriate to state that “the average person is not expected to detect a nuisance odor at the predicted concentration where the calculated D/T value is less than one.”

Comment 13: The 2025 Odor Study does not present an uncertainty analysis, so it does not consider the potential impacts from more or less conservative assumptions. For instance, several of the pollutants with the highest measured concentration are all sulfur-based compounds. While it has been assumed that a D/T value less than 1 will not result in a detectable odor by the average person, several of these compounds could have an additive effect. MFA recommends the Applicant provide discussion to address potential additive effects relating to a nuisance condition. It should also be acknowledged that dispersion modeling has many limitations that may potentially result in predicted offsite concentrations not aligning with actual real-life concentrations. Known model limitations include low wind speeds, inversions, and short duration meteorological events, and their potential impacts should be discussed further.

Comment 14: On page 20, it is stated, This middle scenario would show results in between Scenario #1 and #2 with slight differences based on landfill mound height in the expansion area and would certainly show D/T values less than 1 for all pollutants. MFA notes that with lower release heights, dispersion characteristics will be different, which may potentially result in higher predicted offsite concentrations. MFA recommends a middle height scenario be included or that more technical discussion be included to justify that statement.

Comment 15: MFA believes that there are several statements in Section 5.2 that require further explanation.

It is stated that: Scenario #1 (2023 actual operations) was not expected to cause detectable nuisance odors since the D/T ratio for each pollutant modeled was well below one. Due to limitations of the dispersion model, it is possible to have periods of odor that are detectable by those who are sensitive to particular odors.

It is also stated that: Scenario #2 (2052 proposed operations) D/T ratios increased by 2 to 2.5 times as compared to Scenario #1 (2023 actual operation) for all pollutants except NOx. The Applicant should provide a statement about what this means in terms of increases to the frequency or intensity of odors.

Findings: While the findings of the Applicant’s odor model predict that odors generally would not be considered an odor nuisance (where D/T values are below 1), MFA has observed several inconsistencies in the model setup that could significantly affect the predicted values. Specifically, these are without limitation:

- There is insufficient supporting justification for the modeled release height and initial vertical dimension for the current landfill fugitive surface. The effective release heights appear to be nearly 100 feet above the highest point of the current landfill footprint based on a review of

Google Earth terrain data (current as of July 2024) and would be inappropriate to represent existing conditions for 2023.

- There is insufficient justification for the modeled release height and initial vertical dimension for the expanded landfill fugitive surface.
- An outdated version of the AERMET program executable (v18081) was used to process the meteorological dataset included in the AERMOD model runs and the potential impacts to offsite modeled concentrations may be significantly impacted by using the latest AERMET executable version.
- There is insufficient justification for the modeled emission rates where 81% of the total landfill surface area is in the current area, and 19% is in the southern proposed expansion, but the modeled emission rates for the current and expanded landfill fugitive source representations are equal.

Due to these noted inconsistencies, MFA believes that the odor study does not adequately demonstrate that the proposed use would not seriously interfere with uses on adjacent properties or with the character of the area.

Reviewer: Chad Darby, Brian Snuffer Zukas

General Observations

MFA understands that the Applicant will prepare a new Operations Plan for ODEQ's review and approval at the time of the solid waste permit application. This document will include critical information to determine operational compatibility with the proposed conditional use, such as hours of operation, haul routes, waste handling procedures, odor, dust, litter and noise control measures, safety and security protocols, and environmental protection measures (especially stormwater and groundwater).

In our completeness review letter dated November 27, 2024, MFA recommended that the Applicant submit a narrative description summarizing the proposed changes to the current Operations Plan instead of a draft Operations Plan, which has not yet been prepared. MFA still believes that this narrative description of planned changes to the Operation Plan or a draft Operations Plan would provide the County with information to determine if landfill operations will comply with applicable local codes and the proposed conditions of approval.

Summary of Review

The information presented above represents the summary of MFA and our subconsultants' technical review of a portion of the exhibits submitted by the Applicant in support of their land use request to expand Coffin Butte Landfill.

Please contact MFA if you have any questions or need any additional information regarding this review.

Sincerely,

Maul Foster & Alongi, Inc.



Erik Bakkom, PE
Principal Engineer



Cem Gokcora, PE
Senior Engineer

Attachments

Limitations

A—Review Letter from Columbia West Engineering, Inc.

Limitations

The services undertaken in completing this report were performed consistent with generally accepted professional consulting principles and practices. No other warranty, express or implied, is made. These services were performed consistent with our agreement with our client. This report is solely for the use and information of our client unless otherwise noted. Any reliance on this report by a third party is at such party's sole risk.

Opinions and recommendations contained in this report apply to conditions existing when services were performed and are intended only for the client, purposes, locations, time frames, and project parameters indicated. We are not responsible for the impacts of any changes in environmental standards, practices, or regulations subsequent to performance of services. We do not warrant the accuracy of information supplied by others, or the use of segregated portions of this report.

Attachment A

Review Letter from Columbia West Engineering, Inc.



MAUL
FOSTER
ALONGI

April 11, 2025

Maul Foster & Alongi, Inc.
601 East Front Avenue, Suite 202
Coeur d'Alene, ID 83814

Attn: Ellery Howard, PE

**Re: Geotechnical Pre-Design Review
 Coffin Butte Landfill Application Review
 28972 Coffin Butte Road
 Corvallis, Oregon
 CWE Project: MFA-7-01-1**

INTRODUCTION

Columbia West Engineering, Inc. (Columbia West) is pleased to submit this letter summarizing our pre-design geotechnical engineering review for the Coffin Butte Landfill expansion in Corvallis, Oregon. The purpose of our review was to provide technical advice regarding the geotechnical data and analysis included in the geotechnical engineering report (GER) prepared for the project. Our objective was to identify data gaps, inconsistencies, and/or incomplete analyses that could hinder landfill design and analysis that will be completed prior to construction. We reviewed the following provided documents:

- Exhibit 5: Phase II Geotechnical Exploration Report and Addendum to the South Expansion Area, including the Narrative Report and Appendices A through F
- Exhibit 29: Updated Technical Memorandum: Environmental and Operational Considerations

A summary of our review and conclusions are provided below.

REVIEW

EXHIBIT 5

We completed a high-level review of the geotechnical engineering analyses presented in Exhibit 5: Phase II Geotechnical Exploration Report. Our review focused on the discussion and analysis inputs related to key design elements in the GER, including the field exploration program, laboratory testing, seismic hazard, seismically-induced geologic hazards, slope stability, and settlement.

In general, the scope of the field exploration, laboratory testing program, and analysis methods are appropriate for the geologic complexity and nature of the proposed development. The GER provides a thorough discussion of regional geology, local subsurface conditions, and relevant seismically-induced geologic hazards, as required by the Oregon Structural Specialty Code.

Strain-based compression index values used in the settlement analysis are generally supported by the results of one-dimensional consolidation tests included in the GER. Similarly, soil/rock properties and strength parameters used in the slope stability analyses are supported by laboratory test results, and generally fall within the ranges typically found in published literature for similar soil types.

We note that the GER recommends a Site Class D designation for the site, with a peak ground acceleration (PGA) of 0.61 based on ASCE 7-22. The slope stability analyses employ a horizontal seismic coefficient of 0.25g, approximately 41 percent of the recommended PGA. This is consistent with the range of 33 to 50 percent typically used in pseudostatic slope stability analyses.

Our sole comment requiring potential further analysis or clarification from Wallace Group concerns the slope stability analysis along Section B-B'. While the analyses generally address the more critical (i.e., larger cuts) portions of the cross-section, the north end of Section B-B' may require explicit consideration due to the proximity of the cut slope crest to the Coffin Butte Road and public right-of-way. Aerial imagery indicates utilities at the surface in this area, approximately 25 feet south of the roadway edge and it is unclear whether additional buried utilities are present. While we expect the slope to be stable under static conditions, the potential for slope movement under pseudostatic loading may impact the right-of-way. We recommend an explicit analysis of the subject slope, including the computation of factors of safety and, if necessary, the estimation of earthquake-induced horizontal deformation.

EXHIBIT 29

We also completed a review of the discussion of future geotechnical evaluations outlined in the "Geotechnical Issues and Seismic Stability" section of Exhibit 29. We concur that the existing geotechnical data and analyses presented in the GER (Exhibit 5) do not indicate that there are any geotechnical or geologic constraints that would adversely impact landfill development. We note that additional geotechnical evaluation related to design of the landfill itself will be provided before landfill construction.

CONCLUSIONS AND RECOMMENDATIONS

Based on our review of the provided documents, we conclude that scope of the subsurface exploration, laboratory testing program, and rigor of analysis described in Exhibit 5 is generally aligned with nature of the proposed development. However, we recommend completing additional slope stability analysis at the north side of cross-section B-B' to evaluate for slope instability to impact Coffin Butte Road or utilities within the adjacent right-of-way. We would be happy to discuss this recommendation further at your convenience.



We appreciate the opportunity to be of service to you. Please call if you have questions concerning this letter or if we can provide additional services.

Sincerely,



Jonathan A. Nasr, PE
Project Engineer



Shawn M. Dimke, PE, GE
Principal Engineer

cc: Cem Gokcora, Maul Foster & Alongi, Inc.

JAN:SMD:slt

Document ID: MFA-7-01-1-041125-geol



KELLAR ENGINEERING

April 17, 2025

Coffin Butte Landfill Expansion Transportation Impact Analysis (TIA) Review:

Kellar Engineering (KE) has reviewed the submitted Coffin Butte Landfill Expansion Traffic Impact Analysis (TIA) dated February 26, 2024 by Transight Consulting, LLC. The submitted TIA demonstrates the project has the ability meet Benton County's requirements for traffic.

If you have any questions, please do not hesitate to contact me at (970) 219-1602 or skellar@kellarengineering.com.

Respectfully,

Kellar Engineering LLC

Sean K. Kellar, PE, PTOE



DATE: April 9, 2025

TO: Petra Schuetz – Acting Director
Benton County Community Development

FROM: Laurel Byer – Benton County Engineer
Gordon Kurtz – Associate Engineer
Benton County Public Works

RE: **LU-24-027 – Coffin Butte Landfill Expansion**
Property Owner: Valley Landfills, Inc.
Applicant: Republic Services
28972 Coffin Butte Road
Coffin Butte Road – County Road # 04451 – MP 0.00 – MP 0.38
Soap Creek Road – County Road # 05450
T10S – R5W – Sections 13 & 24
T10S – R5W – Sections 18 & 19

Public Works staff have reviewed the application noted above and have comments and conditions as follow.

FINDINGS OF FACT

The application proposes an expansion of the Coffin Butte Landfill, located on the west side of Oregon Highway 99W (Hwy 99W) northwest of the City of Adair Village. The landfill has been in operation for more than 70 years and currently serves Benton County and several additional nearby counties. To maintain operation of the quarry and continue mining rock resources, the Applicant proposes an expansion of the landfill to the south of Coffin Butte Road.

The landfill complex is comprised of numerous properties and tax lots used for several purposes. Those purposes include agriculture, forestry, waste disposal, quarry operations, sludge processing, and administrative offices. The properties and tax lots that comprise the landfill complex fall within multiple Benton County zoning designations including Landfill Site (LS), Forest Conservation (FC), Exclusive Farm Use (EFU), Rural Residential 10-Acre (RR-10), and Rural Residential 5-Acre (RR-5). The complex is bounded on the south by RR-10 properties, and to the south, west and north by EFU and FC properties, and to the east by the Finley Wildlife Refuge zoned Open Space (OS). The easterly boundaries of the complex border the Hwy 99W right of way which separates the landfill complex from the OS Zoned properties. Hwy 99W falls under the jurisdiction of the Oregon Department of Transportation (ODOT).

The proposed expansion directly affects two roads in the County system: Coffin Butte Road and Soap Creek Road. Coffin Butte and Soap Creek Roads carry the functional classification of major collector as defined by the current Benton County Transportation System Plan

*At your service,
every day.*

(TSP). Neither of these roads meet current standards for a major collector.

Average daily traffic (ADT) on Coffin Butte Road east of the quarry entrance is approximately 243 vehicles per day (vpd), based on data collected in January of 2021. Roughly one-third of this volume is truck traffic. The ADT on Soap Creek to the west of the quarry entrance is approximately 136 vpd. The speed limit on Coffin Butte and Soap Creek is governed by Oregon's Basic Rule (ORS 811.100 – 811.108).

Drainage for the landfill complex flows roughly from west to east. The E.E. Wilson Wildlife Area, a network of ponds and wetlands east of the subject property are the direct receiving waters for drainage from the landfill. The E.E. Wilson Wildlife Area functions as one of the headwaters of Bowers Slough, a tributary of the Willamette River.

The project's disturbed area footprint exceeds one acre.

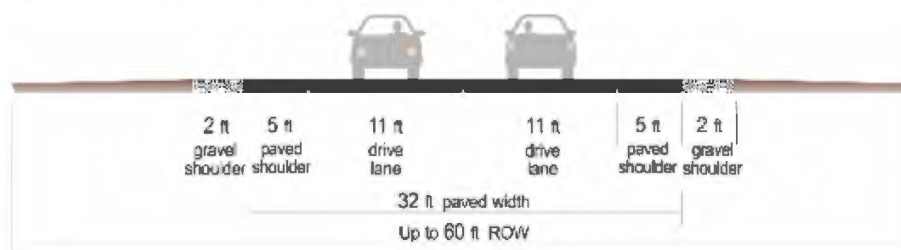
The Applicant's intent is to initiate the proposed developments and improvements within two (2) years of Conditional Use Permit approval.

ANALYSIS & CONCLUSIONS

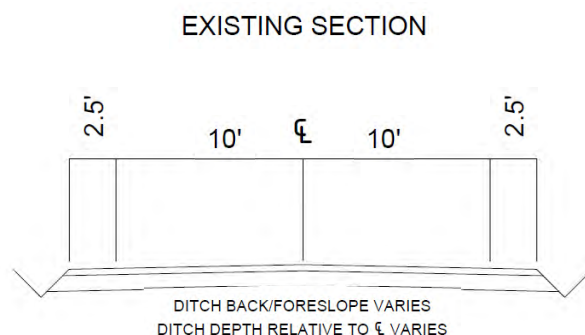
The applicant has been in communication with Public Works staff since November of 2020.

Coffin Butte Road, and the easterly segment of Soap Creek Road carry the functional classification of Major Collector. Neither facility meets current standards for this classification as specified in the TSP. The typical proposed section for a Major Collector is illustrated below.

Figure 16. Major Collector Standard Cross-Section



Improvement of Coffin Butte Road to this standard will provide additional lane width and wide shoulders for vehicle stops and to accommodate bicycle, pedestrian, and emergency access where this function is currently very limited. The approximate typical existing section of Coffin Butte Road and Soap Creek Road is illustrated below. Existing shoulder widths vary from 2.5 feet to less than one foot.



Construction of the proposed improvements may require permitting through regulatory agencies including, but not limited to, the Oregon Department of State Lands (DSL), the Oregon Department of Environmental Quality (DEQ), the Oregon Department of Fish & Wildlife (ODFW), the Oregon State Historic Preservation Office (SHPO), the Oregon Department of Geology and Mineral Industries (DOGAMI), U.S. Fish & Wildlife (USFW), the U.S. Army Corps of Engineers (COE), and the National Oceanic and Atmospheric Administration-National Marine Fisheries Service (NOAA-NMFS).

Benton County staff have cooperated with Kellar Engineering in this review process, and we concur with their findings and conditions regarding the Traffic Impact Analysis.

Final engineering design for any public infrastructure improvements will be required after Conditional Use approval. Review and approval of those calculations, drawings, right of way adjustments, and specifications will be completed prior to start of construction.

RECOMMENDED CONDITIONS OF APPROVAL

Public Works recommends the applicant meet the following conditions of approval:

- 1) The applicant shall survey, design, and construct improvements to Coffin Butte Road between Hwy 99W and milepost 0.377 to, at minimum, a Major Collector standard.
- 2) To accommodate westbound left turns into the new facility the applicant shall construct a center turn lane with a turn pocket storage capacity of four (4) standard semi-trailer trucks (~180 feet) with islands and 30:1 tapers to match existing.
- 3) Historically, Benton County has employed a section of 5" of HMAC over 17" of CAB for facilities that receive heavy truck traffic. Given the large volume of heavy truck traffic additional analysis will be required to determine if this section is sufficient for the proposed facility.
- 4) The applicant shall design and construct Coffin Butte Road drainage ditches, stormwater conveyances, connections to off-right of way conveyances, and detention facilities to accommodate runoff using ODOT standards, details and methodologies.
- 5) Construction and post-construction storm drainage discharge shall conform to the standards and tenets established by Oregon Drainage Law and shall conform to all Oregon Department of Environmental Quality and Benton County Stormwater Support Documents, erosion and sediment control details, and best management practices.
- 6) The applicant, the County and ODOT must work cooperatively to analyze and address requirements for modification of the Coffin Butte Road/Hwy 99W intersection, if deemed necessary.
- 7) The applicant shall provide calculations, design, and specifications for all proposed public infrastructure to Benton County Public Works staff for review and approval.
- 8) The applicant shall apply and obtain approval for a Permit to Perform Work in the County Right of Way. The permit will be issued when construction drawings are approved, and all supporting documentation has been provided to the County.
- 9) The applicant shall provide the County with a unit price cost estimate for the work to be performed within the Benton County rights of way. This estimate shall include trenching, backfilling, paving, striping, signing, grading/restoration, seeding, mulching, fence replacement, and any required landscaping. Permit fees will be 4.0% of the estimate provided.

- 10) The applicant shall obtain a DEQ 1200-C permit, and a Benton County ESC permit prior to start of land disturbing activities. (The applicant may wish to consider including the work within the Benton County right of way in the 1200-C application.)
- 11) The applicant shall obtain approval for all required local, state and federal permits prior to start of road improvements.
- 12) Prior to final approval of this conditional use permit, the applicant shall fulfill **ONE** of the following **TWO** options to meet the conditions for improvements noted above:
 - a. The applicant shall construct the improvements noted above as required. **OR**
 - b. The applicant shall enter into an Agreement for Improvements (AFI) with the County. The AFI will require security for the full amount of the work to be performed plus a 20% contingency. The security may take the form of a bond, a conditional irrevocable line of credit, or a cash deposit. The security serves to assure faithful performance of the required improvements, as outlined above, within 18 months of execution of the AFI.
- 13) The applicant shall provide the County with a detailed construction and sequencing plan for accomplishment of the conditions of approval. The conditions listed here involve a series of construction requirements and quasi-judicial actions that must be achieved in a manner to protect the interests of the applicant, the travelling public and the County's transportation system.

ADVISORIES

- 1) Existing survey monuments must be preserved and protected. Any survey monuments disturbed during construction of this project must be replaced at the expense of the applicant or the contractor.
- 2) All public improvements shall be subject to a 3-year warranty period. At the start of the 3-year warranty period the applicant shall provide Public Works with a warranty bond in the amount of 15% of the value of the work performed within the Benton County right of way.

Please contact me if you have questions.

LU-24-027 Staff Report to Benton County Planning Commission

Benton County Exhibit 2 (BC2) Compiled Agency Comments

Contents:

- Oregon Department of Geology and Mineral Industries (DOGAMI) email response
- Oregon Department of Fish and Wildlife (ODFW) supplementary email response and original response letter
- Benton County Environmental and Natural Resources Advisory Committee (ENRAC) recommendation letter to Planning Commission

From: [SCHUETZ Petra](#)
To: [Larissa Gladding](#)
Cc: [Jesse Winterowd](#)
Subject: FW: Land Use Application Agency Referral for Coffin Butte Landfill Expansion | Conditional Use Permit | LU-24-27
Date: Wednesday, April 9, 2025 1:40:01 PM
Attachments: [image007.png](#)
[image008.png](#)
[image009.png](#)
[image011.png](#)

From: CARLEY Melissa * DGMI <Melissa.CARLEY@dogami.oregon.gov>
Sent: Wednesday, April 9, 2025 10:29 AM
To: SCHUETZ Petra <petra.schuetz@bentoncountyor.gov>
Subject: RE: Land Use Application Agency Referral for Coffin Butte Landfill Expansion | Conditional Use Permit | LU-24-27

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

DOGAMI has no comments on the proposed Land Use Application.

Melissa Carley | Aggregate Permitting Reclamationist
Oregon Department of Geology and Mineral Industries - MLRR
Cell: (541) 520-8333 | e-mail: melissa.carley@dogami.oregon.gov

From: SCHUETZ Petra <petra.schuetz@bentoncountyor.gov>
Sent: Thursday, March 20, 2025 5:32 PM
To: WEAVER Brianna * DGMI <Brianna.WEAVER@dogami.oregon.gov>
Subject: FW: Land Use Application Agency Referral for Coffin Butte Landfill Expansion | Conditional Use Permit | LU-24-27

You don't often get email from petra.schuetz@bentoncountyor.gov. [Learn why this is important](#)

From: STACK Joseph P * ODFW <joseph.p.stack@odfw.oregon.gov>
Sent: Friday, April 18, 2025 2:42 PM
To: Jesse Winterowd <jesse@winterbrookplanning.com>
Cc: REED Gregory C * ODFW <Gregory.C.REED@odfw.oregon.gov>
Subject: RE: Benton County Application No. LU-24-27 (email 2 of 2)

Hi Jesse,

Thanks for sharing the survey information and results. I only have one minor concern and that is related to the eastern rookery. Turnstone observed active nesting in the eastern rookery in 2022 during the first three consecutive visits, while those nests were not successful, the rookery itself would still be considered active for that year. Within the Forest Practices Act, a rookery is deemed abandoned only after three consecutive years of surveys with no nesting. It is good that the applicant plans to provide protection to this site and some sort of buffering, but an additional survey effort to show the rookery is not being used may be needed. Turnstone can consult with ODF to see if they concur.

Feel free to reach out if you have any questions.

Cheers,
Joe

Joe Stack

Regional Habitat Biologist
Oregon Dept of Fish and Wildlife
South Willamette Watershed District
Office: 541-757-5301/ Cell: 541-650-2840

From: Jesse Winterowd <jesse@winterbrookplanning.com>
Sent: Monday, April 14, 2025 3:29 PM
To: STACK Joseph P * ODFW <joseph.p.stack@odfw.oregon.gov>
Cc: SCHUETZ Petra <petra.schuetz@bentoncountyor.gov>; Melissa Ryan <mryan@batemanseidel.com>
Subject: Benton County Application No. LU-24-27 (email 2 of 2)

You don't often get email from jesse@winterbrookplanning.com. [Learn why this is important](#)

Good afternoon Joe,

Second email with addendum to applicant's Habitat Assessment.



Jesse Winterowd, AICP, PMP | Managing Principal

610 SW Alder St. | Suite 810 | Portland, OR, 97205
503.827.4422 ext. 109 | winterbrookplanning.com



Oregon

Tina Kotek, Governor

Department of Fish and Wildlife

South Willamette Watershed District Office
7118 NE Vandenberg Ave
Corvallis, 97330
(541) 757-4186
(541) 757-4252



April 11, 2025

Petra Schuetz
Planning Director
Benton County Community Development Dept.
4500 SW Research Way
Corvallis, OR 97333

RE: Benton County Application No. LU-24-27

Dear Petra Schuetz,

Thank you for providing the Oregon Department of Fish and Wildlife (department) with the opportunity to review LU-24-27. The applicant seeks a conditional use permit to expand the current footprint of the Coffin Butte Landfill. It is the policy of the state to protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations (ORS 496.012). The department reviewed the application and provides the following comments and recommendations for the County's consideration.

The department understands the need to expand the existing landfill and the public good this can provide to the community; however, sensitive wildlife habitat should be considered when making this decision. The department is aware of two historic Great Blue Heron rookeries on the property. There was a rookery documented on tax lot 1107 in 2018 (hereafter the western rookery) during a site visit performed by the department, the Oregon Department of Forestry (ODF), and a consultant hired by the applicant. A new rookery to the east (hereafter the eastern rookery) was documented in the spring of 2021 by ODF on tax lot 1200, although there was probably use in years prior. Approximate locations of both sites were sent to the Planning Department on September 1, 2021. The County identifies Great Blue Heron rookeries as a Goal 5 resource and outlines habitat protections by BCC 87.200 through 87.230². While these particular rookeries may not be currently mapped by the County, they have been identified by both the department and ODF. Therefore, the department believes they should be afforded the same protections and BCC 87 should be considered. Great Blue Heron rookeries are nesting colonies of herons that can consist of a small number of nests up to multiple hundreds of nests. They are susceptible to human disturbance and if a rookery is abandoned it can negatively impact multiple pair of herons. Rookeries provide habitat for a number of critical life history behaviors including courtship displays, pair bonding, breeding, nesting, feeding, and fledgling. Rookeries are most always located near important foraging habitat and suitable places to nest can be limited.

¹ Benton County, Chapter 60

² Benton County, Chapter 87

Great Blue Heron rookeries are categorized as Habitat Category 2 per the department's Fish and Wildlife Habitat Mitigation Policy (OAR 635-415-0000 through 0025)³ because they are both essential habitat for the species and limited on the landscape. The mitigation goal for Habitat Category 2, if impacts are unavoidable, is no net loss of either habitat quantity or quality and to provide a net benefit of habitat quantity or quality (OAR 635-415-0025(2)(a)). If either rookery is determined to be active, we recommend the applicant coordinate with the department to determine an appropriate mitigation plan. Additionally, the department recommends working with the Oregon Department of Forestry to ensure compliance with the Forest Practices Act.

Per OAR 629-665- 0120(1)(a), an active rookery is one that has been used by one or more pairs of Great Blue Herons in the past three years. The department recommends using this as a guide to determine whether these rookeries are active or if they have been abandoned. For active sites, the department recommends that a buffer of 300 feet around the primary nest zone be provided which will serve to maintain alternate nest trees, allow for growth of the colony, protect against windthrow, and prevent harassment. To further limit disturbance, it is recommended that during the critical nesting period from February 15 through July 31, major construction within a quarter mile of the rookery does not take place.

Future management of this site could be improved by monitoring active rookeries throughout the nesting season to determine site-specific nesting chronology, nest productivity, the degree of habituation to disturbance, and nearby foraging habitat.

Thank you for the opportunity to comment on this application. If you have any questions or need additional information, please contact me at (541) 757-5301 or joseph.p.stack@odfw.oregon.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Joe Stack', with a stylized flourish at the end.

Joe Stack
Regional Habitat Biologist
South Willamette Watershed
Oregon Department of Fish and Wildlife

³ https://www.dfw.state.or.us/lands/mitigation_policy.asp



Board of Commissioners

Office: (541) 766-6800

Fax: (541) 766-6893

4500 SW Research Way

Corvallis, OR 97333

bentoncountyor.gov

April 16, 2025

To: Benton County Planning Commission

From: Benton County Environment and Natural Resources Advisory Committee

The members of the Benton County Environment and Natural Resources Advisory Committee (ENRAC) voted on April 9, 2025, to recommend to the Benton County Planning Commission to **deny** the Conditional Use Permit requested by Republic Services to expand Coffin Butte Landfill (CBL).

The following major topics, which are discussed in greater detail in the accompanying Report, were key considerations that informed ENRAC's recommendation. Each reflects a significant impact that was identified and assessed in whatever event of the Planning Commission's final landfill expansion decision.

- Air Pollution
 - Volatile organic compounds and odor contaminants still cause unknown issues; air quality permitting has not been consistent and CBL is currently on a DEQ Title V expired permit.
- Methane Emissions
 - Methane emissions have resulted in several EPA inspection infractions. Ongoing state and legislative efforts towards monitoring and an EPA subpoena recommend denial of the CUP to allow full analysis of what is happening with methane emissions.
- Water Pollution
 - Arsenic, other heavy metals, and organic pollutants (especially Polyfluorinated Alkyl Substances (PFAs)) have been problematic and remain unsettled; further comprehensive groundwater and toxicological analysis should be conducted.
- Leachate
 - Leachate has further complex toxicants that may be leaking, but primarily a more clear plan of how leachate is remediated and delocalized must be considered.
- Impact to Local Residents and Community
 - Residents near landfills experience higher rates of health issues, such as birth defects and cancers. New construction introduces new opportunities for contaminant spread and destruction of local wetland ecology. Environmental justice asks that those impacted have a significant voice.

- Economics
 - Denial for CUP will likely increase rates for local rate-payers.
 - Removal of the intake cap means CBL can increase waste intake coming from other municipalities, thus shortening the longevity of the CBL.
 - Low-income communities are targeted for landfill locations, or become so due to their location, driving housing & land value down by around 13%.
- Regional Impacts and Coordination
 - Impacts to road wear and increased traffic, need for increased consolidation of waste and to minimize the use of trucks requires infrastructure investment.
 - With its lifespan already overestimated by 30-50 years, considerations of CBL end-of-life & closing should be clearly stated.

For more detailed reporting, referenced documentation, and individual member statements and comments, please see the further Report below.

Thank you,

Jason Schindler, ENRAC Chair



ENRAC Deliberations on CUP Expansion Application

FINAL REPORT – April 16, 2025

The following Report was created by ENRAC based on a worksheet that each member completed. Topics were identified at the March 12 meeting, and each row within the “Topic/Issue” is from an individual ENRAC member. No effort was made to aggregate language or find consensus per topic.

Overview

The following are resources, considerations, potential impacts to consider, and a general framework for ENRAC Members to evaluate Republic Services’ application for a Conditional Use Permit (CUP) to expand the Coffin Butte landfill. ENRAC will develop a recommendation to be submitted to the Benton County Planning Commission to reject, accept, or accept the application with conditions. There is no legal or formal required length, content, or structure for the recommendation. The recommendation must be voted on and approved by ENRAC by April 22.

CUP Application Materials

The following are links to the CUP application & related materials:

- [Landfill expansion application](#) (submitted July 19, 2024)
- [Revised application](#) (submitted Oct. 30, 2024)
- [Additional information](#) (submitted Jan. 15, 2025)
- [First Addendum to Burden of Proof](#) (submitted March 14, 2025)
- To learn more about the decision process visit bentoncountyor.gov/coffin-butte-landfill

What to Consider Per Code

Per Code [53.215](#), the following are the considerations, but not limited to, when evaluating the CUP:

The decision to approve a conditional use permit shall be based on findings that:

- (1) The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone;*
- (2) The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area; and*
- (3) The proposed use complies with any additional criteria which may be required for the specific use by [Benton County Development Code](#). [Ord 90-0069]*

The following are additional Codes as reference:

- [Chapter 23 – Solid Waste Management](#)
- [Chapter 77 – Landfill Site \(LS\)](#)

The following should be kept in mind when evaluating the application:

- Your analysis must focus only on the expansion area, NOT the landfill itself or its history
- The definition of “area” can be interpreted by you and/or by issue; such as, impacts to neighboring communities, impacts that go beyond the landfill, impacts on other jurisdictions, etc.
- You can consider & evaluate short-, mid- &/or long-term Impacts
- Benton County cannot control where the waste that is received at the landfill originates
- If the application is approved, the current cap of 1.1 million tons accepted per year will cease
- If the application is approved, Metro (Portland area’s disposal district) will not be able to send materials to Coffin Butte per existing policy



ENRAC Deliberations Framework for CUP Application

The following is a framework to organize topics to be analyzed and feedback to be captured. The objective is for ENRAC Members to agree on a recommendation to the Planning Commission via either consensus or by majority vote. The 'Topics & Issues' were captured from the March 12 ENRAC meeting. For 'Potential Impacts', include your thoughts, research links, and/or any items for ENRAC to consider. For 'Thoughts on Recommendation', include your positions or perspectives on whether the Topic/Issue leans you to recommend approval, denial, or approval with conditions for the application. Staff will compile all comments as sent for discussion at the next ENRAC meeting. Lastly, please identify any additional topics you want included and/or thoughts on reorganizing the current framework.

Abbreviations noted, if not extensive:

- BC Benton County (though usually as Benton County Governance)
- BCC Benton County Commission (& Commissioners)
- BC PC Benton County Planning Commission
- CUP Conditional Use Permit (application in consideration; assumed to be most recent unless noted)
- CBL & CB Coffin Butte Landfill, also Coffin Butte, but implies and implicates ownership by Valley Landfills, Inc. and Republic Services Operations
- EPA Federal Environmental Protection Agency
- DEQ Oregon Department of Environmental Quality, assumed to be Oregon chapter unless otherwise noted
- GHG Greenhouse Gas Emissions, typically CO2 and methane, though others exist
- ENRAC Environmental and Natural Resources Advisory Committee
- DSAC Disposal Site Advisory Committee
- SWAC Solid Waste Advisory Committee
- VOC Volatile Organic Compound

All recommendations and documentation below assumes the inclusion of the above CUP Application documents already outlined in this letter.

All documents cited in this letter are shared here: https://drive.google.com/drive/folders/1K2eYDx56-TTG-xx_LOCHjr0iOagkuwSV?usp=sharing

ENVIRONMENTAL IMPACTS

Topic/Issue	Potential Impacts	Thoughts on Recommendation
Air Pollution		Methane is released from landfills, so if expanded there is potential for increased methane GHG emissions. On the other hand, if the landfill were to not expand, there will be increased air pollution elsewhere as the region may have to truck our waste further to dispose of it.
		Approve with conditions, such as increased monitoring and stronger sorting of organics.
	Increased particulate matter and odor emissions during construction and expanded landfill operations. Possible worsening of local air quality for nearby communities	approval with conditions: Require air quality monitoring stations and dust suppression strategies during construction and operation
	local smell; methane leaks	
	❖ Odor Issues – see below Odor section ❖ VOC Emissions	
	• Oregon warns Coffin Butte Landfill over methane emissions • DEQ - Landfill Methane Emissions Reduction • Oregon regulators pause Coffin Butte Landfill air quality permit process • Coffin Butte Landfill • EPA Coffin Butte Inspection Report Summary – Beyond Toxics • EPA Inspection Report	Methane leaks seem to be a continuous issue for the landfill. After DEQ and EPA inspections, CB did not meet the guidelines for a methane flare, for methane leaks, and for methane reduction. As of Jan 2025, the DEQ had to pause its air quality public comment period and permitting review process for the landfill. CB's air quality permit has not been updated since 2009. This update has not happened yet because Republic Services claims to not be able to find their paperwork. The DEQ is currently letting them run the landfill with an expired permit until they can find this paperwork. This seems suspicious to me, especially because the EPA announced how CB was violating limits for as how much methane is leaking from the landfill. Application should be denied, as their air quality permit is not up to date and CB is violating federal methane regulations.

ENVIRONMENTAL IMPACTS

Topic/Issue	Potential Impacts	Thoughts on Recommendation
Greenhouse Gas Emissions	Methane emissions are a huge concern.	Recommend requiring the most stringent applicable standards for monitoring and ameliorating, with independent monitoring of that monitoring. See Row 2 above.
	Additional methane and CO ₂ emissions from increased waste volume	approval with conditions: Ensure strong GHG mitigation plans (e.g., expanded gas capture system, renewable energy utilization) and regular reporting
	methane no smell, but cited for leaks in June 2024 with ruptured plastic covers full report 8/24	
	• Methane Emissions Considering the extensive documentation below, with some focus on the “CBL and EPA - timeline.pdf,” and its supporting documents. See documents available: • CBL and EPA - timeline.pdf • ENRAC - EPA Jun 2022 CBL Inspection Report - Heinz.pdf • ENRAC - EPA Jun 2024 CBL Inspection Report - Conley.pdf • ENRAC - EPA Subpoena CBL January 2025.pdf • ENRAC - Planning Commission Findings and Decision 2021.pdf • EPA landfill area demographics 1 mile radius exp.png • EPA landfill area demographics 3 mile radius exp.png • EPA landfill area demographics 5 mile radius exp.png • The Hidden Costs of Landfills.pdf • 5.3 Delegation of BCC 77 Duties from SWAC to ENRAC - 240702 - Order D2024-048.pdf • 133902.pdf • A huge landfill in Oregon is spewing methane. Its... _ Canary Media.pdf • Benton County News July 112024.pdf • Benton Cty Land Use Appl Process Map.pdf	• Methane Emissions Considering the extensive documentation provided, with some focus on the “CBL and EPA - timeline.pdf,” and supporting documents, a general pattern of institutional negligence is observed that needs important inculcation. CBL was monitored by the EPA on at least two separate occasions, 2022 and 2024, both times finding significant methane emission events at various sites at the CBL site inspected. It is noted in the CUP that the events from 2022 inspection events were deemed addressed. The 2024 inspection, to my reading, did not include official DEQ or EPA action items merely from their reporting, so no action was required from CBL. However, within the further documentation provided, between a faulty and slow regulation and observation process between OR DEQ and EPA (my reading on jurisdictions are complicated and not always fully understood), a narrative suggesting that methane is not adequately and immediately addressed on site still remains. By my reading, had the spot inspection in 2024 been more successful and redress of previous infractions were more consistent, the need for Sen. Merkley, state officials, and local efforts by SGB to suggest further institutional and regulatory oversight may have been unnecessary. Instead, it can be observed that an incomplete and inadequate regulatory framework has led to at least a learned and

	• CB Aerial Map.pdf • CB Basic Facts.pdf • CB CUP Process Flow Chart.pdf • CB Ex. Summary.pdf • CB Expansion Overview.pdf • Coffin Butte Online Resources.docx • Email August 2024 Wyden Merkley Hoyle Urge EPA to Investigate Landfill Concerns in Benton County.pdf • Email June 2024 - URGENT Methane Leaks at Coffin Butte What You Need to Know.pdf • ENRAC Collab OneNote.pdf • EPA Inspection of Coffin Butte Landfill Accumulation of Flammable Methane.pdf • FAQs Benton Cty. June26.pdf • FAQs Coffin Butte.pdf • FINAL SGB Letter to Sen. Merkley - Coffin Butte Landfill.pdf • Gmail - Coffin Butte Resubmits 2023 Annual Landfill Report.pdf • July 10 ENRAC Meeting Video Recording.pdf • OPB Interview How much methane seeps out of Oregon landfills.pdf • SWACRecommendation.pdf • Testimony in support of SB 726 133902.pdf • Landfill Methane - Moms Clean Air Force.pdf • Benton County Talks Trash Final Report: bctt final report 4-11-2023.pdf • ENRAC Section 114 Info Request subpoena memo.pdf • Carbon Mapper explainer 3.pdf • Corvallis to stop accepting leachate from Republic Services.pdf	institutional lack of a culture of caring for the landfill and assuring methane security has been consistently met. Other details in the supporting documents (business info subpoena, resignations at CBL environmental lead) lend shade, if not fully realized or corroborated, that the system is not stable. The very recent activity of the EPA and DEQ suggest they are still in the process of understanding what to do about recent inspections and how to approach CBL in their infractions. As such, this is clearly an in-progress issue. Other details in the supporting documents and encapsulated in the “ENRAC Section 114 Info Request subpoena memo.pdf” timeline suggest that an ongoing legal and regulatory activity may be in progress (business info subpoena, resignations at CBL environmental lead) and lend shade, if not fully realized or corroborated, that the more information, insight, and response from EPA is forthcoming. The very recent activity of the EPA and DEQ suggest they are still in the process of understanding what to do about recent inspections and how to approach CBL in their infractions. As such, this is clearly an in-progress issue—and then timing is still key to understand whether the CUP should be approved as written and at present. Further, that the State of Oregon is currently considering SB 729 (with further supporting documentation included), suggests that a further need for improved and increased monitoring and regulation is required before the current institution of methane security can be achieved. It is also noted that methane is the largest factor in consideration here for GHG emissions, and while power co-generation and plume burning is present, the emissions from leakage is the biggest problematic part of that. It is also noted that methane leaks should also be associated with odor, VOC, and other volatile pollution emission as methane itself acts as increased carrier gas for those pollutants. Monitoring and testing of those leaks should be better understood. Further testimony and reporting in the Benton County Talks Trash documentation should be fully considered, of course. The history of
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		SWAC, DSAC, ENRAC, BC PC, and BCC are all complicated in the assessment of methane emissions alone. Therefore, it is recommended that until further and fully demonstrable progress can be made to have site inspections be more successful and consistent, that methane can be assured to be secure upon random inspection, in-progress EPA considerations fully resolved, and the case for SB 729 and improved methane regulation and monitoring is resolved, the present CUP application should be denied. These progressions may constitute need for further consideration and redress in a further CUP, but because of the lack of real enforcement within a “recommendation with conditions,” at this time, a full denial is the safest route.
Leachate	Leachate is quite dangerous and after learning from Beyond Toxics that landfills liners do not last forever, it is scary to know that toxins are leaking into the soil and groundwater.	Approve with conditions, such as increased groundwater and river monitoring.
	Increased waste volume could produce more leachate, potentially posing risk to groundwater and surface water if not managed properly	approval with conditions: Strengthen leachate collection and treatment infrastructure; require third-party audits of system capacity
	will never be free of PFAS, endocrine disruptors in humans (and likely other creatures)	
	Potential toxicity of leachate from the municipal landfill in view of the possibility of their migration to the environment through infiltration into groundwater Requirements for Municipal Solid Waste Landfills (MSWLFs)	According to Benton County’s Environmental Assessment for 2022-2023, CB released about 30 billion gallons of leachate. CBL is alongside Soap Creek, a tributary of the Luckiamute River that flows directly into the Willamette. This means that toxins are flowing into our water. The Environmental Assessment claims that all this leachate is within drinking water standards but that does not necessarily mean that this isn’t harmful to the ecosystem. The landfill is also built on previous wetlands, meaning there is a direct connection to the ground water. The plan for the expansion also shows the creation of new wetlands right beside the landfill. The EPA has requirements against siting and expanding landfills on or near wetlands. Expansion of the landfill should be denied so we are not supporting further environmental degradation and pollution from leachate toxins.

ENVIRONMENTAL IMPACTS

Topic/Issue	Potential Impacts	Thoughts on Recommendation
Soil	Risk of contamination from accidental leachate release	approval with conditions: Require soil testing and protective barriers; implement best practices for soil erosion control
	possible toxins on site, soil contents will leach into local wetlands and eventually our waterways, which all connect to oceans	
Toxicology	Potential long-term exposure to hazardous materials or pollutants through air, water, or soil pathways if not properly managed	Require a toxicological risk assessment and mitigation plan
	arsenic, heavy metals	
	Comprehensive toxicological analysis of leachate, groundwater, airspace, plume, flaring, and network effects is complex.	With the complexity of all of the environmental testing posted elsewhere, merely taking any one of the signs of environmental and human impact may yet still paint an incomplete picture. Toxicological effects may not actually be seen unless comprehensive testing within the ecological matrix is observed, as synergistic effects from various pollutants may not be observed from individual contaminants observed. This is a difficult testing space to evaluate, but current technology is building to accommodate air and water combined testing. Some effort should be made to consider that toxicological space as that effort has not been adequately seen in the CUP. Therefore, it is strongly recommended that a vetted, comprehensive toxicological analysis approach become a requirement for any approved CUP and indeed continued monitoring at CBL. Without systemic understanding of the toxicological effects, individually considered contaminants may not show the full impact of the proposed changes.

ENVIRONMENTAL IMPACTS

Topic/Issue	Potential Impacts	Thoughts on Recommendation
Water Pollution (surface &/or ground)	Huge concern. Not sure how to separate out leachate, soil, toxicology that all seem to relate to the nasty stuff in the water coming from the landfill.	Recommend requiring the most stringent applicable standards for monitoring and ameliorating, with independent monitoring of that monitoring.
	Leachate seepage could contaminate groundwater or nearby surface water bodies, especially during extreme weather events	approval with conditions: Strengthen barriers and conduct hydrogeologic studies to guide water protection
	post waste water treatment of leachate, it will go into our waterways with unfilterable PFAs and other potential toxins. This will eventually be in our oceans. Landfills are not allowed to be built currently on wetlands. Coffin Butte was sited well before EPA developed guidelines for safer siting of landfills, see attached guidelines. It is sited on wetlands and a tributary of? Soap Creek runs right by it. • EPA landfill siting recommendations: • Oregon Wetlands Map • Oregon USA Water/Wetlands	
	• See also Leachate discussion • Arsenic Issues & Groundwater • PFAS pollution <u>Documents available:</u> ❖ LandfillRelatedWaterQualityIssues.pdf ❖ J Geier to BoC groundwater arsenic Aug 2024.pdf	• Arsenic Issues & Groundwater Numerous documents, with focus on the “LandfillRelatedWaterQualityIssues.pdf” report suggest that the situation with Arsenic contamination is not fully settled. My reading of the material suggests that there could be potential leak issues or contamination from the landfill infrastructure, though indeed better evidence is needed and evidence to the contrary is presented. Therefore, without additional evidence, the BC PC is recommended to take particularly close look at whether combined evidence here or elsewhere can constitute a clear and present danger to local environment and groundwater. It is not currently clear that the CUP presents a danger to environmental impact and several important gaps in testing and knowledge seem to remain.
	Those who rely on well water and live around the landfill or Soap Creek may be exposed to the leachate toxins.	

ENVIRONMENTAL IMPACTS		
Topic/Issue	Potential Impacts	Thoughts on Recommendation
Monitoring <i>(general &/or specific)</i>	Huge concern. Based on press reports, Republic has been less than stellar in monitoring and ameliorating methane emissions	I think strong monitoring is super important.
	Need for expanded and more frequent monitoring of air, water, and soil quality due to the scale of the proposed expansion	approval with conditions: Set mandatory monitoring frequency, real-time data access for the public, and independent oversight of monitoring results
		There has clearly been issues with CBL's monitoring standards as the EPA and DEQ continue to show CB's violations. Due to these violations, the expansion request should be denied because there CB is not showing trustworthy information or sharing about the air and water quality data.
Regulations <i>(general &/or specific)</i>	Expansion must comply with state and federal regulations regarding landfill operation, emissions, water protection, etc.	CUP approval contingent upon full regulatory compliance with DEQ, EPA, and county requirements, and routine compliance verification
Other?	Climate resilience concerns	
	My understanding is that Coffin Butte, because of local geology/soil, is not a sight that would be selected for a start-from-scratch landfill. The landfill is there only because of the old Camp Adair dump.	If the expansion is granted, specify that no further expansion will be allowed. After the 5 or 6 years "bought" by the expansion, shut the place down. Permanently. Begin planning now for a new appropriate site.
	Consideration of the "natural" ecology of the landscape to have its own voice.	See below comments within Network/Systemic effects.

Links to be included above under "Air Pollution" & "Greenhouse Gas Emissions":

<https://cdn.sanity.io/files/xdjws328/production/657706be7f29a20fe54692a03dbedce8809721e8.pdf>

<https://www.opb.org/article/2025/01/18/epa-inspection-coffin-butte-methane-leak/#:~:text=An%20Environmental%20Protection%20Agency%20inspection,the%20town%20of%20Adair%20Village.>

Recent report that includes CB. Methane emissions are an issue here:

<https://cdn.sanity.io/files/xdjws328/production/b562620948374268b8c6da61ec1c44960a8d5879.pdf>

HUMAN IMPACTS

Topic/Issue	Potential Impacts	Thoughts on Recommendation
Local Residents / Community		Vocal residents are quite opposed to the expansion. If we do not expand, the county is yet to come up with options for where our waste will go.
	Increased traffic, noise, and perceived risks may affect quality of life. Expansion could raise long-term concerns about property values and environmental health	approval with strong community engagement: Require a community liaison, grievance mechanism, and public outreach before and after expansion
	local smell complaints are common among local residents	
	Local Residents & Community documents available Benton County Talks Trash Final Report: bctt final report 4-11-2023.pdf -	Local Residents & Community The Benton County Talks Trash initiative, spurred by the original 2021 CBL CUP and general public outcry, is an important summary of the local, historic, and community perspectives related to this CUP. As public comment will likely corroborate, there is a very mixed and vocal community, especially those within close proximity to the landfill, that have concerns. NIMBYism is a constant issue with any large project, though indeed the backyard being a landfill is more dramatic than many. There is important consideration and network effects with the consideration of local residents. Shall the concerns of a vocal minority lead the discussion, even when they are the ones most impacted by those changes? Generally, it would be the assumption from the ENRAC Board that this is true—externalized pollution has been a classical and on-going environmental justice issue, especially when that minority, however vocal, is denied its rights and due process—and even then—to resist a distant majority willing to sacrifice a portion of health and well being elsewhere. Therefore, it is extremely important that any evidence that the above environmental impacts to local residents be considered with the greatest of weight towards the recommendation or denial of this present CUP. The planning commission needs to carefully incorporate all those voices, views, and evidences of impact.

		Therefore , due to numerous concerns within the BCTT report and issues raised about further expansion of the CBL, the present CUP application should be denied.
Odor	Landfill expansion may lead to intensified odors, particularly during warmer months or operational changes	approval with conditions: Install additional odor control systems and require real-time odor monitoring with public reporting
	• Odor Issues Odor is a complex metric. What can be smelt by humans is not linearly associated with what may be present in air and air samples, even if testing were possible at every instance. Perhaps similarly, a variety of VOCs and various airborne pollutants are not detectable at all by scent and constitute a difficult monitoring and regulation problem.	• Odor Issues Odors may be considered a carrier metric for various other pollutants, VOCs, and quality of life around an undesirable infrastructure.

HUMAN IMPACTS		
Topic/Issue	Potential Impacts	Thoughts on Recommendation
Social/Societal	I am curious about the future impacts of the landfill on society. 10, 25, 50 years from now?	
	Risk of inequitable burden on low-income or marginalized communities; perception of being a 'dumping ground.'	approval with equity assessment: Conduct a social equity impact analysis and engage directly with impacted residents.
	• Targeting minority, low-income neighborhoods for hazardous waste sites • Environmental and socio-economic impacts of landfills • The Hidden Damage of Landfills • Which came first, people or pollution? Assessing the disparate siting and post-siting demographic change hypotheses of environmental injustice	Those living around landfills are seen to experience high rates of cancers, birth defects, and other health issues due to the toxins released into the soil, air, and water. Aside from health issues, landfills also decrease property values which could make it difficult or near impossible for residents near the landfill to sell their homes and move away. In addition, all the news and controversy surrounding CBL may lower home values even more and even deter people from moving to the area. Landfill siting and regulating processes seem to follow “the path of least resistance” (Mohai and Saha 2015) which is how CBL and Republic Services has been exerting its power. This means that when there are little resources being dedicated to the opposition, the landfill owners have a stronger voice in the matter. Low income and communities of color have been seen to be targeted for landfills and other toxic sites. Rural landowners near CB are being targeted here. The landfill expansion request should be denied, as it is causing many harmful impacts to Benton County residents and has the possibility to cause health issues like cancer and birth defects.
Other?	Mental well-being concerns among community members	
	• Chronic stress puts your health at risk	The stress of this toxic landfill is not doing good for community members and residents around CBL. Stress in combination with the other issues of the landfill can drive health problems for our locals.

ECONOMIC IMPACTS		
Topic/Issue	Potential Impacts	Thoughts on Recommendation
Economics		If the landfill does expand, it can help to maintain the jobs that are already employing those who work at the landfill and the waste haulers.
	Could result in job creation, increased tax revenue, and economic growth locally, but also pose long-term infrastructure costs	approval with conditions: Request an economic cost-benefit analysis and transparent budgeting for public infrastructure use
	county will have decreased income if landfill does not expand Human health value must be considered.	
	- Benton County Economics documents available: Supporting Documents: ❖ Basic_Economics_of_Coffin_Butte_Landfill.pdf ❖ Benton County Talks Trash Final Report: bctt final report 4-11-2023.pdf ❖ SPLG Waste.pdf	Benton County Economics Of note in the provided report, BC stands to continue and increase benefit fairly significantly in the associated costs and use fees of hosting CBL within Benton County. While there is nothing necessarily wrong with that, it is important to make clear and transparent that this is happening. Economics and politics always make corroborations, but to understand them and their implications is key. However, of greater note in this report and as raised in BCTT reports and commentary, the elimination of intake caps is most concerning. With a noted recent pattern from 2019 onward and changes in the regional landfill options, CBL has increased to near present intake capacity. The CUP, if approved, would eliminate any cap on intake, allowing significant increases in waste intake from regional outlets. While it is acceptable to assess the longevity of the present intake and fill rates as stated in the CUP, my reading is that it is not mandated or regulated how long that capacity need remain as stated. The pending SMMP and further changes in local and regional solid waste and material processing is encouraging. However, it is consistently noted that Republic and other waste management corporations have consistently dragged and prevented in providing actionable alternatives to landfill use—it being cheaper and easier to continue with old practices than spurn new activity, collaborations,

		real and demonstrable recycling and composting options, and creative solutions within the current system of waste management. As such, extending the CBL and approving the CUP does not put due economic pressure on BC, infrastructure, and cultural practices in order to instigate better SMMP and waste management practices. It only extends the inevitable need to do so, and worryingly so. It bears repeating, Republic Services is a for-profit, publicly traded corporation. They stand to continue to extract wealth from our local trash infrastructure and culture. Therefore, without better consideration, coordination, and pressure to change current waste management practices, the present CUP application should be denied.
Ratepayers & Fees		If the landfill does expand, fees may not change. Maybe a different rate style could help to alter how much waste is entering the landfill.
	may increase if landfill is farther away	
	Residents in Benton County do not have an equitable choice in its decision for waste disposal. The provided options constitute a local monopoly and should be redressed.	Changes to the CUP and CBL functioning will likely change operation rates as expected in future system management. That said, creative solutions to equitable and sustainable distributions of the costs of CBL and CUP activity is recommended. E.g., income based cost burden, community, city, and county partnership and subsidy in that cost, and other environmental justice based solutions should be included. As Republic Services is a for-profit corporation, Benton County, City of Corvallis, and the residents should not merely be supporting the profits of said corporation when there is little to no competition for residents to choose from for waste and recycling options.
Other?	City of Corvallis already stopped taking leachate for wastewater treatment, which was financial loss	

SYSTEMIC/NETWORK EFFECTS		
Topic/Issue	Potential Impacts	Thoughts on Recommendation
Regional Impacts		If the landfill doesn't expand, I am not sure where our trash will go.
	Could shift regional waste dynamics; some counties may become more reliant on Benton County for disposal (?)	approval with regional coordination: Encourage regional waste planning and develop an inter-jurisdictional framework for impact management
	• History of Coffin Butte • What is the Typical Lifecycle of a Sanitary Landfill? • Coffin Butte Site Life Working Group Report	With the SMMP and future mandated task force, the region is trying to scramble to create a waste reduction plan in preparation for the closure of CBL. While the expansion may provide more time for a stronger material management plan, it comes at the detriment to the community and the environment. There are already major impacts to the region, since the landfill is set to close in the near future, with and without the expansion. A normal lifespan of a landfill is 30 to 50 years and CB has been used since the 1940s with Camp Adair. Benton County shares that the lifespan of CB has been "historically overestimated". The expansion should be denied so the landfill can close at its expected date in 2038. It is well past the average lifespan of landfills, and we have other options instead of expanding.
		As with other mentions in the document (see waste transport below), the coordination of waste management and options therein should be led more at the state and industry level to come into accord with the needs and desires of residents. While jurisdictions are in place, further state and local mandates for that sharing of the load and buy-in from regional interests for better outlets (see Eugene/Springfield recycling efforts) would be important to see.

SYSTEMIC/NETWORK EFFECTS		
Topic/Issue	Potential Impacts	Thoughts on Recommendation
Sustainable Materials Mngt.		This section is crucial to consider.
	Expansion may disincentivize upstream waste reduction, reuse, and recycling if capacity is too easily available	approval with conditions: Require landfill operator to invest in or support waste diversion programs and tracking of material flow
	“Recycling” has long been touted as a solution to waste management, but between industry producers and waste-handlers, has been a façade of disinformation from many angles.	Real recycling options would be encouraging, and the new Eugene/Springfield management system access agreement or similar proposed local deployment would go a long way to encourage and engender confidence in Republic Services / CBL waste streams, and in consideration with the SMMP. Since Republic is a for profit corporation, I think increased investment would improve their image dramatically. That’s outside of the realm of this CUP directly, but as systems connect, it would be nice to see those. Without seeing those examples of industry led improvements, the status quo operations are not recommended.
Waste Transport <i>(additional mileage, GHG emissions, traffic, roads, etc.)</i>		I think this is important to consider. The landfill is already here, so expanding means that another one will not have to be built yet. If it is not expanded, we will have to truck our waste further. Is there potential to use the trains?
	Increased truck traffic could worsen road conditions and contribute to emissions, especially if haul distances increase	approval with conditions: Include traffic impact analysis, road maintenance agreements, and transportation-related emission offset programs
	It seems like this is something that Benton County is currently working out and they have more details than ENRAC.	
	Some kind of waste transport is guaranteed; minimizing that with more efficient and lower carbon options is helpful. Consolidation and shipping is often a better solution than pick-up truck transport. All of which depends on where trash is coming from.	While GHG emissions from carbon based transport are key, consolidation and location of waste pick-up is a large portion of that calculus. Corvallis and Benton County are relatively close, but if more trash (without a intake cap) comes from further away, there may be less of a conservation of carbon footprint unless those further waste regions are consolidating their transport. This is a tricky analysis, and further examination is warranted depending on variables of intake cap, locations of accepted waste-streams, impacts of other waste disposal opening and closing, improved recycling, composting, and SMMP efforts, etc.

Other?	Risk of future inter-county political tensions or resistance to further expansion proposals	approval with planning safeguards: Establish a landfill lifecycle strategy
	Exit Strategies Rights of land spaces and ecologies to exist. See Toxicology above as a Systemic/Network Effect	Agreed, in any future solution, a clear and public CBL exit strategy seems vital and necessary. Even if this CUP is approved, that approval will likely continue to wane, and everyone wants a better solution with more options and SMMP solutions to prevent need for landfill at any location. Idealistic, but still important to consider in the long term. While an “environmental” consideration, I put this consideration of the rights of ecologies to exist without the direct need for human utilization. Indeed, a nod towards the proposed land use within the CUP will change the ecology of that land significantly and there is both building if nascent recognition and understanding that ecologies should have their own voice and independence in that relationship to humans and the built environment. That said, a stewardship model of the landscape would be an important consideration of the wetlands that will be destroyed in the current CUP. Is stewardship of our lands, respectful of those lands, consider the CUP a good use case for its destruction? See Toxicology comments above; noted that they are systemic issues.

Additional Comments from ENRAC Members

As ENRAC members, our voices are diverse and intend to hold the follow space for our individual comment. That said, not all ENRAC members will fully agree with these personal statements, but agree that they should have that space here over individually submitted commentary.

From Charlene Carroll, M.D. – March 21, 2025

Overall recommend not expanding landfill. it was a poor initial siting, and there are local wetlands that cannot be protected from the leaching toxins and PFAS due to landfill contents. The landfill and repercussions that result will effect the area and our water for a long time, possible forever. (PFAS are considered forever chemicals). Expanding the landfill will only worsen this issue.

Yes, this will increase the cost of getting rid of garbage, and decrease income to the county. Human health is invaluable, and this cost cannot be overstated.

From Jason Schindler, current ENRAC chair – 2025-04-14

Dear Planning Commission, Benton County Commissioners, Staff, et al.,

I have to write this piece because our process necessitated its reflection. It is not complete, though it would be difficult to say any part of this decision-making process could or would be, even at time of writing.

As with most things, what most of environmental action and consideration really requires is a good story that can conceptualize and narrativize the data, facts, experiences, and influences that play upon the complicated task at hand. Our process in ENRAC does not encourage that well, in fact eludes it quite intentionally I believe. But as I have been appointed its chair and have the background to accommodate this task, it is also my need to encapsulate and present what I have experienced.

Therefore, our mission, from the Benton County Commissioners (BC PC) and BC Planning Commission:

From: "5.3 Delegation of BCC 77 Duties from SWAC to ENRAC - 240702 - Order D2024-048.pdf"

NOW THEREFORE IT IS HEREBY ORDERED, the Environment & Natural Resources Advisory Committee is delegated the duties and responsibilities formerly assigned to SWAC in BCC 77.305 without further action by the Board. This delegation is limited to "review and make recommendations through the Planning Official to the Planning Commission regarding the Site Development Map Plan and narrative."

But this mandate has taken on a variety of articulated forms, largely from BC staff, from apparently needing to assess the CUP on ENRAC's base of expertise, to considering what documents and resources we were interested and willing to find (many included above), to a consensual and binding vote, to merely providing

some commentary and recommended reviews to the BC PC, many overlapping with varying degrees of clarity. To point, we are all variously qualified volunteers with extremely limited direct expertise and available time to do so, nor was much time given for such a task.

While every opportunity to allow ENRAC to make its own decisions and assessments has been voiced by BC staff, and they have taken every opportunity to be supportive and helpful, additional concerns are noted below. They are noted in difference to the voicing of BC staff since the functionality of meetings, conducting our meetings, and patterns of interaction constitute a different and indirect level of interference and BC preference.

Relationship to VNEQS (<https://www.coffinbuttefacts.org/>), the online portal and vocal discussion community to deny the landfill expansion, has understandably been straining between BC. However, VNEQS activists have been directly vilified by staff in meetings (e.g., “they’re not good people”). Similar sentiment was levied against the outgoing and dissolved SWAC board as well. While this is taken with a grain of salt, as well as an obfuscation about what exactly happened within SWAC and the complicated history (some of which is piecable by BC Talks Trash reporting), it is still clear that BC staff have a clear and present preference and some chips that may not evidence a level playing field.

Most recently, and demonstrably to the operation of the ENRAC board, only now, under more direct scrutiny, are public meetings laws and regulations, active and enforceable for over a year, being clearly articulated and enforced to ENRAC meetings and practices (though, indeed, other boards seem similarly complicated and confused in how they carry their activity and public meetings practices, e.g., DSAC). The laid-back culture of ENRAC has generally allowed for a sense, if underutilized, that collaboration and communication was easily allowable. Understandably and problematically, present public meeting laws, as articulated by BC staff, were articulated to **not allow** for direct communication between board members on any aspect of deliberation, most communications synchronous or asynchronous assumed to contain deliberative aspects, resulting in communications being constantly filtered, documentation sharing constrained, and all meetings and contents required to be made public while the process of making them public has been curtailed or impossible. While this has not been the functional operation of ENRAC since its reformulation in 2020, the recent scrutiny with the CUP mandate has activated this application of public meeting laws and made our process even more onerous, especially that we do not have the processes or practices in place before needed to allow good board functioning. Nor do these public meeting laws seem applied regularly or accurately as I don’t believe that this is fully true in every case. It is recognized that the legislative thrust for these public meetings laws engender transparent and accountable deliberations, and that is important, but the ability to function as ENRAC desired or was led to believe seems curtailed by both the mandate to now abide by those rules and few practiced solutions to allow for that activity.

Additionally, in the process of ENRAC’s deliberations as the CUP has been approved and deemed complete for ENRAC’s assessment, with the above changes to process, the expedited nature of that assessment has been further encouraged by BC staff, suggesting too numerous in options that a simple vote, whatever assessment of documents and process ENRAC desired, could be done quickly and easily—moving on to next projects of the ENRAC board. This has generated a deleterious function of ENRAC to serve the original mandate above, devaluing and expediting our perspective, however distributed in the Planning Commission’s purview. While it is understandable that our timeframe was short, a certain amount of rushing the process and lip service paid to our important role in assessing the CUP is noted. The additional speediness and willingness to skip the

laborious part of assessing the entirety of the CUP (1200+ pages) and any amount of introduced documentation, has been notably present.

As such, it is difficult to get a sense that ENRAC is particularly enabled or empowered to do the best job it can do to assess the particularly important activity we have been tasked with. Perhaps this is by a certain kind of bureaucratic design, and while no sense of that is directly perceivable from BC staff—there remains a bureaucratic and institutional inertia against a sense of ideal functioning, adequate review, and democratic thriving.

At time of writing, ENRAC has made their decision and done the best it could to provide a summary and detailed assessment of the CUP and important concerns for that recommendation. I hope that the Planning Commission considers closely what level of actionable precaution and consideration of data should be included to assess the CUP Application. There will always be more data and more opinions, more arguments and important vital considerations to every aspect of BC, community, residents, region, and environment. ENRAC understands the BC PC to have a more regimented and policy angle on its approval process, will be assessing and accumulating copious public comment and existing documentation, and we hope to support that endeavor. But, to point, ENRAC makes its assessment without those regimented needs and hopes to encapsulate a different and environmentally driven perspective herein.

Thank you for considering our recommendation,
Jason Schindler

LU-24-027 Staff Report to Benton County Planning Commission

Benton County Exhibit 3 (BC3)
Compiled Written Public Comments through April 22, 2025

From: [WYSE Nancy](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 RE: Coffin Butte Landfill & the Perils of Privatization- Gazette Times January 23, 2024
Date: Monday, February 3, 2025 4:56:09 PM
Attachments: [image001.png](#)



Nancy V. Wyse *(She/hers)*
Commissioner
Office: 541-766-6754 | Cell: 541-760-6067
Email: nancy.wyse@bentoncountyor.gov
Address: 4500 SW Research Way, Corvallis
www.bentoncountyor.gov

From: BECKY MERJA <bdanger55@msn.com>
Sent: Monday, January 27, 2025 7:22 AM
To: WYSE Nancy <nancy.wyse@bentoncountyor.gov>; SHEPHERD Gabe <gabe.shepherd@bentoncountyor.gov>; MALONE Patrick <Pat.Malone@bentoncountyor.gov>
Subject: Coffin Butte Landfill & the Perils of Privatization- Gazette Times January 23, 2024

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Commissioners, FYI, In case you missed this very well written As I See It:

COFFIN BUTTE AND THE PERILS OF PRIVATIZATION

Written by Barry Reeves and published by the GT on January 23rd.

Amidst the discussions around the ongoing environmental calamity that is Republic Services' Coffin Butte Landfill, it is difficult to come to grips with just how, exactly, we've arrived at this dilemma. The "dilemma" in question includes these features:

- The landfill in north Benton County receives fully one-third of all the garbage from Western Oregon. Less than 7% comes from Benton County.
- The landfill is owned by Republic Services, headquartered in Phoenix, the second largest solid waste company in the United States
- The landfill is emitting vast amounts of methane, a greenhouse gas whose impact on global warming is 30 to 90 times greater than that of

carbon dioxide.

- Republic Services is requesting an expansion of the existing landfill.

So how did we arrive here, in a county, and near a community, Corvallis, that is considered a hub for sustainability? The answer, I believe, lies in an understanding of the impact of the neoliberal economic model that has, like a toxic cloud, influenced our economic/political decisions for more than four decades. This ideology has been the central driver of record levels of income inequality, increasing homelessness and environmental degradation. Referred to by other names — Reaganomics, trickle-down economics, etc. — neoliberal economics has these components:

- Small government — whatever government does, the "private sector" can do better more "efficiently"
- Deregulation — regulations hamper growth and innovation and are "costly"
- Privatization — privatizing government functions leads to greater "efficiency"
- Austerity policies that cut government funding for social programs
- Free trade policies (NAFTA, etc.) that allow jobs to be moved abroad where labor costs are lower and environmental regulations less stringent.

Coffin Butte, then, can be seen as a case study on the long-term impact of privatizing a municipal function, waste management, within the belief structure of neoliberalism. Rather than a function of local government, with the possibility of oversight and accountability, a large corporation will manage the site to benefit shareholders and to maximize profit. As local governments cede control over municipal functions, they become more beholden to their corporate "partners" and less beholden to their citizen "stakeholders."

As the power relationships evolve, a management/consulting class takes on the role of intermediary between this corporate-government "partnership" and the public. Managers/consultants then are responsible for creating a veneer of collaboration between the corporation (Republic Services), local government and the public. This can take the form, for

example, of citizens' advisory boards, often with catchy titles concocted by the manager/consultants ("Benton County Talks Trash").

This veneer of collaboration, however, is cover for the actual intention behind the process. That intention is, primarily, to manufacture consent within the narrow framework of the status quo and to siphon off activist energy. Should public participants/activists who choose to participate in these advisory boards refuse to "stay in their proscribed lanes" of discourse and decision-making, they will then find themselves stonewalled or marginalized. In other cases, the advisory board may simply be suspended.

The managerial/consultant class is also tasked with "partnering" with environmental groups. This "partnership" involves "greenwashing" — giving an appearance of environmental stewardship. The effect, also, is to blunt or co-opt environmental groups who are incentivized, like citizen's advisory boards, to "stay in narrow lanes" and avoid any serious threat to the status quo. Deregulation, taking many forms, enhances this power dynamic between public good on the one hand and corporate interests on the other, favoring of course, the latter!

Though there is no quick fix for our dilemma, as a starting point, we should absolutely forbid any expansion of Coffin Butte landfill. As the saying goes, "If you've dug yourself into a hole, the first step to take is to stop digging!"

Barry Reeves was an emergency medicine physician in Corvallis for many years. His interests and focus include social justice, nonviolence and community building as a pathway to respond to the dual threats of rising authoritarianism and environmental disruption from climate change.

From: [WYSE Nancy](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 FW: Republic's request for a 58-day extension to complete "odor study" / compliance issues
Date: Thursday, January 30, 2025 3:25:45 PM
Attachments: [DSCN4951.JPG](#)
[image001.png](#)

FYI



Nancy V. Wyse *(She/hers)*
Commissioner
Office: 541-766-6754 | Cell: 541-760-6067
Email: nancy.wyse@bentoncountyor.gov
Address: 4500 SW Research Way, Corvallis
www.bentoncountyor.gov

From: Joel Geier <clearwater@peak.org>
Sent: Wednesday, January 29, 2025 9:42 AM
To: WYSE Nancy <nancy.wyse@bentoncountyor.gov>; MALONE Patrick <Pat.Malone@bentoncountyor.gov>; SHEPHERD Gabe <gabe.shepherd@bentoncountyor.gov>
Cc: SCHUETZ Petra <petra.schuetz@bentoncountyor.gov>; PAYNE Bailey <bailey.payne@bentoncountyor.gov>; MCENENY Rachel <rachel.mceneny@bentoncountyor.gov>
Subject: Republic's request for a 58-day extension to complete "odor study" / compliance issues

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Commissioners:

I hear that tomorrow you'll be considering whether to grant Republic Services an extra 58 days to add more material to their revised application to start a new landfill on the south side of Coffin Butte Road.

Per the cover letter from former Benton County counsel Jeff Condit, now working as an attorney for Republic, the main purpose of this extension would be to give them more time to complete an "odor study" which they claim will help to meet the County's requirement to assess impacts of the existing landfill operation.

Let me suggest, today would be a good day to do your own "odor study." All you need is to drive out to Adair Village -- home to more than 1000 of your constituents, plus daytime location of hundreds of school children attending Santiam Christian School -- and take a sniff for yourselves.

Once you've done that, you'll have a better idea of whether more "odor studies" are really needed to confirm what North Benton County residents already know: This operation stinks.

Along your way, you can get an idea of why it stinks. I'm attaching a photo that I took on Sunday, which shows the condition of the tarps along the whole south face of the landfill. They're completely shredded.

You can also see exposed garbage up on top, which -- per conditions of approval of past CUPs granted by the county -- is all supposed to be covered by the end of each working day. The landfill was closed on Sunday, so this was the condition how they left it over the weekend.

I took this photo from 3 miles away, near the edge of residential neighborhoods of North Albany. Even at this distance, you can easily see there's a problem.

North Benton County residents don't need more "odor studies" to gaslight us for what we experience on a regular basis. Nor does this company need another grace period, to complete their application.

What we do need is for Benton County government to start enforcing conditions of past CUPs. The lack of enforcement by the County was one of the most clear findings to come out of the BCTT process. A year or more ago, we were told that you were planning to act on that finding, and hire a compliance officer who would start to bring this operation into compliance. Could you please inform us as to when and how you plan to follow through on that promise?

Yours sincerely,
Joel Geier
North Benton County resident

From: [SHEPHERD Gabe](#)
To: [Benton Public Comment](#)
Subject: FW: LU-24-027: Benton County Code detail
Date: Monday, February 3, 2025 9:10:08 AM
Attachments: [image001.png](#)



Gabe Shepherd *(he/him)*
Commissioner
Desk: 541-766-6813
Cell: 541-609-9136
Email: gabe.shepherd@bentoncountyor.gov
www.Bentoncountyor.gov

From: Paul Nietfeld <pnietfeld@gmail.com>
Sent: Friday, January 31, 2025 10:58 AM
To: SHEPHERD Gabe <gabe.shepherd@bentoncountyor.gov>
Subject: Benton County Code detail

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Commissioner Shepherd,

Congratulations on your election to this important and influential position. I hope your term is starting off well.

I wanted to make you aware of a couple of points on county process and code regarding the topics of Solid Waste and Landfill Site.

1. In the 1/30/2025 Board of Commissioners discussion on the proposed 58-day extension requested by the franchisee for LU-24-027, I believe late in the discussion you made a reference to "starting with the Planning Commission" in regarding the public consideration process for this application. I am certainly not a lawyer nor a county code expert, but I believe the Benton County Code still specifies that for any proposal to expand the area approved for landfill "The Benton County Environmental Health Division and the Solid Waste Advisory Council shall review and make recommendations through the Planning Official to the Planning Commission regarding the Site Development Plan Map and narrative." [77.305] As you may be aware, the Board of Commissioners announced a "temporary pause" of Solid Waste Advisory Council (SWAC) activities in November 2023; this action has effectively disbanded SWAC, which was established by

Benton County Code Chapter 23 and functioned in part as an avenue for public comment on solid waste issues.

Proceeding with formal consideration of LU-24-027 without conforming to code requirements for recommendations from the Environmental Health Division and the Solid Waste Advisory Council would seem to leave the county vulnerable to future challenges to the decision on this CUP, whatever the outcome. My humble suggestion is that rather than take this risk, or revise the code to eliminate this prudent provision, the county reconstitute SWAC, allow it to hold public meetings on this topic and provide a recommendation to the Planning Commission as required by county code.

2. On a related note, you should be aware that during the course of the Solid Waste Process Workgroup ("BCTT") proceedings it was revealed that the county could not produce any record of a permit for the filling of Coffin Butte Cell 6 (quarry site). See **LSCL R-6** and the debated and indeterminate **LLU F-23** items in the [BCTT Final Report](#). The decisions on this contentious issue clearly predate your term as Commissioner, but you should be aware that a) the county is unable to provide a clear record of approval for Cell 6, b) the county has allowed the franchisee to move forward with emplacing waste in this cell despite the lack of a clear permit, and c) the lack of a formal, documented permit for this extremely large cell means that there is no record of any public debate, consideration by county agencies, formal vote of approval or defined Conditions related to this cell. These points may come up during the public discussion on LU-24-027.

I would be happy to provide more underlying detail on either or both of these issues if you wish.

Hoping that most of your duties are more pleasant and productive than the points I discuss above.

Regards,
Paul Nietfeld

From: [WYSE Nancy](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 FW: For Board of Commissioners : "Landfill Issues and Expansion"
Date: Monday, February 3, 2025 4:43:42 PM

Nancy V. Wyse (She/hers)
Commissioner

Office: 541-766-6754 | Cell: 541-760-6067
Email: nancy.wyse@bentoncountyor.gov
Address: 4500 SW Research Way, Corvallis

www.bentoncountyor.gov

-----Original Message-----

From: DELAVEGA Marriah <marriah.delavega@bentoncountyor.gov>
Sent: Monday, February 3, 2025 12:50 PM
To: WYSE Nancy <nancy.wyse@bentoncountyor.gov>; MALONE Patrick <Pat.Malone@bentoncountyor.gov>; SHEPHERD Gabe <gabe.shepherd@bentoncountyor.gov>
Cc: PAYNE Bailey <bailey.payne@bentoncountyor.gov>
Subject: FW: For Board of Commissioners : "Landfill Issues and Expansion"

Dear Commissioners,

Please see the note below that was submitted via the contact us option on the website. Bailey will add the message to the community feedback that is being gathered.

Sincerely,

Marriah De La Vega
Executive Assistant to the Board of Commissioners and County Administrator

D : 541-766-6800 C : 541-368-6985
Email: marriah.delavega@bentoncountyor.gov

www.Bentoncountyor.gov

-----Original Message-----

From: Benton County, Oregon <wordpress@bentoncountyor.gov>
Sent: Monday, February 3, 2025 10:50 AM
To: *Benton Web BOC <bocinfo@bentoncountyor.gov>
Subject: For Board of Commissioners : "Landfill Issues and Expansion"

From: Sara Ash <saralil25@gmail.com>
Subject: Landfill Issues and Expansion

Sent For: Board of Commissioners <bocinfo@bentoncountyor.gov>

Message Body:
Dear Commissioners,

I am writing to you to express my serious and urgent concerns about Coffin Butte Landfill. We live only a few miles from this public hazard, and we have several concerns:

- Air Quality: We smell the stench of this rotting mass quite regularly. The methane smell and the smell of rotting garbage cannot be good for our health, our neighbors, visitors or the community.
- Water Quality: I am very concerned about our water quality. With all the leachates being generated from the landfill, it is only a matter of time before our and other wells are contaminated.
- Truck Traffic: It is one thing to have the truck traffic required to serve the needs of our own community, but the number of trucks coming from all over the state, bring a level of congestion, pollution, and added danger to our local roads and Highway 99.
- Pollution: The amount of litter that spills out of the trucks heading to the landfill is mind boggling. Highway 99 is of course the worst, but so are our other roads of approach, Granger Road, Arnold, and other roads in and around Adair Village. The litter is rarely picked up and it is getting worse every week. It is a blight on our neighborhoods and our community at large. Nothing like saying welcome to Corvallis or Welcome to Benton County than a litter strewn Highway, truck traffic, and a large pile of stinky garbage.

I implore you to please not expand the Landfill. There is no amount of money Benton County could make on this endeavor that will not be eaten up by the lawsuits associated with well water and surface water contamination, excess methane emissions, and loss of property value. Inviting other counties to utilize this dump is inviting environmental disaster. Landfills are better suited for dry climates, not our extremely wet one. The Coffin Butte Landfill is like the County owning a ticking timebomb of pollution, well contamination, degradation, and lawsuits. Stop the Expansion!

Sincerely,
Sara Ash

--

This e-mail was sent from a contact form on Benton County, Oregon (<https://www.bentoncountyor.gov>)

From: [WYSE Nancy](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 FW: trash and cash
Date: Tuesday, February 4, 2025 3:57:43 PM

As Kiko states, we had a conversation on February 1st in the parking lot of Philomath High School immediately following the Merkley-Hoyle Town Hall. He asked several questions about the landfill, which are detailed in this email. I did my best to explain the concept of "ex parte contacts" to him and suggested that he send me (and/or the BOC) an email.

Nancy V. Wyse (She/hers)
Commissioner

Office: 541-766-6754 | Cell: 541-760-6067
Email: nancy.wyse@bentoncountyor.gov
Address: 4500 SW Research Way, Corvallis

www.bentoncountyor.gov

-----Original Message-----

From: kiko denzer <kiko@handprintpress.com>
Sent: Tuesday, February 4, 2025 3:40 PM
To: WYSE Nancy <nancy.wyse@bentoncountyor.gov>; MALONE Patrick <Pat.Malone@bentoncountyor.gov>; SHEPHERD Gabe <gabe.shepherd@bentoncountyor.gov>
Cc: MCENENY Rachel <rachel.mceneny@bentoncountyor.gov>; vneqs@googlegroups.com; larkin@beyondtoxics.org
Subject: trash and cash

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Commissioners Wyse, Malone, and Shepherd,

First, thank you, Commissioner Wyse, for taking the time to talk with me after last week's town hall in Philomath.

Per your suggestion, I am sending you some thoughts and concerns regarding our trash, and what we do with it.

From what I have been able to discover, other Oregon counties have proactive plans for managing waste.

In Yamhill County, citizens opposed to the expansion of their regional landfill took the issue to the Land Use Board of Appeals, who agreed with them. They then had to sue the landfill in order to get it to close. Meanwhile, they set a goal for Zero Waste and are actively taking aggressive steps to meet their goal.

Lane County recently announced plans to build and operate the most advanced integrated reuse and recycling facility in the nation.

Polk County is looking into building a waste transfer station, to break their dependence on Coffin Butte Landfill.

Metro Portland decided, years ago, that sending trash to landfills in the Willamette Valley went against their stated values of protecting the environment. Because the Valley supports one of the most productive ag economies in the nation, they decided it was an irrevocably bad idea to dump their trash in the garden where farmers grow their food,

so they took a moral stance to guide their waste policies.

Closer to home, we have obvious problems with the Coffin Butte Landfill.

Benton County planning documents clearly state specific goals for waste management and waste reduction (BCC Ch. 23). The franchise agreement with Republic Services includes those and other environmental goals, but extensive evidence shows that Republic is failing to meet its legal obligations.

Perhaps they are more concerned with financial gain than they are with meeting their goals? There is certainly evidence in that direction as well: In August of '22, Forbes Magazine quoted investment manager Michael Hoffman as saying that garbage “is capital-intensive and [while] it’s not compounding at 20% per year like software...for the big players it’s become an extraordinarily repeatable and inflation-resistant business.” Goals like “waste reduction” don’t generate income as quickly or easily as waste collection and disposal.

Cascade Investments (Bill Gates’ personal holding company), has a 34% stake in Republic’s business. According to Forbes, it earns more than \$200M/year from its investment — profits that are paid by the residents of 1/3 of the state of Oregon; profits that also leave the state, never to return.

Meanwhile, Benton County residents face a future in which we will have to pay all the costs of managing the consequences of storing all the waste collected in Coffin Butte — consequences which include (and will quickly exceed) a host of already well-documented problems:

- dangerous methane leaks (methane, of course, being a potent greenhouse gas, highly flammable and clear and present fire risk in a heavily wooded area),
- continuing release of noxious and dangerous fumes and gases
- millions of gallons of toxic leachate (currently being dumped into our rivers, essentially untreated and full of heavy metals and PFAS (aka “forever chemicals”).)
- arsenic leaching into well water,
- illegally dumped and buried toxic wastes,
- continuing surprise fires

The agreement with Republic Services requires insurance coverage merely equal to the liability coverage for 15 average single family homes. How can this amount cover the consequences of dealing with decades of trash from 1/3 of the entire state? And after the landfill closes, the agreement effectively terminates any liability for the contractor at all! Clearly, the consequences of waste disposal will be borne by the public.

Every citizen generates waste that will need collection and disposal, and every citizen needs a safe, clean, and healthy environment that will protect them against pollution, wildfire, and economic hardship. So it seems only logical that our government has an urgent obligation to serve those needs in the best way possible. Currently, however, we’re hog-tied by a contract that allows an outside, private entity to make undisclosed gains without regard for the damages incurred against the present and future interests of local citizens.

Does such a situation not put us in a profoundly dangerous situation?

My question, then, is simple: If we, as a county, contract for services to meet specific goals, and if the contractor consistently fails to meet those goals, why are we continuing the contract? Especially when there is both precedent and example for better solutions to the overall problem of a “throw-away” society?

It seems to me we need to look beyond the interests of out-of-state entities who convert our trash to their cash. We need to look past the intricacies and minutiae of bureaucracy. We need to serve the immediate and profound needs of all our constituents — all our children, grandchildren, and all future generations.

Obviously, these issues and concerns extend beyond the bounds of the specific agreement with Republic Services, and won’t be answered quickly and/or easily. It will take a long conversation, free of the “interests” of outside parties who have no long-term stake in or commitment to the long-term outcomes. The responsibility is ours.

But as clear as the situation seems to me, it's also clear to me that between citizens and government, we have the capacity to significantly and effectively address the situation so that our descendants will remember us with gratitude, for addressing needs they will have after we are all long dead.

With sincere thanks for your service (and for reading this long email!)

— Kiko Denzer

928 n. 9th, Philomath, OR 97370 • 541-740-7243

From: [WYSE Nancy](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 FW: VNEQS: refuse Coffin Butte Expansion extension request
Date: Tuesday, February 11, 2025 4:51:07 PM

Nancy V. Wyse (She/hers)
Commissioner

Office: 541-766-6754 | Cell: 541-760-6067
Email: nancy.wyse@bentoncountyor.gov
Address: 4500 SW Research Way, Corvallis

www.bentoncountyor.gov

-----Original Message-----

From: VNEQS <valleyneighbors@coffinbuttefacts.org>
Sent: Tuesday, January 28, 2025 11:12 AM
To: SCHUETZ Petra <petra.schuetz@bentoncountyor.gov>; WYSE Nancy <nancy.wyse@bentoncountyor.gov>; MALONE Patrick <Pat.Malone@bentoncountyor.gov>; SHEPHERD Gabe <gabe.shepherd@bentoncountyor.gov>; MCENENY Rachel <rachel.mceneny@bentoncountyor.gov>
Subject: VNEQS: refuse Coffin Butte Expansion extension request

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Official Schuetz, Commissioners Wyse, Malone and Shepherd, and Administrator McEneny:

We in the group VNEQS (Valley Neighbors for Environmental Quality and Safety) understand you will be discussing Jeff Condit's 58-day extension request at this Thursday's Commissioner meeting with Heads of Departments. Mr. Condit is proposing this two-month pause to the Coffin Butte Landfill Expansion Application timeline so that Republic Services can complete some odor studies.

We recommend against granting this extension. Here's why:

Republic Services has been dragging their feet and this feels like yet another attempt to stretch the process out. They've been given ample time to resubmit materials. With their Jan 15 submission, out of one side of their mouth they say what they've submitted is "complete for purposes of review"... yet out of the other side, say they want to "give you" this extension of time to review additional materials they want to develop ("technical adjustments" and "additional information on odor modeling and other issues") before you rule on completeness.

As one of our group says, this is like a teacher accepting a term paper, right at the deadline, from a student who claims they've completed the paper and wants to be graded as "on time" but at the same time wants another 58 days to come back and add "additional information" on "issues" before the teacher grades the paper.

Honestly, we think they are gaming you - and think it's high time you stood up to them and said enough is enough. Let them know you are through making special accommodations for them. Stick to the process: declare the application "incomplete" (it will move forward anyway, we know), and keep the ball rolling. As Mr. Condit notes, the process already has a way to accept any new information. We recommend against your granting them this latest "extension."

This issue should have been put to rest after the decision of the Planning Commission in 2021. The applicant did not present convincing arguments for an expansion then, nor have they presented convincing arguments with the passage of the latest deadline.

It's unreasonable to keep putting the community through this protracted level of stress when the applicant is still unable to present a complete and coherent application.

Respectfully submitted on behalf of VNEQS,

Debbie Palmer

From: [Barbara Wythes](#)
To: [Benton Public Comment](#)
Subject: Coffin Butte Expansion LU-24-027
Date: Thursday, April 3, 2025 6:50:46 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We are extremely concerned about Republic Services' attempts to expand Coffin Butte landfill.

This proposal is not in accordance with the Principles as defined in the **2040 Thriving Communities Initiative** which values:

-Vibrant, Livable communities: A landfill makes a mockery of the "vibrant, safe and livable community" which we should "strive to ensure" and is not "forward thinking". We should be implementing more long-term solutions for waste, including reducing the production of single use items and the expanding of recycling and reuse programs.

-High Quality Environment and Access: The landfill will be a toxic, environmental hazard for decades to come. Even if the existing standards, as defined by DEQ and state and local requirements, were enforced, (which is currently not the case) the plans proposed by Republic Services (including no cap on annual tonnage brought in) will only make matters worse. The current and future air, soil and water quality issues will not be resolved without enforcing current standards and limiting future expansion.

-Community Resilience: "Recovering from human caused disasters, threats and changes" is of course critical. But should we not also be preventing, or at least minimizing human caused disasters such as this land fill and Republic Services' disregard for sited emissions violations, methane leaks, PFAS dangers and pollution of the Willamette River?

Violations of BCC 53.215.1- "Interference with uses of adjacent property "

The far-reaching odors from the landfill site and the noise and destruction of Coffin Butte are ruinous of property values and make the EE Wilson Wildlife Area virtually unusable for recreating on many days.

Violations of BCC 23.325.2 – "Imposition of undue burden on public improvements, facilities, utilities or services"

Heavy truck traffic to Coffin Butte drastically increases deterioration of our roads, leaves

roadsides strewn with debris and creates more tailpipe emissions near homes and schools.

Leachate from Coffin Butte is dangerous to ground water and soil, creates even more truck traffic, burdens our water treatment facilities and pollutes a major recreational feature of the area, the Willamette River.

Please DO NOT LET THIS EXPANSION PROCEED!

Barbara Wythes and Devid Leyva

7685 NE Todd Dr

Corvallis, Oregon

t

From: [WYSE Nancy](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 FW: Considering the coffin butte landfill expansion.
Date: Monday, March 10, 2025 5:04:21 PM
Attachments: [image001.png](#)

FYI



Nancy V. Wyse *(She/hers)*
Commissioner
Office: 541-766-6754 | Cell: 541-760-6067
Email: nancy.wyse@bentoncountyor.gov
Address: 4500 SW Research Way, Corvallis
www.bentoncountyor.gov

From: Malcolm Anderson <malcolm.w.anderson@gmail.com>
Sent: Monday, March 10, 2025 2:13 PM
To: WYSE Nancy <nancy.wyse@bentoncountyor.gov>; MALONE Patrick <Pat.Malone@bentoncountyor.gov>; SHEPHERD Gabe <gabe.shepherd@bentoncountyor.gov>
Subject: Considering the coffin butte landfill expansion.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I would just like to take a minute to write and add my voice to the overwhelming majority of Benton County residents when I ask you to turn down republic services application to expand the coffin butte landfill. Republic services has clearly shown that they cannot run the landfill in a way that protects the environment or surrounding community. They routinely exempt much of the landfill from methane requirements releasing unknown amounts of this potent greenhouse gas into the environment but then have the hubris to ask for more land to trash. They are making huge amounts of money taking in trash from all over the state and yet Benton County will have to deal with the after effects for generations. However as long as the county is getting their small cut they seem to be willing to bend over backwards to accommodate this toxic mess. Benton county has exhausted a lot of political capital with its constituents lately with numerous unpopular policies including the eminent domain issues surrounding the building of a new court house in a way that seemed to alienate a huge number of people. Huge and repeated failures and overspending in the benton county public works department and other issues I won't bother going into. Pushing this down the throats of the vast majority of benton county residents who have shown themselves to be actively opposed will just further undermine trust in county government and further the divides we face as

corporations continue to find partners in government willing to steamroll the public in order to make a little more money.

Thank you for your help in placing the welfare of the citizens of benton county above corporate greed.

Malcolm Anderson

--

Malcolm Anderson

Owner/ Lead Climber

Peak Tree Care Inc.

CCB#208873

ISA Certified Arborist/ Tree Climber Specialist #240612

23054 Old Peak Rd.

Philomath, OR 97370

541-760-4551

From: [Christina Marie Clark](#)
To: [Benton Public Comment](#)
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Thursday, March 20, 2025 6:37:09 PM

Full Name:

Christina Marie Clark

Email:

hind_0_subnet@icloud.com

Street Address, City and Zip code:

6901 NW Appaloosa Lane, Corvallis, OR 97330

Submit your written testimony here :

To the Benton County Planning Commission,

I am a longtime resident of Corvallis, deeply concerned about the proposed expansion of the Coffin Butte Landfill. I urge you to deny the Conditional Use Permit (CUP) application, as this expansion threatens the health and well-being of our community, particularly our children and grandchildren, and the natural beauty we cherish.

My family has lived here for 24 years, nurturing our family with vegetable gardens and fruit trees, supporting local wildlife by building habitat with native plant species, and growing a variety of plants to support 3 local charitable garden groups with thousands of plants for their fundraisers. I want my grandchildren to grow up healthy, enjoying this beautiful community—breathing clean air, drinking safe water, and playing outdoors without fear. The landfill's current operations already jeopardize this vision, and expansion will only make it worse.

The landfill accepts one-third of Western Oregon's garbage, with less than 7% coming from Benton County. We're a dumping ground for other regions, bearing the burden of their waste—326,000 tons from Marion County alone in 2021—while facing methane leaks, PFAS in leachate, and unbearable odors. The 2022 EPA inspection found methane levels 20 times above federal limits, posing health risks like respiratory issues and contributing to climate change. I'm alarmed by how pollution from this landfill could impact our family's well-being and that of all other community members, human and otherwise.

Expansion means more trucks, more noise, and more pollution, threatening our air, water, and the Luckiamute River headwaters. Our community, the McDonald-Dunn Forest and the E.E. Wilson Wildlife Area are at particular risk—leachate and litter don't respect boundaries. I fear my grandchildren will inherit a Corvallis scarred by a mountain of garbage, unable to enjoy the outdoors as I do.

Benton County must prioritize sustainability, not expansion. The Benton County Talks Trash workgroup recommended reducing regional trash inflow, yet this proposal ignores that call.

The waste needs to go somewhere less damaging—where communities aren't forced to sacrifice their health and environment for others' refuse.

Please deny the CUP and protect Corvallis for future generations. My grandchildren deserve a healthy, vibrant home—not a legacy of pollution.

Sincerely,

Christina Clark

Corvallis, Oregon

Time: March 20, 2025 at 6:37 pm

IP Address: 98.246.190.43

Source URL: <https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/>

Sent by an unverified visitor to your site.

From: [Jason Clifford](#)
To: [Benton Public Comment](#)
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Thursday, March 20, 2025 2:36:54 PM

Full Name:

Jason Clifford

Email:

cliffoja@gmail.com

Street Address, City and Zip code:

2620 SE Thompson St Corvallis, OR 97333

Submit your written testimony here :

I'm writing today in favor of the conditional use permit submitted by Republic Services. Benton County has been on a long journey through the Benton Talks Trash workshops and the generation of the well thought out Sustainability Materials Management Plan. Continuing to host landfill services within the County will allow the next step of materials management and place Benton County as a leader in responsible resource management. We can be an example to the rest of the Pacific NW in responsible materials management but only if we have the leverage of hosting a landfill. We cannot expect that other counties will have the resources to do the heavy lifting already done in the materials management plan. Further, there is no viable alternative to hosting landfill services. Either garbage trucks will need to travel long distances (Eugene, Portland, or Bend) adding considerable costs, traffic, and emissions to what we have currently or new landfills will need to be built in counties that do not have the resources or skilled labor that Benton County does. While others may argue differently, our County is best equipped to host a landfill and should bear the moral responsibility of managing it effectively.

Time: March 20, 2025 at 2:36 pm
IP Address: 174.204.199.165

Source URL: <https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/>

Sent by an unverified visitor to your site.

From: [Karen Jensen Nelles](#)
To: [Benton Public Comment](#)
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Thursday, March 20, 2025 3:03:38 PM

Full Name:

Karen Jensen Nelles

Email:

nellesrc@peak.org

Street Address, City and Zip code:

2237 NW Dixon Street

Submit your written testimony here :

Coffin Butte should not be expanded. Republic Services does not do a good job controlling methane gas and toxic leachate produced by the landfill that accepts garbage 90% from outside Benton county. The landfill should be reduced and other counties should take care of their garbage. Now is the time to do something different. Why did Benton Country agree to raise Republic Services garbage rates when only 10% of the landfill is supplied by Benton County. Benton County should do a better job of recycling. Benton County should tell Republic Services that Coffin Butte is no longer a regional landfill for the Willamette Valley. We need to reduce garbage by doing a better job sorting. All counties dumping in coffin butte should start now sorting and composting garbage to reduce the amount. Coffin butte should not be expanded. It should be reduced and managed differently. Republic Services is doing a terrible job. Their employees are working in toxic conditions and they do not care. Methane gas escapes from coffin butte on a daily basis and they do not care. Toxic leachate contaminates surrounding groundwater and they do not care. I do not trust Benton County commissioners to make the best decisions for residents of Benton County. Do the right thing. DO NOT EXPAND COFFIN BUTTE!

Time: March 20, 2025 at 3:03 pm
IP Address: 73.190.97.13

Source URL: <https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/>

Sent by an unverified visitor to your site.

From: [Kathleen Newman](#)
To: [Benton Public Comment](#)
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Thursday, March 20, 2025 5:22:46 PM

Full Name:
Kathleen Newman

Email:
kathynewman@gmail.com

Street Address, City and Zip code:
1521 NW 23rd St Corvallis, OR 97330

Submit your written testimony here :

I hike in Dunn Forest and EO Wilson wildlife area. I see the privately owned for profit landfill sitting on Coffin Butte as though it were an old factory, built before modern technology and concern for water and air pollution standards became standard. It continually sends toxic emissions into our community, and attempts to reduce or control them have been ineffectual. If it were an ugly old above ground factory left over from the Camp Adair days with visible emissions, we would be appalled by having this out of compliance facility operating. However, because we confuse garbage collection, landfill operation, and general community helper services, Benton County tends to view the landfill as some necessary evil, unaware that only 7% of the garbage is ours. The significant funds that the county receives from the operation are a large portion of their discretionary budget, making the commissioners reluctant to rein in the documented pollution violations. The last thing we need to do is allow this facility to expand! Yes, we need to be responsible for regional waste disposal in an environmentally safe manner, but importing large loads of trash for profit at the expense of air and groundwater is indefensible.

Time: March 20, 2025 at 5:22 pm
IP Address: 47.25.252.140

Source URL: <https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/>

Sent by an unverified visitor to your site.

From: [Joanna Nuccio-Stockslager](#)
To: [Benton Public Comment](#)
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Thursday, March 20, 2025 1:11:28 PM

Full Name:

Joanna Nuccio-Stockslager

Email:

joannans@comcast.net

Street Address, City and Zip code:

1580 NW Cascade Heights Drive, Albany, OR 97321

Submit your written testimony here :

First let me state that I am opposed to the expansion of Coffin Butte Landfill. I swim in the Willamette in areas ranging from Albany to Salem. The river has become a hazard to my health due to the extreme amount of untreated leachate dumped into the Willamette by Republic Services. This contamination will only increase with the proposed expansion. This violates BCC 53.215 (2) and the Benton Co comprehensive Plan policies 5.1.2, 5.2.1, and 5.74.

The amount of leachate currently produced by Coffin Butte is unacceptable. There is no treatment for these toxic chemicals including PFAs [forever chemicals] dioxin, and microplastics. Dumping this waste into the Willamette is in violation of Benton County Comprehensive Plan policy 6.5.5 (Benton County shall strive for the safe storage, collection, reduction, reuse, recovery, and appropriate disposal of hazardous waste materials.) This waste should at least be hauled to a landfill in a drier climate for disposal. Water treatment plants are not equipped to remove harmful chemicals such as PFA's. Expanding the landfill will in effect be expanding the leachate.

When I completed my MPA many years ago, I remained very aware in my work that my main goal was the well-being of citizens. Serving in government remains a service-oriented job – accountable to the citizens for health and well-being.

I appreciate your service and know that you will remember to keep the well-being of Benton County citizens and wildlife in mind in your decision making.

Time: March 20, 2025 at 1:11 pm
IP Address: 71.193.247.130

Source URL: <https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/>

Sent by an unverified visitor to your site.

From: [Mary Giles](#)
To: [Benton Public Comment](#)
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Friday, March 21, 2025 4:10:05 PM

Full Name:

Mary Giles

Email:

mlsgiles@gmail.com

Street Address, City and Zip code:

4105 NE Fair Acres Dr., Corvallis 97330

Submit your written testimony here :

I am and have been for years appalled about the amount of trash coming from outside our area to the Coffin Butte Landfill. I remember living in a rural community in Washington as a child. There were individual dumps all over. They stunk and attracted all kinds of bugs and rodents. I would imagine if the truth were known that many people died and/or contracted serious illnesses from their own garbage.

I don't live particularly close to the Landfill but I worry about the people that do. I know some have lived in the area for decades and have every right to complain about the loss of livability in their own homes. I'm sure the community of Adair and surrounding areas that have young families are worried sick about the health of their families.

The idea that a great deal of that garbage is coming from other communities is beyond comprehension to me. If Republic Services wants to run a landfill here, they should invest in the latest equipment available to destroy the garbage and clean up the surrounding atmosphere.

Time: March 21, 2025 at 4:10 pm
IP Address: 76.115.212.120

Source URL: <https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/>

Sent by an unverified visitor to your site.

From: [Warren LIsser](#)
To: [Benton Public Comment](#)
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Friday, March 21, 2025 7:54:48 AM

Full Name:
Warren LIsser

Email:
wshilltop@gmail.com

Street Address, City and Zip code:
31487 Braden Ln, Philomath, Oregon 97370

Submit your written testimony here :

I am writing to strongly urge you to deny any expansion of the Coffin Butte Landfill. Republic Services has expanded the acceptance of waste from the greater geographical area of Western Oregon so that the actual refuse from Benton County only amounts to about 7% of the volume. Republic Services has done a poor job of monitoring their release of methane gases, and to my knowledge they are in violation of those releases with the DEQ.

I know that Benton County receives \$3-4 million dollars in franchise fees, but this is a drop in the bucket for when Republic Services abandons the landfill and Benton County is the one responsible for paying the cleanup costs.

Coffin Butte needs to severely limit the amount o garbage being brought in by other cities and counties that are not local. We are paying the price for Republic Services, an Arizona corporation, operating and dictating the terms of how they are going to collect garbage in our local landfill.

Benton County needs to assert themselves and listen to the citizens that don't want this landfill to expand. Don't be swayed by the short term money that seems so alluring.

Time: March 21, 2025 at 7:54 am
IP Address: 199.58.97.145

Source URL: <https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/>

Sent by an unverified visitor to your site.

From: [Carol Walsh](#)
To: [Benton Public Comment](#)
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Friday, March 21, 2025 8:10:50 PM

Full Name:

Carol Walsh

Email:

walsh.carol@comcast.net

Street Address, City and Zip code:

990 NW Highland Terrace Ave

Submit your written testimony here :

I've loved living with my family and recreating in Benton County since 1997. I believe that the values statements put forth in the Benton County Comprehensive Plan match my values. It seems I'm not along...a citizen participation process was used to describe the values that we were led to believe would be used for county planning. Unfortunately, those values have been violated by our county leaders in their agreements that have led to an increase in the landfill operated by Republic Services. There will be further degradation of our environment if the current expansion request is granted.

Goal 5 of the comprehensive plan speaks to natural resource and open spaces. It acknowledges that natural resources of the county are central to the long-term sustainability and livability of the county. By taking in trash from places other than Benton County and agreeing to further expansion of the landfill, the commissioners are willingly selling off our natural resources, including clean water and vibrant wildlife.

We enjoy biking in the county, especially on Sulfur Springs, Tampico, and various connector roads to Independence Highway. I also enjoy gardening in my yard, hiking in the county north of Corvallis, playing disc golf at Adair Park and visiting EE Wilson. All these activities are negatively impacted by the landfill operated by Republic Services and allowed by the Benton County commissioners. The landfill is unsightly now and will be even worse if farm and forestlands are turned into more trash piles.

Biking has become dangerous because of the increased number of large Republic Services trucks on the road thus I have stopped that to avoid untimely death. EE Wilson and hiking trails are negatively impacted by odors emitted by the landfill. Even gardening in my yard is often unpleasant due to the smells that travel to us. Wildlife, native species and water ways will be negatively impacted if more trash is brought into Benton County. Please follow our values and stop!

Time: March 21, 2025 at 8:10 pm
IP Address: 76.105.251.203

Source URL: <https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/>

Sent by an unverified visitor to your site.

From: [Kimberly Callahan](#)
To: [Benton Public Comment](#)
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Saturday, March 22, 2025 12:46:21 PM

Full Name:

Kimberly Callahan

Email:

kac707@gmail.com

Street Address, City and Zip code:

1967 NW Hayes Ave, Corvallis, 97330

Submit your written testimony here :

In short, just say no. While garbage is a fact of life, the volume being generated in Oregon and the trucking it all over the state to make it the problem of a few towns is not. Republic could get serious about recycling and reclamation. They could get serious about garbage collection services of the future. They could get serious about being neighbors and good partners. But instead they do the bare minimum when it comes to recycling (and even that is debatable), they continue the same outdated garbage collection practices, they don't take seriously the complaints of neighbors, and they don't demonstrate that they understand what it means to citizens to house a dump in one's county.

Time: March 22, 2025 at 12:46 pm

IP Address: 76.115.211.96

Source URL: <https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/>

Sent by an unverified visitor to your site.

From: [North Krimsly](#)
To: [Benton Public Comment](#)
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Saturday, March 22, 2025 9:07:40 AM

Full Name:

North Krimsly

Email:

krimsly@gmail.com

Street Address, City and Zip code:

3588 SE Midvale Dr, Corvallis, OR 97333

Submit your written testimony here :

Hello Benton County Administrators, I strongly urge you to stop the Coffin Butte Landfill expansion. It will create too many problems including undesirable quality of life for neighbors of the landfill, toxic runoff which could have negative health consequences for many residents, additional greenhouse gas (methane) production, reduced quality of bicycle riding in that area, and many more problems. We can extend the life of the current landfill as-is by immediately stopping taking any further waste from other counties and municipalities in Oregon. Allowing waste from other cities and counties is something that should never have been approved. Once we've stopped taking other peoples' garbage, that will buy us time to find a new location for a second landfill. And that second landfill should also not take any garbage from other counties and cities, or we will be in the same situation we are now in a few years. Yes, this means our waste removal rates will increase, and that is a reasonable price to pay so we can safeguard our quality of life in Benton County.

Time: March 22, 2025 at 9:07 am
IP Address: 76.144.49.157

Source URL: <https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/>

Sent by an unverified visitor to your site.

From: [Joanne Patricia Stevenson](#)
To: [Benton Public Comment](#)
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Saturday, March 22, 2025 2:09:17 AM

Full Name:

Joanne Patricia Stevenson

Email:

amazinjoanie@q.com

Street Address, City and Zip code:

7035 NW Appaloosa Lane, Corvallis, Oregon 97330

Submit your written testimony here :

Dear Board of Commisioners,

We bought our Appaloosa home in 1979. This was such a pristine area. Coffin Butte mountain was at least one- tenth of the height it is today and far less odiferous.

Corvallis has long been considered one of the ideal places in the US to live. Well it won't be any more! Lawfully a realator is required to reveal issues pertaining to a local landfill.

Here are some of the problems; the county has taken on so many surrounding counties trash and with it water, air (there are methane gas leaks) and noise pollution (trucks coming and going starting at 4:30 am) and risk of fires. Spun glass is now being dumped which is a hazmat issue.

It's disgusting that Republic Services is prioritizing money above life!

Sincerely,

Joanie Stevenson

Time: March 22, 2025 at 2:09 am

IP Address: 104.28.116.140

Source URL: <https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/>

Sent by an unverified visitor to your site.

From: [Jo Ann Casselberry](#)
To: [Benton Public Comment](#)
Subject: Opposition to LU-24-027 - Please NO Expansion for Our Children's Future
Date: Sunday, March 23, 2025 10:50:52 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission,

I urge you to take this opportunity to be an environmental champion & create a healthier future for Benton County by opposing LU-24-027. Don't we owe it to our children & grandchildren to give them a better, healthier place to live in the future? Please think long term.

My name is Jo Ann Casselberry. I live at 751 SE Alexander Ave, Corvallis OR.
I oppose the expansion of the Coffin Butte Landfill (LU-24-027) & urge you to oppose it as well.

I know that many others have provided testimony about the science of the negative environmental impacts of expanding this landfill operation. A case has been made that the Landfill Expansion does not meet the required Land Use Criteria.

We stand at a crossroads where the reduction of methane gases provides an opportunity to make a large positive impact to slow climate change. **Don't we owe it to our children & grandchildren to take this opportunity to make Benton County a better, healthier place to live in the future?** Isn't clean air & clean water a core value of the Benton County Comprehensive Plan? (See 6.1.2, 6.1.4, 6.3.1, etc.)

At this point the Coffin Butte Landfill has large methane plumes. There appears to be no effort or enforcement to reduce these methane emissions. It seems extremely unwise to allow for them to get even larger, thereby rapidly degrading the air & water quality of the Corvallis area. It makes no sense.

It appears to me that the only motivation to expand the landfill would be the short term financial benefit. Of course that is a temptation. But **please think long term!** No amount of extra money now is going to help future generations when they cannot breathe the air or drink the water. **I urge you to take this opportunity to be an environmental champion & create a healthier future for Benton County by opposing LU-24-027.**

Thank you.
Jo Ann Casselberry
7521 SE Alexander Ave
Corvallis OR 97333

From: [Pamela Castle](#)
To: [Benton Public Comment](#)
Cc: [Pamela Castle](#)
Subject: Testimony for LU-24-027
Date: Sunday, March 23, 2025 4:45:07 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission Members,

This testimony is regarding LU-24-027, the application to expand Coffin Butte Landfill. I strongly oppose this expansion. Coffin Butte Landfill has a record of producing large quantities of methane that are not mitigated and are released into the atmosphere. Republic Services have shown that they have not met past conditional use criteria (Benton County Talks Trash key findings) and have not sufficiently mitigated methane emissions in the past. There is no reason to expect that they will mitigate the methane emissions in an expanded landfill and if they make an attempt there is no reason to expect it would be in an environmentally sound manner.

In addition to being a potent greenhouse gas, methane is highly flammable making a fire at the landfill a real risk. Our area is already vulnerable to wildfires. A fire at the landfill is a daunting thought – it is a considerable liability and would put undue burden on our fire-fighting service, making an expansion at odds with Benton County Code 53.215 (2). Odor from the landfill reaches my home in northwest Corvallis and methane plume maps show high levels of methane extending up to a mile from the landfill. If there were to be a fire, I'm confident that smoke would blanket much of Corvallis. Such smoke would contain many pollutants including fine particulate and would present a serious health hazard for the entire community. This potential liability is too great for the county to consider allowing expansion of the landfill. Benton County Comprehensive Plan policy 6.3.1 dictates that land use decisions must take into account air quality implications such as what would happen in the event of a fire, not a small risk given the large quantities of methane at surface level at the landfill. According to Benton County Comprehensive Plan policies 6.1.2 and 6.1.4, air quality must be managed to ensure protection and minimize degradation. Approving the landfill expansion is at odds with those two policies. I sincerely hope you will use your power of discretion to deny the landfill expansion application.

Respectfully,

Pam Castle
993 NW Cypress Avenue
Corvallis, OR 97330

From: [Pamela Castle](#)
To: [Benton Public Comment](#)
Cc: [Pamela Castle](#)
Subject: Testimony for LU-24-027
Date: Sunday, March 23, 2025 4:45:07 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission Members,

This testimony is regarding LU-24-027, the application to expand Coffin Butte Landfill. I strongly oppose this expansion. Coffin Butte Landfill has a record of producing large quantities of methane that are not mitigated and are released into the atmosphere. Republic Services have shown that they have not met past conditional use criteria (Benton County Talks Trash key findings) and have not sufficiently mitigated methane emissions in the past. There is no reason to expect that they will mitigate the methane emissions in an expanded landfill and if they make an attempt there is no reason to expect it would be in an environmentally sound manner.

In addition to being a potent greenhouse gas, methane is highly flammable making a fire at the landfill a real risk. Our area is already vulnerable to wildfires. A fire at the landfill is a daunting thought – it is a considerable liability and would put undue burden on our fire-fighting service, making an expansion at odds with **Benton County Code 53.215 (2)**. Odor from the landfill reaches my home in northwest Corvallis and methane plume maps show high levels of methane extending up to a mile from the landfill. If there were to be a fire, I'm confident that smoke would blanket much of Corvallis. Such smoke would contain many pollutants including fine particulate and would present a serious health hazard for the entire community. This potential liability is too great for the county to consider allowing expansion of the landfill. **Benton County Comprehensive Plan policy 6.3.1** dictates that land use decisions must take into account air quality implications such as what would happen in the event of a fire, not a small risk given the large quantities of methane at surface level at the landfill. According to **Benton County Comprehensive Plan policies 6.1.2** and **6.1.4**, air quality must be managed to ensure protection and minimize degradation. Approving the landfill expansion is at odds with those two policies. I sincerely hope you will use your power of discretion to deny the landfill expansion application.

Respectfully,

Pam Castle
993 NW Cypress Avenue
Corvallis, OR 97330

From: [Pamela Castle](#)
To: [Benton Public Comment](#)
Cc: [Pamela Castle](#)
Subject: Testimony LU-24-027
Date: Sunday, March 23, 2025 4:33:27 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear County Planning Commission members,

This testimony is regarding LU-24-027, the application to expand Coffin Butte Landfill. I strongly oppose this expansion. When we moved here in 2018, I had no idea that on a routine basis, we'd be greeted with landfill odor at our home- especially given that we live in the city of Corvallis many miles from the landfill.

I'd gone to OSU as an undergrad back in the late 1980s and we chose Corvallis when we returned to the pacific northwest because it is a small city in what appears to be a bucolic, yet progressive, setting. It presents itself as a forward-thinking community that emphasizes protecting the environment and enhancing the wellness of its residents. The landfill odor fits neither the community image nor its stated objectives and policies from the values defined in Benton County's 2040 Thriving Communities Initiative's Core Values (in particular, the high-quality environment goal) to many policies and goals in the Benton County Comprehensive Plan – in fact, just about all of the landfill's practices and community effects are antithetical to what this community purports to represent. Why spend time, money and energy defining goals and making policy to achieve those goals when it appears the county has no real desire to pursue them?

On days when I smell the landfill odor, I refrain from engaging in my planned outdoor activities and keep my windows closed. I do this not only because it is unpleasant, but also because it has been well-documented that landfill gas contains many contaminants and I do not want to inhale them. Having the ability to use my own property be affected by a landfill was not what I expected when I moved here. If I'd known about all of the problems associated with the landfill, I would not have purchased a home in Corvallis. It has left me deeply saddened and feeling that the leadership in Benton County has let all of its residents down by not providing the leadership that holds operators like Republic Services accountable for their negative community impacts. Republic Services has not met conditional use requirements in the past (Benton County Talks Trash key summary), there is no reason to expect they would operate an expansion in any different way.

Landfill odor affects both my use of my property and the character of the area and thus the current use does not meet the criteria defined in Benton County Code 53.215 (1). This will only worsen with an expansion of Coffin Butte Landfill and this impact on air

quality must be considered under Benton County Comprehensive Plan policy 6.1.4. Please use your power of discretion to protect this community and deny the permit for expansion of Coffin Butte Landfill as it would exacerbate existing landfill issues.

Sincerely,

Pam Castle
993 NW Cypress Avenue
Corvallis, OR 97330

From: [Pamela Castle](#)
To: [Benton Public Comment](#)
Cc: [Pamela Castle](#)
Subject: Testimony for LU-24-027
Date: Sunday, March 23, 2025 4:38:23 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission Members,

This testimony is regarding LU-24-027, the application to expand Coffin Butte Landfill. I strongly oppose this expansion. Expansion of the landfill will place undue burden on our transportation infrastructure by increasing the number trash- and leachate-hauling trucks on roads where their presence is already of consequence. This does not meet the criteria defined in Benton County Code 53.215 (2). The Coffin Butte landfill expansion will interfere with the character of the area by increasing the number of large, noisy trucks lumbering along our roads, often strewing litter in their wake, and thus does not meet the conditions defined in Benton County Code 53.215 (1). In addition, Benton County Comprehensive Plan policy 6.3.1 states that the county is to reduce vehicle miles traveled to preserve air quality when making land use decisions – any expansion is not in keeping with that policy. Thank you for considering my testimony. I urge you to use your power of discretion to deny the application for expansion of Coffin Butte Landfill.

Sincerely,

Pam Castle

993 NW Cypress Avenue

Corvallis, OR 97330

From: [Pamela Castle](#)
To: [Benton Public Comment](#)
Cc: [Pamela Castle](#)
Subject: Testimony for LU-24-027
Date: Sunday, March 23, 2025 4:41:17 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission Members,

This testimony is regarding LU-24-027, the application to expand Coffin Butte Landfill. I strongly oppose this expansion. Coffin Butte Landfill has a record of producing large methane plumes that are not mitigated but are instead released into the atmosphere. Methane is a potent greenhouse gas so Coffin Butte Landfill is contributing to climate change to a larger extent than it should be. According to the Benton County Talks Trash final report, the county has not held Republic Services accountable for meeting prior conditional use terms. Any current problems will be exacerbated by the expansion as there is no reasonable expectation that Benton County will begin holding Republic Services accountable or that Republic Services will make operational changes to mitigate methane emissions. Climate change affects us all – we are experiencing increased temperatures making outdoor activities difficult to take part in during the summer. The methane emissions will only worsen with an expansion of Coffin Butte Landfill and this impact on air quality must be considered under Benton County Comprehensive Plan policy 6.1.4. I urge you to use your power of discretion to deny the application for expansion of Coffin Butte Landfill.

Respectfully,

Pam Castle
993 NW Cypress Avenue
Corvallis, OR 97330

From: [Dan DeKeizer](#)
To: [Benton Public Comment](#)
Subject: I oppose the application to expand the landfill - LU-24-027
Date: Wednesday, March 26, 2025 7:44:02 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I write to give my public comment on LU-24-027, the application to expand the landfill in Benton County. I strongly oppose this application and urge the planning commission to deny it.

I am a nearby resident of the existing landfill, and have seen over the last couple of years an increase in truck traffic, an increase in trash blown off trucks littering highway 99 and Camp Adair Rd and continued strong and persistent odors from methane emissions. All this is with the existing landfill space and a tonnage cap on the amount being dumped there. This traffic, increased trash along the roadsides and the air and ground pollutants inherent in landfill operations, in my opinion, significantly disrupt the use and enjoyment of the area surrounding the landfill. The E.E. Wilson natural area, which abuts the existing landfill, is an area which should be full of birds, other animals and plant life, and enjoyed by Benton County and surrounding residents and visitors. But it is often unusable due to methane odors, and the noise and trash off the roadway can't be positive for the animal life there.

Allowing the landfill to expand south of Coffin Butte Road will increase the damage to the area and environment, not mitigate it.

Our Benton County Comprehensive Plan has, among other goals, "to maintain and improve the quality of the air, water and land resources..." This application goes directly against these goals.

I urge the Planning Commission to use the discretion assigned to and expected from them by the establishing laws and code to protect our air, water, and the future of Benton County by rejecting application LU-24-027 entirely. There are no reasonable conditions of use which could be added to this application which adequately protect the people and natural resources of Benton County from the consequences of increasing the landfill size as proposed.

Thank you,

Dan DeKeizer
37600 Soap Creek Rd
Corvallis, OR 97330

From: [Bryn Hazell](#)
To: [Benton Public Comment](#)
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Wednesday, March 26, 2025 12:11:04 PM

Full Name:

Bryn Hazell

Email:

brynhazell@msn.com

Street Address, City and Zip code:

3247 SW Hawkeye Ave., Corvallis 97333

Submit your written testimony here :

I am submitting Marge Popp's letter to the editor of the Gazette-Times because it's better than anything I could have written and I support her perspective.

From today's (3/25/25) Gazette-Times
This 'limited' expansion is another ruse
AS I SEE IT

MARGE POPP

Proponents of Coffin Butte Landfill expansion claim Republic Services' conditional use permit application requests only a "limited" expansion. This characterization is misleading and obscures the true impact of the project.

Republic Services aims to exploit a loophole in the 2020 franchise agreement to lift the 1.1 million-ton annual cap on trash intake, paving the way for importing unlimited amounts of waste. This move would increase the profitability of its operations at the expense of our community and environment.

The expansion involves significant expenditure, with tens of millions of dollars allocated to moving leachate ponds and millions of pounds of dirt on the south side of Coffin Butte Road. This investment is purportedly for only six additional years of landfill lifespan?

The current landfill footprint already has an estimated 14 to 16 years of capacity remaining at current trash intake levels, making the economic rationale behind this expansion questionable.

Far from being "limited," this project is a large-scale endeavor designed to maximize landfill capacity, potentially leading to the eventual closure of Coffin Butte Road and transforming the valley into a vast waste disposal site for other counties.

An email exchange between Benton County Attorney Vance Croney and Republic Services employee Julie Jackson, dated Oct. 14, 2020 (obtained via a Public Records Request), reveals Republic Services' long-term ambitions for the site.

Vance Croney writes, "Hmm. Republic has a chunk of land south of Coffin Butte that is already zoned Landfill which only requires conditional use approval to begin use as a landfill

cell. It also has many acres of EFUzoned land that certainly can be used for additional cells, but would require rezoning. Are we both talking about the Landfill zoned acreage as creating an additional 15-20 years of life?"

Julie Jackson replies: "Vance, This is just the estimate for the cell area we are asking to rezone. We have many acres that could hold waste and that will likely be a future discussion with the County."

Republic Services has a history of inaccurate reporting and noncompliance with the conditions of use for the Coffin Butte Landfill, and Benton County has not taken appropriate action. The lack of consequences for noncompliance suggests a failure of our local government to protect our community and natural resources.

A 2023 EPA investigation revealed significant methane leakage exceedances, further underscoring Republic Services' lack of transparency and accountability. Recent communications between the EPA and Republic Services indicate further issues with the accuracy of information provided by the company.

The EPA's subpoena requiring written verification concludes with this sternly worded caution for the signatory:

"I am aware that there are significant penalties for submitting false information in response including the possibility of fine and imprisonment."

Interestingly, the landfill manager responsible for signing this document resigned about this time.

It is imperative that we demand honesty and transparency from both our county government and Republic Services. This requires a capable and proactive staff that can think critically and independently as well as engaged participation from the community.

Our county government and commissioners have become overly reliant on Republic Services to act responsibly, prioritizing the status quo over diligent oversight.

Similarly, complacent residents have placed too much trust in elected officials and county staff to act in their best interests.

With Benton County staff being well-compensated, we should expect and demand experienced and dedicated individuals who are committed to serving the community's interests.

It is time for us to recognize the true consequences of this expansion to our community and environment, and we must demand responsible governance and environmental stewardship.

We need to wake up and smell the dump!

Sent by an unverified visitor to your site.

From: [Melissa Cowan](#)
To: [Benton Public Comment](#)
Subject: Coffin Butte Landfill Expansion
Date: Thursday, March 27, 2025 8:48:17 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Benton County Planning Commission Chair, Nick Fowler,

This letter is regarding LU-24-027, the application to expand the Coffin Butte Landfill.
As a full time resident of Corvallis, Benton County, I strongly oppose expansion of the Coffin Butte Landfill.

The environmental and health concerns are well documented and are of grave concern to me.
However, I believe the main reason we cannot move forward with this expansion is that Benton County STILL does not have a Sustainable Materials Mangement Plan or adequate toxic monitoring procedures in place at Coffin Butte

It is untenable that this expansion is being considered when systems are not in place to manage the landfill at its current size and capacity.

We are simply not ready for this expansion.

Sincerely,
Melissa Dawley Cowan
Corvallis Resident

From: [Community Development, Benton County, Oregon](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Thursday, March 27, 2025 3:57:14 PM

Subject of Testimony: Coffin Butte Landfill Expansion

Full Name: Michael Newman

Email: mnewmanm@gmail.com

Street Address: 1521 NW 23rd St, Corvallis OR 97330

Written Testimony:

Members of the Planning Commission:

I am a Corvallis resident and am concerned about the environmental impact of an expanded Coffin Butte Landfill. I strongly object to the proposed expansion and urge the Planning Commission to deny the application.

The Benton County Code (BCC) 53.215(3) requires that the application for a conditional use permit comply with "any additional criteria which may be required for the specific use by this code." BCC chapter 77 lists various requirements for land use activities in the Landfill Site Zone. Specifically, BCC 77.105(1) allows "municipal waste solid disposal, IN ACCORDANCE WITH A SOLID WASTE DISPOSAL FRANCHISE AND AN APPROVED SITE DEVELOPMENT PLAN" (emphasis added).

The applicant VLI's Coffin Butte Expansion application looks to the future, not the past. In the past, however, the existing Coffin Butte Landfill has emitted methane at explosive concentrations. Only a fraction of the gas has been captured and burned. The lack of monitoring has allowed VLI to continue releasing excessive methane with no adverse consequences to them or their profits. VLI has no reason to comply with future requirements when they have failed to comply with existing requirements. VLI includes their response to the

County Board of Commissioners dated February 23, 2024 (Exhibit 28, appearing in Part 13 of the 10-20-24 Revised Application). VLI takes the position that there is too much confusion about measurements and practices, so let's just continue what we're doing.

This attitude is unacceptable, and the application should be denied based on this history.

Thank you for your consideration in this important matter.

--

This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon <https://cd.bentoncountyor.gov>).

Submitter's IP Address: 76.144.16.45

From: [Community Development, Benton County, Oregon](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Thursday, March 27, 2025 1:09:43 PM

Subject of Testimony: Deny Coffin Butte Landfill Expansion

Full Name: Todd Thompson

Email: twthomp@gmail.com

Street Address: 1350 NW 14th St. Corvallis Oregon 97330

Written Testimony:

3/27/25

To Whom It May Concern,

When I first moved to Corvallis, 25 years ago, I would visit a friend near the dump and we would seldom smell it but today it's always very smelly and on frequent days too much to bear going outside. I've attended several of the landfill advisory groups and the fact that it processes 1/3 of the refuse in Oregon and the leachate can't be processed to remove contaminants I'm certain it's time to lessen the burden by opening another dump on the east side of the cascades where there's less rain which in turn causes less leachate and the opportunity to engineer it so it produces less methane as well. This will also give Oregon DEQ time to work out a better funding scheme now that the federal government and the EPA isn't as strongly supported as it has been in the past. I strongly request Benton county deny Republic Service's proposal to expand the landfill.

Thanks,
Todd Thompson

--

This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon <https://cd.bentoncountyor.gov>).
Submitter's IP Address: 194.113.66.173

From: [Community Development, Benton County, Oregon](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Thursday, March 27, 2025 4:28:39 PM

Subject of Testimony: LU-24-027

Full Name: Jean M Weisensee

Email: jweisenese76@gmail.com

Street Address: 1549 SW Birdie Drive Corvallis, 97333

Written Testimony:

I am re-submitting my testimony because when I sent it a few days ago, I did not receive any sort of confirmation that you received it, so I am not sure it went through. Please, can you confirm you got this. Thank you, Jean.

I am a retired RN living in SW Corvallis and strongly oppose any expansion of the Coffin Butte Landfill. Personally, I am grateful I don't live closer to it, as I would not want to put up with what its nearer neighbors have to. The proposed expansion is a bad idea no matter how you look at it. It would mean a definite increase in the truck traffic into the site which means more road damage. It would also mean more methane, PFAS and other noxious and toxic gases escaping into the atmosphere as well as more leachate, which ultimately ends up in the Willamette River. This is a disaster waiting to happen. The PFAS within that soup are known to be carcinogenic and therefore a detriment to safe drinking water and to the health of people who recreate in and on the river. The expansion will clearly place an undue burden on public facilities which include our airshed, watershed, and roadways, violating BCC 53.215 (2). "The proposed use does not impose any undue burden on the public improvements, facilities, and utilities or services available to the area." All these things require me to request that you deny this expansion.

--

This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon <https://cd.bentoncountyor.gov>).
Submitter's IP Address: 76.27.237.81

From: [Diana Bernstein](#)
To: [Benton Public Comment](#)
Cc: [Diana Bernstein](#); [Seth Bernstein](#)
Subject: Public Comment, Coffin Butte proposed expansion. File LU – 24–027
Date: Friday, March 28, 2025 11:09:50 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Diana Bernstein and I have resided at 10 NW. Edgewood Dr., Corvallis, OR for 23 years.

I am dismayed, disheartened, and disappointed that I even have to write this testimony for file LU – 24–027.

As I understand, the Republic Services CUP application for expansion of the Coffin Butte Landfill should only be approved if Republic Services demonstrates that it doesn't seriously interfere with uses on adjacent property; with a character of the area; or with the purpose of the zone (Benton County code 53215).

There are a number of such serious interferences as evidenced by the following:

1. Many many Benton County residents who live near the landfill have reported in numerous venues that they are clearly affected by the stench from the current Republic landfill. Expansion of the landfill increases these negative effects on them and impacts future residence to our county.
2. A 2023 EPA investigation documented excessive methane leakage. From my reading of the public record, I do not see that the excesses noted in this report have been taken seriously or addressed either by Republic Services or by Benton County. It is incompressible to me that expansion of the landfill would even be considered before the EPA concerns from two years ago have been completely addressed.

I'm asking that our community and Benton County residents not be sold out for the benefit of the rest of the western portion of the state whose landfill is being deposited in our backyard nor for the financial benefit of Republic Services.

Would you like to live near this mountain of trash and stench? If you lived there, would you want to see and smell even more trash or experience even greater environmental impacts on your property and neighborhood?

From: [Seth Bernstein](#)
To: [Benton Public Comment](#)
Subject: My comment on Republic Services application file number: LU-24-027
Date: Friday, March 28, 2025 11:20:32 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Seth Bernstein and I have resided at 10 NW. Edgewood Dr., Corvallis, OR for 23 years.

As I understand, the Republic Services CUP application for expansion of the Coffin Butte Landfill should only be approved if Republic Services demonstrates that it doesn't seriously interfere with uses on adjacent property; with a character of the area; or with the purpose of the zone (Benton County code 53215).

It does interfere and therefore the application for expansion of Coffin Butte should be rejected.

1. Many many Benton County residents who live near the landfill have reported in numerous venues that they are clearly affected by the stench from the current Republic landfill. Expansion of the landfill increases these negative effects on them and impacts future residence to our county.
2. A 2023 EPA investigation documented excessive methane leakage. From my reading of the public record, I do not see that the excesses noted in this report have been taken seriously or addressed either by Republic Services or by Benton County. It is incomprehensible to me that expansion of the landfill would even be considered before the EPA concerns from two years ago have been completely addressed.
3. The proposed expansion of Coffin Butte Landfill will place an undue burden on public facilities violating BCC 53.215 (2). There will be more truck traffic on local roads hauling garbage and more trucks hauling leachate away to locations unspecified.
4. The increased leachate from this new garbage cell is unacceptable. There is not a treatment for this alphabet soup of toxic materials and it is metered into the Willamette River to make it go away. That is in violation of Benton County Comprehensive Plan policy 6.5.5 (Benton County shall strive for the safe storage, collection, reduction, reuse, recovery, and appropriate disposal of hazardous waste materials.)

I'm asking that our community and Benton County residents not be sold out for the benefit of the rest of the western portion of the state whose landfill is being deposited in our backyard nor for the financial benefit of Republic Services.

From: [Community Development, Benton County, Oregon](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Friday, March 28, 2025 11:46:35 AM

Subject of Testimony: CUP for coffin butte expansion

Full Name: Lucille L Honig

Email: lucy@honeysw.com

Street Address: 27477 Writsman Creek Dr., Corvallis 97330

Written Testimony:

I live about 2.5 miles south of the landfill. I have lived here over 30 years. The smell and noise from the landfill have increasingly become worse. The environmental impact to this area must also be getting worse. Because we get so much rain, I also worry about the leaking of waste into the ground, both from the landfill and from the increased garbage truck traffic.

The water run off eventually makes its way to the Willamette river which affects drinking water for a growing population. This creates health problems as does the methane gas wafting through the air.

The number of people living around me has more than doubled in the last 10 years and I'm sure the entire NW portion of Benton County has had a large population increase. This means many more people are affected by the detrimental effects of the landfill. An expansion will only create more problems for increasing numbers of people.

Since almost half of the material put into the landfill is recyclable, more effort should be spent recycling rather than expanding the waste area. If I read the chart on your website correctly, some of the curbside recyclables go into the landfill. Certainly this material can be recycled properly rather than expanding the waste area.

I urge you to decline the expansion requested in this Conditional Use Permit. For the sake of many Benton County residents, please vote NO.

Thank you.

--

This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon <https://cd.bentoncountyor.gov>).

Submitter's IP Address: 208.79.251.130

From: [Community Development, Benton County, Oregon](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Friday, March 28, 2025 2:36:10 PM

Subject of Testimony: STRONGLY OPPOSE Coffin Butte landfill expansion application, LU-24-027

Full Name: Connie Parker

Email: 3x5tincan@gmail.com

Street Address: 1835 NW Grandview Dr, Albany OR 97321

Written Testimony:

I strongly oppose any expansion whatsoever of the Coffin Butte Landfill. It should be closed when it's currently-permitted space is filled.

--

This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon <https://cd.bentoncountyor.gov>).

Submitter's IP Address: 71.193.129.91

From: [Community Development, Benton County, Oregon](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Friday, March 28, 2025 2:34:02 PM

Subject of Testimony: STRONGLY OPPOSE Coffin Butte landfill expansion application, LU-24-027

Full Name: John Parker

Email: 3x5tincan@gmail.com

Street Address: 1835 NW Grandview Dr, Albany OR 97321

Written Testimony:

I strongly oppose any expansion whatsoever of the Coffin Butte Landfill. It should be closed when it's currently-permitted space is filled.

--

This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon <https://cd.bentoncountyor.gov>).

Submitter's IP Address: 71.193.129.91

From: [Laurie Rappoport](#)
To: [Benton Public Comment](#)
Subject: landfill expansion
Date: Friday, March 28, 2025 10:28:22 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear County Planning Commission members,

This testimony is regarding LU-24-027, the application to expand Coffin Butte Landfill. I strongly oppose this expansion. When we moved here in 2019, I had no idea that on a routine basis, we'd be greeted with landfill odor at our home, and we live near OSU campus, not even right next to it.

We chose Corvallis when moving from Bay Area because it is a small city in what appears to be a relatively peaceful and also progressive setting and we've been very happy with our choice. Corvallis presents itself as a forward-thinking community that emphasizes protecting the environment and enhancing the wellness of its residents. The landfill odor fits neither the community image nor its stated objectives and policies from the values defined in Benton County's 2040 Thriving Communities Initiative's Core Values (in particular, the high-quality environment goal) to many policies and goals in the Benton County Comprehensive Plan – in fact, just about all of the landfill's practices and community effects are antithetical to what this community purports to represent. Why spend time, money and energy defining goals and making policy to achieve those goals when it appears the county has no real desire to pursue them?

The landfill gas contains many contaminants and I do not want to inhale them, nor do I want my family and friends inhaling them. In fact, friends of mine that lived in Adair Village, happy in their home, sold a couple of years ago knowing the smells and pollution would only get worse. It's sad that's where we've gotten to. It appears that the leadership in Benton County has let all of its residents down by not providing the leadership that holds operators like Republic Services accountable for their negative community impacts. Republic Services has not met conditional use requirements in the past, there is no reason to expect they would operate an expansion in any different way.

Landfill odor affects both my use of my property and the character of the area and thus the current use does not meet the criteria defined in Benton County Code 53.215 (1). This will only worsen with an expansion of Coffin Butte Landfill and this impact on air quality must be considered under Benton County Comprehensive Plan policy 6.1.4. Please use your power of discretion to protect this community and deny the permit for expansion of Coffin Butte Landfill as it would exacerbate existing landfill issues.

Sincerely,

Laurie Rappoport

From: [Community Development, Benton County, Oregon](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Friday, March 28, 2025 2:17:40 PM

Subject of Testimony: Coffin Butte Landfill Expansion

Full Name: Kylie Tully

Email: 0012kbt@gmail.com

Street Address: 4202 NW Scenic Dr, Albany, 97321

Written Testimony:

Hello,

I am a resident of Benton County, having lived in North Albany for my entire life. When I learned about the dumping of leachate from the Coffin Butte landfill into the Willamette from the Corvallis water treatment plant (which is not designed to treat toxic metals, PFAs, or other hazardous liquids), I worry about how much exposure my family has from paddling and wading in the Willamette River. As someone who was diagnosed with Crohn's disease several years ago, I wonder how much damage has already been done. The proposal from Valley Landfill to expand Coffin Butte is a threat to me and other residents in terms of personal safety and ability to enjoy the area as it will further increase the amount of truck traffic and leachate, as well as a threat to the wildlife that live in and along the Willamette River. This proposal is in direct opposition to the Benton County comprehensive plan policy BCC 53.215 (1) that states "The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone" and BCC 53.215 (2) "The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area." Lastly I am concerned about my property value if this landfill expansion is allowed to proceed due to the impact to the character of the area and long-term financial liability to the county and its citizens. I strongly urge you to reject the expansion proposal for Coffin Butte landfill and support the rights of landowners in Benton County.

--

This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon <https://cd.bentoncountyor.gov>).

Submitter's IP Address: 73.67.175.180

From: [Chris Beatty](#)
To: [Benton Public Comment](#)
Subject: Please reject Coffin Butte Landfill Expansion
Date: Sunday, March 30, 2025 10:56:25 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

I have lived in North Albany for over 25 years. Over that time, the activities at Coffin Butte Landfill and Republic Services have steadily degraded my ability to enjoy where I live. The increased truck traffic on local roads such as Independence Highway and Highway 99W have made bicycling a terrifying and dangerous experience. There is also an increase in garbage along the roads. It is routine to see material flying out of the garbage truck on its way to Coffin Butte. Depending on the wind direction, large areas of roadways stink badly and make riding in those areas very unappealing. We should not expand this landfill and, in fact, should reduce the collection area to our county. We do not want to be Portland's dumping ground.

I am also concerned about the leachate from the Coffin Butte landfill. Although much of it goes to the Corvallis water treatment plant, that facility is not designed to treat toxic metals, PFAs, or other hazardous liquids. I worry about my family's exposure from paddling and wading in the Willamette River. I also believe it is detrimental to the wildlife that live in and along the Willamette River and particularly tributaries adjacent to Coffin Butte such as Soap Creek and its tributaries in the E.E. Wilson Wildlife Area.

The proposal from Valley Landfill to expand Coffin Butte is a threat to me, other residents in the area, and wildlife that live in and along the Willamette River. It reduces our personal safety and ability to enjoy the area as it will further increase the amount of truck traffic, leachate, and odor. This proposal is in direct opposition to the Benton County comprehensive plan policy BCC 53.215 (1) that states "The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone" and BCC 53.215 (2) "The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area".

Lastly, I am concerned about my property value if this landfill expansion is allowed to proceed due to the impact to the character of the area and long-term financial liability to the county and its citizens. I strongly urge you to reject the expansion proposal for Coffin Butte landfill and support the rights of landowners in Benton County.

Regards,

Chris Beatty

4202 Scenic Drive NW

Albany OR 97321

From: [Community Development, Benton County, Oregon](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Sunday, March 30, 2025 4:29:58 PM

Subject of Testimony: Opposed to Land Fill expansion

Full Name: Deanne J. Bruner

Email: deannebruner@gmail.com

Street Address: 1805 NW 14th St

Written Testimony:

I work hard to create less waste going to our landfill by recycling and adding household compost to my yard debris for pick up.

But what's the point of my efforts if Benton County and Republic Services are intent on increasing the size of the dump to accommodate the increased amount of garbage we receive from other Cities/Counties?

I am strongly opposed to landfill expansion!

Sincerely,
Deanne J. Bruner

--

This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon <https://cd.bentoncountyor.gov>).

Submitter's IP Address: 71.236.244.160

From: [Community Development, Benton County, Oregon](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Sunday, March 30, 2025 10:42:27 AM

Subject of Testimony: Deny Coffin Butte Landfill

Full Name: Louise Marquering

Email: corvallismatters@aol.com

Street Address: 1640 NW Woodland Drive, Corvallis OR 97330

Written Testimony:

Please deny the application for expansion by Allied Waste.

The waste being deposited at Coffin Butte is from other places in the state. Waste disposal is a state problem. Why should Benton County be responsible for it?

The state should establish a waste disposal program that involves the entire state. Right now just a few counties are taking responsibility for all the state's waste. That is wrong. There needs to be a statewide plan.

There was a time when recycling in Benton County made a difference. What is the importance of our efforts when other places are not as responsible about reduce, reuse, and recycle as Benton County residents are?

--

This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon <https://cd.bentoncountyor.gov>).

Submitter's IP Address: 76.27.240.235

From: [Allyson Ramage](#)
To: [Benton Public Comment](#)
Cc: [Allyson Ramage](#)
Subject: Oppose LU-24-027
Date: Sunday, March 30, 2025 9:29:55 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

March 30, 2025

Dear County Planning Commission members,

I write to you regarding **LU-24-027**, the application to expand the landfill. I **strongly oppose** an expansion.

The landfill already stinks. When I wake up in the morning to that awful smell, I have to shut my windows and change my plans for going outside in my own yard. I am not able to tend my garden or play with my dogs outside. I cannot take them for a walk around the neighborhood or even enjoy an outside chat over a cup of coffee with a neighbor. It is not just gross smelling air, it is an unhealthy, contaminated off-gassing. This unpleasant and concerning air quality is an undesirable quality for homeowners and lowers property values throughout our community.

This absolutely impacts my use of my property as well as the character of our area, so the landfill is already interfering with **Benton County Code 53.215 (1)**. If policies are already not being enforced, how can it be ensured that they will be going forward? **Benton County Comprehensive Plan policy 6.1.4** explicitly states impacts on air shall be evaluated in reviewing land use actions and steps will be taken to minimize degradation. An expansion will only continue to degrade our air quality.

I urge you in all good conscience to deny the permit for expansion of Coffin Butte Landfill in order to protect our community, our health, our home.

Allyson Ramage
1620 NE Holly Oak Place
Corvallis, OR, 97330

From: [WYSE Nancy](#)
To: [Benton Public Comment](#); kineticbagel@yahoo.com
Subject: LU-24-027 FW: Landfill
Date: Monday, March 31, 2025 11:48:37 AM

Hi Greg,

I am forwarding your message to our public comment email so that it can be included in the record for the Planning Commission to consider when making their decision.

Best,

Nancy V. Wyse (She/hers)
Commissioner

Office: 541-766-6754 | Cell: 541-760-6067
Email: nancy.wyse@bentoncountyor.gov
Address: 4500 SW Research Way, Corvallis

www.bentoncountyor.gov

-----Original Message-----

From: Greg <kineticbagel@yahoo.com>
Sent: Monday, March 31, 2025 8:10 AM
To: WYSE Nancy <nancy.wyse@bentoncountyor.gov>
Subject: Landfill

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,
My name is Greg Alpert and I am against the Coffin Butte Expansion.
I'm asking you to vote No.
thank you for your time,
Greg Alpert
541-829-9905

Sent from my shoe phone

From: [Joyce Loper](#)
To: [Benton Public Comment](#)
Subject: Testimony on LU-24-027, the application to expand the landfill
Date: Monday, March 31, 2025 9:03:34 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am writing to express my strong opposition to the proposed expansion of the Coffin Butte Landfill. My name is Joyce Loper and I live at 3524 NW Tanager Dr. in Corvallis, Oregon. I have been a resident of Benton County since 1987, and have seen the tremendous growth of the landfill over those years. There is no question that the landfill has a huge impact on the character of the area (BCC 53.215), certainly as an eyesore for anyone driving by it on Highway 99, by wear and tear on our roads from the large amount of truck traffic, the litter on the highway and county roads nearby, and the noise of trucks in and enroute to/from the landfill. In this way, the proposed landfill expansion poses a burden on public improvements and facilities (roads) (BCC 53.215).

I have always taken great joy from the beauty and pristine quality of the natural areas of Benton County. In past years, I enjoyed visiting and walking in the EE Wilson Wildlife area, but I go there infrequently now due to the noise of landfill traffic, the smell and the view of the landfill. Expansion of the landfill will further interfere with the environmental health of E E Wilson, the wildlife inhabiting it, and the experience of those of us who love this place. Most alarmingly, the expansion will remove an existing limit on the volume of waste that can be accepted at the landfill. With a larger landfill area and waste volume, the quality of other natural areas nearby, such as MacDonald forest where I walk several times a week, will also be diminished. These natural areas are unique treasures of our community, serving as wildlife habitat and enhancing the quality of life for all county citizens. Expansion of the landfill will certainly interfere with these precious ecosystems and the human experience in them. The landfill smells and exposure to airborne toxins will most certainly increase in these natural areas with the expansion. These examples provide another example of how the expanded landfill will interfere with the character of the area (BCC 53.215).

Already, Corvallis citizens are smelling the landfill in town, exposing ourselves and our environment to a mixture of toxic chemicals. Increasing the volume of waste and the area of the landfill will make this more common and more severe, again interfering with the character of the area (BCC 53.215).

My husband and I like to kayak on the Willamette River, another beautiful and precious feature of our area. I am alarmed by the release of leachates from the landfill into the river. I recognize that the leachates are treated, but the treatment plant designed for treatment of municipal waste does not remove all toxins present in landfill leachates. These chemicals will have a long term effect on the quality of water, riverbed, and river ecosystem, as well as downstream areas that will affect our area for decades, perhaps generations. In addition to these recovered leachates, which go through the municipal treatment plant, other leachates move directly into soil from the landfill and pose a risk to the quality of the aquifer. Increasing the volume of leachates, an obvious result of the landfill expansion, definitely interferes with the character of the area through the potentially serious pollution of ground and service water with toxic chemicals (BCC 53.215).

I vehemently oppose the landfill expansion. The landfill cannot expand without seriously diminishing the character and health of the area. Approving the expansion is counter to the core value stated in Benton County's Thriving Communities Initiative "Recognize & Will Address the Well-Being of our People by Including Health Considerations in all Policies, Practices, Activities, & Operations." Expanding the landfill and the volume of waste coming to Benton County will cause irreparable harm to our environment, health, and quality of life.

Sincerely, Joyce Loper

From: [SHEPHERD Gabe](#)
To: [Benton Public Comment](#)
Subject: FW: Landfill
Date: Tuesday, April 1, 2025 10:03:06 AM

Comment from the public.

Gabe Shepherd (he/him)
Commissioner

Desk: 541-766-6813
Cell: 541-609-9136
Email: gabe.shepherd@bentoncountyor.gov

www.Bentoncountyor.gov

-----Original Message-----

From: Greg <kineticbagel@yahoo.com>
Sent: Monday, March 31, 2025 8:11 AM
To: SHEPHERD Gabe <gabe.shepherd@bentoncountyor.gov>
Subject: Landfill

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,
My name is Greg Alpert and I am against the Coffin Butte Expansion.
I'm asking you to vote No.
Thank you for your time,
Greg Alpert
541-829-9905

Sent from my shoe phone

From: [Community Development, Benton County, Oregon](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Tuesday, April 1, 2025 11:02:56 AM

Subject of Testimony: Opposition to any further expansion of the Coffin Butte Landfill

Full Name: Jane Helfen

Email: peonyor2@gmail.com

Street Address: 3169 NW Seneca Place, Corvallis OR 97330

Written Testimony:

I assert that Application LU-24-027 does not conform to Benton County Comprehensive Plan policies 5.1.2, 5.2.1, 5.7.4, and 5.9.4 and directly violates Benton County Code 53.215(1) and 53.215(2).

This expansion will cause further destruction to the environment and wildlife habitat in northern Benton County. The landfill encourages large flocks of predatory species which drive out smaller song birds in the area. A Great Blue Heron rookery located across from the landfill entrance has been abandoned likely due to landfill operations. E.E. Wilson Wildlife Preserve, located across Hwy 99 from the landfill may be affected by the further expansion as well.

The toxic leachates and methane releases are highly deleterious to the local homeowners and to wildlife – this is unacceptable.

I strongly oppose the landfill expansion and beseech you to stop this. Thanks for your attention.

--

This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon <https://cd.bentoncountyor.gov>).

Submitter's IP Address: 76.144.16.8

From: [Sheila Roberts](#)
To: [Benton Public Comment](#)
Subject: Expansion of Coffin Butte Landfill
Date: Tuesday, April 1, 2025 12:57:19 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I oppose the conditional use permit (CUP) application for expansion of Coffin Butte Landfill because Republic Services is already violating environmental regulations and they have been very slow to adapt new technologies for waste that are being used all across the country. Expanding the landfill rewards bad behavior and contravenes the Benton County Comprehensive Plan.

Thank you
Sheila Roberts
29691 SE Meadow Lark Dr
Corvallis, Or 97333

From: [WYSE Nancy](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 FW: Letter from Constituent Regarding the Landfill
Date: Tuesday, February 11, 2025 4:49:15 PM
Attachments: [image001.png](#)
[250121 Letter from Barbara Wythes.pdf](#)



Nancy V. Wyse *(She/hers)*
Commissioner
Office: 541-766-6754 | Cell: 541-760-6067
Email: nancy.wyse@bentoncountyor.gov
Address: 4500 SW Research Way, Corvallis
www.bentoncountyor.gov

From: DELAVEGA Marriah <marriah.delavega@bentoncountyor.gov>
Sent: Tuesday, January 21, 2025 1:02 PM
To: WYSE Nancy <nancy.wyse@bentoncountyor.gov>; MALONE Patrick <Pat.Malone@bentoncountyor.gov>; SHEPHERD Gabe <gabe.shepherd@bentoncountyor.gov>
Cc: MCENENY Rachel <rachel.mceneny@bentoncountyor.gov>; CRAGER Rick <rick.crager@bentoncountyor.gov>; SCHUETZ Petra <petra.schuetz@bentoncountyor.gov>; MCGUIRE Sean <Sean.McGuire@bentoncountyor.gov>; PAYNE Bailey <bailey.payne@bentoncountyor.gov>
Subject: Letter from Constituent Regarding the Landfill

Hello all,

Please find the attached letter that arrived in today's snail mail.

Sincerely,



Marriah De La Vega
Executive Assistant to the Board of
Commisisoners and County
Administrator
D : 541-766-6800 C : 541-368-6985
Email:
marriah.delavega@bentoncountyor.gov
www.Bentoncountyor.gov

Ms. Barbara Wythes
7685 NE Todd Dr
Corvallis, OR 97330

PORTLAND OR RPDC 972

17 JAN 2025 PM 4 L



Benton County
Board of Commissioners
4500 SW Research Wy
Corvallis Or 97333

97333-109300



Petition re: Land Use LU-24-027
Coffin Butte Expansion

We are extremely concerned about Republic Services' attempts to expand Coffin Butte landfill.

This proposal is not in accordance with the Principles as defined in the **2040 Thriving Communities Initiative** which values:

-Vibrant, Livable communities: A landfill makes a mockery of the "vibrant, safe and livable community" which we should "strive to ensure" and is not "forward thinking". We should be implementing more long-term solutions for waste, including reducing the production of single use items and the expanding of recycling and reuse programs.

-High Quality Environment and Access: The landfill will be a toxic, environmental hazard for decades to come. Even if the existing standards, as defined by DEQ and state and local requirements, were enforced, (which is currently not the case) the plans proposed by Republic Services (including no cap on annual tonnage brought in) will only make matters worse. The current and future air, soil and water quality issues will not be resolved without enforcing current standards and limiting future expansion.

-Community Resilience: "Recovering from human caused disasters, threats and changes" is of course critical. But should we not also be preventing, or at least minimizing human-caused disasters such as this land fill and Republic Services' disregard for sized emissions violations, methane leaks, PFAS dangers, and pollution of the Willamette River?

Violations of BCC 53.215.1- "interference with uses of adjacent property "

The far-reaching odors from the landfill site and the noise and destruction of Coffin Butte are ruinous of property values and make the EE Wilson Wildlife Area virtually unusable for recreating on many days.

Violations of BCC 23.325.2 - "Imposition of undue burden on public improvements, facilities, utilities or services"

Heavy truck traffic to Coffin Butte drastically increases deterioration of our roads, leaves roadsides strewn with debris and creates more tailpipe emissions near homes and schools.

Leachate from Coffin Butte is dangerous to ground water and soil, creates even more truck traffic, burdens our water treatment facilities and pollutes a major recreational feature of the area, the Willamette River.

Please DO NOT LET THIS EXPANSION PROCEED!

Name	Address	Date
Barbara Wythes / Barbara Wythes	7685 NE Todd Dr Corvallis	1/14/25
Gary Siegel / Gary Siegel	1844 NW Meadow Wood Dr ALBANY, OR 97321	1/14/25
Bonnie Albright	962 NW Highland Terrace Ave	1/14/25
Nancy Murphy	138 So. 12th Philomath 97370	1/14/25
Caranna Stegall	Philomath	
Barbara Girden	PO Box 1030 Philomath	1/14/25
Jane Pearlmutter	4830 SW Hollyhock Cir Corvallis	1/14/25
Jennifer Lammers	8055 NE Barbary Dr Adair 97330	1/14/25
Blinda Banner	PO Box 522 Corvallis	1/14/2025
Katherine Gollahan / Katherine Gollahan	2635 NW Foothill Dr Corvallis	1/14/2025
Nancy Bryant / Nancy A. Bryant	2422 N.W. Molly Court, Corvallis, OR	1/14/25
Dan & Regina	7685 NE Todd Dr Corvallis OR 97330	

From: [Jeffrey Hale](#)
To: [Benton Public Comment](#)
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Sunday, March 23, 2025 6:21:50 AM

Full Name:

Jeffrey Hale

Email:

steelee55@gmail.com

Street Address, City and Zip code:

2150 Nw Estaview Dr, Corvallis 97330

Submit your written testimony here :

The landfill expansion is not needed or desired by county residents. Start representing your constituents instead of thinking you're smarter or better informed than the voters. The expansion is a bad deal for Benton County. Limit use by outside counties to extend the life of the dump.

Time: March 23, 2025 at 6:21 am

IP Address: 71.236.246.208

Source URL: <https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/>

Sent by an unverified visitor to your site.

From: [Heather Krimsly](#)
To: [Benton Public Comment](#)
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Sunday, March 23, 2025 3:41:03 PM

Full Name:

Heather Krimsly

Email:

hkrimsly@gmail.com

Street Address, City and Zip code:

3588 SE Midvale Drive

Submit your written testimony here :

I strongly believe we should DENY Republic Service's request to expand Coffin Butte Landfill.

I've been following this issue for a few years now and I'd like to understand the deal we currently have with Republic Services. They bring in garbage from all over the state, dump it on our land, make a tidy profit and when the landfill is full, they'll move on with their bank accounts full, looking for the next place where they can repeat this cycle.

What is Benton County getting out of this agreement? I can only presume it's money. How much money? And where is that money going? What is the benefit of this agreement for the citizens of Benton County? How will it impact future generations?

Whatever the calculus, I can't imagine that it is worth it. In my opinion, the contract with Republic Services is a bad one and should be renegotiated or ended as soon as soon as possible. We should not be accepting waste from other places. Let other municipalities take care of their own waste while we focus our efforts on reducing and managing our own.

As the saying goes, out of sight, out of mind. Benton County has given this luxury to many communities, but we as citizens who live here can no longer afford it.

Time: March 23, 2025 at 3:40 pm
IP Address: 76.144.49.157

Source URL: <https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/>

Sent by an unverified visitor to your site.

From: [Deborah and Jerry Boyd](#)
To: [Benton Public Comment](#)
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Monday, March 24, 2025 10:21:36 AM

Full Name:

Deborah and Jerry Boyd

Email:

debjer@peak.org

Street Address, City and Zip code:

2800 NW 29th St #13

Submit your written testimony here :

We want to thank Republic Services for the services they provide our community however we are very concerned about the expansion. We think they are becoming way too big by taking in so much trash from a third of Western Oregon. Maybe they need to start downsizing instead of expanding. I do not profess to know the legal and environmental issues/regulations concerning landfills I just think we are out growing this disposal sight. Benton County needs to start working on a new solution as it appears we have about an 18 more year capacity.

Time: March 24, 2025 at 10:21 am
IP Address: 71.193.244.61

Source URL: <https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/>

Sent by an unverified visitor to your site.

From: [Richard Woodcock](#)
To: [Benton Public Comment](#)
Subject: LU-24-027
Date: Monday, March 24, 2025 11:47:42 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am opposed to an expansion of the Coffin Butte landfill. For over 50 years I relied on a big breathe of sweet Soap Creek air to boost my spirits. Too often these days my nose is assaulted by an odor like vomit and feces wafting from the dump.

Republic Services promised to control their noxious belching. They have failed to keep their promise. We would be foolish to believe they would (mis)manage an expansion any differently.

I am not the only one affected. Benton County is not the only place facing this problem. It is time to "Just Say No!"

Richard Woodcock
37683 Soap Creek Road
Corvallis, OR 97330

Sent from my iPad

from my iPad

From: [Mark Henkels](#)
To: [Benton Public Comment](#)
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Tuesday, March 25, 2025 12:52:34 PM

Full Name:

Mark Henkels

Email:

mphcorvallis@gmail.com

Street Address, City and Zip code:

7540 NE Pettibone Drive, Corvallis, OR 97330

Submit your written testimony here :

Benton County Planning Commission:

Please consider these comments as you decide the merits of the Coffin Butte Landfill expansion variance: Application file number: LU-24-027. I hope that you use your legal discretion to reject the application and thereby protect the quality of life for local residents and others who utilize this area. I am glad that we empower citizens to apply their independent judgement to determine what is best for our community.

My comments here regard the ways in which the expansion would impose an undue burden on any public improvements, facilities, utilities or services available to the area [Benton County Code 53.215 (2)]. The expansion would impose an undue burden the public's ability to use and enjoy E.E. Wilson Wildlife Area and poses a permanent risk to all people who recreate, farm, or live where water from the landfill may eventually flow.

E.E. Wilson Wildlife area is directly across Highway 99W from the Coffin Butte landfill. The existing mountain of refuse looms over the site and current truck traffic, dust, and odors issues will be magnified greatly and be stretched out for decades longer if the expansion is improved. The expansion would affect all activities of this facility through both the extremely negative impact on the character of the area and because of likely, or perhaps inevitable, intrusion of both air and water pollution into the area. Community activities at E.E. Wilson are numerous and diverse. Users of E.E. Wilson include birders, hunters, fisherman, archers, naturalists and educators and their classes. Those hunting there can bag pheasant, quail, rabbits, dove, snipe, crow, waterfowl (no goose hunting), coyote, and big game. According to Oregon Fish and Game, 3,970 hunters visited E.E., Wilson in the 2022-2023 season. The ADA-accessible fishing pond is very popular, as is the archery park. As the E.E. Wilson website notes, "The proximity of E.E. Wilson Wildlife Area to many local schools, colleges and universities makes it popular for those instructors seeking an "outdoor classroom" for students." Finally, there is also a Memorial Garden that commemorates the military units based at the site during and following World War II.

The most immediate impact of the expansion on the recreation area would be how it would haunt the view to the west. Already the existing landfill operation looms over the wildlife area. You can hear the operation, but even more bothersome is when you see the large truck being raised in the air and then the dust and other debris being blown out as they dump. When you drive roads to the east of the landfill from both the north and south, the landfill stands out against the Coast Range. Between Highway 20 and E.E. Wilson, the extensive litter along the

road is saddening.

A deeper impact of the expansion would be the continuation and likely increase in the stench from the dump that predictably hits E.E. Wilson. A simple visit to the area or glance at the map reveals the vulnerability of the spot to smells emitted from the dump even when it is operating properly. During the COVID epidemic I would regularly walk there and on a few occasions I cut my trips short because of the smell. I hope that as part of your review process you spend a little time at E.E. Wilson. You will be able to envision how a second mountain of trash would negatively affect your experience, and you may get a whiff of the odors (if not worse).

But the impacts of the proposed expansion go beyond those readily identifiable problems.

The greatest potential problem is the impact on local above-ground and underground water flows, which local geology drive towards the Wildlife Area, Soap Creek and the Luckiamute River. As noted in the Benton County Talks Trash Final Report, "Groundwater flows both east and west from the area of Coffin Butte Landfill and Tampico Ridge, depending on the underlying geology. Steve Taylor et al. note that there is an unnamed tributary between Coffin Butte and Tampico Ridge and that 'associated wetlands drain east-ward toward the E.E. Wilson National Wildlife Refuge.' Rainfall in the area is approximately 42 inches a year, with the majority falling between November and May." (Page 24). The flow of water from the proposed expansion site will therefore flow towards E.E. Wilson.

Dumps produce leachate, a mix of complex substances, some of which include heavy metals and other toxic chemicals. Currently the Coffin Butte industrial site produces at least 32 million gallons of leachate, which have recently been disposed at the Corvallis and Salem sewage treatment facilities. (Annual Environmental Monitoring Report, Coffin Butte Landfill, Benton County, Oregon, Solid Waste Permit # 306, 2024) According to Science Direct, "Due to its high toxicity, landfill leachate is a major threat for aquifer and surface water health status. The exact chemical composition of landfill leachate depends on waste composition, climatic conditions, and the age and degradation rate of the solid waste ". (Bulc, 2006, as found in <https://www.sciencedirect.com/topics/earth-and-planetary-sciences/landfill-leachate>, 014).

The Coffin Butte facility has systems in place to reduce the leachate problem and to prevent leachate from getting off-site accidentally, but whatever Republic Services does to control of leachate, major inherent risks for leakage remain. Three reasons for the risk deserve particular attention. First, a key way to reduce leachate production is to control the amount of water flowing into the landfill material. This is partially why there is the large fabric coverings on modern landfills, such as you see at Coffin Butte. Water still gets in, however, just as methane leaks out by accident. Therefore, leachate volume exceeds the liquid contained in the material being dumped or that decomposition creates. Western Oregon is not well-suited for a landfill due to our high precipitation. In contrast, Republic Services landfill operation in Roosevelt, Washington is much better located because, "Unlike older landfills which were more often located on existing sites that were convenient rather than environmentally sound, this one was carefully chosen. Since there is very little rainfall, the site doesn't produce much leachate (liquid runoff that could be contaminated by the garbage). It is a rural site with few neighbors except for the cows." (Solid Waste Report (May 27, 2016,)

Regarding the expansion, the greater area covered by the landfill creates more opportunities for water to get in and expand the volume of leachate. While the Roosevelt Landfill receives about 8.5 inches of precipitation per year, Coffin Butte gets more than 40 inches. Greater

precipitation increases that chances of leakage coming from the bottom of the facility as well. The specific risks of problems is enhanced by the potential for mechanical failure, such as tears or holes in the bottom lining. Also, Coffin Butte's required 2024 Environmental Monitoring Report, conducted for Republic Services by Tuppen Consultants, notes that there was a temporary pump malfunction in the leachate system in January 2023. This specific incident did not cause any measurable problem, but demonstrates the inherent difficulty of maintaining such complex systems. (<https://cd.bentoncountyor.gov/wp-content/uploads/2024/08/2023-Coffin-Butte-Landfill-Annual-Environmental-Monitoring-Report-Part-1.pdf>, p. 3-11)

The US EPA has concluded that all landfills eventually will leak into the environment. (<https://pubs.usgs.gov/fs/fs-040-03/pdf/fs-040-03.pdf>) Given the multiple decade after-life of leachate production in closed dumps, the expansion of the Coffin Butte landfill could more than double the risks of these leaks seriously affecting the surrounding area. Republic Services or their successor will someday leave, but the landfill will not. Benton County residents, and those who would like to enjoy E.E., Wilson, are likely to face the consequences of the facility's impact on the surrounding area and the waters that flow from it.

From: Mark Henkels, Ph.D. 7540 NE Pettibone Drive, Corvallis, OR 97330
mphcorvallis@gmail.com

Time: March 25, 2025 at 12:52 pm
IP Address: 208.65.190.203

Source URL: <https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/>

Sent by an unverified visitor to your site.

From: [Mark Jeffery Igelman](#)
To: [Benton Public Comment](#)
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Tuesday, March 25, 2025 7:16:13 AM

Full Name:

Mark Jeffery Igelman

Email:

jeff.igelman@comcast.net

Street Address, City and Zip code:

7420 NW Valley View Drive, Corvallis 97330

Submit your written testimony here :

Dear Benton Co Commissioners,

Please reject Republic Services request to expand their landfill operation. I have lived in the Lewisburg area for 30+ years and the smell from the dump can be overpowering at times and has gotten noticeably worse over the years.

Thank you.

Jeff Igelman

Time: March 25, 2025 at 7:16 am
IP Address: 98.246.190.19

Source URL: <https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/>

Sent by an unverified visitor to your site.

From: [Jean Weisensee](#)
To: [Benton Public Comment](#)
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Tuesday, March 25, 2025 10:54:12 AM

Full Name:
Jean Weisensee

Email:
jweisensee76@gmail.com

Street Address, City and Zip code:
1549 SW Birdie Drive, Corvallis, OR 97333

Submit your written testimony here :

I am a retired RN living in SW Corvallis and strongly oppose any expansion of the Coffin Butte Landfill. Personally, I am grateful I don't live closer to it, as I would not want to put up with what its nearer neighbors have to. The proposed expansion is a bad idea no matter how you look at it. It would mean a definite increase in the truck traffic into the site which means more road damage. It would also mean more methane, PFAS and other noxious and toxic gases escaping into the atmosphere as well as more leachate, which ultimately ends up in the Willamette River. This is a disaster waiting to happen. The PFAS within that soup are known to be carcinogenic and therefore a detriment to safe drinking water and to the health of people who recreate in and on the river. This expansion will clearly place an undue burden on public facilities which include our airshed, watershed, and roadways, violating BCC 53.215 (2) "the proposed use does not impose any undue burdens on any public improvements, facilities, utilities or services available to the area." All these things require me to request that you deny this expansion.

Time: March 25, 2025 at 10:54 am
IP Address: 76.27.237.81

Source URL: <https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/>

Sent by an unverified visitor to your site.

From: [Daniel Dix](#)
To: [Benton Public Comment](#)
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Wednesday, March 26, 2025 9:39:33 AM

Full Name:

Daniel Dix

Email:

ddix@verizon.net

Street Address, City and Zip code:

7110 NW Valley View Dr

Submit your written testimony here :

I do not want to continue being the trash solution for the rest of the state. If we expand the site and fill it with other's trash, the Benton County taxpayers will be paying millions of dollars to clean it up for decades after. Other counties will have to arrive at a solution then anyway. Find a solution now, somewhere other than Benton County. Limiting usage to Benton County only, will extend the life of the site while longer terms solution can be determined.

Time: March 26, 2025 at 9:39 am

IP Address: 73.37.90.86

Source URL: <https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/>

Sent by an unverified visitor to your site.

From: [Bryn Hazell](#)
To: [Benton Public Comment](#)
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Wednesday, March 26, 2025 12:11:04 PM

Full Name:

Bryn Hazell

Email:

brynhazell@msn.com

Street Address, City and Zip code:

3247 SW Hawkeye Ave., Corvallis 97333

Submit your written testimony here :

I am submitting Marge Popp's letter to the editor of the Gazette-Times because it's better than anything I could have written and I support her perspective.

From today's (3/25/25) Gazette-Times
This 'limited' expansion is another ruse
AS I SEE IT

MARGE POPP

Proponents of Coffin Butte Landfill expansion claim Republic Services' conditional use permit application requests only a "limited" expansion. This characterization is misleading and obscures the true impact of the project.

Republic Services aims to exploit a loophole in the 2020 franchise agreement to lift the 1.1 million-ton annual cap on trash intake, paving the way for importing unlimited amounts of waste. This move would increase the profitability of its operations at the expense of our community and environment.

The expansion involves significant expenditure, with tens of millions of dollars allocated to moving leachate ponds and millions of pounds of dirt on the south side of Coffin Butte Road. This investment is purportedly for only six additional years of landfill lifespan?

The current landfill footprint already has an estimated 14 to 16 years of capacity remaining at current trash intake levels, making the economic rationale behind this expansion questionable.

Far from being "limited," this project is a large-scale endeavor designed to maximize landfill capacity, potentially leading to the eventual closure of Coffin Butte Road and transforming the valley into a vast waste disposal site for other counties.

An email exchange between Benton County Attorney Vance Croney and Republic Services employee Julie Jackson, dated Oct. 14, 2020 (obtained via a Public Records Request), reveals Republic Services' long-term ambitions for the site.

Vance Croney writes, "Hmm. Republic has a chunk of land south of Coffin Butte that is already zoned Landfill which only requires conditional use approval to begin use as a landfill

cell. It also has many acres of EFUzoned land that certainly can be used for additional cells, but would require rezoning. Are we both talking about the Landfill zoned acreage as creating an additional 15-20 years of life?"

Julie Jackson replies: "Vance, This is just the estimate for the cell area we are asking to rezone. We have many acres that could hold waste and that will likely be a future discussion with the County."

Republic Services has a history of inaccurate reporting and noncompliance with the conditions of use for the Coffin Butte Landfill, and Benton County has not taken appropriate action. The lack of consequences for noncompliance suggests a failure of our local government to protect our community and natural resources.

A 2023 EPA investigation revealed significant methane leakage exceedances, further underscoring Republic Services' lack of transparency and accountability. Recent communications between the EPA and Republic Services indicate further issues with the accuracy of information provided by the company.

The EPA's subpoena requiring written verification concludes with this sternly worded caution for the signatory:

"I am aware that there are significant penalties for submitting false information in response including the possibility of fine and imprisonment."

Interestingly, the landfill manager responsible for signing this document resigned about this time.

It is imperative that we demand honesty and transparency from both our county government and Republic Services. This requires a capable and proactive staff that can think critically and independently as well as engaged participation from the community.

Our county government and commissioners have become overly reliant on Republic Services to act responsibly, prioritizing the status quo over diligent oversight.

Similarly, complacent residents have placed too much trust in elected officials and county staff to act in their best interests.

With Benton County staff being well-compensated, we should expect and demand experienced and dedicated individuals who are committed to serving the community's interests.

It is time for us to recognize the true consequences of this expansion to our community and environment, and we must demand responsible governance and environmental stewardship.

We need to wake up and smell the dump!

Sent by an unverified visitor to your site.

From: [SCHUETZ Petra](#)
To: [HOTCHKISS Jason F](#)
Subject: FW: For Board of Commissioners : "LU-243-027 Application to approve expansion of Coffin Butte"
Date: Monday, March 31, 2025 1:30:36 PM

Jason-

Public Comment for Coffin Butte to be recorded. Thank you. -Petra

-----Original Message-----

From: KWIATKOWSKI Maura <maura.kwiatkowski@bentoncountyor.gov>
Sent: Monday, March 31, 2025 11:13 AM
To: SCHUETZ Petra <petra.schuetz@bentoncountyor.gov>; PAYNE Bailey <bailey.payne@bentoncountyor.gov>
Subject: FW: For Board of Commissioners : "LU-243-027 Application to approve expansion of Coffin Butte"

-----Original Message-----

From: Benton County, Oregon <wordpress@bentoncountyor.gov>
Sent: Sunday, March 30, 2025 4:19 PM
To: *Benton Web BOC <bocinfo@bentoncountyor.gov>
Subject: For Board of Commissioners : "LU-243-027 Application to approve expansion of Coffin Butte"

From: Anne Filson <filsonah@gmail.com>
Subject: LU-243-027 Application to approve expansion of Coffin Butte

Sent For: Board of Commissioners <bocinfo@bentoncountyor.gov>

Message Body:

Approving the expansion of Coffin Butte does seriously interfere with the uses and character of the area violating BCC 53.215(1), the County's Core Values "High quality environment and access" and "Equity and health", and the County's Comprehensive Plan policy 6.5.5. I cannot walk in the EE Wilson Wildlife Area because of the frequent stench from the toxic landfill gases that affect my respiratory system. Leachate of toxic materials from Coffin Butte ends up in the Willamette River where my family kayaks. Will probable increased leachate delivered to the Corvallis water treatment plant increase my Corvallis City bill? Have Republic Services and Valley Landfill made actionable commitments to lessen their pollution of the river?

Approving the expansion of Coffin Butte does seriously impose an undue burden on public services violating BCC 53.215(2) and the Core Values "Vibrant livable communities" "Community resilience, and "Supportive people and resources". I drive on route 99W only to access Peavy Arboretum but never to travel north because of the heavy truck traffic that would inevitably increase with expansion of the landfill. The disturbing sight of the litter from the trucks is, I believe, a disgrace for Benton County.

With our federal government's current administration causing ongoing angst for us all, my hope is that you, our local community agents, will make a decision to give us hope for a future that supports the Core Values of a Thriving Community.

--

This e-mail was sent from a contact form on Benton County, Oregon (<https://www.bentoncountyor.gov>)

From: [Anne Filson](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 Coffin Butte expansion application
Date: Monday, March 31, 2025 2:09:22 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I oppose the expansion of Coffin Butte.

Approving the expansion of Coffin Butte does seriously interfere with the uses and character of the area for me in two significant ways. The stench of toxic gases – harmful to my lungs – from the landfill keeps me from enjoying the EE Wilson Wildlife Area. The probability that a large Coffin Butte will inevitably result in ever larger volumes of toxic leachates, delivered from Coffin Butte to the Corvallis waste management plant and then released into the Willamette River, makes me consider never kayaking on the Willamette River again. Have Republic Services and Valley Landfill made actionable commitments to lessen their pollution of this river that serves so many local residents?

Approving the expansion of Coffin Butte does seriously impose an undue burden on public services for me in considering how the Corvallis waste management plant will deal with the inevitable increase in toxic leachates from Coffin Butte – and how much the increased cost of that will turn up on my City waste water monthly bill! I drive on route 99W only to access Peavy Arboretum but never to travel north because of the (to me, frightening) already large volume of trucks coming and going from the landfill. Will that volume increase with an expansion of Coffin Butte?

With our federal government currently causing ongoing angst for us all, my hope is that you, our local community agents, will make a decision benefitting all the people who live here.

Sincerely,
Anne Filson
750 NW Tyler Ave., Corvallis OR 97330
541-230-1243

From: [Cath Kendrick](#)
To: [Benton Public Comment](#)
Subject: Testimony about LU-24-027, the application to expand the landfill
Date: Monday, March 31, 2025 6:50:56 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Catherine Kendrick
3024 NW Thistle Place, Corvallis, OR 97330

I oppose the expansion.

My family have spent many happy hours at E.E.Wilson, walking, cycling, picking blackberries. We take visitors there, sometimes on summer evenings, other times on cold, foggy days, to enjoy the area.

The smell from the landfill can be very unpleasant, and the landfill is an eyesore, I really object to it being expanded, which would increase the smell, the traffic to and from it and the larger volume of leachate it would generate. The leachate needs to be stopped, not increased. The generation of it violates BCC 53.215(2)

My husband hunts pheasant in season at E.E.Wilson, and the hunting experience is marred by the mountain of trash looming over the wildlife area, with the sound of heavy machinery detracting from what should be a peaceful morning.

Please do not let this expansion happen.

From: [Joyce Loper](#)
To: [Benton Public Comment](#)
Subject: Testimony on LU-24-027, the application to expand the landfill
Date: Monday, March 31, 2025 9:03:34 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am writing to express my strong opposition to the proposed expansion of the Coffin Butte Landfill. My name is Joyce Loper and I live at 3524 NW Tanager Dr. in Corvallis, Oregon. I have been a resident of Benton County since 1987, and have seen the tremendous growth of the landfill over those years. There is no question that the landfill has a huge impact on the character of the area (BCC 53.215), certainly as an eyesore for anyone driving by it on Highway 99, by wear and tear on our roads from the large amount of truck traffic, the litter on the highway and county roads nearby, and the noise of trucks in and enroute to/from the landfill. In this way, the proposed landfill expansion poses a burden on public improvements and facilities (roads) (BCC 53.215).

I have always taken great joy from the beauty and pristine quality of the natural areas of Benton County. In past years, I enjoyed visiting and walking in the EE Wilson Wildlife area, but I go there infrequently now due to the noise of landfill traffic, the smell and the view of the landfill. Expansion of the landfill will further interfere with the environmental health of E E Wilson, the wildlife inhabiting it, and the experience of those of us who love this place. Most alarmingly, the expansion will remove an existing limit on the volume of waste that can be accepted at the landfill. With a larger landfill area and waste volume, the quality of other natural areas nearby, such as MacDonald forest where I walk several times a week, will also be diminished. These natural areas are unique treasures of our community, serving as wildlife habitat and enhancing the quality of life for all county citizens. Expansion of the landfill will certainly interfere with these precious ecosystems and the human experience in them. The landfill smells and exposure to airborne toxins will most certainly increase in these natural areas with the expansion. These examples provide another example of how the expanded landfill will interfere with the character of the area (BCC 53.215).

Already, Corvallis citizens are smelling the landfill in town, exposing ourselves and our environment to a mixture of toxic chemicals. Increasing the volume of waste and the area of the landfill will make this more common and more severe, again interfering with the character of the area (BCC 53.215).

My husband and I like to kayak on the Willamette River, another beautiful and precious feature of our area. I am alarmed by the release of leachates from the landfill into the river. I recognize that the leachates are treated, but the treatment plant designed for treatment of municipal waste does not remove all toxins present in landfill leachates. These chemicals will have a long term effect on the quality of water, riverbed, and river ecosystem, as well as downstream areas that will affect our area for decades, perhaps generations. In addition to these recovered leachates, which go through the municipal treatment plant, other leachates move directly into soil from the landfill and pose a risk to the quality of the aquifer. Increasing the volume of leachates, an obvious result of the landfill expansion, definitely interferes with the character of the area through the potentially serious pollution of ground and service water with toxic chemicals (BCC 53.215).

I vehemently oppose the landfill expansion. The landfill cannot expand without seriously diminishing the character and health of the area. Approving the expansion is counter to the core value stated in Benton County's Thriving Communities Initiative "Recognize & Will Address the Well-Being of our People by Including Health Considerations in all Policies, Practices, Activities, & Operations." Expanding the landfill and the volume of waste coming to Benton County will cause irreparable harm to our environment, health, and quality of life.

Sincerely, Joyce Loper

From: [Barbara Wythes](#)
To: [Benton Public Comment](#)
Subject: Coffin Butte Expansion LU-24-027
Date: Thursday, April 3, 2025 6:50:46 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We are extremely concerned about Republic Services' attempts to expand Coffin Butte landfill.

This proposal is not in accordance with the Principles as defined in the **2040 Thriving Communities Initiative** which values:

-Vibrant, Livable communities: A landfill makes a mockery of the "vibrant, safe and livable community" which we should "strive to ensure" and is not "forward thinking". We should be implementing more long-term solutions for waste, including reducing the production of single use items and the expanding of recycling and reuse programs.

-High Quality Environment and Access: The landfill will be a toxic, environmental hazard for decades to come. Even if the existing standards, as defined by DEQ and state and local requirements, were enforced, (which is currently not the case) the plans proposed by Republic Services (including no cap on annual tonnage brought in) will only make matters worse. The current and future air, soil and water quality issues will not be resolved without enforcing current standards and limiting future expansion.

-Community Resilience: "Recovering from human caused disasters, threats and changes" is of course critical. But should we not also be preventing, or at least minimizing human caused disasters such as this land fill and Republic Services' disregard for sited emissions violations, methane leaks, PFAS dangers and pollution of the Willamette River?

Violations of BCC 53.215.1- "Interference with uses of adjacent property "

The far-reaching odors from the landfill site and the noise and destruction of Coffin Butte are ruinous of property values and make the EE Wilson Wildlife Area virtually unusable for recreating on many days.

Violations of BCC 23.325.2 – "Imposition of undue burden on public improvements, facilities, utilities or services"

Heavy truck traffic to Coffin Butte drastically increases deterioration of our roads, leaves

roadsides strewn with debris and creates more tailpipe emissions near homes and schools.

Leachate from Coffin Butte is dangerous to ground water and soil, creates even more truck traffic, burdens our water treatment facilities and pollutes a major recreational feature of the area, the Willamette River.

Please DO NOT LET THIS EXPANSION PROCEED!

Barbara Wythes and Devid Leyva

7685 NE Todd Dr

Corvallis, Oregon

t

RE. **LU-24-027**, the application to expand the landfill.

I strongly oppose the land fill expansion because there is a history of reckless management at the current site that includes gaseous emissions that not only noxious but, since they are of an unknown substances, may, in fact, be toxic and hazardous to my health. I live approximately 7 miles from the landfill and there are still days that I cannot tolerate being outside for more than a short time due to the smell. I wonder, too, if on days when the wind is blowing from the North if some of the dust that is landing on my property is not due to the machinery and equipment operating at the landfill. I have serious concerns that the dust may contain toxic materials that put my household in danger. This is a violation of BCC 53.215 (1): *The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the FC zone.*

Sincerely,

Dr. Gregory S. Paulson, PhD
Biology Professor Emeritus
Shippensburg University
993 NW Cypress Ave.
Corvallis, OR 97330

From: [Paulson, Gregory](#)
To: [Benton Public Comment](#)
Subject: landfill
Date: Friday, April 4, 2025 4:41:06 PM
Attachments: [LU-24-027 air quality GSP.docx](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attached is my objection to the Coffin Butte landfill expansion.

Sincerely,

Gregory S. Paulson, PhD
Professor Emeritus
Dept. of Biology
Shippensburg University

RE. **LU-24-027**, the application to expand the landfill.

I strongly oppose the land fill expansion over concerns of how expansion will change the amount of heavy truck traffic on roads leading to the landfill from I-5 as well as on 99W. If the expansion is approved it is giving Valley Landfills/Republic Services carte blanche to haul as much material into the landfill as they like. Only a small portion of that material comes from Benton or Linn Counties which means large amounts of rubbish will be hauled to Coffin Butte from as far away as The State of Washington. Since the landfill is not adjacent to I-5 there will inevitably be more traffic passing through Albany and Corvallis as well as coming down 99W from the North. The roads are not adequate to handle increased large truck traffic and there is also the increased possibility that trucks carrying trash and possibly toxic material like ash will be involved in accidents dumping their loads on the roads and watersheds of the valley. This is a violation of BCC 53.215 (2): The proposed use does not impose an undue burden on any public improvements, facilities, utilities or services available to the area*

Sincerely,

Dr. Gregory S. Paulson, PhD
Biology Professor Emeritus
Shippensburg University
993 NW Cypress Ave.
Corvallis, OR 97330

From: [Paulson, Gregory](#)
To: [Benton Public Comment](#)
Subject: Landfill highways
Date: Friday, April 4, 2025 4:50:29 PM
Attachments: [LU-24-027 Highways GP.docx](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attached is my objection to the Coffin Butte landfill expansion.

Sincerely,

Gregory S. Paulson, PhD
Professor Emeritus
Dept. of Biology
Shippensburg University

RE. **LU-24-027**, the application to expand the landfill.

I strongly oppose the land fill expansion over concerns of how expansion will change the amount of heavy truck traffic on roads leading to the landfill from I-5 as well as on 99W. If the expansion is approved it is giving Valley Landfills/Republic Services carte blanche to haul as much material into the landfill as they like. Only a small portion of that material comes from Benton or Linn Counties which means large amounts of rubbish will be hauled to Coffin Butte from as far away as The State of Washington. Since the landfill is not adjacent to I-5 there will inevitably be more traffic passing through Albany and Corvallis as well as coming down 99W from the North. The roads are not adequate to handle increased large truck traffic and there is also the increased possibility that trucks carrying trash and possibly toxic material like ash will be involved in accidents dumping their loads on the roads and watersheds of the valley. This is a violation of BCC 53.215 (2): The proposed use does not impose an undue burden on any public improvements, facilities, utilities or services available to the area*

Sincerely,

Dr. Gregory S. Paulson, PhD
Biology Professor Emeritus
Shippensburg University
993 NW Cypress Ave.
Corvallis, OR 97330

From: [Paulson, Gregory](#)
To: [Benton Public Comment](#)
Subject: Landfill highways
Date: Friday, April 4, 2025 4:56:09 PM
Attachments: [LU-24-027 Highways GP.docx](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attached is my objection to the Coffin Butte landfill expansion.

Sincerely,

Gregory S. Paulson, PhD
Professor Emeritus
Dept. of Biology
Shippensburg University

From: [MAKEPEACE Amanda](#)
To: [Benton Public Comment](#)
Subject: FW: Community Development, Benton County, Oregon "Reject Landfill Expansion"
Date: Thursday, April 10, 2025 7:59:58 AM
Attachments: [image001.png](#)

Please find this forwarded comment that was first addressed to permitcheck@bentoncountyor.gov regarding the landfill.

From: Benton Permit Check <permitcheck@bentoncountyor.gov>
Sent: Wednesday, April 9, 2025 4:17 PM
To: MAKEPEACE Amanda <amanda.makepeace@bentoncountyor.gov>
Subject: FW: Community Development, Benton County, Oregon "Reject Landfill Expansion"

Thanks!



Sydney Bennett
Community Development Technician
Phone: 541-766-6819
Email: sydney.bennett@bentoncountyor.gov
<https://www.bentoncountyor.gov/>

From: Community Development, Benton County, Oregon
<noreply_wordpress@bentoncountyor.gov>
Sent: Friday, April 4, 2025 5:00 PM
To: Benton Permit Check <permitcheck@bentoncountyor.gov>
Subject: Community Development, Benton County, Oregon "Reject Landfill Expansion"

From: Patricia Berman <pat.berman@gmail.com>

Subject: Reject Landfill Expansion

Message Body:

April 4, 2025

Nick Fowler, Chair
Benton County Planning Commission

Dear Chairman Fowler,

I am writing to express my concerns and objections to the proposed expansion of Coffin Butte Landfill and to urge the Commission to reject the proposal. I have multiple concerns including:

Expansion of the landfill presents serious dangers to the health and well being of residents and public lands due to the drift of noxious chemicals. Methane drift, the stench of garbage, toxic chemicals in our air and water are documented risks. Pollutants including PFAs, mercury, lead and industrial solvents leach out of the landfill and end up in the Willamette. Our wastewater treatment plants are not equipped to capture these pollutants, especially PFAs which present a serious health threat. Toxic pollution of the Willamette fouls our drinking water and impacts fish and the ecology of the river. Republic Services has not been responsible or truthful, and expanding the landfill serves their interests but not those of Benton County citizens.

Expanding the landfill is short sighted. It is the Commissioners' responsibility to consider the long term impact of their decisions. Expanding the landfill has financial, environmental, and quality of life impact which must be taken seriously.

Respectfully,

Patricia Berman
3414 NW Maxine Circle
Corvallis OR 97330

--

This e-mail was sent from a contact form on Community Development, Benton County, Oregon (<https://cd.bentoncountyor.gov>)

Submitter's IP Address: 24.21.18.28

From: [Community Development, Benton County, Oregon](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Friday, April 4, 2025 11:18:35 AM

Subject of Testimony: Coffin Butte Expansion

Full Name: Jana Tindall

Email: jl.tindall@comcast.net

Street Address: 2135 SW Whiteside Dr, Corvallis, 97333

Written Testimony:

I am very concerned about the need to expand this facility. Apparently, it is accepting garbage from several cities outside of Benton and Polk counties. It seems that these counties should be responsible for their own garbage disposal.

Also, I have heard from reliable resources that despite the need to separate glass from our other garbage and recyclable materials, in fact this glass is treated just like other garbage and is not being recycled. It does make one pause to think how much other misinformation it being fed to the public and the decision makers.

I understand there is a financial advantage to the county that makes this a difficult decision for county commissioners. However, there should also be consideration for the quality of the environment and the quality of life for near-by residents.

Thank you for considering my concerns.

Sincerely,
Jana Tindall

--

This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon <https://cd.bentoncountyor.gov>).
Submitter's IP Address: 76.27.233.39

From: [Vanessa Ville](#)
To: [Benton Public Comment](#)
Subject: LU-24-027
Date: Friday, April 4, 2025 9:08:27 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I'm in opposition to increasing size of our landfill for many reasons: the landfill and all of its trucks and waste harms wildlife habitat, increases noise pollution and groundwater pollution, adds long term liabilities to our community.

I swim and paddle board on the Willamette River from Eugene down to Salem. This public resource has become a hazard to my health because of the leachate drained from Coffin Butte Landfill. The amount of leachate has continued and is expected to grow with this proposed expansion. It needs to stop immediately. This operational activity violates BCC 53.215 (2) and Benton County Comprehensive Plan policies 5.1.2, 5.2.1, and 5.7.4

My address is 4250 NW PINTAIL PLACE, Corvallis OR 97330

Thank you,

Vanessa Ville

From: [Community Development, Benton County, Oregon](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Sunday, April 6, 2025 8:41:38 AM

Subject of Testimony: Potential Expansion of Coffin Butte Landfill

Full Name: Kim K Jones

Email: k.jones.corvallis@gmail.com

Street Address: 1440 NW Menlo Drive, Corvallis OR 97330

Written Testimony:

The environmental effects of expanding the landfill have been well documented – impacts of the landfill operation on air, groundwater, surface water, land, wildlife, and roads. I personally spend at least 15 days a year at E.E. Wilson Wildlife area hunting (with dog), fishing, and birdwatching. I also hike multiple times per week in the MacDonald – Dunn Forest. So yes, this is a personal and backyard issue for me.

The expansion should be denied and waste acceptance must be restricted to adjacent counties to allow existing capacity to last as designed for another 30 years. Greater Portland area waste never was and never should be allowed in OUR regional landfill. The facility at Arlington in eastern Oregon was specifically developed to accept the waste (by rail) from the greater Portland metro area. Republic Services decided to increase their profits at their convenience and our expense by shipping Portland area waste to our site.

We, Benton County residents, will pay far more in out of pocket dollars and environmental costs should the landfill either be expanded or allowed to fill to current capacity by Portland area waste in the next few years.

--

This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon <https://cd.bentoncountyor.gov>).
Submitter's IP Address: 71.193.245.59



BC DEMS RESOLUTION 2024-03

WHEREAS, climate change is the pre-eminent Democratic Party issue; and

WHEREAS, the Democratic Party 2024 platform asserts “there is nothing more important than addressing the climate crisis;” and

WHEREAS, the Democratic Party platform asserts “We have no time to waste in taking action to protect Americans’ lives and futures;” and

WHEREAS, methane is the most potent greenhouse gas, trapping 86 times more heat in the atmosphere than carbon dioxide over 20 years; and

WHEREAS, the time to reduce carbon emissions is time-limited to 10-20 years if catastrophic temperature rise is to be prevented; and

WHEREAS, Republic Services’ Coffin Butte Landfill in Benton County is a methane super emitter because of numerous irremediable factors, including precipitation, waste intake volume type and quantity, and inadequate regulation, it is in the best interest of Benton County, and the planet, that the landfill reduce methane-producing waste-in-place; and

WHEREAS, by definition expanding the landfill will increase volumes of waste-in-place, not reduce those volumes; and

WHEREAS, Benton County has ceded control over waste intake volumes if the landfill is expanded; and

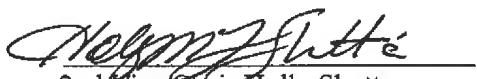
WHEREAS, any landfill expansion will increase methane output even without a removal of the existing waste intake volume cap; and

WHEREAS, methane-monitoring regulatory agencies such as the EPA are likely to be constrained in their abilities to effectively regulate emissions for the next near-, medium-, and long-term;

NOW, THEREFORE, BE IT RESOLVED, that the Central Committee of the Benton County Democrats, in order to protect the earth’s climate, endorses the denial of any expansion request of the existing landfill, and any new landfill in Benton County.

A RESOLUTION SUBMITTED BY: VIRGINIA SCOTT (PCP, pct. 16), NANCY WHITCOMBE (PCP, pct. 16), and CATHERINE STEARNS (PCP, pct. 16)

APPROVED BY THE BENTON COUNTY DEMOCRATIC CENTRAL COMMITTEE NOVEMBER 21, 2024


2nd Vice Chair Holly Shutta

11/21/2024
Date

From: [Virginia Scott](#)
To: [Benton Public Comment](#)
Subject: LU-24-027
Date: Sunday, April 6, 2025 3:52:00 PM
Attachments: [Approved-Resolution-2024-03.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am submitting Resolution 2024-03 passed by the Central Committee of the Benton County Democrats on November 21, 2024 opposing the expansion of the existing landfill or the addition of a new landfill in Benton County.

"Be it resolved, that the Central Committee of the Benton County Democrats, in order to protect the Earth's climate, endorses the denial of any expansion request of the existing landfill and any new landfill in Benton County."

This resolution is being submitted as testimony in opposition of LU-24-027 by:

Virginia Scott
37016 Soap Creek Rd
Corvallis, OR 97330

Martha Truninger

1130 NW Overlook Dr

Corvallis, OR 97330

I OPPOSE the expansion of the landfill for the following reasons:

1. Air quality is impaired due to the dust and gases that are admitted from the landfill. I frequently bike in the woods in the Soap Creek valley and on Soap Creek Road. The dust and gases which are admitted from the landfill will only grow with the expansion and cause increased exposure during biking excursions in the area. The increased exposure will keep me from enjoying the area. I am also an avid gardener and worry about dust settling on my vegetables and contaminating my soil. These are all violations of BCC 53.215 (1).
2. Water Quality of the Willamette is impaired for everyone who uses the river. I kayak on the river and know that the expansion of the landfill will increase the amount of leachate that will be dumped into the river. This increase will deter me from spending time on the river because of the increase exposure to the toxins (PFAS and heavy metals). The activity of dumping leachate violates BBC 53.215 (2) and Benton County Comprehensive Plan policies 5.1.2 and 5.2.1.
3. The methane leaks from the landfill that have been found by the EPA inspections are unacceptable. This is cause for concern both from a climate change perspective and from a fire hazard perspective. The methane leaks could spark a fire and result in a major forest fire and a toxic plume of smoke. Expansion of the landfill will only exacerbate methane creation. This reduces the enjoyment of living in the area close to Coffin Butte and violates 60.220 (b)
4. Expanding the landfill will reduce air and water quality which has a very serious possibility of reducing the quality of life in this part of the valley and reducing our property values. This is of great concern to me and violates BCC 53.215 (1).
5. When driving home behind a Republic Services truck, the truck began spewing trash on the road. It was surprising and concerning that the trash would hit our car and other cars, precipitating an accident. I have included a photo to show how egregious this is, causing trash which is dangerous and unsightly.



6. The expansion of the landfill will erode the quality of life for myself and my family. Because of the unchecked pollution that it will cause it violates the Land Conservation and Development Commission's statewide planning goal 6 which states "Air, Water and Land Resources Quality: To maintain and improve the quality of the air, water and land resources of the state". Specifically, the expansion violates the Benton County Comprehensive plan 6.1.2.
7. There are many alternatives to dumping trash. Developing an Integrated Waste Management and Resource Recovery plan is critical to meet this time when the reduction of methane and toxic waste is paramount to protecting the environmental health of all life in Benton County.

From: [Martha Truninger](#)
To: [Benton Public Comment](#)
Subject: Testimony for Coffin Butte CUP
Date: Sunday, April 6, 2025 2:15:25 PM
Attachments: [Coffin Butte Testimony.docx](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: [Lisa Adamczyk](#)
To: [Benton Public Comment](#)
Subject: Planning Commission Testimony/Coffin Butte Expansion
Date: Monday, April 7, 2025 2:47:52 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am writing to you today to voice my concerns regarding the expansion of the Coffin Butte Landfill.

I am a Corvallis resident that OPPOSES this expansion !!

Oregon is a big state, with many places where it is dry and uninhabited. Those are the places a dump should be located. The present dump is located very close to a residential neighborhood and in a wetter area, and its negative effects are many. If this dump were to be proposed today, it would never be permitted to be built so close to so many people.

I am concerned about the environmental effects this has on water, air pollution and wildlife in the area. I am an avid user of the Willamette River both for kayaking and enjoying swimming in and around the Corvallis area. This public resource has become a hazard to my health because of the leachate drained from Coffin Butte Landfill. The amount of leachate has continued and is expected to grow with this proposed expansion. It needs to stop immediately.

The operational activity violates BCC53.215(2) and Benton County Comprehensive Plan policies 5.1.2 ,5.2.1 and 5.7.4.

Please do not expand this Landfill!!

Lisa Adamczyk

3949 NW Clarence Circle

Corvallis, Oregon 97330

Testimony about LU-24-027

From Maureen Beezhold

1680 NE Holly Oak Place

Corvallis, OR 97330

To the Benton County Board of Commissioners:

publiccomment@bentoncountyor.gov

I find it incredible to see the BOC is still considering this expansion of the landfill when it should be concerned with having the current landfill meet its environmental obligations.

I was a former chairperson of the Benton County Environmental Advisory Committee, back in the early 2000's, when one of the commissioners of that era tried to "sunset" the committee for actually being involved in environmental issues. I've worked as a sustainability consultant both here in Corvallis, Albany and the coast from 1999-2013.

Have we really made no progress?

Can you honestly and in good faith by pass the county's code regarding the landfill?

- *The proposed use does not seriously interfere with uses on adjacent property, with the character of the area*, or with the purpose of the zone [**Benton County Code 53.215 (1)**]*

Of course, it seriously interferes with the area both adjacent and neighboring. Habitat degradation, odor, dangerous emissions, leachate all threaten both humans and wildlife along with flora.

It appears the landfill is unable to meet EPA requirements for its operation. Why are we not focusing on this instead of enlarging Coffin Butte's capacity to pollute?

AND

- *The proposed use does not impose an undue burden on any public improvements, facilities, utilities or services available to the area* [**Benton County Code 53.215 (2)**]*

Does this expansion put a burden on public improvements? Of course, it does.

Who will pay for the roads destroyed by trucks coming from all over to add to the landfill?

Who will clean the air caused by an ever-bigger landfill?

Who will take care of people when they are ill from the increased emissions and contamination?

When I first moved to Corvallis in 1977, the landfill made headlines in the local paper when Wah Chang dumped radioactive waste there and very nearly killed a worker operating a bulldozer at the dump when it caught fire.

Now the pollution is a little more secretive but still very apparent. I, for one, resent the increased exposure, noise, traffic, habitat destruction that this landfill will create with an expansion.

Let's work on holding Republic Services accountable to meet existing EPA regulations at the very least and begin to actually showcase Benton County as one who actually "does" sustainability.



Virus-free www.avast.com

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Dear BOC:

Please see attached letter regarding the expansion of the landfill.
Sincerely,
Maureen Beezhold

From: Maureen Beezhold
To: Benton Public Comment
Subject: Testimony about LU-24-027
Date: Monday, April 7, 2025 3:48:49 PM

[Document1.docx](#)

From: [Benton Elliott](#)
To: [Benton Public Comment](#)
Subject: Public Comment Re Coffin Butte Landfill Expansion Application, File Number: LU-24-027
Date: Monday, April 7, 2025 5:51:47 PM

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I am opposed to expansion of this landfill. It has been under scrutiny by the EPA for air quality compliance issues and OSHA for hazards to worker safety. Coffin Butte is a poorly-sited landfill near rural population centers. It's situated in a wet landscape, which increases environmental problems and harms quality of life. Please reject the expansion proposal based on its many harms, in particular air and water pollution, climate impacts, and wildlife impacts. The community deserves better and Oregon deserves better. Thank you.

Benton Elliott
1601 Olive Street
Eugene, Oregon 97401

From: [Julianne Freeman](#)
To: [Benton Public Comment](#)
Subject: Coffin Butte Expansion
Date: Monday, April 7, 2025 3:12:46 PM

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Application filing number: LU-24-027

Julianne Freeman
3775 NW Wisteria Way
Corvallis, OR. 97330

This is the second letter I have sent in opposition to this project, and I am frankly shocked that the collective opposition to the Coffin Butte Expansion failed the last time. Why are we still considering this? The fact that this should not happen seems like a no-brainer to me. Corvallis and the surrounding area is such a beautiful place to live. Why would we want take trash from other communities and expand the landfill into other valleys, affecting wildlife, air quality, and people's farms and properties? I love to swim and kayak in the Willamette River and if toxins like Leachate are being poured into the river, I will not feel safe enjoying the river in the same way. This is a threat to our safety and to our tourism. The Willamette Valley is far too precious for this.

Please, please, please do not expand the Coffin Butte Landfill and thereby risk exposing residents of Benton County to increased environmental toxins that will no doubt leach into our soil and water! We want to live in a healthy environment.

Thank you,

Julianne Freeman

From: [Barbara Grant](#)
To: [Benton Public Comment](#)
Subject: RE: LU- 24-027, - I Oppose the Landfill Expansion Plan
Date: Monday, April 7, 2025 10:44:13 AM

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RE: LU- 24-027

Dear Benton County Planning Commissioners,
I strongly oppose the expansion of the existing landfill; any expansion, for that matter. The "Conditions of Approval" of *prior* landfill expansions, have not ever been enforced, and I have no confidence that they will be should you approve this expansion. Because there is no enforcement, our local environment is at risk for groundwater and watershed poisoning, not to mention the already-intolerable stench that the dump emits. I have hiked in the nearby area, and had to cut the hike short, due to the horrendous smell. How does this support [Benton County's 2040 Thriving Communities Initiative](#), which aims to support "High Quality Environment & Access"?

I agree that this proposed expansion is a violation of both BCC 53.215 (1) and (2), and as a resident, I DO NOT SUPPORT IT.

Respectfully,

Barbara Grant
2937 NW Covey Pla
COvallis, OR, 97330
Cell-text: **805-231-7345**
1.barbara.grant@gmail.com

From: [Moore, Kathleen](#)
To: [Benton Public Comment](#)
Subject: oppose expansion of landfill
Date: Monday, April 7, 2025 3:08:46 PM

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I write to express my strong opposition to the expansion of the landfill. Yes, a community should safely dispose of its own trash, as Corvallis has done for some time. But it is quite another burden, for a community to be asked to take in the toxins and trash from other communities -- to bury a valley in other peoples' trash, to invite the toxins into our water -- all for the profit of a private company.

Clean air, safe water, open valleys, are public goods. They are human rights. They do not belong to Republic Trash Services to buy and sell for profit. The expansion of the landfill should be stopped now and prohibited forever.

Thank you,

Kathleen Moore
Corvallis, OR

From: [Community Development, Benton County, Oregon](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Tuesday, April 8, 2025 5:43:12 PM

Subject of Testimony: LU-24-027: Landfill Testimony

Full Name: Susan Beekman

Email: susangracebeekman@gmail.com

Street Address: 3825 NW Hayes/ Corvallis, 97330

Written Testimony:

I'm adding my voice to those of people with a history in the area who have seen the shocking conditions at the Coffin Butte landfill. I've lived in Corvallis for over fifty years. In the early years we took trips to Airlie to buy small trees for planting. As our children grew, we spent many Sundays at Wilson Wildlife Refuge, hiking and biking and picking apples for applesauce. We passed the Coffin Butte landfill, I guess, but it was just a local rural feature, a place locals sometimes took things that wouldn't fit in the trash can. "Going to the Landfill" was the name of a catchy song written by a local songwriter, celebrating the rural fun of going to the "dump." There was no smell associated, and the size was unremarkable.

For some reason, it was twenty years before we made a trip on 99W again in around 2015. I was shocked at the sheer size of the trash mountains there, as well as the stench. The road on both sides was littered with trash.

Although BCC 53.6.4.4 states that "Benton County shall provide for the safe, efficient, and sanitary storage, collection, and disposal of solid waste," there was so much more waste than before. I did a little research and discovered that most of the trash is brought in from other large communities throughout the state. The BCC does not indicate (BCC 53.5.8) that Benton County "shall assure safe, accessible, and environmentally sound disposal of solid waste" at the Coffin Butte Regional Sanitary Landfill" for communities outside the Benton County region.

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Submitter's IP Address: 71.236.247.119

From: [Heidi Igarashi](#)
To: [Benton Public Comment](#)
Subject: Comment re: application number LU-24-027
Date: Tuesday, April 8, 2025 10:03:47 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Heidi Igarashi and I have been a resident of Benton County for the past 19 years.

I oppose expansion of the Coffin Butte waste facility because of negative impact the existing already presents to ground water contamination and poor air quality for residents. Expansion would make both conditions worse.

Although mitigation of leachates are in place, these system become overwhelmed and ineffective during big rain events. The impacts are significant. The amount of leachate is expected to grow with this proposed expansion. This operational activity violates BCC 53.215 (2) and Benton County Comprehensive Plan policies 5.1.2, 5.2.1, and 5.7.4

Please do what's right by your constituents and the environment. Resist the lure of the financial benefits and act to oppose the expansion. Ask yourself how you would explain your actions to the newest generation of Willamette Valley residents.

Respectfully,
Heidi Igarashi

Hello, I am Ken Kupperman, and my wife is Pei Kupperman. We live at 2101 NW Christopher Place in Corvallis and also have a farm approximately 5 miles northwest of the Coffin Butte Landfill on Sauerkraut Road, off of Airlie Road. We could not be more in opposition to any expansion of the landfill, in fact we would like to see the current operation with Republic transition to termination as soon as is possible. Why, because Republic's operation at Coffin Butte is polluting our environment, potentially a major environmental disaster waiting to happen, and it is creating an ever expanding financial burden for its future cleanup. At our farm we have been affected by toxic fumes on an ever increasing number of days and severity, to the extent we can't work outside during those events. We know from the experience of the 2020 wildfires that its related smoke taint caused loss of marketable crops. Ever increasing emissions from the landfill are detrimental, but at what threshold? Zero emissions should be required. One of our major concern is the potential for a catastrophic landfill fire. Each year in US there are over 8,000 landfill fires, it is common; it can happen. If we have a fire at the landfill, will we have a Chernobyl in our back yard, the risk is unimaginable and we must take steps to prevent it. Republic has proven to be non-compliant to safeguards and is a blatant polluter. Toxins being emitted into the air and groundwater from the landfill, waste particulates blown out of the trucks all along the Highway 99 corridor as they leave the landfill and the carbon footprint of waste transportation from far distances, plus their untreated sludge that is being dumped into the Willamette. What kind of stewards are we being for future generations if we let this expansion happen? The current operation is primitive, outdated and profiteering. We need to find a better solution for our waste management that is less polluting, safer with long term viable. Expansion must not be allowed.

From: [Kupperman, Pei](#)
To: [Benton Public Comment](#)
Subject: LU-24-027
Date: Tuesday, April 8, 2025 4:28:13 PM
Attachments: [Landfill.docx](#)

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Please find our testimony on the Landfill expansion which we vigorously oppose.

Thank you,

Ken and Pei Kupperman

2101NW Christopher Place

Corvallis, OR 97330

Farm address:

12425 Sauerkraut Road

Monmouth, OR 97361

From: [Penelope Pascal](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 - Testimony
Date: Tuesday, April 8, 2025 7:48:03 AM

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Hello!

My name is Penelope and I'm a Willamette Valley resident.

I firmly oppose the expansion of the Coffin Butte Landfill.

We've been choking on more wildfire smoke every summer. Landfills are prone to fires, which can ignite from methane buildup or improperly disposed of lithium batteries, and once started, these fires are difficult to control, releasing harmful pollutants into the air and compromising public health.

The core values in Benton County's 2040 Thriving Communities Initiative include "high quality environment," and I believe this expansion cuts directly against this. The expansion poses a grave threat to our environment, it could contaminate nearby water sources, harm local wildlife, and disrupt our natural ecosystems.

I ride my bike up and down the country roads of the Valley, I love this place and our outdoor recreation. The expansion would degrade the landscape, making it less appealing for activities such as hiking and camping. The unpleasant odors and potential air quality issues from the landfill's operations will diminish the natural beauty that the community values.

The mitigation efforts would be ineffective because they fail to fully address the long-term risks like uncontrolled fires and water contamination, which can persist for decades. The scale and unpredictability of environmental damage would exceed the capacity of mitigation strategies to prevent widespread harm.

Thank you,
Penelope Pascal
616 W. 4th Ave #7
Eugene OR, 97402

From: [Community Development, Benton County, Oregon](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Wednesday, April 9, 2025 9:54:36 AM

Subject of Testimony: Oppose expansion of Coffin Butte landfill

Full Name: Kathleen Dean Moore

Email: kmoore@oregonstate.edu

Street Address: 147 NW 31st St

Written Testimony:

I write to express my strong opposition to the expansion of the landfill. Yes, a community should safely dispose of its own trash, as Corvallis has done for some time. But it is quite another burden, for a community to be asked to take in the toxins and trash from other communities — to bury a valley in other peoples' trash, to invite the toxins into our water, to stink up our air – all for the profit of a private company.

Clean air, safe water, open valleys, are public goods. They are human rights. They do not belong to Republic Trash Services to buy and sell for profit. The expansion of the landfill should be stopped nor and prohibited forever.

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This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon <https://cd.bentoncountyor.gov>).
Submitter's IP Address: 76.115.213.243

From: [Community Development, Benton County, Oregon](#)
To: [Benton Public Comment](#)
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Tuesday, April 15, 2025 5:31:02 PM

Subject of Testimony: Please don't expand Coffin Butte Landfill

Full Name: Nathan W. Looney

Email: nlooney4@aol.com

Street Address: 2645 NW Kingston Way, Albany OR 97321

Written Testimony:

Dear Planning Commission,

I want to write to express my opposition to the expansion of the Coffin Butte Landfill. I'm concerned about the landfill polluting local ground water sources nearby. I'm also concerned about noxious and unpleasant smells that come from the landfill. I don't think they are benign as Republic Services suggests. Too much garbage is coming into the landfill. It's not surprising that there are such terrible smells coming from it. Please don't allow Republic Services to expand things so they can just bring in more garbage.

Lastly, I'm sure Republic Services would say they own the landfill, they can do what they want, but it's not right for so much garbage from other counties to come to Benton County. It doesn't help Benton County. It hurts Benton County. The waste needs to go to a drier area of Oregon where there isn't so much rain. If Coffin Butte isn't expanded, then it won't be able to take in more garbage, which will be a good thing for Benton County. Thank you for listening.

Sincerely,
Nathan Looney

--

This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon <https://cd.bentoncountyor.gov>).
Submitter's IP Address: 98.246.101.162

From: [Thomas Allison](#)
To: [Benton Public Comment](#)
Subject: Oppose/Deny LU-24-027
Date: Wednesday, April 16, 2025 1:56:47 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I'm writing to oppose the expansion of operations at Coffin Butte. Arsenic has shown up in local wells, and PFAS get sucked out daily by fleets of tanker trucks that deliver it to various facilities, most if not all of which aren't equipped to remove PFAS, and so end up flushing these (and other) toxins into the river. In addition, there are leaks in the liners, so we don't even know what's going directly into the water table. I'm really hoping you will do the right thing and prevent the expansion of operations.

Best regards,

--

Thomas Ryan Allison
Photographer | Videographer | Writer
www.thomasallison.com

From: mattdelaney1126@gmail.com
To: [Benton Public Comment](#)
Subject: Conditional Use Permit application LU-24-027
Date: Wednesday, April 16, 2025 11:15:43 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commissioners,

My name is Matt Delaney, and I live at 38674 Harrington Drive in Lebanon, Oregon. I am writing to express my opposition to Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I urge the Planning Commission to deny this application.

The proposed expansion would significantly interfere with the character of the community as well as create harmful impacts on property values, wildlife habitats, and outdoor recreation.

Rather than expanding landfills, we should create more sustainable solutions like waste reduction and recycling.

Sincerely,
Matt Delaney

From: [kiko denzer](#)
To: [Benton Public Comment](#)
Subject: Oppose/Deny LU-24-027
Date: Wednesday, April 16, 2025 10:18:46 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I strongly OPPOSE the approval of LU-24-027 expanding the Coffin Butte Landfill.

Republic Service's proposed expansion of the landfill violates the following Benton County Codes (BCC):

it would "significantly interfere with the character of the area," [53.215(1)]; and it would "create an undue burden on public improvements, facilities, utilities, or services in the area." [BCC 53.215(2)]

I have worked and lived in Benton County for 30+ years. I appreciate the quality of the environment, the vibrant and livable community, the robust and diverse economy, and the diverse efforts to improve health and equity for all — all values claimed by the county in their 2040 Thriving Communities Initiative.

I hold the county commissioners, citizen participants, and staff all accountable for defending those values. Allowing the dump to expand, however, would violate every one of them, not to mention the Benton County codes cited above.

Among all the reasons to oppose expansion, the following stand out:

1. Benton County urgently needs homes that lower income folk can afford (37.1% of renter households spend over 50% of their income on rent, making us the most rent-burdened city in the state). Republic Services purchased Rural Residential property abutting the landfill, land that could house a subdivision and ease the housing shortage. Instead, it lies fallow. North County is a prime area to develop new homes, yet young families who have moved to new subdivisions there report such noxious dump odors that they regret their decision to buy. For the same reasons, other property owners have been hindered in their efforts to sell property in the area. Odor and loud truck traffic, and subsequent loss of property values will clearly limit development in this area, hinder the construction of badly needed housing, and reduce much needed tax revenues. Obviously, all these "interfere with the character of the area" [BCC 53.215(1)] and "impose an undue burden on public improvements" [BCC 53.215(2)].
2. The public improvement of roads is also unduly impacted by large heavy trucks not only carrying trash in, but taking toxic leachate out; these costs are borne, unfairly, not by the corporations that hire and manage the trucks, but by Benton County residents.
3. The Republic Services dump property yields less tax revenue than

would be collected were those acres to be devoted to housing.

4. Portland, which has stated values similar to those of our Thriving Communities Initiative, refuses to send its trash to any facility in the Willamette Valley, simply because high rainfall and porous soils in our valley produce more of the most damaging of landfill effects, which are methane (a more potent greenhouse gas than CO₂), and leachate (full of the toxic “forever chemicals” known as PFAS). This is obviously bad — for our city, our county, and our good earth herself.

5. The landfill is already an ugly first impression of Corvallis for anyone coming in on Hwy 99 from the North. If allowed to expand, Republic plans to take out three Empire State Buildings worth of soil from the south side of Coffin Butte Road and replace it with more trash — trash that will not come from Benton County, but from all over the state, as well as out-of-state — another violation of both BCC 53.215 (1) and BCC 53.215(2).

6. The PFAS in the leachate that the landfill now trucks “away” have been deemed a health hazard at any concentration. This toxic soup, steeped in all our rainfall, ends up in our Willamette River.

7. Not all the toxic leachate gets trucked out. We don't know how much simply infiltrates the water table, but we do know that other poisons leach out of the landfill, one of which, arsenic, has increasingly been showing up in local wells at levels well above anything considered safe.

8. The landfill produces enormous amounts of methane which not only warms the climate more than CO₂ does, but which is also highly flammable and the source of regular fires that landfill staff are often unable to control — and which, in our dry and increasingly fire-prone summers, pose an enormous threat to the entire valley.

All these effects make Benton County itself into an enemy of the very values it claims to hold dear. Literally and in every other way, the dump toxifies my home county. I would call that “significant interference with the character of the area.”

Finally, and obviously, the dump is only the most visible tip of the iceberg. Underneath is our shared responsibility for producing all this waste in the first place. If we really want to live up to our values, we need to reduce our need for enormous holes in which to bury all the stuff we don't want or can't use.

Other communities who are doing a much better job of this than we are. If we really want to live up to our values, we need to put the energies of our planning commission into looking upstream for ways to prevent problems, instead of just trying to manage problems that Republic Services seeks to exacerbate.

Lane County, for example, is building a state of the art facility that offers a better strategy for capturing more recyclables, reducing emissions, and diverting material away from landfilling.

Another avenue would be to follow the long-standing and successful example of the community-owned consumer cooperatives that provide light, power, phone and financial services, as well as food, insurance, and

even, in some countries, housing and health care. A waste management cooperative, owned and managed by the community it serves, would have no incentive to increase the amount of trash it accepts. Instead of looking for more trash to generate more revenue, it could offer practical incentives to reduce trash and produce less waste. And it would be able to work with the citizenry, because it would be of the citizenry.

We can do better, but not if we expand the dump.

-- Kiko Denzer, Philomath

Debora Estill
#9000 Trillium Lane
Corvallis, OR 97330

Re: : LU-24-027

To whom it may concern:

My name is Debi Estill. My husband and I reside at 39000 Trillium Lane, Corvallis, OR, two miles southwest of the Coffin Butte Landfill, where we have lived for 12 years. I appreciate you taking time to listen to my gradiences regarding the proposed landfill expansion.

I (Debi) was born and raised in Corvallis and have lived her for most of my 65 years. Growing up in southwest Corvallis, I have fond childhood memories of going to the landfill with my father; it was an adventure! However, the landfill was very different in those days. It was, of course, much smaller, and absent was the stench since the smaller size was more manageable. Today, the landfill loom large on the horizon, has totally disfigures the natural beauty of the Coffin Butte/Adair area, and emits a horrific stench on most days and an intolerable stench on others. The scene and stench are especially bad when compounded by the dust raised by the endless flow of big trucks entering and exiting the landfill, that I see as I drive east on Tampico Road to attend to my daily responsibilities away from home.

Today, in stark contrast to my past idyllic memories of a pristine western Oregon, the roads leading to the landfill are now littered with trash and garbage which has blown out of trucks on their way to empty their load at the landfill. It is unclear whose responsibility it is to pick up this unsightly debris but, clearly, Republic Services is not doing it and the debris is sporadically removed by local volunteers. Feeling powerless, and at a loss as to what to do to mitigate this situation. So, in an effort born of desperation, I had yard signs made with the words DON'T TRASH CORVALLIS, in bold letters with some more subtle subtitles, and distributed to like-minded neighbors to display on their property and make their objections to landfill expansion available for passersby to see. The public reaction has been uniformly positive.

It is my contention that both surface streams and ponds and underground water in the area surrounding the landfill, and perhaps even miles away, extending all the way to the Willamette River as being contaminated with toxic chemicals and" forever compounds" from the landfill leachate. This poses a serious health threat to all living creatures in the area as well as severely reducing the recreation opportunities on our waterways due to fear of negative health consequences resulting from exposure to the leachate.

I am well aware that Benton County residents and businesses need a place to dispose of refuse. In the past, the Coffin Butte was managed very well and adequately met the county needs. But I am compelled to ask why Benton County should be the dumping ground for areas tens and more miles away. These other counties and municipalities should be responsible to find their own solution for refuse disposal rather than make Benton County their dumping ground. Frankly, I find this totally irresponsible and disgusting.

In summary, I totally reject and oppose the expansion of the “new” landfill. There is a long history of failure to meet air quality and other EPA mandated water regulations and I do not expect compliance to improve and likely will become even worse. Republic Services in a billion-dollar industry and readily absorbs and fines imposed and keeps on polluting our beloved environment. I stand united with my neighbors and vehemently oppose the landfill expansion and we will do all in our power to see that the area we call home is not further spoiled by the greed Republic Services is known for. It is time for Republic Services to consider more than their bottom line and do the right thing and be in compliance with the BCC 55.215 Benton County Comprehensive Compliance Plans for the sake of our county and state and future generation of Oregonians.

Sincerely,

Debi E. Estill

From: [Estill, Charles](#)
To: [Benton Public Comment](#)
Cc: [Debora Estill](#)
Subject: Coffin Butte Expansion
Date: Wednesday, April 16, 2025 8:55:31 AM
Attachments: [Landfill.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please find the attached testimony

From: [Scott Lesko](#)
To: [Benton Public Comment](#)
Cc: [Scott Lesko](#)
Subject: Oppose/Deny LU-24-027
Date: Wednesday, April 16, 2025 11:22:47 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Commissioners,

The waste management situation in Benton County has gotten to the point where we need a change and we need to stop pursuing a failing strategy. The situation is not improving, on the contrary, it is getting progressively worse.

The Coffin Butte Landfill is a poor solution to our waste management challenges. The landfill continues to generate a huge volume of leachate that will continue well past the day it is finally closed. The landfill is in the wrong climate to work effectively. There is just too much rain and to top it off Corvallis is no longer going to process the leachate by the end of 2025. The leachate contains PFAS and heavy metals that cannot be removed with present-day wastewater treatment processes. They just get dumped into the Willamette river. The land around the dump is being contaminated by the leachate that leaks out of the landfill. The bigger the landfill, the more leachate is generated. This is in direct conflict with the Benton County Comprehensive Plan (BCCP) sections 6.1.4, 6.1.7, 6.5.4 & 6.5.5.

Although Republic Services is responsible for the maintenance of the landfill for 30 years after it closes, the long term financial and environmental liability for current and future generations will continue long after Republic Services is no longer maintaining the landfill. This ongoing liability will cost the county, and therefore taxpayers, an incredible amount of money and the environmental damage may not be recoverable. We need to reduce and minimize this never-ending liability by cutting our losses and STOP THE EXPANSION.

As I live miles away from the Coffin Butte landfill, I feel little personal effect from the landfill other than the scar it leaves on Benton County. However, the folks who live adjacent or nearby Coffin Butte are affected by the stinky, polluted air on a daily basis. This is a terrible situation that needs to be addressed to improve their quality of life. Let's not make it worse by expanding the landfill.

Expanding the Coffin Butte Landfill is the wrong answer. It only propagates an unmanageable situation. We need a different solution to our solid and hazardous waste problem. I think that we should investigate a waste management approach similar to Polk county's, i.e. a garbage transfer station next to a rail line (as proposed in Rickreall). The Portland & Western Railroad (PNWR) could meet this need for Benton County. This supports BCCP sections 6.3.1(reducing vehicle miles traveled (VMT)) & 9.1.11 (continuation and expansion of rail service).

Please put an end to the status quo by stopping this expansion and moving forward with a new approach. Vote NO and STOP THE EXPANSION of the Coffin Butte landfill.

Thank you for your consideration.

Sincerely,

Scott Lesko

24669 Hidden Valley Road

Philomath, OR

LU-24-027 Staff Report to Benton County Planning Commission

Benton County Exhibit 4 (BC4)
Benton County Notice to Outside Agencies

Contents:

- Agency Referral email from Benton County Community Development Director

From: SCHUETZ Petra <petra.schuetz@bentoncountyor.gov>
Sent: Thursday, March 20, 2025 5:03 PM
To: Benton Public Comment <PublicComment@bentoncountyor.gov>

Cc: STACK Joseph P * ODFW <joseph.p.stack@odfw.oregon.gov>; WINGARD Patrick * DLCD <patrick.wingard@dlcd.oregon.gov>; FOOTE Hilary * DLCD <hilary.foote@dlcd.oregon.gov>; jarod_jebousek@fws.gov; Kruger Scott <scott.kruger@bentoncountyor.gov>; BYER Laurel <Laurel.Byer@bentoncountyor.gov>; odotr2planmgr@odot.oregon.gov; CAMARATA Mary * DEQ
Subject: Land Use Application Agency Referral for Coffin Butte Landfill Expansion | Conditional Use Permit | LU-24-27

You don't often get email from petra.schuetz@bentoncountyor.gov. [Learn why this is important](#)

Agency Referral

Agency Referral partner comments are an essential part of a successful land use application process. Benton County appreciates your time and attention to this review. Comments are due no later than **Friday, April 11, 2025**.

Request: Expansion of Coffin Butte Landfill

Application identifier: LU-24-27

Type of land use application: Conditional Use Permit

Applicant: Jeff Condit on behalf of Valley Landfills, Inc a.k.a. Republic Services

Application Details: Please use this link to the [application materials](#). The application and all documents and evidence used by the applicant are available are also available for inspection at the Benton County Planning Division located at 4500 SW Research Way, Corvallis OR 97333.

Please upload your formal comments to publiccomment@bentonor.gov. If your organization chooses *not* to comment, please reply to this email with that intent.

Contact: Petra Schuetz | Planning Director | petraschuetz@bentoncounty.or.gov

Site location:

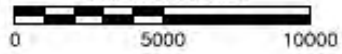
29175 COFFIN BUTTE ROAD
CORVALLIS, BENTON COUNTY, OREGON 97330



U.S.G.S. MAP

U.S.G.S 7.5 MIN. TOPOGRAPHY MAP,
LEWISBURG QUADRANGLE, OR, DATED 2011

SCALE IN FEET





Petra Schuetz

Interim Community Development Director

Email: petra.schuetz@bentoncountyor.gov
bentoncountyor.gov



LU-24-027 Staff Report to Benton County Planning Commission

Benton County Exhibit 5 (BC5)
Benton County Reviewing Consultants' Credentials

Contents:

- Winterbrook Planning firm bio and resume
- Maul Foster Alongi (MFA) and sub-consultants firm bios and resumes
- Kellar Engineering – firm bio and resume

WINTERBROOK PLANNING

Firm Bio - Contract Planning

Winterbrook Planning has provided land use, environmental planning, and permitting services for public and private clients throughout the Northwest for over twenty years. Winterbrook's expertise is concentrated in planning and land use permitting for municipalities. We also help cities with current and long-range land use planning, environmental assessments, and other services such as comprehensive plan and zoning code revisions. We have an extensive working knowledge of applicable statutes, goals, administrative rules, framework and functional plans, and case law applicable to permit approvals.

Winterbrook has provided on-call planning services to dozens of Oregon cities and counties throughout the state. The staff at Winterbrook have decades of experience collaborating with state and local officials to resolve complex land use and environmental problems. We work closely with other allied disciplines in land use field: civil and hydrological engineers, landscape architects and architects, economists, land use lawyers, surveyors and specialized environmental scientists.

In all its work, Winterbrook advances the planning goals and requirements of each jurisdiction, while maintaining the highest standards of professionalism and integrity. Winterbrook understands public sector work increases the need for transparency and communication and has been able to work effectively with all project stakeholders, including applicants, neighbors, and city and county planning officials.



JESSE WINTEROWD, AICP

PROFESSIONAL EMPLOYMENT

Managing Principal
Winterbrook Planning,
Portland, OR 2019-present.

Project Manager
Winterbrook Planning,
Portland, OR, 1998-2019.

Intern
Wallis Engineering,
Vancouver, WA, 1997.

EDUCATION

Master of Urban and Regional Planning
Portland State University, 2006.

Bachelor of Arts
Wesleyan University, 1997.

PROFESSIONAL MEMBERSHIP

American Planning Association

Project Management Institute

PROFESSIONAL CERTIFICATIONS

AICP #026890

PMP #5470189

Jesse Winterowd has over 26 years of experience covering hundreds of projects – managing project teams in long-range planning analyses for cities and counties, preparing development and permit applications for private and public clients, and serving as a contract planner for several jurisdictions.

He has extensive experience working with municipal and regional plans and development codes, in cities and counties throughout the Metro region, the Pacific Coast, the Willamette Valley, and Southern and Eastern Oregon.

The brief list below highlights a selection of Jesse's recent contract planning and temporary staff augmentation projects.

SELECTED PROJECTS:

- **Columbia County:** Application intake, completeness review, prepare staff reports and hearings presentations, agency coordination for major projects; Comprehensive Plan and Development Code updates including Goal 5 program restructuring; staffing assistance for remand review; multiple presentations to Planning Commission and County Board (2021-present)
- **City of Turner:** Prepare staff reports and hearings presentations for multiple development code updates, zone changes, and development applications; ongoing contract planning services for application review, code interpretation; multiple presentations to City Council (2021-present)
- **City of Aumsville:** Prepare comprehensive plan text amendment, staff report and findings for UGB expansion; presentations to Planning Commission, City Council and County Board of Commissioners; application intake, completeness review and applicant coordination for a major conditional use development; annexation review (2022-present)
- **City of Sublimity:** Prepare staff reports and findings for UGB expansion for public facility; code amendment; presentations to City Council (2021-2024)
- **City of Astoria:** Prepare staff reports, findings, development code and comprehensive plan amendments, and zone change to facilitate development of a region-serving hospital designed to survive a Cascadia event within the tsunami inundation zone; extensive coordination with City and project team engineers and architects; multiple presentations to Planning Commission and City Council (2022-2023)
- **City of Wilsonville:** Manage staff augmentation and application intake, completeness reviews, staff reports for multiple Type I-II land use applications (2021-2023)
- **City of Island City:** Prepare dozens of staff reports, hearing presentations, and coordinate with citizens for Type I-IV land use reviews including conditional uses, multiple UGB amendments, updates to comprehensive plan and development code, and annexations (2001-2023)

April 18, 2025

Benton County, Oregon

Third-party Review – Proposed Expansion of Coffin Butte Landfill

From: Ellery Howard
3140 NE Broadway
Portland, OR 97232
971-544-2139

To: Petra Schuetz
Interim Director
Benton County Community
Development Department
4500 Research Way
Corvallis, OR 97333

Re: Third-party Review – Proposed
Expansion of Coffin Butte Landfill

Dear Petra Schuetz:

Maul Foster & Alongi, Inc. (MFA) is pleased to submit this team overview letter for the third-party review of the conditional use permit application submitted by Valley Landfills, Inc. for the Coffin Butte Landfill Expansion. MFA has been contracted by Benton County to provide a comprehensive review of the application, leveraging our local expertise in solid waste and related environmental issues in Oregon and throughout the Pacific Northwest.

MFA is an established consulting firm offering integrated services in engineering, environmental science, planning, Geographic Information Systems (GIS), environmental data management, communications and public outreach, and health and safety. With offices located in Seattle, Vancouver, and Bellingham, Washington; Portland, Lake Oswego, The Dalles, and Bend, Oregon; and Coeur d'Alene and Kellogg, Idaho, MFA delivers innovative and award-winning professional services to a diverse range of industry and municipal sectors.

Our multidisciplinary team, comprising engineers, environmental professionals, planners, construction managers, and industrial hygienists, routinely provides high-quality consulting services to municipal clients. These services include solid waste engineering, permit compliance, stormwater management and design, environmental monitoring and reporting, air permitting and Title V compliance, methane monitoring and mitigation, and infrastructure support.

MFA is presently engaged in offering engineering services and permitting assistance for several solid waste facilities in Oregon, including a solid waste transfer station proposed to be located in Polk County. We have no prior engagements with the applicant and there are no conflicts of interest.

In reviewing the application package, MFA brings the following expertise to this project:

- **Solid Waste Engineering:** Our solid waste engineers and environmental specialists reviewed the landfill expansion application documents for consistency with local and state regulations.
- **Stormwater Management:** MFA's stormwater experts evaluated the proposed stormwater systems and associated calculations relative to the applicable local standards.
- **Noise Assessment:** MFA's industrial hygienist conducted a detailed review of the noise assessment describing how the proposed expansion would impact the surrounding community with consideration to allowable noise standards.
- **Air/Odor Modeling and Permitting:** Our air quality experts evaluated odor documentation, including odor dispersion model study, to confirm if the potential impacts to the nearby properties are accurately identified.



In addition to our in-house expertise, we partnered with the following firms to provide specialized reviews:

- **Columbia West Engineering (CWE)** reviewed the geotechnical approach in the applicant's submittal to determine the stability and safety of the proposed landfill expansion.
- **Landfill Fire Control Inc. (LFCI)** conducted a review of the fire risk assessment information submitted by the applicant, providing critical insights into fire prevention and control measures based on real world experience derived from responding to landfill fires around the world.

Attachment A contains resumes for team members, including those of our subconsultant partners.

Please contact us if you have any questions.

Sincerely,

Maul Foster & Alongi, Inc.



Ellery Howard
Project Manager



Erik Bakkom, PE
Principal Engineer

Attachment

Resumes



Ellery Howard PE

Senior Engineer

ehoward@maulfoster.com | 208.664.7884

Ellery Howard is a skilled professional engineer with over 30 years of experience in engineering design, as well as construction observation and coordination. He excels at assembling and managing diverse teams to accomplish multifaceted projects for local governments or private entities. Clients appreciate Ellery's focus on understanding their goals and his leadership of project teams that address those goals.

Ellery's broad design experience includes landfills and transfer station planning, water storage and distribution systems, water source design and development, as well as sanitary and storm sewer systems. His planning experience includes water and sewer master plans and hydraulic water model development and calibration. He has also been involved in project management for a number of projects, both large and small, throughout Idaho, Washington, Oregon, and Montana.

Education

- BS, Civil Engineering:
University of Idaho

License/Registration

- Professional Civil Engineer:
Idaho, No. 10004

Certifications

- 40-Hour HAZWOPER Training
- OSHA 30-Hour Construction Training

Relevant Projects

Solid Waste Design and Analysis

Landfill Analysis and Operations, Boundary County, Idaho

Ellery has worked with this facility for over 20 years. He was project manager for a landfill lifetime analysis and the development of a landfill site operating plan. He assisted the facility with landfill closure cost estimates and updates, site surveys, cell and cover material volume analysis, preliminary transfer station planning, permit updates, and coordination with regulatory agencies. He also designed and coordinated the permitting and construction of gas-extraction wells and a unique solar-powered gas-venting system. A recent project includes siting and permitting an air curtain incinerator to dispose of natural wood debris.

Infrastructure Planning and Construction

Confidential Client, The Dalles, Oregon

Ellery led a design-build team in assessing existing infrastructure and the successful segregation and construction of several natural gas, sewer, and water infrastructure projects to serve a large private facility on over 100 redeveloped acres. The design-build approach saved the client a significant amount of time and money as MFA served as the general contractor.

Land Planning and Annexation

Private Clients, Spokane, Washington and Amity, Oregon

Ellery provided the infrastructure assessment and planning for over 600 acres that included a technology park, shopping center, and light and heavy industrial areas. Project accomplishments included the development of a new land use category and zone (Technology Mixed Zone), creation of urban renewal districts, and a unique and specialized method for reuse of industrial wastewater.

Ellery Howard PE

Stormwater

Stormwater Management Alternatives, Hillyard Industrial Area, City of Spokane, Washington

Ellery was project manager for the investigation and analysis of a potential regional stormwater system in the Hillyard Industrial Area to catalyze development. The analysis was developed in coordination with the City and Northeast Public Development Authority and was intended to inform the decision makers as they develop the framework and policies for creating a regional stormwater utility in this area.

Water Supply and Treatment

Water System Facility Planning, Bayview Water and Sewer District, Bayview, Idaho

As project manager, Ellery led the water system facility planning effort to investigate and evaluate aging infrastructure in the Bayview Water and Sewer District's existing water system. Tasks associated with the project included preparation of construction cost estimates for recommended improvements. The project also included significant public involvement and community outreach.

New Water System, Coeur d'Alene, Idaho

Ellery supported permitting, design, and construction management for a new private water system that included wells, transmission and distribution lines, a booster pump station, a fire pump, and a 175k-gallon welded steel reservoir. The project included development and implementation of several unique methods to reduce the naturally occurring arsenic in one of the wells to avoid treatment.

Potable Water and Wastewater System Design, USDA Forest Service, Idaho and Montana

Ellery served as project engineer for the design of new potable water and wastewater systems for Forest Service facilities, including a unique solar-powered well pump system. This project included the repair/rehabilitation design of existing systems and general civil engineering work at remote campgrounds, work centers, and ranger stations.

Wastewater Collection and Treatment

Water and Wastewater Facility Construction, Hayden, Idaho

Ellery was project manager for the permitting, design, and construction of multiple projects for water and wastewater facilities for a church camp, including a 1-million-gallon lagoon and Class C reuse system with treatment on a forested site, water system upgrades, play field design and construction, permitting and siting of cabins in steep locations, and source well development.

Construction Wastewater Design and Permitting, Coeur d'Alene, Idaho

Ellery supported the design and coordination of a unique collection system and permitting for the treatment of wastewater from a concrete resurfacing project for a construction company on an interstate highway bridge over Blue Creek Bay on Lake Coeur d'Alene, Idaho.

Unique Projects

Contract Engineering Services, City of Hayden, Idaho

Ellery was project manager providing contract engineering services to the City of Hayden. Work included preapplication meetings and review and approval of site plans, plats, construction plans, and other documents.

Water Rights Permitting and Engineering Design, Hauser, Idaho

Ellery supported U.S. Army Corps of Engineers permitting and water rights permitting as well as civil engineering design for the mass excavation and lining of a 5-acre private pond (18 feet deep) that is aerated and capable of supporting aquatic life. The project also involved diverting adjacent streams into the impoundment and then returning them to their natural downstream course.



Erik I. Bakkom PE

Principal Engineer

ebakkom@maulfoster.com | 503.501.5217

Erik Bakkom has 27 years of experience in environmental engineering, with expertise in the areas of solid waste facility planning and design, brownfield/industrial site cleanup, and sediment remediation. Erik routinely works with diverse groups of engineers, scientists, planners, ecologists, and regulatory specialists. Erik has led the design and construction efforts for landfills and complex remediation projects in Oregon, Washington, and Idaho. Solid waste experience includes preparing solid waste management plans; design and construction quality assurance oversight for landfill systems and transfer stations; waste acceptance plans; evaluation of compost and recycling facilities; landfill acquisition due diligence; environmental support for landfill operations; and hazardous waste management. Erik is a civil engineer licensed in Oregon, Washington, and Idaho.

Education

- BS, Environmental Engineering:
New Mexico Institute of Mining
and Technology

Licenses/Registrations

- Civil Engineer:
Oregon, No. 72200
- Washington, No. 43788
- Idaho, No. 15529

Certifications

- 40-Hour Hazardous Waste
Operation Training and 8-Hour
Hazardous Waste Operation
Refresher Training
- Asbestos Awareness Training

Professional Associations

- American Society of Civil
Engineers
- Western Dredging Association

Relevant Projects

Solid Waste

Solid Waste Landfill Cell Construction, Washington

Erik was principal in charge for the construction oversight of subgrade preparation for two new cells totaling approximately 20 acres. MFA worked closely with the client, design engineer, and construction contractor to clear existing wooded vegetation, extend run-on control and diversion structures, install hydraulic gradient controls to manage multiple springs below the proposed liner, and then prepare subgrade soils to receive the liner in future years. The scope of work included public bid assistance, full-time contractor oversight and documentation, coordination with the design engineer, and coordination of geotechnical testing for subgrade soils and imported materials in order to certify construction of two cells prior to installation of the liner.

Waste Acceptance and Plan Preparation, Washington

Erik is the principal engineer for the preparation of a comprehensive waste acceptance plan and review of waste-disposal applications received by the County for nonroutine wastes, including contaminated soils, contaminated sediments, and various industrial wastes. When the client requested assistance with their waste acceptance program because of staffing changes, MFA reviewed the existing program and identified areas with ambiguous instructions or where solid waste regulations were not being consistently implemented. MFA worked closely with the landfill manager and solid waste transfer company to develop an update to the waste acceptance plan that would provide consistency for implementation by both entities. Along with the development of the plan update, MFA provides technical review of solid-waste-disposal applications for nonroutine wastes to be disposed at the landfill.

Solid Waste Landfill Closure, Washington

Erik managed the design, permitting, and construction for the final closure of a 25-acre landfill. MFA designed an alternative landfill cover system that includes a vegetated soil cover, surface water drainage layer, impermeable plastic liner, impermeable clay geocomposite liner, and landfill gas collection layers with a horizontal gas collection system. The comprehensive design includes improvements to facility stormwater

Erik Bakkom PE

management and the refurbishment of an existing landfill gas flare. The scope of work included public bid assistance, full-time oversight of construction activities, implementation of the geomembrane/geocomposite liner quality assurance program, and construction documentation to certify closure.

Solid Waste Landfill Closure and Redevelopment, Oregon

Erik was responsible for the preparation of documentation and details for closure of this former city landfill as part of redevelopment as a multi-use sports complex. He oversees annual environmental monitoring for landfill gas and groundwater to comply with permit requirements and to demonstrate that engineering controls remain effective for the high school sports complex. Erik worked closely with the MFA site development lead engineer to integrate the landfill closure features (soil cap, membrane liners, venting systems) to maximize the synergistic benefits for both the property owner and the site developer, leading to the closure of this previously abandoned landfill and its reenergized use as a state-of-the-art high school sports complex with significant community value. MFA's grading and surface water management design for the sports complex was tailored to address Oregon's landfill final cover requirements. Erik oversaw the design for the methane gas control systems to prevent intrusion into occupied spaces in the locker room and the concessions area.

Solid Waste Landfill Mapping, Washington

Erik is the principal in charge for semiannual aerial mapping services in support of semiannual volume assessment of landfill waste placement within the 150-acre developed footprint. MFA uses unmanned aerial aircraft and photogrammetry to document conditions at the active and inactive areas of the landfill. Mapping deliverables include a high-resolution orthoimage and high-density ground elevations. Aerial images are collected with a half-day effort, and then processed with surveyed ground targets and client-specified checkpoints. Quality control calculations typically result in an error of less than 0.5 feet.

Municipal Solid Waste Landfill and Planning Support, Washington

Erik oversaw services that were provided to the County in support of their solid waste program and landfills. Services included engineering design and construction services for maintenance and closure of the County Landfills; development and administration of the County's waste acceptance program to ensure that prohibited wastes (Washington dangerous waste and federal hazardous waste) were not inadvertently placed in the landfill; facility stormwater assistance, and solid waste management plan development and maintenance.

Solid Waste Management Plan for Municipalities, Oregon and Washington

Erik is the principal in charge for the preparation of solid waste management plans for municipalities in Oregon and Washington. The updates periodically address document structure changes to address changes to the state guidelines. These plans address detailed evaluation of local conditions (physical conditions and demographics), solid waste collection, recycling, organic materials management, special waste handling, to satisfy state guidelines. In preparing the solid waste management plan, MFA works closely with local solid waste managers, waste and recycling facilities, and solid waste advisory committees, to develop a detailed description of the local system, management requirements, a projection of solid waste generation over a 20-year planning period, and then establishes goals and actions that are necessary to maintain system capacity over the planning period.

Waste Acceptance Assistance, Landfill Facility, Oregon

Erik manages requests from an Oregon landfill for assistance with the regulatory review of wastes that are proposed for disposal in the landfill. Assistance is typically requested when non-routine contaminated and out-of-state waste streams are under consideration. MFA provides an evaluation of waste acceptability with consideration to federal and state regulations. A detailed understanding of Oregon and California solid and hazardous waste regulations is required.

Solid Waste Landfill Postclosure Assistance, Oregon

Erik is the principal in charge for assistance with the management of two closed municipal landfills, following its formal closure and redevelopment as a high school sports complex. Activities include general environmental consulting services, environmental assessment of groundwater and landfill gas conditions, annual update of financial assurance, and assistance with long-term management plans.

Erik Bakkom PE

Solid Waste Landfill Entrance Scales, Washington

Erik managed the design of and oversaw construction of a new inbound and outbound scales complex at this operating landfill. The project required that the scales be incorporated into the existing entrance layout and that access to the administrative office be maintained. The bid package was developed to incorporate the requirements for a new scales hardware and software system that had been procured separately by the municipality. MFA assisted the municipality with obtaining permits and supported the municipal bid process. MFA also provided special inspection services during construction, as well as expert opinion regarding a defective concrete pour that had resulted in a suspected cold-joint.

Solid Waste Landfill Postclosure Facility Use Assessment, Washington

Erik developed the postclosure facility use assessment to document various conditions at a county-owned property containing a former landfill. The document is intended to record institutional knowledge of property assets, liabilities, easements, and various deed conditions for reference by the county in evaluating options for long-term use.

Solid Waste System Assessment for Municipality, Washington

Erik was project manager for the assessment of solid waste facilities, programs, and policies to aid this county with long-term capital funds planning. The assessment also provided an evaluation of needs in the county to include in the update of its solid waste management plan. Information regarding the county's current solid waste system was prepared and reviewed, after which patterns of waste generation and population growth were evaluated to enable the identification of strategic solutions for future solid waste issues. Concepts for future programs and facilities for solid waste management were developed and considered with an advisory committee. The study presents recommendations for modifications to existing facilities, proposes new facilities, and identifies opportunities to enhance diversion and recycling in the county.

Landfill Permit Renewal for Municipal Landfill, Washington

Erik prepared a renewal of a landfill permit. The permit renewal included a request to allow the use of ash, which currently must be landfilled, as an alternative daily cover material at the landfill.

Landfill Development and Closure Planning for Municipality, Oregon

Erik assisted with the preparation and revision of a landfill development and closure plan. Tasks included revising the landfill capacity estimates and grading plan and designing a stormwater diversion channel. During a subsequent task, Erik assisted with the preparation of documents and drawings for the closure of a 10 acre portion of the landfill. He also designed the stormwater drainage plan to convey runoff away from the slope and to minimize erosion.

Woodwaste Landfill Design, Oregon

Erik was the principal in charge for the design of a new woodwaste landfill cell at this remote facility. Erik worked with the client and the Oregon DEQ to prepare a design report and engineered plans that satisfy current regulatory requirements for lined industrial-waste-disposal cells. MFA collaborated with the environmental consultant in preparing an update to the environmental site characterization report and surface water conditions.



Cem Gokcora PE

Senior Engineer

cgokcora@maulfoster.com | 971.713.3573

Cem Gokcora has over 20 years of experience in civil engineering, including site development, utility design, stormwater conveyance and treatment design, water systems design, solid waste facility design, and compliance assistance. His areas of expertise include project management, site development design (residential, commercial, and industrial), land-use entitlement, site development planning and permitting, stormwater management, and construction cost estimating. Cem understands how to develop site plans that optimize client objectives relative to site and regulatory constraints and has successfully permitted projects within numerous jurisdictions in Washington and Oregon. He is proficient at preparing accurate development budgets and cost estimates, and detailed schedules covering design, permitting, and construction activities. He has adeptly led and managed multidisciplinary teams, ensuring successful project delivery.

Education

MS, Engineering and Technology
Management:

Portland State University

- BS, Civil Engineering:
Middle East Technical
University

Licenses/Registrations

- Professional Civil Engineer:
California, No. C 88736
- Professional Civil Engineer:
Idaho, No. 17290
- Professional Civil Engineer:
Oregon, No. 70867 PE
- Professional Civil Engineer:
Washington, No. 54676

Certifications

- 40-Hour HAZWOPER Training
- First Aid, CPR, and AED
Training

Relevant Projects

Brownfield Site Redevelopment for Large Industrial Warehouse Facility, Portland, Oregon

Cem led the design and permitting (with multiple agencies) effort for redevelopment of a former concrete structure manufacturing facility, a portion of which overlaid a former closed construction and demolition debris landfill, to a large-scale industrial warehouse complex (approximately 675,000 square feet of building area in total). The former facility, located along Columbia Slough and with a permitted outfall, is a registered DEQ environmental cleanup site. Cem assisted the design team with preparation of the remediation design submittal package, and coordinated with the DEQ's Cleanup Division for review and approval of the selected remedy. He prepared site civil components of City of Portland building permit application. These included design drawing sets for on-site features including landfill gas mitigation systems, and stormwater report Cem led the construction quality assurance program and provided the DEQ with periodic remediation construction progress updates.

Industrial Stormwater Permit Compliance, Treatment/Infiltration System Design and Permitting, and a Level 3 Engineering Report, Industrial Park, Vancouver, Washington

Cem assisted the design team with on-call NPDES stormwater permit compliance services to a large waterfront industrial park with over 100 tenants. He has designed and permitted several stormwater infiltration facilities as well as Level 3 stormwater treatment measures required to meet NPDES permit benchmarks. Cem also provided construction assistance services during implementation of the first-phase improvements.

Design for Public Water System Improvements, The Dalles, Oregon

Cem has led the engineering effort for a privately funded public water system improvement project in the City of The Dalles, which includes construction of two production wells, two 1.2-million-gallon welded steel tanks, a booster pump station with up to 9,000 gallon-per-minute pumping capacity. Cem coordinated the design of the well

Cem Gokcora PE

houses, booster pump station, reservoirs and electrical system design. He is currently managing engineer of record services including construction oversight.

Design Review for East Fork Nine Mile Creek Initial Waste Consolidation Area and Infrastructure Construction, Kellogg, Idaho

Cem assisted the design review team with their review of the 90% design report, hydrological calculations, and the associated plan set for haul roads, the surface and base drainage system, and the quarry plan. He also reviewed the engineer's estimate of probable costs.

Bailing Facility Design and Permitting for a Private Solid Waste Transfer/Recycling Station, Toledo, Oregon

Cem assisted a private solid waste transfer/recycling facility with a temporary bailing facility design and permitting. The permitting effort included coordination with the City of Toledo and the Lincoln County Building Department to obtain a Conditional Use Permit, an Excavation/Fill Permit, and a Building Permit. Cem managed the design team, which included a geotechnical consultant, a structural consultant, a surveyor, and the membrane structure supplier, and coordinated with the contractor for site planning, earthwork, building layout, slab design, and evacuation plan (for life safety and wind protection of the membrane structure).

Tennant Way Landfill Closure, Cell 3, Longview, Washington

Cem coordinated with a geotechnical subconsultant and the Cowlitz County Building and Planning Department to prepare an alternative cap evaluation report. He was part of the design team that prepared an engineering report for the proposed closure, and also drafted the engineering plan set for construction, including the subgrade, stormwater, and landfill gas collection plan, along with associated landfill stormwater/gas collection details. Cem assisted the client with remaining capacity calculations for the active landfill cell and coordinated with the Washington State Department of Ecology on estimating the postclosure period timeframe, based on landfill gas generation modeling results. Cem prepared bid documents for closure construction, and assisted the county during the bid and construction period. He managed the construction quality assurance team overseeing the construction of the closure project, ran weekly construction meetings, and coordinated resolution of the contractor's requests for information. Cem authored the postconstruction report and coordinated with the County for jurisdictional postclosure requirements.

Nespelem Transfer/Recycling Station, Nespelem, Washington

Cem helped the design team to put together the bid documents for Nespelem Transfer/Recycling Station. He edited the contract form provided by the client, to address the project-specific components. Cem was involved in the site, grading, and utility design (including an on-site septic system) for the subject site. He assisted the design team with the preparation of technical specifications for structural fill construction and compaction below the proposed transfer station building, a package sanitary pump station, on-site sanitary and water systems, a pre-engineered steel building, access road construction, a modular scale house, and a truck scale.

Landfill Remediation Planning, Bend, Oregon

Cem assisted the design team with construction cost estimates (landfill mining, waste sorting, re-landfilling, backfilling of remediated landfill areas) in an effort to develop a phasing plan consistent with available funding.

Construction Oversight and Contract Administration for Municipal Solid Waste Landfill Cell Earthwork, Castle Rock, Washington

Cem led construction quality assurance services for earthwork construction for a new cell at the municipal landfill. His responsibilities included coordination with the design engineer, field CQA officer, contractor, and county construction manager regarding field questions, submittal reviews, change orders, and payment application reviews; conducting weekly meetings to report progress to all stakeholders, including the county solid waste manager, Ecology, the county public health department; completing periodic inspections; and certification of the completed construction with a construction certification report.



Derek Heitz CPSWQ

Project Environmental Scientist

dheitz@maulfoster.com | 816.878.2362

Derek Heitz has nearly a decade of experience working with industrial clients on environmental compliance and due diligence efforts. His expertise includes providing clients with NPDES compliance support; performing pollutant source evaluation and control studies; identifying current and legacy contamination sources; identifying data gaps in prior due diligence efforts; designing, installing, and maintaining treatment systems for stormwater, process water, and ex situ groundwater treatment; characterizing and disposing of hazardous and dangerous wastes; and conducting Phase I and II ESAs. He has a strong working knowledge of industrial facilities and processes and their potential on-site and off-site impacts. Derek has expertise in developing site-specific plans for pollution prevention and spill prevention, control, and countermeasures; performing facility inspections; determining and abating pollutant point sources; and providing permitting assistance, proof-of-concept testing, and contractor oversight; and he frequently serves as project manager on various environmental compliance and cleanup projects. Derek also has experience in providing clients support in litigation matters ranging from responding to third-party Clean Water Act claims to responsible party research and contaminant source identification and fingerprinting for environmental cleanup allocations.

Education

- BS, Environmental Geology:
University of Washington

Certifications

- CESCL and CPSWQ
- 40-Hour HAZWOPER Training
- TSA TWIC
- DOT and IATA HAZMAT
Transport

Professional Associations

- Northwest Environmental
Business Council—Conference
Planning Committee Member
- Solid Waste Association of
North America
- Washington Public Ports
Association
- Tacoma-Pierce County
Chamber
- Manufacturing Industrial Council
of South Sound
- Tacoma Propeller Club
- Northwest Association of
Environmental Professionals

Relevant Projects Compliance Support

Metal-Recycling Facility Stormwater Compliance Support, Seattle, Washington

Derek is providing long-term support and facility oversight for a metal-recycling facility that has been operating for over 100 years. Services include coordination with regulatory authorities, oversight of a monthly self-monitoring program, source control evaluations, and subcontractor oversight for a retrofit of a stormwater treatment system. Recent project work includes a source evaluation study using a PCB-detection dog to identify potential contamination in metal scrap source materials and on-site areas, an update of their Permit to add an additional discharge point, multiple updates to structural source control Best Management Practices (BMPs), characterization and disposal of multiple waste streams, completion of Washington State Dangerous Waste Annual Reporting, updates to their Slug and Spill Control Plan and Compliance Calendar, and assistance with vendor coordination and contracting.

Woodwaste Landfill Solid Waste Permit Compliance Support, Ketchikan, Alaska

Derek is providing long-term solid waste permit compliance assistance for a woodwaste landfill that has been in post-closure monitoring since the late 1990s. He has acted as the compliance program manager for the facility since 2021, working with the client, other consultants and service providers, and acting as a negotiating lead with regulatory agencies. Services have included permit renewal assistance, long-term monitoring of stormwater and leachate discharges, management and update of facility's BMP and Comprehensive Landfill Monitoring Plans, landfill cap maintenance, oversight of multiple mixing zone analyses, and annual program auditing, and quarterly and annual compliance reporting to state and federal agencies.

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Municipal Solid Waste Landfill Permit Compliance Support, Ketchikan Alaska

Derek is providing long-term solid waste permit compliance assistance for Deer Mountain Landfill, a municipal solid waste landfill owned and operated by the City of Ketchikan. He has acted as the compliance program manager for the facility since 2021. During this time, he has coordinated with the client to complete annual reporting of stormwater discharges, cap maintenance for closed cells, BMP maintenance and monitoring for operational spaces, permit renewals, and expansion of Permit coverage to include landfilling of municipal wastewater biosolids.

Metal-Shredding/-Recycling Facility Stormwater Treatment Retrofit, Washington State

Derek assisted a metal-shredding and -recycling facility with troubleshooting and optimization of their existing stormwater treatment system. Troubleshooting and optimization efforts provided greater capture of total PCB concentrations in the facility's stormwater discharges. Derek completed multiple rounds of bench- and field-scale pilot testing to evaluate appropriate inline chemical treatment doses and appropriate adsorptive media contact times.

Construction Waste Transfer Facility Stormwater Treatment Optimization, Tacoma, Washington

Derek assisted a client with startup and troubleshooting of an existing stormwater treatment system at their construction materials recycling facility. The client had acquired a competing business, and the staff responsible for system O&M left during the acquisition. He worked with the facility to test functionality of existing equipment, develop a stopgap O&M plan for the system, and determine appropriate chemical doses to allow for appropriate system operations. Derek created a long-term O&M budget, including costs and levels of effort for retrofit or replacement of outdated and unreliable equipment, before project closeout.

Glass-Recycling Facility Stormwater Compliance Support, Seattle, Washington

Derek provided subcontractor support for a glass-recycling facility that required treatment for TSS and metals at multiple stormwater outfalls covered by an industrial stormwater general permit. Derek coordinated with multiple parties to combine all outfalls into two separate treatment facilities, allowing for different treatment of the two stormwater discharges. A gravity filtration treatment was implemented on the outfall for basins with lower pollutant loading, and flocculant-enhanced sand filtration was implemented on the basins with elevated TSS and metal concentrations. Additional support included equipment wet weight estimations, media lifespan calculations, long-term O&M cost calculations, and construction permitting support.

Meat Processing Plant Regulatory and Compliance Support (Confidential Facility)

Derek is assisting a meat processing plant with updating multiple regulatory and compliance programs that are required of their facility. The Client acquired a business that had historically not met monitoring, reporting, and recordkeeping requirements. These gaps and liabilities led the Client to terminate the contract with their previous consulting agency and rebuild much of their environmental program. Derek worked with the Client's staff and counsel to update multiple internal and permit-required documents associated with discharges of their process and stormwater, as well as assisting with employee exposure risk assessments, updates to documentation associated with onsite water wells, changes to waste disposal recordkeeping practices and procedures. All efforts were completed to decrease risk and liability associated with site operations, and many of the actions were fast-tracked to quickly bring the facility into compliance with regulatory requirements. Bulk Fueling Facility Stormwater Compliance Support, Seattle, Washington

Derek assisted a facility with updating their stormwater program to comply with requirements outlined in a Clean Water Act settlement. Work performed included revising the facility SWPPP and on-site recordkeeping associated with stormwater sampling. Additionally, Derek coordinated the design and installation of a multistage stormwater treatment system that targeted suspended solids, turbidity, and dissolved zinc concentrations. Proof of concept on treatment design included bench-scale testing of facility stormwater runoff, and final system design included particulate filtration and adsorptive polishing with a proprietary media. Procurement and installation of treatment equipment were expedited to meet the timeline required by the order.

Trucking and Warehousing Facility Environmental Compliance Support and Lease Termination Assistance, Portland Oregon

Derek assisted a client with a client with compliance with their 1200-Z Permit for multiple years. The client operated on a property that was a listed orphan site maintained by Oregon Department of Environmental Quality (DEQ), and existing contamination

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remained in the subsurface in multiple areas of the property. Derek coordinated with the client to ensure that their operations would not disturb or contribute to the subsurface contamination. As part of this work, Derek updated their existing SWPPP and BMPs, trained business staff on site-specific environmental practices, developed a stormwater sampling training document for their system operator, and assisted with development and submittals of Discharge Monitoring Reports, and Tier I and Tier II corrective actions. After facility closure, Derek assisted the client with completion of a termination of a lease they held for a rail spur they held on the property. This included excavation of stained surface soils, contaminant fingerprinting to compare any potential petroleum staining to the remaining coking coal contamination from the orphan site, and multiple rounds of reporting and communications with the property owner and their environmental representatives.

Due Diligence and Environmental Auditing of Tenant Facilities, Auburn and Shelton, Washington

Derek assisted a client with due diligence prior to a business acquisition. The client intended to acquire a timber product processing and wholesaling business and requested that the assessments of each of the business's two facilities were fast-tracked to meet purchase contracting requirements. Both facilities were leaseholds, and the client was interested in determining existing conditions at each, including potential current or legacy environmental impacts and existing regulatory compliance issues, if any. Derek conducted the Phase I ESAs and compliance auditing for both facilities. Recognized environmental conditions and compliance gaps were identified at both facilities, including potential groundwater and drinking water contamination, missing environmental documentation. Other issues discovered during the assessments included health and safety issues associated with indoor air particulate concentrations, lack of Industrial Stormwater General Permit coverage at either facility, lack of an SPCC Plan at a facility that met the petroleum storage volume threshold requirements. Findings were reported to the client to allow for planning for corrective actions prior to completion of the business acquisition.

Warehousing Stormwater Compliance Support and Property Subdivision Support, Milwaukie, Oregon

Derek has provided long-term support and facility oversight for multiple owners of a multi-tenant warehousing facility that has since been subdivided and sold to multiple parties. Services have included compliance with each owner's 1200-Z Industrial Stormwater Permit, maintaining the facility's SWPPP and SPCC plans, tenant SWPPP training, stormwater sampling and completion of Discharge Monitoring Reports, and Tier I and Tier II corrective actions. Additionally, Derek coordinated with Oregon Department of Environmental Quality, the client, and multiple prospective purchasers during the process of subdividing the parcel and selling the subparcels to multiple buyers. Derek retained multiple subparcel purchasers as clients after the completion of the property transactions, coordinating with each to ensure that no conflicts of interest existed in the contracting or work performed.

Sand and Gravel Stormwater Treatment Retrofits, Washington State

Derek assisted a client with retrofit of subbasin stormwater treatment systems at three facilities with coverage under the Washington State sand and gravel general permit. Retrofits were specific to each facility and included pH correction, flocculant pretreatment, increased solids settling capacities, and remote system supervisory control and data acquisition. Site-specific O&M plans and housekeeping schedules were developed.

Boatyard Facility NPDES Compliance Support, Washington State

Derek provided NPDES compliance support and facility oversight for a recreational marina facility permitted under Ecology's boatyard general permit. He updated the facility's SWPPP, prepared training materials, provided training to facility staff, and coordinated stormwater compliance sampling and reporting. Derek completed studies to evaluate current and legacy pollutant sources, including point source studies, runoff/run-on evaluations, and dye-tracing of existing subgrade stormwater and wastewater infrastructure.

Construction Material Supply Manufacturer Stormwater Treatment Budgeting, Seattle, Washington

Derek assisted a client in improving discharges to meet zinc benchmarks listed in the facility's industrial stormwater permit. Galvanized finished product was stored outdoors at the facility with no practical way to isolate it from rainfall. It is likely that truck and forklift traffic also contributed to zinc loading. Bench-scale testing of three treatment trains was performed, followed with a long-

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term O&M cost study. Results from this testing and cost estimates for treatment provided the client information necessary to move forward with implementation of stormwater treatment.

Salvage Auto Auction Facility Stormwater Treatment Retrofit, Portland, Oregon

Derek designed and implemented a retrofit and startup of an existing stormwater treatment system for a business that was initiating operations at a new facility. The existing stormwater treatment had been designed for the typical pollutant loading from previous tenant operations, and the client's operations were expected to deliver higher loading of TSS, metals, and petroleum hydrocarbons. Derek's evaluation of the system's existing condition led to fast-tracking repairs and an update of the chemical delivery system. Following system updates, Derek delivered an updated O&M plan and coordinated with regulators to ensure that updates complied with NPDES permit requirements.

Fish-Processing Plant pH-Correction System Design/Build, Puget Sound Area, Washington

Derek worked with a fish-processing plant to design and install a pH-correction and monitoring system that would comply with their King County industrial wastewater permit discharge requirements. Process and wastewater flows were highly variable, including in pollutant loading, primarily because of cleaning practices and the use of lye in production of the plant's finished product. Derek developed a process water treatment train that batch treated the water, limiting the variability and simplifying the pH-correction process to require only a single acid dose. Additional fail-safes, monitoring, automation, and other features were incorporated into the system, greatly decreasing water treatment oversight requirements.

Roofing Product Manufacturer Stormwater Treatment System Installation, Portland, Oregon

Derek assisted a roofing product manufacturing facility that required treatment as part of a Tier II corrective action under their DEQ 1200-Z stormwater permit. Treatment included qualitative and quantitative analyses of untreated stormwater runoff quality, treatment alternative review, proof-of-concept testing, cost-benefit analyses, and design of the final treatment system. Following system design, Derek led costing and procurement efforts to support the client in final installation.

Environmental

Environmental Investigation of Former Sawmill and Plywood Manufacturer, Medford, Oregon

As project manager, Derek oversaw the completion of due diligence environmental site assessments and data gap investigations on a property neighboring a client's facility. Efforts began with a Phase I ESA that identified multiple recognized environmental conditions and data gaps associated with a historical site operation. Derek coordinated additional studies, including composite surface soil sampling across 34 acres, characterization of an on-site treated soil stockpile, and surficial and GPR surveys. Information obtained during these studies was used to coordinate with the DEQ to develop a prospective purchaser's agreement for the property.

Critical Aquifer Recharge Assessment BMP Analysis, Napavine, Washington

Derek assisted a client with portions of a critical aquifer recharge assessment report for a fueling station that is planning to infiltrate stormwater into an on-site shallow drinking water aquifer. As part of this work, he proposed facility-specific BMPs, evaluated efficiencies of proposed infiltration and pretreatment equipment, updated the facility's spill prevention and response plan, and completed quality control review of previous work conducted for the facility. Findings from this work were used as proof of concept to demonstrate that typical stormwater runoff from the fueling station posed no atypical risk to drinking water quality.

Petroleum Vapor Intrusion Assessment at a Semi-Trailer Repair Facility, Tacoma, Washington

Derek assisted with a vapor intrusion investigation at a large, multiparcel, contaminated site that has petroleum and volatile organic compound releases to soil and groundwater from historical industrial operations. The investigation is a component of work to be performed on the Tacoma waterfront under an agreed order administered by Ecology. Historically, free-product oil was disposed of in an unlined holding pond near the facility. The facility consists of two open-air Quonset huts and a shop building. Derek installed vapor pins in locations representative of occupant spaces and collected manometer pressure differential measurements between the sub-slab vapor and indoor air to assess vapor intrusion conditions. He assisted with the successful collection of 11 sub-slab

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vapor samples at the property in the summer of 2022. Data evaluation efforts are ongoing and additional investigations are pending; these include the collection of additional sub-slab, indoor air, and ambient air samples planned for 2023.

Environmental Investigation of Former Pulp and Paper Mill, Steilacoom, Washington

Derek assisted with composite and discrete soil sampling at a former pulp and paper mill that is slated for redevelopment as a mixed-use property. This potential property redevelopment requires additional investigation to evaluate potential exposure pathways associated with future use. Regulatory authorities requested additional investigation for the potential presence of dioxins and furans in surface soil related to the former operation of a hog fuel boiler at the property. Additionally, the property is within the Tacoma Smelter Plume boundary, and surface soils may have been impacted by arsenic and lead contamination from the former operation of the Asarco Company copper smelter. Investigations at the property included multiple sampling protocols for the different contaminants of concern: using incremental sampling methodology and discrete sampling for analysis for dioxins and furans in two areas of interest; and using discrete and composite sampling for analysis of soil, forest duff, and sediments contaminated by Tacoma Smelter Plume metals in three areas of interest. Derek assisted in the development of a work plan for Ecology review, prepared for and conducted the field sampling, and provided analysis and reporting of the findings from the investigation.

Wastewater Reuse Permit Application, Brinnon, Washington

Derek assisted a client with the application process for a state permit for generation, distribution, and use of reclaimed water for a proposed recreation community on the Olympic Peninsula. This new community will serve up to 2,400 residents and staff and will include additional amenities such as a golf course, a hotel, convention space, and common areas. The project team planned to treat and reuse all wastewater generated in the community; the reuse would include irrigation of green spaces (including the golf course) and wildfire prevention in forested areas throughout the property. Derek worked with Statesman and members of their project team to compile information and complete an individual reclaimed water permit application with anticipated 100 percent reuse of their community wastewater. The permit application was approved by Ecology in 2023, and construction of the community is anticipated to begin in late 2025.



Bill Beadie CIH

Principal Industrial Hygienist
bbeadie@maulfoster.com | 503.501.5234

Bill Beadie has 28 years of experience in health and safety consulting, with expertise in program development, exposure assessment, risk assessment, and training. Bill has helped clients develop other safety and health programs, such as hearing protection, respiratory protection, confined-space entry, lockout/tagout, emergency response, fall protection, hazard communication, lead compliance, and bloodborne-pathogen programs. He also has experience working with clients to resolve citations issued by regulatory agencies such as OSHA and EPA. Bill's industrial hygiene experience is an integral component of the overall risk assessment services provided by MFA.

Education

- BS, Chemistry/Philosophy:
Bates College

Certifications

- Certified Industrial Hygienist
No. 9031 CP
- HAZOP and PHA Techniques
for Process Safety and Risk
Management
- AHERA Asbestos Supervisor
- NIOSH 582(E) Asbestos

Professional Associations

- American Industrial Hygiene
Association (AIHA)
- AIHA Risk Committee—Chair,
2010 to 2011

Relevant Projects

Asbestos, Metals, and Noise Exposure Assessment near an Outdoor Remediation Site, Portland, Oregon

Bill managed the daily chemical exposure assessment tasks during remedial activities at a former shipbreaking site along the Willamette River. He also coordinated noise measurements to assess compliance with DEQ community noise requirements. The exposure data collected during the project were used to resolve concerns about chemical and noise exposure on and near the site.

Chemical and Noise Exposure Assessment for a Roofing Manufacturer, Oregon and California

Bill conducted chemical exposure assessments at multiple sites for a roofing manufacturer. The scope of the assessment included asphalt, silica, dust, fiberglass, formaldehyde, and noise. Data from the assessment were evaluated by a large industry trade group that was preparing comments in response to proposed OSHA standards.

Exposure Assessment during Activities on Historical Metallurgical Mine and Mill Sites, Idaho

Bill designed and coordinated a multiyear exposure assessment for lead, cadmium, arsenic, and total dust, while workers performed various activities on different sites. He defined similar exposure groups and developed an assessment strategy and sampling plan. The assessment included detailed observations, video recordings, real-time monitoring, and integrated sampling. Bill summarized the results in a written report.

Dust, Silica, Asbestos, and Metals Exposure Assessment during Wildfire Debris Cleanup, Oregon

Bill worked with state agencies to plan and conduct community exposure monitoring in populated areas during wildfire debris cleanup in Oregon. The exposure monitoring plan was developed for the Oregon Department of Transportation 2020 Wildfire Debris Removal and Operations Plan. The scope of exposure monitoring included dust, asbestos, and metals. Bill worked with GIS analysts to develop a process to prioritize sites for community monitoring based on demographic data. The prioritization tool

Bill Beadie CIH

helped ensure that the sampling was conducted consistent with the priorities of state agencies.

Broad-Ranging Health and Safety Program Development for a Synthetic Crude Oil Manufacturing Facility, Portland, Oregon

Bill managed the development of several health and safety programs, including hearing conservation, industrial hygiene, lockout/tagout, personal protective equipment, respiratory protection, hazard communication, emergency planning, hot work, fall protection, and electrical safety.

Broad-Ranging Environmental, Health and Safety Audit for a Confidential Food Manufacturer

Bill collaborated with other MFA staff to audit a broad range of environmental, health, and safety programs for a confidential food manufacturer. The audit was coordinated by the company's legal counsel. The audit scope included approximately 20 health and safety topics, such as hearing conservation, hazard communication, machine guarding, walking and working surfaces, fall protection, means of egress, and fire prevention. The results were summarized in a written report in a format that allowed the client to assign and track follow-up actions for each recommendation.

Health and Safety Program Support for a Construction Company, Portland, Oregon

Bill worked with an interdisciplinary team to provide a wide range of environmental and health and safety support services to a construction company during a multiyear high school renovation project. Support services included the development of health and safety plans; tools for auditing compliance with health and safety requirements; chemical exposure monitoring for lead, dust, and crystalline silica; spill response support; and supplemental assessments for hazardous building materials such as lead and asbestos.

Confined-Space-Program Development for a City Public Works Department

Bill worked on a team auditing a city public works department's confined-space program. The team's responsibilities consisted of the following confined-space-related work: performing and documenting evaluations, providing equipment specifications, and providing training.

Spill Protocol Development, Chemical Manufacturing Company, Hillsboro, Oregon

Bill developed written protocols for responding to incidental spills and uncontrolled releases of hazardous chemicals at a company that manufactures chemicals for the semiconductor industry. Bill collaborated with the client to ensure that the protocols were user-friendly and easy to read in an emergency. Bill recommended grouping similar chemicals together, which allowed approximately 60 different chemicals to be covered in approximately ten protocols.



Chad Darby

Principal Air Quality Specialist
cdarby@maulfoster.com | 971.713.3574

Chad Darby has more than 30 years of professional experience in the air quality science and engineering field, with project management in 35 states and three Canadian provinces. This includes construction and operation permitting; field source testing with EPA, NIOSH, OSHA, and state methodologies; ambient sampling and meteorological station design and installation; pollution-control evaluation (BACT, RACT, LAER); historical compliance investigations (NSR, PSD); multimedia compliance auditing; risk management planning; compliance assurance monitoring planning; MACT applicability; strategy development; and compliance demonstration. Additionally, Chad has prepared numerous air quality and climate sections for environmental impact reports and statements under NEPA, SEPA, and CEQA. Chad regularly provides presentations on air quality topics, teaches classes, and provides expert testimony.

Education

- MS, Mechanical Engineering (environmental emphasis): University of Minnesota
- BS, Physics: Grinnell College

Relevant Projects

Air Toxics and Risk Assessment

Human Health Risk Assessment for a Municipal Landfill, Medford, Oregon

Chad was the principal-in-charge of a Level 3 HHRA for a municipal landfill in Oregon to prepare the facility for future Cleaner Air Oregon permitting compliance demonstrations. The HHRA was completed consistent with the Draft Recommended Procedures for Toxic Air Contaminant Health Risk Assessments published by the Oregon DEQ. TAC emissions were estimated using site-specific sampling data and the Landfill Gas Emissions Model developed by EPA. AERMOD was used to develop an air dispersion model of the facility, which was executed using unit emission rates. An automated spreadsheet-based tool was used to calculate excess cancer risk and chronic and acute noncancer risk estimates and conduct the corresponding culpability analysis. The culpability analysis revealed the toxic emission units and TACs contributing the most to the predicted risk estimates at each receptor location in the modeling domain. To support the analysis, Chad pioneered the use of a drone-mounted methane sensor to determine the source of fugitive emissions from the landfill. Using surface measurements of collected landfill gas to determine ratios of air toxics to methane, the location and concentrations of air toxic emissions could be estimated and modeled as fugitive releases.

Permitting and Human Health Risk Assessment for a Wood-Treatment Facility, The Dalles, Oregon

Chad was the principal-in-charge of a Level 3 HHRA for an existing wood-treatment facility called into the Cleaner Air Oregon program by the Oregon DEQ for purposes of compliance demonstration and permitting. The HHRA was completed consistent with the Draft Recommended Procedures for Toxic Air Contaminant Health Risk Assessments published by the DEQ. Chad provided senior review and oversight on the preparation of the TAC emissions inventory, dispersion modeling using AERMOD, and excess cancer risk and chronic and acute noncancer risk estimates. He also assisted with permitting a

Chad Darby

thermal oxidizer and total enclosure to control retort and drip pad emissions. Chad supported public engagement and negotiations with regulatory agencies.

Human Health Risk Assessment for Multiple Wood-Products Facilities, Multiple Locations, Oregon

Chad was the principal-in-charge of the preparation of emissions inventories and performance of dispersion modeling for a wood-products manufacturer with several locations in eastern and southern Oregon for purposes of developing an HHRA for future Cleaner Air Oregon compliance demonstrations. Unit emission rates were modeled in AERMOD for process equipment typical of lumber sawmills and facilities manufacturing softwood and hardwood plywood, laminated veneer, medium-density fiberboard, and particleboard. Predicted ambient concentrations were multiplied by the applicable toxic air contaminant emission rates and divided by risk-based concentrations published by the CAO program. Google Earth was used to display risk isopleths along with the culpability analysis results for client review. For comparison, a risk analysis was also performed using the HARP2 software package, developed by the California Air Resources Board, prior to finalization of the CAO rulemaking. The HARP2 output files were presented to state regulators for discussion and analysis.

Human Health Risk Assessment for a Glass Fiber Manufacturer, Corvallis, Oregon

Chad was principal-in-charge of completion of several HHRA iterations (for purposes of future Cleaner Air Oregon compliance demonstrations) for a specialty glass fiber production facility in Oregon. AERMOD was utilized for air dispersion modeling, and the model was executed using unit emission rates. Predicted ambient concentrations were postprocessed with the toxic air contaminant emission rates and risk-based concentrations published by the CAO permitting program to estimate excess cancer risk and chronic and acute noncancer hazard indices. A corresponding risk analysis was also performed using the HARP2 software package, developed by the California Air Resources Board, for comparison purposes prior to finalization of the CAO rulemaking.

Human Health Risk Assessment for a Wood-Products Manufacturer, Multiple Locations, Oregon

Chad was principal-in-charge of conducting two Level 3 HHRA for a wood-products manufacturer with two facilities in southern Oregon. Each HHRA was completed assuming the draft Cleaner Air Oregon rules and risk-based concentrations published on June 25, 2018, would apply. Each dispersion model was executed using AERMOD and unit emission rates (i.e., 1 gram per second for nonarea source types). Emission rates and predicted ambient concentrations for each modeled exposure location were postprocessed, using tools developed by MFA staff, to quickly estimate excess cancer risk and chronic and acute noncancer risk. Google Earth was used to display risk isopleths, along with the culpability analysis results, for client review.

Human Health Risk Assessment for an Ethanol Plant, Clatskanie, Oregon

Chad was principal-in-charge of an HHRA, conducted in preparation for the ongoing Cleaner Air Oregon rulemaking, for a biorefinery located in Oregon. Formatted hourly and annual emission estimates from the CAO air toxics submittal were prepared for use in the Hotspots Analysis and Reporting Program Version 2. The HARP2 tool was utilized, only in lieu of the final CAO regulations, to produce conservative overestimates of lifetime excess cancer risk and noncancer hazard indices from residential exposure. The AERMOD dispersion model was based on source exhaust under parameters and building height information obtained from the client. Figures depicting the LECR and hazard index isopleths were overlaid on aerial imagery for review.

Human Health Risk Assessment and Cleaner Air Oregon Permitting, Metal Foundry, Oregon

Chad was the principal-in-charge of evaluation of CAO compliance for a metal foundry in Oregon. An HHRA was completed following the Draft Recommended Procedures for Toxic Air Contaminant Health Risk Assessments published by the Oregon DEQ and included air dispersion modeling using AERMOD. Excess cancer risk and chronic and acute noncancer risk estimates for multiple operating scenarios were evaluated consistent with Level 3 risk assessment procedures. The basis of the HHRA results was an emissions inventory developed using baghouse dust sampling and research into foundry process emission factors for specific alloy combinations.

Chad Darby

Human Health Risk Assessment and Cleaner Air Oregon Permitting, Fish-Processing Facility, Warrenton, Oregon

Chad was the principal-in-charge responsible for the permitting of a new fish-processing facility. Emissions were estimated and pollution control devices were evaluated for odor control. The CAO and criteria pollutant permit applications required a detailed toxic air contaminant emissions inventory, regulatory review, a modeling protocol and report, and a Level 1 CAO HHRA.

Cleaner Air Oregon Air Toxics Support, Numerous Facilities throughout Oregon

Chad has supported dozens of Oregon industrial facilities in the CAO program, ranging from wood treating to aerospace parts manufacturing. He has provided compliance training, emission inventory development, dispersion modeling (AERMOD), and risk assessment. To assist clients by providing quicker in-house risk assessments, Chad managed the development of an automated Level 1 risk assessment tool that has been widely used by clients to determine sources and pollutants that could potentially lead to off-site risks. Chad has assisted clients in reassessing raw material choices and processes to reduce estimated risks. In several cases, Chad has helped clients reduce estimated risks to at or below levels that would trigger the requirement for Oregon permitting.

Selected Permitting and Enforcement Experience

Municipal Waste Landfill Permitting, Eagle Point, Oregon

Chad was the principal-in-charge responsible for a municipal waste landfill's significant permit modification to alter the amount of allowable truck traffic and to permit increased volatile organic compound emissions through the use of existing capacity. Additionally, new emission estimation methods were proposed for the Title V permit to consistently estimate fugitive emission flow rates between the greenhouse gas calculations and the VOC calculations. Emergency authorization through a minor permit modification was obtained to increase truck traffic to accommodate wildfire debris.

Regional Haze Analyses, Multiple Locations, Oregon

Chad was the principal-in-charge of regional haze analyses for eight facilities representing five different companies. Impacts were analyzed using screening criteria, then control-device options were analyzed. Cost estimates were developed for viable control devices and an analysis of the cost-effectiveness of each control was presented. Three facilities were screened out of the assessment. One facility chose to conduct dispersion modeling and visibility impact analyses to determine the impact to three Class I areas within 100 km.

Bark-Drying Operation Modeling and Permitting, Centralia, Washington

Chad was the principal-in-charge of an assessment of the volatile organic compound emissions of an aged bark-drying operation. Dispersion modeling was required under the Southwest Clean Air Agency air toxics rules. BACT and toxics BACT analyses were prepared to demonstrate the available cost-effective controls for emissions. A permit application was developed and submitted to the agency for approval. Based on experimentation with material-handling measures at the facility, operational controls used prior to drying significantly reduced emissions.

Morrow Pacific Project, Coyote Island Terminal LLC Permitting, Oregon

As project director, Chad prepared a complex emissions inventory that included trains, tugboats, oceangoing vessels, transloading equipment, and stationary sources. He calculated the decay rate for methane emitted from coal during the latter's transport and handling. He assisted with the air quality permitting and dispersion modeling for the proposed Coyote Island Terminal at the Port of Morrow, which is designed to handle 8.8 million tons of coal as a U.S. West Coast export terminal for Powder River Basin coal. Chad oversaw a toxicological literature review regarding coal in air and water; development of project recommendations for emission control systems; and public comment support to agencies involved in addressing public concerns, including coal dust, diesel exhaust, and train and tug impacts. Chad studied and evaluated greenhouse gases emitted during transport and handling of coal, spontaneous coal combustion hazards, and dispersion of coal dust to air and water. Parties involved included the Oregon DEQ, Oregon Department of State Lands, National Marine Fisheries Service, U.S. Army Corps of Engineers, State Historic Preservation Office, and four area tribes.

Chad Darby

BACT Analysis and Emissions Inventory, Membrane-Manufacturing Facility, Massachusetts

Chad performed a BACT analysis for the largest emitting sources at a membrane-manufacturing facility. He developed an emissions inventory to estimate emissions due to solvent evaporation losses and transfer losses. Cost-effectiveness values were calculated for wet scrubbing, oxidation (thermal and catalytic), carbon adsorption, and condensation-control technologies.

PSD Permit Application, Wood-Products Manufacturer, Kettle Falls, Washington

Chad completed a PSD permit application for an electrostatic precipitator and wood-fired thermal oxidizer designed to control emissions from direct-fired veneer dryers to achieve compliance with the Plywood and Composite Wood Products MACT and reduce opacity while minimizing greenhouse gas generation at the plant. The oxidizer exhaust system was designed to provide high-energy steam in a heat-recovery boiler to produce electricity in a steam turbine, and to provide low-energy steam for heating log vats and plywood presses.

Construction Permitting, Forest-Products Company, Newport, Vermont

Chad prepared a Permit to Construct application for a new hogged-fuel boiler with fuel oil backup capability. Emissions estimates for the new boiler, dispersion modeling, and a hazardous most stringent emission rate determination were included in the permit application.

Additional Related Landfill Experience

Meteorological Monitoring Station for a Landfill, Medford, Oregon

Chad is the principal-in-charge for the operation of a PSD ambient meteorological monitoring station located at a municipal solid waste landfill near Medford, Oregon. Chad oversees the monitoring program, providing senior review of data management and calibration, audit, and quarterly/annual data reporting.

Landfill Permitting, Idaho

Chad completed permitting for a boiler ash and wood debris landfill; this involved approval of the Idaho DEQ, Panhandle Health District, and Bonner County Planning Department. The permit application required fate and transport modeling based on existing monitoring well data; development of an operations plan; and assessment and planning for nuisance issues, signage, traffic flow, dust suppression, and fire hazards.

Recent Publications, Presentations, and Committee Participation

Darby, Chad. 2021. Regional Haze Fiscal Advisory Committee member. Participated in the analysis of fiscal impacts to business for the State of Oregon as a member of the DEQ advisory panel. May.

Darby, Chad. 2020–2021. Cleaner Air Oregon Rules Advisory Committee member. Participated in the development of new rulemaking for the State of Oregon as a member of the DEQ advisory panel, November 2020–February 2021.

Darby, Chad. 2020. Developer and instructor. Led a four-part training workshop over eight hours that featured lessons learned in assisting facilities with CAO emissions inventories, modeling, risk assessment, and permitting. MFA Cleaner Air Oregon Webinar Series. October–November.

Darby, Chad. 2017. Air Toxics Risk Assessment Workshop. Instructor. Half-day workshop covering topics such as the fundamentals of Oregon's proposed air toxics program, how to develop an emissions inventory, considerations in conducting dispersion modeling, and preparing a comprehensive risk assessment. NCASI West Coast Regional Meeting. September.



Brian Snuffer Zukas, PE

Senior Air Quality Engineer
bsnuffer@maulfoster.com | 971.254.8077

Brian Snuffer Zukas has over ten years of experience in air quality and consulting services, including experience performing technical work in civil and environmental engineering. His specialties include emissions inventory development, air dispersion modeling, human health risk assessments, industrial ventilation system design, AutoCAD design services, and building tools for data management and facility recordkeeping. Mr. Snuffer Zukas has managed or assisted with many projects in the forest products, aggregate mining, waste management, glass fiber, and metal and alloy production industries. He has a strong foundation of technical capabilities and significant experience in preparing air quality permit applications for compliance with federal, state, and local regulations.

Education

BS, Environmental Engineering:
Florida Gulf Coast University,
Fort Myers, Florida
BS, Civil Engineering:
Florida Gulf Coast University,
Fort Myers, Florida

License/Registration

Professional Engineer, Oregon
No. 95661PE

Relevant Projects

Dispersion Modeling & Health Risk Assessment

Cleaner Air Oregon Permitting for a MDF Manufacturing Facility, Medford, OR

Mr. Snuffer Zukas managed the Cleaner Air Oregon permitting compliance demonstration for a medium-density fiberboard manufacturing facility located in Medford. He assisted with the development of the Oregon Department of Environmental Quality (DEQ) approved toxic air contaminant (TAC) emissions inventory, Modeling Protocol, Risk Assessment Work Plan, and the Risk Assessment Report. Prior to these submittals, Mr. Snuffer Zukas developed and executed several iterations of the dispersion model and Level 3 Health Risk Assessment (HRA) for the facility. Each iteration was based on an analysis of the culpability of the toxic emission units (TEU) and TACs contributing the most to the predicted risk estimates at each modeled exposure location. To support the communication of results to the Client, Mr. Snuffer Zukas assisted in the development of a Google Earth tool presenting the culpability analysis results at each modeled exposure location allowing for refinement of emission estimate assumptions or TEU representations in the dispersion model.

Cleaner Air Oregon Permitting for a Wood Treatment Facility, Eugene, OR

Mr. Snuffer Zukas managed the Cleaner Air Oregon permitting compliance demonstration for a wood treating facility located in Eugene. As project manager, Mr. Snuffer Zukas led the development of the preliminary TAC emissions inventory and dispersion model for the facility. The TAC emission inventory included emissions estimates for work tank/vacuum system, storage tank, dry kilns, natural gas-fired boiler, and the process water treatment system TEUs, among others. He also completed multiple site visits to construct a detailed process flow diagram of the wood treating operation, reviewed facility treatment record database spreadsheets, and drafted the Liquid Sampling Plan approved by the Lane Regional Air Protection Agency.

Brian Snuffer Zukas

Health Risk Assessment for a Municipal Landfill, Medford, OR

Mr. Snuffer Zukas conducted a Level 3 HRA for a municipal landfill in Oregon to prepare the facility for future Cleaner Air Oregon permitting compliance demonstrations. The HRA was completed consistent with the Draft Recommended Procedures for Toxic Air Contaminant Health Risk Assessments published by the Oregon DEQ. TAC emissions were estimated using site-specific sampling data and the EPA Landfill Gas Emissions Model. Mr. Snuffer Zukas used the AERMOD program to develop an air dispersion model representation of the landfill, which was executed using unit emission rates. An automated spreadsheet-based tool, developed by Mr. Snuffer Zukas, was used to calculate excess cancer risk and chronic and acute noncancer risk estimates and the corresponding culpability analysis. The culpability analysis revealed the TEUs and TACs contributing the most to the predicted risk estimates at each modeled exposure location.

Air Quality Permitting, Compliance Support, and Emissions Inventory

Air Quality Compliance and Permit Assistance for a Renewable Fuels Manufacturing Facility, Clatskanie, OR

Mr. Snuffer Zukas managed the Standard Air Contaminant Discharge (ACDP) application and Cleaner Air Oregon permitting process for a proposed renewable fuels manufacturing facility to be located in Clatskanie, Oregon. The proposed facility will receive and process raw oil feedstocks including vegetable oils and animal fats, among others, in order to produce renewable fuel products. To expedite the permitting process, a combined emissions inventory containing criteria pollutant and toxic air contaminant emission estimates was submitted to the Oregon DEQ for review. Mr. Snuffer Zukas assisted in the development of the combined Modeling Protocol and Risk Assessment Work Plan, required for new source review and the CAO compliance purposes. Numerous preliminary dispersion models were developed to demonstrate criteria pollutant emissions from the proposed facility are below the Significant Impact Level. The permit for the proposed facility was issued on August 30, 2022.

Air Quality Compliance and Permit Assistance for a Specialty Glass Fiber Manufacturer, Corvallis, OR

Mr. Snuffer Zukas supported the preparation of a comprehensive Prevention of Significant Deterioration permit application for a specialty glass fiber manufacturing facility located in Oregon. The PSD permit application included a complex process flow diagram of the exhaust routing configuration, a detailed emissions inventory for criteria pollutants and hazardous air pollutants, a Best Available Control Technology assessment, a regulatory applicability analysis, and air dispersion modeling. Mr. Snuffer Zukas also conducted oversight of the extensive source testing campaign undertaken by the facility, which included multiple USEPA Methods. After completion of the source test campaign, Mr. Snuffer Zukas led the development of a source test catalog detailing the source test results and production data for recordkeeping and comparison purposes.

Construction Air Contaminant Discharge Permit and Title V Modification Permit Application, Dillard, OR

Mr. Snuffer Zukas prepared the construction ACDP and Title V modification permit applications for a large wood-products manufacturing complex that produces lumber, plywood, and particleboard in Oregon. The permit applications were prepared in anticipation of converting the existing PB operation to the production of medium-density fiberboard. The permit applications required a detailed emissions inventory including before- and after-construction criteria and hazardous air pollutant emissions estimates, a broad state and federal regulatory applicability analysis, and preparation of state-required forms.

Level 1 Risk Assessment Tool Development, State of Oregon

Mr. Snuffer Zukas prepared a spreadsheet tool to automate Level 1 risk assessment calculations for cancer, chronic noncancer, and acute noncancer risk. The Level 1 tool includes an input page for stack height, distance to the nearest applicable receptor, and daily and annual emission estimates. Using the input data, the Level 1 tool performs all necessary calculations to produce risk estimates, as well as the contribution of each toxic air contaminant and source to the assessed cancer or noncancer risk. This allows facilities to determine which TACs and source assumptions may require further refinement based on the risk culpability. The Level 1 tool was requested and is being used by two universities, as well as numerous industrial facilities throughout Oregon.

Presentations

- Cleaner Air Oregon Program Update: Lessons Learned Webinar Series, November 6, 2023. Virtual (via Zoom).
- Case Study: Problems and Solutions for Air Quality Modeling Meteorology. Developments in NSR Air Permitting Workshop, Air & Waste Management Association, April 17, 2018. Seattle, WA.

April 17, 2025

Maul Foster & Alongi, Inc.
601 East Front Avenue, Suite 202
Coeur d'Alene, ID 83814

ABOUT COLUMBIA WEST ENGINEERING, INC.

Founded in 1999, Columbia West Engineering, Inc. (Columbia West) is a locally owned and operated professional multi-disciplinary geotechnical engineering, environmental consulting, special inspections, and material testing services provider. Our dedicated team comprises 55 professionals, including engineers, geologists, technical personnel, and support staff, all driven by a commitment to delivering high-quality services and innovative, resourceful engineering solutions. Columbia West is proud to hold an A2LA (American Association for Laboratory Accreditation) accredited and ODOT (Oregon Department of Transportation) certified laboratory reinforcing our ability to support our geotechnical and special inspection services.

At the helm of Columbia West is President, Founder, and Majority Owner, **Lance Lehto**. Other key principals and owners of the company are **Shawn Dimke, Najib Kalas, Daniel Lehto, Jason Ordway, Nick Paveglio, and Brett Shipton**. Brett Shipton spearheads our geotechnical engineering services and Jason Ordway leads our special inspection services. Nick Paveglio heads our seismic engineering services. Notably, Brett Shipton, Najib Kalas, Nick Paveglio and Shawn Dimke recently joined Columbia West as principal engineers. Brett, Najib, Nick and Shawn have worked together for over 15 years and add more than 80 combined years of geotechnical consulting experience to bolster our geotechnical engineering team. In line with our growth and commitment to clients and projects in Oregon, we recently opened our Beaverton, Oregon office to enhance our capacity and service delivery.

Columbia West excels in delivering cost-effective geotechnical design options and construction recommendations. Our expertise is geared towards evaluating design options, drawing well-founded conclusions, and offering recommendations that reduce project costs. We are proactive collaborators, fostering open communication with project design and construction teams during construction to ensure projects remain on budget without compromising quality.

Sincerely,

COLUMBIA WEST ENGINEERING, INC.



Shawn M. Dimke, PE, GE
Principal



EXPERIENCE

Over 21 Years

CONTACT

PHONE:
503-880-5245

WEBSITE:
www.columbiawestengineering.com

ADDRESS
8880 SW Nimbus Avenue, Suite A
Beaverton, Oregon 97008

EDUCATION

Bachelor of Science Civil Engineering
Oregon State University, 2000
Master of Science Geotechnical Engineering
Oregon State University, 2004

REGISTRATION AND CERTIFICATION

Registered Professional Engineer, California,
Oregon, Washington
Registered Geotechnical Engineer, Oregon
American Society of Civil Engineers

BIOSKETCH

Shawn Dimke is a principal engineer at Columbia West Engineering, Inc. (Columbia West) with a wealth of experience throughout the Pacific Northwest and urban landscapes in California. Prior to joining Columbia West, Shawn worked at a private prominent Pacific Northwest geotechnical consulting firm for over 20 years as an intern, geotechnical engineer, associate, and principal. Shawn provides and manages geotechnical services on a wide range of projects. He enjoys finding practical solutions and options to best meet the needs of clients and development teams. Whether it is providing quality, reliable, day-to-day geotechnical services or finding innovative solutions to complex geotechnical design and construction challenges, Shawn enjoys collaborating and communicating to contribute to successful projects.

REPRESENTATIVE PROJECT EXPERIENCE

Shawn's project experience includes:

- Infrastructure
- Public Buildings and Facilities
- Education
- Hospitals and Medical Office Buildings
- Commercial
- Industrial
- Large-tract Residential
- High Rise Buildings
- Mixed-Use Developments
- Waterfront Buildings
- Landfills

Shawn's responsibilities include scoping geotechnical engineering projects, project management, client correspondence, project planning, geotechnical engineering and design calculations, report preparation and review, and project specifications preparation. Shawn's career experience includes:

- Geotechnical engineering studies
- Seismic hazard evaluations
- Seismic design for liquefaction and lateral spread hazards
- Slope stability analysis
- Landslide evaluation and mitigation
- Shoring and retaining wall design
- Shallow and deep foundation design
- Finite element modeling
- Geotechnical Instrumentation
- Seepage analysis

Shawn joined Columbia West's geotechnical engineering team in the summer of 2023. He spent the prior 3 years leading a team of senior geotechnical project engineers. At Columbia West, Shawn works as part of the senior management and ownership group to develop business and growth strategies and manages and collaborates with a talented team to provide geotechnical services.

JONATHAN A. NASR

EXPERIENCE

9 years

CONTACT

PHONE:
408.239.9960

WEBSITE:
www.columbia-west.com

ADDRESS:
8880 SW Nimbus Avenue, Suite A
Portland, Oregon 97008

EDUCATION

Master of Science
Civil Engineering (Geotechnical)
Portland State University 2017

Bachelor of Science
Civil Engineering
Portland State University 2015

REGISTRATION AND CERTIFICATION

Registered Professional Engineer,
Oregon

PUBLICATIONS

Nasr, J. and Khosravifar, A. (2018). "The Effects of Long-Duration Subduction Earthquakes on Inelastic Behavior of Bridge Pile Foundations Subjected to Liquefaction-Induced Lateral Spreading." Proc., Geotech. Earthquake Eng. and Soil Dyn. V.ASCE. Reston, Va., 617-625.

Khosravifar, A. and Nasr, J. (2018). "Modified design procedures for bridge pile foundations subjected to liquefaction-induced lateral spreading." DFI Journal - The Journal of the Deep Foundations Institute, DOI: 10.1080/19375247.2018.1436382



BIOSKETCH

Jonathan Nasr is a project engineer at Columbia West Engineering, Inc. (Columbia West). Jonathan has more than nine years of experience in the geotechnical engineering field. While earning his undergraduate degree in civil engineering at Portland State, he got an internship at a local geotechnical consulting company and discovered his passion for the field. He ended up completing his master's degree with an emphasis in geotechnical engineering and never looked back.

Jonathan's career has encompassed a diverse range of projects across multiple regions. He comes to Columbia West from the U.S. Army Corps of Engineers Portland District, where he worked as a geotechnical designer on projects in Oregon and Washington. Before that, he worked as a staff engineer and project engineer at a California-based geotechnical consulting firm with projects ranging from temporary trestle design to seismic site response analysis. Jonathan is known for his adaptable approach and curiosity, consistently applying these strengths to deliver cost-effective geotechnical solutions.

REPRESENTATIVE PROJECT EXPERIENCE

Jonathan's project experience includes:

- Ports and harbors
- Dams and levees
- Federal facilities
- Commercial structures
- Industrial facilities
- Schools
- Transportation infrastructure

Jonathan's young career has included a variety of different project types. Some key analytical skills that he has developed while working on these projects include:

- Seismic hazard analysis
- Site-specific site response analysis
- Ground motion selection for structural analysis
- Ground improvement design
- Shoring design
- Dewatering design
- Slope stability analysis
- Pavement design

Jonathan joined Columbia West's geotechnical engineering team in 2024. He is excited to add his unique skill set and experience to an already well-rounded team.



DR. TONY SPERLING, P.Eng.
President SHA / Landfill Design Engineer
Landfill Fire Control Specialist

PROFILE:	1978 - 1983	B.A.Sc. Geological Engineering, UBC, Geotechnical Option
	1981 - 1982	(Summer) Engineering Student and Drill Inspector, B.C. Hydro
	1983	(Summer) Mine Geologist, Brenda Mines Ltd.
	1984 - 1985	M.A.Sc. Mining Engineering, UBC, Rock Mechanics
	1984	(Summer) Geotechnical Engineer, Equity Silver Mines Ltd.
	1985 - 1986	(Summer) Geological Engineer, Trigg, Woollett, Olson Consulting Ltd.
	1986 - 1990	Ph.D., Geological Engineering, UBC, Ground Water Hydrogeology
	1987 - 1988	(Summer) Geotechnical Engineer, Highland Valley Copper
	1987 - 1989	Engineering Software Consultant, Sperling GeoComp Inc.
	1989 - 1993	Geological Engineer, Gartner Lee Limited
	1993 - 1995	Senior Geological Engineer, Gartner Lee Limited
	1994 - Present	Lecturer in Solid Waste Management, B.C.I.T.
	1995 - 1996	Senior Engineer / President Sperling Engineering Services Inc.
	1996 - Present	President and Chief Engineer, Sperling Hansen Associates Inc.
	2000 - Present	President Landfill Fire Control Inc.

EXPERIENCE:

Landfill Fire Suppression: Dr. Sperling is an internationally recognized subject matter expert on Landfill Fires. He has accumulated over nineteen years of practical experience in extinguishing landfill fires in North America and around the world. Most recently he served as Incident Commander during the extinguishment of the Vancouver Landfill Phase 4 Fire in June 2018 that required over three weeks to fully extinguish. That \$2.5 million project was followed by a high intensity oxygen suppression extinguishment at Whitehorse Landfill where a major fire was fully extinguished in less than 24 hours.

In 2015 he developed a suppression plan for the successful extinguishment of the Iqaluit Landfill fire, a problematic fire that had been burning of many months and cost \$3.6 million to extinguish. In 2013 he served as the Technical Advisor to Fire Chief Pablo Tunon and Site Commander in charge of extinguishing the massive Cerro Patacon Landfill Fire in Panama. In 2009, Sperling was tasked as Incident Commander during a three week, \$1 million fire extinguishment at Vancouver Landfill. In 2005 Dr. Sperling and the LFCI team directed the extinguishment of the Brother's Recycling Fire in Duncan at a cost of \$2 million. In 1999 Dr. Sperling served as Engineer in charge of fire extinguishment strategy for the Delta Shake and Shingle demolition waste fire. The Delta Shake and Shingle Landfill involved a \$4 million fire fight and put back of a large DLC landfill with over 300,000 m³ of waste on fire.



Other major projects in which Dr. Sperling played a key role have included a large DLC landfill in Minnesota, the Campbell Mountain Landfill in Penticton (1997), the Lakes County Landfill Fire in Montana (2014), Calgary Metals Auto Shredder Residue Fire in 2012, the 2004 Vancouver Landfill Fire in Delta, the Atlantic Waste Industries Fire in Maple Ridge and the Hesperia Landfill in Vernon, amongst others.

Landfill Fire Response and Risk Management Plans: Dr. Sperling and the LFCI team have developed fire response plans and prevention strategies for a number of municipal and industrial clients including Weyerhaeuser, Metro Waste in Des Moines, Iowa, the City of Penticton, the County of Colchester in Nova Scotia and the City of Kamloops, Bahamian Govt., Israel Ministry of Environment, Columbia Shuswap Regional District (3 landfills), City of Calgary (3 landfills),

President SHA / Landfill Design Engineer / Landfill Fire Control Specialist

Ecowaste Industries, amongst others. Plans typically include a site audit, preparation of the Incident Command structure, outline of actions and responsibilities of each team member, fire suppression strategies, compilation of required resources, and a contact list.

Landfill Fire Training: To disseminate LFCI's knowledge in landfill fire control and prevention, Dr. Sperling has prepared and delivered more than three dozen courses on fire management that have been presented in Edmonton, Saskatoon, Vancouver, Tel- Aviv, New York, Palm Springs, Calgary, Prince George, San Diego, Truro, Toronto, Halifax, Winnipeg, Comox, Tijuana, amongst many others. Most courses include a full day of class room presentations. Some have also included a practical live fire training exercise on Day 2.

Dr. Sperling has also delivered his Landfill Fire course on line through SWANA's E-Course program on numerous occasions. In 2010 Dr. Sperling was named SWANA's E-Course Instructor of the Year.

Landfill Fire Expert Testimony: In 2015 Dr. Sperling was retained as an expert witness to support the Missouri Attorney General's office in a major lawsuit against the landfill operator of Bridgeton Landfill. This landfill experienced a Self Sustaining Subsurface Exothermic Reaction (SSER). Dr. Sperling advanced the state of knowledge regarding the nature of these reactions and provided conclusive evidence that resulted in an out-of-court settlement of the case.

In 2000 he assisted the B.C. Government in cost recovery of damages on the Delta Shake and Shingle fire. Dr. Sperling and the LFCI team have prepared detailed technical reports documenting fire suppression efforts and costs on the Delta Shake and Shingle Fire (\$4 million) and the Brother's Recycling Fire (\$2 million). He has also provided professional advice to the province of Nova Scotia in cost recovery and permit litigation at the Colchester Landfill Fire. He has also provided opinions on cost recovery legal actions for the Calgary Metals Fire, Helotes Landfill Fire.



Solid Waste Management: As a landfill design specialist, in the past 28 years Dr. Sperling has concentrated on providing state-of-the-art engineering services relating to the design, operation, monitoring and closure at municipal landfills. He has completed over 1,000 geotechnical assessments, design and operations plans and closure plans for more than 150 landfills, including both large municipal sites such as the Vancouver Landfill in Burns Bog and the Hartland Landfill in Victoria, as well as numerous small rural sites in the Thompson Nicola Regional District, the Regional District of Bulkley Nechako, the Regional District of Okanagan Similkameen and the Regional District of Kitimat Stikine, amongst others. Flagship projects have included design of the Hartland Landfill PVC closure system, design of the Whistler Landfill Expansion lining and leachate collection system and design of slopes and landfill expansion for a large landfill expansion at the Bailey Road Landfill in Chilliwack. A complete list of projects is included overleaf.

Dr. Sperling is also very active in disseminating the art of landfill engineering in B.C. He is a Director of the B.C. SWANA Pacific Chapter and Chair of their Training Committee. He is also a member of SWANA's MOLO faculty. He has taught SWANA's flagship Manager of Landfill Operations (MOLO) course on four occasions. As well, he has specialty courses on landfill operations at Salmon Arm, Smithers, Kamloops and in Burns Lake B.C and three invited courses on groundwater issues to the MoELP waste managers throughout B.C. As well, he has developed and taught two courses on landfill design at the British Columbia Institute of Technology.

Mining: Projects completed in the mining industry include the design of the Valley Pit Dewatering System for Highland Valley Copper, pit design of the Main Zone Pit at Equity Silver Mines for Placer Dome Mines, a technical assessment of acid mine drainage control at Equity, a technical review of ground water control measures for the Lelydorp III bauxite mine in Suriname, South America for N.V. Billiton Maatschappij, a hydrogeological feasibility assessment of developing a diamond mine beneath a lake in Canada's Arctic for Canamera Resources, and most recently, a hydrogeologic review of ARD seepage from Island Copper's sub-marine waste dumps.

President SHA / Landfill Design Engineer / Landfill Fire Control Specialist

Ground Water Modeling: Dr. Sperling has been involved in the development of several computer models for assessing ground water flow. He has developed *COAST*, a sophisticated pre and post processor program for *MODFLOW*, with Dr. R. A. Freeze. Development of this software has resulted in numerous spin-off assignments including three successful modeling courses for nearly 100 regional staff at the B.C. Ministry of Environment, Lands and Parks. He has taught courses on ground water modeling at the University of British Columbia, University of Washington, the University of Wisconsin, and in house courses for ERM in Houston, Texas.

- **Hydrogeotechnical Studies**

Port Clements Landfill, Queen Charlotte Islands
 Lillooet Landfill Hydrogeologic Investigation
 Hartland Landfill Hydrogeologic Investigation and Leachate Management Concepts
 Knockholt Sub-Regional Landfill Hydrogeotechnical Assessment, Houston
 Thornhill Landfill Hydrogeotechnical Study, Terrace
 Hydrogeological Assessment, City of Vancouver Landfill, Burns Bog, Delta
 Bailey Road Landfill, District of Chilliwack
 Crown Packaging Landfill, Vancouver

- **Design and Operations Plans**

Port Clements Landfill	Lower Nicola Landfill, TNRD
Campbell Mountain Landfill, Penticton	Chase Landfill, TNRD
Summerland Landfill	Clearwater Landfill, TNRD
Foothills Boulevard Landfill, Prince George	Heffley Creek Landfill, TNRD
Lillooet Landfill	Barriere Landfill, TNRD
Hartland Landfill, Victoria	Westwold Landfill, TNRD
Salmon Arm Landfill	Iskut Landfill, RDKS
Bailey Road Landfill, District of Chilliwack	Rosswood Landfill, RDKS
Hope Landfill	Fort St. James Landfill, RDBN
Burns Lake Landfill, RDBN	Smithers Landfill, RDBN
Granisle Landfill, RDBN	Fraser Lake Landfill, RDBN
Manson Creek Landfill, RDBN	Vanderhoof Landfill, RDBN

- **Closure Plans**

Squamish Landfill	Logan Lake Landfill, TNRD
Whistler Landfill	Clinton Landfill, TNRD
Final Cover Test Pad Program, Hartland Landfill	Lytton Landfill, TNRD
Premier Landfill, North Vancouver	Brookmere Landfill, TNRD
Toppley Landfill, RDBN	Clucluz Lake Landfill, RDBN
Old Smithers Landfill, RDBN	Tatalrose Landfill, RDBN
Perow Landfill, RDBN	Fort Fraser Landfill, RDBN
Ootsa Lake Landfill, RDBN	Old Houston Landfill, RDBN
Endako Landfill, RDBN	Palling Landfill, RDBN
Topley Landing Landfill, RDBN	City of Vancouver Landfill

- **Engineering Design and Construction**

South Face Closure Design, Hartland Landfill	North and East Face Closure, Hartland
Underdrain Design Concept, Hartland Landfill	North Ravine Closure Campbell Mountain
West Perimeter Diversion Ditch Design, Hartland	Bailey Road Phase II Expansion, Chilliwack
Hope Landfill Leachate Collection System Detailed Design	

- **Stability Assessments**

Fort Fraser Landfill Stability Assessment	Hope Landfill Stability Assessment
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- **Environmental Monitoring**

Annual Monitoring, Hartland Landfill, Victoria (1990-1994)
Hope Landfill Annual Monitoring, (1995-1997)
Thornhill Landfill Annual Monitoring (1996-1997)
Transition Plan and Environmental Monitoring
Landfill Gas Assessment, Campbell Mountain Landfill, Penticton

Geotechnical Engineering: Dr. Sperling has participated in a number of geotechnical investigations throughout western Canada and the Arctic. His experience includes geotechnical investigation of dam foundations, concrete aggregate resources and stream diversions on B.C. Hydro's Liard, Iskut and Stikine and Hat Creek projects, construction supervision of a rock fill tailings dam for Equity Silver Mines and slope stability studies for Equity Silver, Brenda Mines, Township of Langley, and Town of Hope. He was the geotechnical engineer responsible for an innovative project that involved excavation and drying of 150,000 m³ of very wet lake bottom peat deposits in Heal Basin. He has also completed a number of stability assessments at landfill sites at Fort St. James, Hope and Chilliwack.

Environmental: Dr. Sperling has managed Phase II contaminated site investigations for B.C. Hydro, Fletcher Challenge and MacMillan-Bloedel. Typically, the work involves a field program consisting of drilling and sampling, laboratory testing, data interpretation and report preparation.

EDUCATION: Ph.D., Geological Engineering - Ground Water Hydrogeology, The University of British Columbia, 1990. Thesis Topic: A Risk-Cost-Benefit Framework for the Design of Dewatering Systems in Open Pit Mines.

Post Graduate Course Work, The University of Arizona, 1989. Courses in hydrogeology and risk based engineering design.

M.A.Sc., Mining Engineering, The University of British Columbia, 1985. Thesis topic: Slope Stability and Dewatering in Main Zone Pit at Equity Silver Mine.

B.A.Sc., Geological Engineering, Geotechnical Option, The University of British Columbia, 1983. Thesis Topic: Avalanche Control in Allison Pass.

Scholarships:

Placer Development Ltd. Scholarship, 1981
Victor A. Olacke Memorial Bursary, 1981
British Columbia Hydro Scholarship, 1982
Cy Keyes Memorial Scholarship, 1983, 1984
National Research Council Scholarship, 1985, 1986
University Graduate Research Fellowship, 1987

COMPUTER: Dr. Sperling routinely uses the latest computer software to carry out state-of-the-art technical analyses and enhance the quality of technical reports and presentations. Software that he routinely uses include the Microsoft Office Suite of applications, AutoCad 13, AutoCad Lite, Surfer, BOSS Groundwater Modeling System, TimeLine, ModView, ModFlow, and HELP.

As well, he is a proficient computer programmer in Quick Basic and Fortran languages. He specializes in the development of user-friendly, graphic intensive software that helps him carry out complex technical analyses efficiently. He has developed a comprehensive library of software for geotechnical, hydrogeological and mining applications as well as several custom software products for a number of corporate clients. These include:

COAST:	Pre and post-processor to Modflow ground water flow model.
SG-Slope:	Slope stability analysis via Sarma's method.
SG-Pump:	Software for analysis for pumping tests.
SG-Volmod:	Landfill Volume Terrain Modeling System
SG-Settle:	Landfill Settlement Model

LANDFILLFIRE CONTROL INC.

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www.landfillfire.com

SG-Veneer: Landfill Cover Stability Model**AFFILIATIONS:**

Solid Waste Association of North America (SWANA) - Director of B.C. Chapter
COAST Waste Management Association
Northern Waste Management Association (NWMA) - Founding Member
Association of Professional Engineers and Geoscientists of British Columbia
Canadian Geotechnical Society
North American Geosynthetics Society (NAGS)
International Geosynthetics Society (IGS)

PUBLICATIONS AND PRESENTATIONS:

A Risk-Cost-Benefit Framework for the Design of Dewatering Systems in Open Pit Mines. 28th U.S. Symposium on Rock Mechanics, Tucson, Arizona, pp. 999-1007. T. Sperling and R.A. Freeze, 1987.

Ground Water Control at Highland Valley Copper. International Journal of Surface Mining. Vol. 3, No. 3, T. Sperling, W.K. Munro and R.A. Freeze, 1989.

Dewatering the Overburden at Highland Valley Copper. 41st Canadian Geotechnical Conference, Kitchener, Ontario, 1988, T. Sperling, W.K. Munro, R.A. Freeze, 1989.

Hydrogeological Decision Analysis: 1. A Framework. Ground Water, Vol. 28, No. 5, R.A. Freeze, J. Massmann, L. Smith, T. Sperling and B. James, Sept. 1990.

Using Risk-Cost-Benefit Analysis to Design a Dewatering System at Highland Valley Copper. 43rd Canadian Geotechnical Conference, Quebec City, Quebec, T. Sperling, 1990.

Hydrogeological Decision Analysis: 2. Applications to Ground-Water Contamination. Ground Water, Volume 29, Number 4, J. Massmann, R. A. Freeze, L. Smith, T. Sperling and B. James, 1991.

Hydrogeological Decision Analysis: 3. Application to Design of A Ground-Water Control System at an Open Pit Mine. Ground Water Volume 30, Number 3, T. Sperling, R. A. Freeze, J. Massmann, L. Smith and B. James, 1992.

Site Preparation at Hartland's Phase II Landfill, B.C. Water and Waste Annual Conference, Vernon, B.C., T. Sperling, A de Meulles, S. Pitt, 1993.

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Final Closure at Hartland Landfill, 1997 Solid Waste Association of North America, Solid Waste Symposium, T. Sperling and B. Hansen, April 1997.

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Extinguishing the Vancouver Landfill Fire. SWANA Landfill Symposium and Planning & Management Conference, Reno, Nevada. | Dr. T. Sperling and S. McCracken, April 12-13, 2010.

Controlling the Cerro Patacon Landfill Inferno, Panama: SWANA's 19th Annual Landfill Symposium, New Orleans, LA, Dr. T. Sperling, 2015

FIRE FIGHTING STRATEGY AND MANAGEMENT

PROJECT DESCRIPTION	CONTACT NAME	PHONE NUMBER	LOCATION
Campbell Mountain Landfill	Dave Duckworth	250-492-4121	Penticton, B.C.
Delta Shake and Shingle	Randall Wolsey	708-496-3801	Delta, B.C.
Hespiria Landfill	Eric Jackson	250-545-1361	Vernon, B.C.
Israel Carmon Landfill	Nimrod Haramish		Ber Shiva, Israel
Vancouver DLC Fire	Paul Henderson	604-946-8049	Delta, B.C.
Queen Charlotte Islands	Shelley Higman	250-755-3421	McMillan Bloedel
Confidential Client	na	na	Burnsville, Minnesota
Atlantic Waste Systems	Peter Grootendorst	604-467-7397	Maple Ridge, B.C.
Gitwangak Sawmill 2003	Lisa Webster	604-666-5299	Kitwanga, B.C.
Cathcart Landfill	Karl Hufnagel	206-695-4509	Snohomish County, Wa.
Brother's Pit Fire	Jim Dias	250-746-3112	District of North Cowichan, B.C.
Metro Waste Gas Well Fire	Jeff Dworek	515-967-2076 Ext 102	Des Moines, Iowa
Monroe County Landfill Fire 2004	Tobias Schroeder	812-349-2865	Bloomington, Indiana
Bahamas Landfill Fire 2004	Judson Wilmott	242-356-0218	Nassau, Bahamas
McKelvey Creek Fire 2004	Raymond Gaudart	250-368-0232	Trail, B.C.
Highland Valley Mine Fire 2005	Bob Hamaguchi	250-523-3237	Logan Lake, B.C.
Hazelbrook DLC Landfill Fire 2006	Garth Simons	902-569-7746	Hazelbrook, P.E.I.
Pine Tree Landfill Fire, 2006	Jim Chabot	603 229-1919	Casella, Maine
Confidential Client 2006	na	na	Dalles, Oregon
Vancouver Landfill 2006 Fire	Lynn Belanger	604-940-3201	Vancouver, B.C.
Dawson Creek Fire 2007 Fire	George Kunz	250-784-2303	Dawson Creek, B.C.
Yellowknife Landfill 2007 Fire	Bruce Underhay		Yellowknife, NWT
Kona Hawaii Landfill Fire	Gary Siu		Kona, Hawaii
Vancouver Landfill Fire 2009	Lynn Belanger	604-940-3201	Vancouver, B.C.
Ciudad Del Carmen Landfill Fire 2010	Ricardo Lopez Loreda	52-81-1366-4600 Ext 1139	Monterey, Nuevo Leon, Mexico
Brady Landfill Fire Investigation	Trevor Sims	204-986-8043	Winnipeg, Manitoba
Calgary Metals Landfill Fire 2012	Chief Bruce Burrell	403-268 2489	Calagary, Alberta
Vernon Landfill Fire Investigation - 2013	Nicole Kohnert	250-550-3741	Vernon, B.C.
Pasco Landfill Fire - 2014	William Goodhue, Jr.	206-780-7714	Pasco, Washington
Lakes County Landfill Fire - 2014	Mark Nelson	406-883-7323	Polson, Montana
Cerro Patacon Landfill Fire - 2013	Enrique Ho		City of Panama, Panama
Iqaluit Landfill Fire - 2014	Luc Grandmaison	1 867 979-5650	City of Iqaluit, Nunavut
Sk'way Landfill - 2015	Scott Postma	604 775-0423	Tervita, Chilliwack, B.C.
Winnipeg Brady Landfill Fire - 2015	Irvin Slike	1 204 986-4103	City of Winnipeg, Manitoba
Bovoni Landfill, St. Thomas - 2015	Steven Aubin	1 340 715 9100	Virgin Islands Waste Authority
Aguilla Landfill, St. Croix - 2015	Steven Aubin	1 340 715 9100	Virgin Islands Waste Authority
Harvest Power Spontaneous Combustion 2016			Richmond, B.C.
Bailey Landfill Fire, 2017	Tara Friessen	1 604 793-2701	City of Chilliwack
Calgary DLC Train ROW 2017	Marie Pierre Carrigan	403 268-8269	City of Calgary
Watson Island DLC Fire Response	Bill Horne		City of Prince Rupert
Vancouver Landfill Fire - 2018	Lynn Belanger	1 604 606-2730	City of Vancouver Transfer and Landfill Ops.
Whitehorse Landfill Fire - 2018	Geoff Quinsey	1 867 668-8351	City of Whitehorse
Roatan Landfill Fire - 2018	Karen Ludlow	9458 1486	Alcaldia Municipal, Roatan
Edson Landfill Fire, 2019			Edson, Alberta
Glenmore Landfill Fire	Scott Hoekstra		City of Kelowna, B.C.
Larry's Scrap Yard Fire - 2021	Henry Dean	1 242 557-2547	Nassau, Bahamas

FIRE PREVENTION PLANNING AND AUDITS

PROJECT DESCRIPTION	CONTACT NAME	PHONE NUMBER	LOCATION
China Creek Landfill	Shelley Higman	250-755-3421	Weyerhaeuser , B.C.
City of Calgary	Dave Griffiths	403-230-6612	Calgary, Alberta
Hartland Landfill	Chris Riddell	604-727-3331	Victoria, B.C.
Brookhaven Landfill	Paul Roth	631-451-6222	Brookhaven, N.Y.
County of Colchester	Carl Shaw	902-897-3182	Truro, Nova Scotia
Metro Waste Authority	Jeff Dworek	515-967-2076	Metro Waste, Iowa
Ecowaste Industries 2010	Tom Land	604-249-1977	Richmond, B.C.
Columbia Shuswap Regional District	Darcy Mooney	1-888-248-2773	Salmon Arm, B.C.
Yellowknife Landfill	Bruce Underhay	na	Yellowknife, N.W.T.
Revelstoke Timber Fire Assessment	Chief Rob Girard	250-837-2884	Revelstoke, B.C.
Downie Mill Fire Assessmen	Chief Rob Girard	250-837-2884	Revelstoke, B.C.

FIRE RESPONSE TRAINING

PROJECT DESCRIPTION	CONTACT NAME	PHONE NUMBER	LOCATION
China Creek Landfill 2003	Shelley Higman	250-755-3421	Weyerhaeuser, B.C.
Metro Waste Authority 2004	Jeff Dworek	515-967-2076	Des Moines, Iowa
City of Calgary	Dave Griffiths	403-230-6612	Calgary, Alberta

PROJECT DESCRIPTION	CONTACT NAME	PHONE NUMBER	LOCATION
Hartland Landfill	Chris Riddell	604-727-3331	Victoria, B.C.
Vancouver Landfill	Paul Henderson	604-946-8049	Delta, B.C.
SWANA California Chapter			Sacramento, California
SWANA South Dakota			
Victoria Fire Chiefs Conference			Victoria, B.C.
North Carolina SWANA	Mark Pointdexter		
Ecowaste Industries	Stuart Sommerville	604-276-9511	Richmond, B.C.
Nanaimo Cedar Road	Dave Leitch	250-390-6546	Nanaimo, B.C.
County of Colchester	Carl Shaw	902-897-3182	Truro, Nova Scotia
Brookhaven	Paul Roth	631-451-6222	Brookhaven, N.Y.
Edmonton, Alberta	Sheri Praski	306-227-8183	Northern Lights Chapter
Saskatoon, Saskatchewan	Sheri Praski	306-227-8183	Northern Lights Chapter
Winnipeg, Manitoba	Sheri Praski	306-227-8183	Northern Lights Chapter
Solid Waste Association of N. Dakota	Carolyn Trautman	605-216-3256	Aberdeen, South Dakota
SWANA Palm Springs, California	Chris Hurwitz	518-593-0529	Palm Springs, California
Forester University	Ryan Graff	805 679-7625	Forester University.net
City of Moncton Fire Training, 2015			Moncton, New Brunswick
City of Halifax Fire Training, 2015			Halifax, Nova Scotia
City of Whitehorse Fire Training			City of Whitehorse
City of St. John's Newfoundland			St. John's Newfoundland
New Providence Ecology Park	Geoff Starin	1 206 719-6809	Nassau, Bahamas
Cayman Islands Fire Dept. Training	Paul Walker	345 949-2499	George Town, Grand Cayman Island
Whitehorse, Yukon	Jim McLeod	1-867-668-8351	Whitehorse, Yk.
SWANA Silver Spring	Bob Wolfe Jr.	240-494-2256	Silver Spring, Md.
PASA - Mexico	Ricardo Lopez Loreda	+52 (81) 1366-4600 EXT. 1139	Monterey, Nuevo Leon, Mexico
Tijuana Fire Department - Mexico	Carlos Gopar Uribe		Tijuana, Mexico
Comox Strathcona Regional District	Thomas Boatman, P.E.	250-334-6025	Comox, B.C.
Northern Lights SWANA Edmonton	Sheri Praski	306-227-8183	Edmonton, Alberta
Northern Lights SWANA Saskatoon	Sheri Praski	306-227-8183	Saskatoon, Saskatchewan
Northern Lights SWANA Winnipeg	Sheri Praski	306-227-8183	Winnipeg, Manitoba
Northern Lights SWANA Grande Prairie	Sheila Reithmayer	780-496-5614	Grande Prairie, Alberta
SWANA Ontario Chapter Barrie	John Lackie	705-835-3560	Barrie, Ontario
SWANA Ontario Chapter Peterborough	John Lackie	705-835-3560	Peterborough, Ontario
SWANA St. Johns Newfoundland	Nicole Haverkort	902-232-2563	St. Johns Newfoundland
SWANA Atlantic Canada Chapter	Nicole Haverkort	902-232-2563	Moncton, New Brunswick
Municipality of East Hants	Andrea Trask	902-883-7098	Halifax, Nova Scotia
Capital Regional District, Victoria, B.C.	Chris Robbins	250 360 3219	Victoria, B.C.
City of Winnipeg Fire Response Training	Trevor Sims	204-986-8043	Winnipeg, Manitoba
Regional District of Kitimat Stikine 2017	Roger Tooms	1 250 615-8370	Terrace, British Columbia
Vancouver Landfill Fire Training 2018	Lynn Belanger	1 604 606-2730	City of Vancouver Transfer and Landfill Ops.
Newfounland Eastern Reg. Service Boar	Christie Dean	1 709 579-7960	St. Johns, Newfoundlanc

CONSULTATIONS / EXPERT WITNESS

PROJECT DESCRIPTION	CONTACT NAME	PHONE NUMBER	LOCATION
Byram Industries	Ken Byram	780-542-4733	Drayton Valley, Alberta
Demolition Landfill Fire	David Harvey	na	Malta
Hunters Point Shipyards Fire	Confidential	na	San Francisco, Ca.
Fresno Industrial Landfill	Dave Griffiths	403-230-6612	Fresno, California
Calgary Metals Landfill Fire	Dennis Yassui	403-232-8300	Calgary, Alberta
Helotes Landfil Fire 2011	Thomas Edwards	512-475-4003	Helotes, Texas
Bridgeton Landfill SSSER 2014	Peggy Whipple	573-751-8864	St. Louis, Missouri
Bella Vista Stump Dump 2021	Robert Honea	479-651-9600	Bella Vista, Arkansas
Congress Landfill 2021	Jeffery D. Jeep	708-404-9092	Hinsdale, Illinois

TRAINING INTEREST - ACTIVE FILE

PROJECT DESCRIPTION	CONTACT NAME	PHONE NUMBER	LOCATION
Southbridge DLC Fire	Mark Paulino		South Bridge, Massachuset
Malta C&D Landfill Fire	Sarah Andrews		Malta
Woodlake Landfill Fire	Chris Bratsch		Minneapolis, Minnesota
Temporary C&D Landfill	Michael Dostillio		Philadelphia, Pa.
Stark County C&D Landfill	William Franks		Stark County, Ohio
Frederick County Landfill	Ron Kimble		Winchester Virginia
Cumberland County	Darrell Jones		Cumberland County, N.S.
Barrie, Ontaric			



Sean Kellar, PE, PTOE

Principal Engineer

Education

B.S., Civil Engineering, Arizona State University – Tempe, AZ

Registration

Colorado, Professional Engineer (PE)
Wyoming, Professional Engineer (PE)
Idaho, Professional Engineer (PE)
Arizona, Professional Engineer (PE)
Kansas, Professional Engineer (PE)
Missouri, Professional Engineer (PE)
Professional Traffic Operations Engineer (PTOE)

Professional Memberships

Institute of Transportation Engineers (ITE)

Industry Tenure

Over 25 Years

Sean's wide range of expertise includes: transportation planning, traffic modeling roadway design, bike and pedestrian facilities, traffic impact studies, traffic signal warrant analysis, parking studies, corridor planning and access management. Sean's experience in both the private and public sectors; passion for safety and excellence; and strong communication and collaboration skills can bring great value to any project. Prior to starting Kellar Engineering, Sean was employed at the Missouri Department of Transportation (MoDOT) as the District Traffic Engineer for the Kansas City District. Sean also worked for the City of Loveland, CO for over 10 years as a Senior Civil Engineer supervising a division of transportation/traffic engineers. While at the City of Loveland, Sean managed several capital improvement projects, presented several projects to the City Council and Planning Commission in public hearings, and managed the revisions to the City's Street Standards. Sean is also proficient in Highway Capacity Software, Synchro, PT Vissim, Rodel, GIS, and AutoCAD.



WORK EXPERIENCE:

Kellar Engineering, Principal Engineer/President – January 2016 – Present

Missouri Department of Transportation, District Traffic Engineer, Kansas City District – June 2015 – January 2016

City of Loveland, Colorado, Senior Civil Engineer, Public Works Department – February 2005 – June 2015

Kirkham Michael Consulting Engineers, Project Manager - February 2004 – February 2005

Dibble and Associates Consulting Engineers, Project Engineer – August 1999 – February 2004

General Information:

Kellar Engineering LLC

Attn: Sean Kellar, PE, PTOE

PO Box 8198, Prairie Village, KS 66208

Phone: 970.219.1602

skellar@kellarengineering.com

Kellar Engineering Firm History and Services:

Kellar Engineering LLC is a Transportation/Traffic Engineering consulting firm founded by Sean Kellar, PE, PTOE in January 2016. Prior to starting Kellar Engineering LLC, Sean had over sixteen years of work experience in transportation/traffic engineering in both the private and public sectors working for: Missouri Department of Transportation (MoDOT) as District Traffic Engineer; City of Loveland, Colorado; Kirkham Michael Consulting Engineers; and Dibble and Associates Consulting Engineers. Sean Kellar has worked in the industry for a total of over 25 years. Kellar Engineering LLC (KE) serves as a traffic and transportation engineering consultant for various municipal bodies. KE has completed over 500 traffic impact studies for multiple jurisdictions and states. Additionally, KE has worked with three Northern Colorado jurisdictions (City of Loveland, City of Fort Collins, and Larimer County) to write and codify the revisions to the Larimer County Urban Area Street Standards (LCUASS). Kellar Engineering LLC is dedicated to offering quality transportation and traffic engineering consulting services through great customer service to its clients. Each project presents a new opportunity to add value and for strengthening relationships with clients.

Sustainability:

Kellar Engineering LLC seeks to work toward providing a more sustainable transportation system in every project. This can be achieved through intersection and roadway improvements. However, it can also be achieved through Transportation System Management and Operations (TSMO) philosophies by improving the flow of traffic without adding pavement. Below are some of Kellar Engineering's TSMO philosophies that we look to implement on every project no matter the size or budget:

- Getting results without adding lanes
- Utilizing ITS technology to improve traffic flow and reduce vehicle emissions
- Regional traffic signal coordination
- Traffic incident management
- Multi-modal transportation infrastructure

LU-24-027 Staff Report to Benton County Planning Commission

Benton County Exhibit 6 (BC6)
Property Zoning Map

Contents:

- Zoning map of “subject property”, “development area”, and “adjacent properties”



Taxlots

Areas of Interest

-  Development Area
-  Properties with Landfill Operations
-  Adjacent Properties

Rural Residential

-  2-Acre Minimum
-  5-Acre Minimum
-  10-Acre Minimum

Rural Lands

-  Rural Industrial

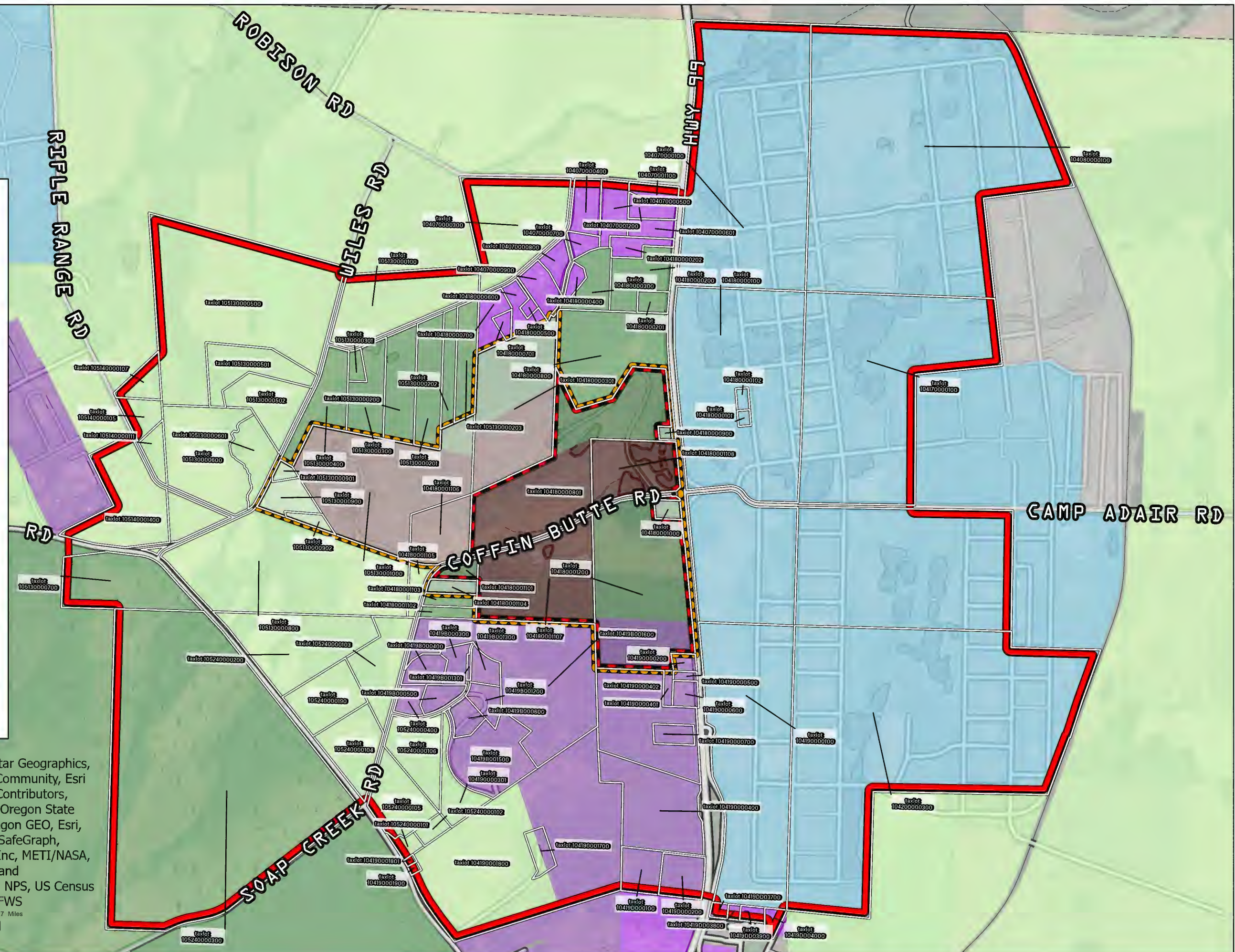
Non-Resource Lands

-  Landfill Site
-  Open Space

Resource Zones

-  Exclusive Farm Use
-  Forest Conservation

Esri, Maxar, Earthstar Geographics,
and the GIS User Community, Esri
Community Maps Contributors,
County of Benton, Oregon State
Parks, State of Oregon GEO, Esri,
TomTom, Garmin, SafeGraph,
GeoTechnologies, Inc, METI/NASA,
USGS, Bureau of Land
Management, EPA, NPS, US Census
Bureau, USDA, USFWS





**STAFF REPORT
CONDITIONAL USE PERMIT**

NATURE OF REQUEST:	Conditional Use Permit to expand Coffin Butte Landfill. Republic Services is proposing to expand existing landfill operations south of Coffin Butte Road, construct an 1,800 sq. ft. employee building with off-street parking, modify an access road, and relocate leachate activities, portions of a perimeter landfill road, an outbound scale, and construct a shop/maintenance area. The applicant is also proposing to modify access roads North of Coffin Butte Road.
APPLICABLE CODE CRITERIA:	Benton County Code (BCC) Section 51.505, Sections 51.705 through 51.840, Sections 53.205 through 53.235, Section 55.005, Section 60.005, Section 61.005, Section 63.005, Chapter 77, Chapter 99.
PROJECT LOCATION:	29175 Coffin Butte Road; Township 10 S, Range 4 W, Section 18, Tax Lot 801 28972 Coffin Butte Road; Township 10 S, Range 4 W, Section 18, Tax Lot 1101 and Tax Lot 1108 29000 Coffin Butte Road; Township 10 S, Range 4 W, Section 18, Tax Lot 1107 29160 Coffin Butte Road; Township 10 S, Range 4 W, Section 18, Tax Lot 1200
APPLICANT:	Republic Services
PROPERTY OWNER:	Valley Landfills Inc.
ZONE DESIGNATION:	Landfill Site (LS), Forest Conservation (FC)
COMPREHENSIVE PLAN DESIGNATION:	Landfill Site, Forestry
CAC PLANNING AREA:	Not active
STAFF CONTACT:	Petra Schuetz, petra.schuetz@bentoncountyor.gov

Summary of Staff Conclusion: Staff Recommends **Denial** of the proposed Conditional Use application due to odor and noise impacts expected to “seriously interfere” with adjacent land uses and the character of the area.

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Executive Summary

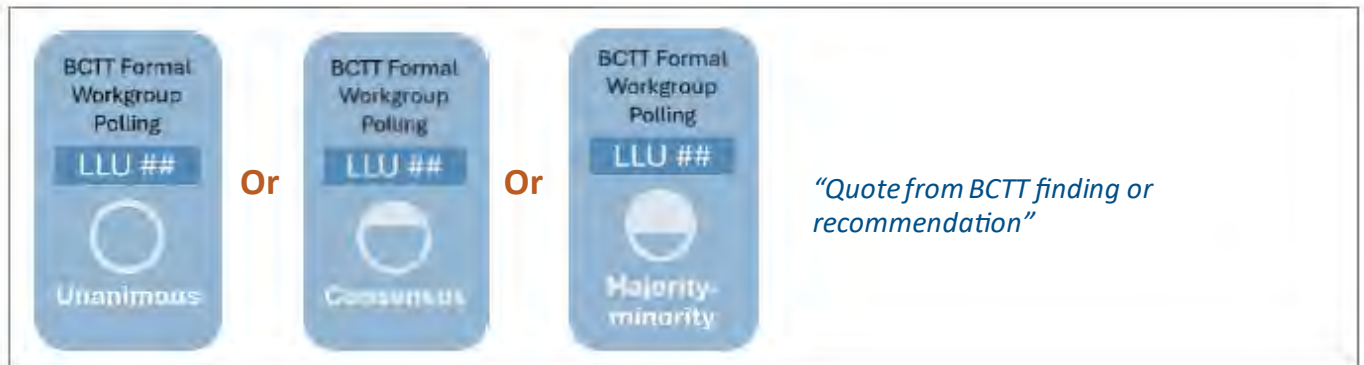
Valley Landfills, represented by Jeffrey G. Condit of Miller Nash LLP., submitted a conditional use application to expand an existing landfill (LU-24-027). In this report, Benton County staff do the following:

- **Describe the proposal and land use background.**
- **Describe the process for reviewing the proposed land use application.**
 - o Expansion of an existing landfill in the LS zone requires Conditional Use approval, as does the proposed development (employee building, shop, leachate ponds, and associated drives) ancillary to the landfill use in the FC zone.
 - o *Approval of a CUP by the County is only the initial step in the process to expand the landfill. VLI must also obtain permits from the Oregon Department of Environmental Quality (DEQ). (Exhibit BOP p.5)*
- **Provide findings specific to the proposal in response to all applicable standards and criteria of the Benton County Code (BCC).** Staff cite facts of the proposal and detail how and why, given those facts, each standard or criterion has or has not been met. Staff determined the application submission did not provide sufficient evidence to support a finding that odor and noise impacts would not “seriously interfere” with adjacent land uses.

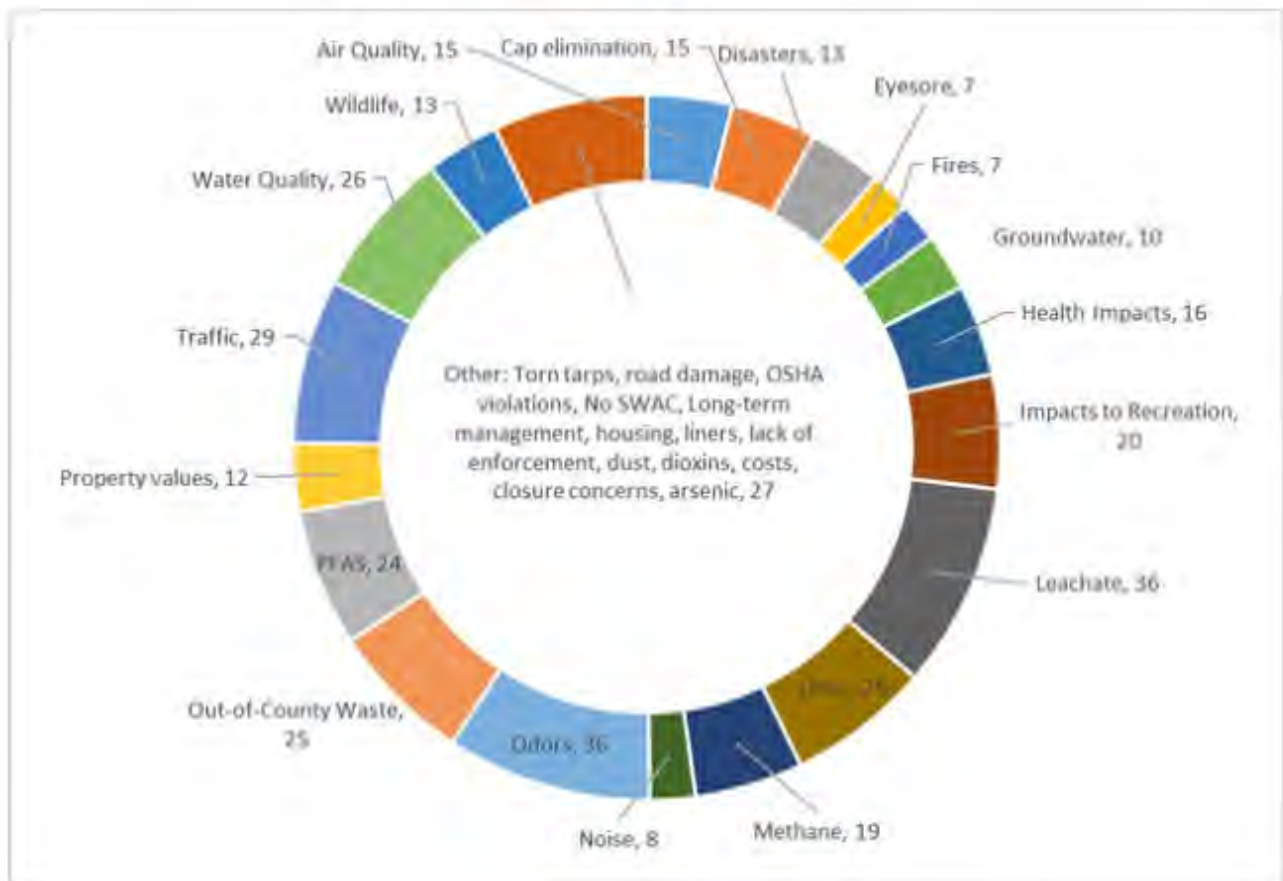
Planning Staff have included findings and recommendations from the 2021 Benton County Talks Trash (BCTT) report as supplemental evidence regarding code interpretations. The BCTT Legal Issues and Land Use Review subcommittee’s findings and recommendations are the result of subcommittee member polling and are accompanied by more comprehensive discussions within the larger report. As shown in the example in **Figure 1**, when BCTT findings are referenced within this report, they will include the polling reference number

(beginning with “F-” for findings and “R-” for recommendations), the results of each finding (e.g. “unanimous”, “consensus”, “majority-minority”), and relevant quotations.

Figure 1. Example BCTT Findings Result Graphic



- **Recommend that the Benton County Planning Commission deny the application.**
- At the time this report was written, there were 135 written comments. Following is a thematic graphic referencing the different comment topics and relative number of time or weight of the topics raised.



Exhibits

Applicant Exhibits		
In-text Citation	Date Submitted	Title
CL	1/15/2025	Cover Letter for Jan 15th Supplemental Materials
BOP	1/15/2025	Burden of Proof
BOPA	3/14/2025	ADDENDUM to Burden of Proof
E1	10/30/2024	Application form and fees
E2	3/14/2025	Engineering Plans Cover Sheet (Sheet 1) Benton County Tax Lots and Zoning (Sheets 2 and 2A) Existing Conditions (Sheet 3) Demolition Plan (Sheet 4) Overall Development Plan (Sheet 5) Development Area Layout (Sheet 6) Coffin Butte Road Proposed Rights-of-way (Sheet 7) Left Turn Traffic Plan (Sheet 8) North Road Plan (Sheet 9) Parking Infrastructure Plan (Sheet 10) Development Area Top of Waste Grades (Sheet 11) Development Area Phase 1 (Sheet 12) Development Area Phase 2 (Sheet 13) Top of Waste Phase 1 (Sheet 14) Top of Waste Phase 2 (Sheet 15) Top of Waste Phase 3 (Sheet 16) Top of Waste Phase 4 (Sheet 17) Stockpile Plan (Sheet 18) Landscape Plan (Sheet 19) South Stormwater Basin (Sheet 20) Wetpond-Detention Pond Combination Plan (Sheet 21) Wetpond-Detention Pond Combination Profiles (Cross-Sections AA and BB) (Sheet 22) Wetpond-Detention Pond Combination Profiles (Cross-Sections CC and DD) (Sheet 23) Cross-Sections (Sheets 24, 25, and 26) Traffic Details (Sheet 27) Development Area Layout (Sheet 28)
E3	10/30/2024	Vesting deeds to the tax lots contained in the Development Site
E4	10/30/2024	Wildlife habitat assessment and surveys
E5N	10/30/2024	Phase II geotechnical exploration report narrative
E5A	10/30/2024	Appendix A to phase II geotechnical exploration report
E5B	10/30/2024	Appendix B to phase II geotechnical exploration report
E5CD	10/30/2024	Appendix C & D to phase II geotechnical exploration report
E5E	10/30/2024	Appendix E to phase II geotechnical exploration report
E5F	10/30/2024	Appendix F to phase II geotechnical exploration report
E6	10/30/2024	Well logs for PW-2 and Berkland wells

E7	10/30/2024	Letter from CEC regarding Oregon DEQ permits and regulations
E8	10/30/2024	Map and list of adjacent and nearby properties
E9	10/30/2024	Map defining analysis area and showing odor complaints
E10	10/30/2024	Aerial image of topography and roads surrounding the landfill area
E11	10/30/2024	Noise study
E12	10/30/2024	Findings on odor
E13	10/30/2024	Memorandum regarding odor, methane, and hydrogen sulfide control at Coffin Butte Landfill
E14	10/30/2024	2024 Odor study
E15	10/30/2024	Traffic report
E16	3/14/2025	Environmental and operational considerations
E17	3/14/2025	Preliminary drainage report
E18	10/30/2024	Aerial renderings of Coffin Butte Landfill showing proposed expansion area view corridors
E19	10/30/2024	Site lighting summary
E20	09/24/24 + 01/15/25	Fire risk assessment of Coffin Butte Landfill + ADDENDUM
E21	1/15/2025	Applicant proposed conditions of approval
E22	10/30/2024	Reclamation plan for expansion area
E23	10/30/2024	Oregon DEQ permit #306 materials
E24	10/30/2024	Oregon DEQ permit work plan
E25	10/30/2024	Oregon DEQ approval of work plan
E26	10/30/2024	Archaeological report
E27	1/15/2025	Leachate management summary
E28	10/30/24 + 1/15/2025	Republic Services letter to the Benton County Board of Commissioners regarding methane emissions + ADDENDUM
E29	10/30/24 + 1/15/2025	Republic Services letter to the Benton County Board of Commissioners relating to arsenic + ADDENDUM
E30	10/30/2024	Proposed Coffin Butte Landfill seismic design

E31	1/15/2025	Farm Lease between VLI and Agri-Industries, Inc.
E32	1/15/2025	Photos of farm and forest uses on adjacent properties
E33	3/14/2025	2025 Odor study
E34	3/14/2025	Benton County business database
Benton County Exhibits		
In-text Citation	Title	
BC1	Compiled County Engineering and Public Works Comments	
BC2	Compiled Agency Comments	
BC3	Compiled Written Public Comments through April 22, 2025	
BC4	Benton County Notice to Outside Agencies	
BC5	Benton County Reviewing Consultants' Credentials	
BC6	Property Zoning Map	

Figures

Figure 1. Example BCTT Findings Result Graphic

Figure 2. Development Area Map (Exhibit E2 Sheet 6)

Figure 3. Application Submittal Timeline

Figure 4. Written Comment Topics as of April 22, 2025

Figure 5. 2023 Aerial Imagery of Tax Lot 1101

Figure 6. 2023 Aerial Imagery of Tax Lot 1200

Subject Property and Surrounding Area Zoning Map (Exhibit BC6)

I. FINDINGS OF FACT

1. The Coffin Butte landfill site was established as a disposal site in 1948 as an open burning dump. It was on property formerly part of the Camp Adair U. S. Army post.
2. In 1974, it was designated as a regional solid waste disposal site in the Chemeketa Region Solid Waste Management Plan. This plan was a coordinated, multi-agency planning effort for waste disposal in Linn, Benton, Polk, Marion and Yamhill Counties.
3. A “Solid Waste Management Plan for Benton County” was approved by the Planning Commission in 1977.
4. The Coffin Butte landfill site was zoned Forest Conservation until 1983. In 1983¹, the Benton County Comprehensive Plan and the Zoning Map were amended to apply Landfill Site Comprehensive Plan Map designation and Landfill Site (Benton County Code Chapter 77) zoning to approximately 266 acres. The property owners were granted Conditional Use approvals in 1994², 1997³, 2011⁴, 2013⁵, and 2015⁶.
5. In 2021, the property owners applied for Conditional Use approval for a landfill expansion (local case file LU 21-047), which was recommended for approval by the Solid Waste Advisory Council (SWAC), but denied by the Benton County Planning Commission. In 2022, the applicant appealed this denial to the Benton County Board of Commissioners (BOC) before withdrawing that appeal in favor of reserving the option to apply for another CUP in the future.
6. The BOC hired a consulting group in September, 2022, to establish and facilitate a community workgroup, which established findings and recommendations for processing future Conditional Use permits. The workgroup detailed its processes and findings in the Benton County Talks Trash (BCTT) report, which was transmitted to the BOC in April, 2023.
7. In an order made on July 2, 2024, the BOC delegated the landfill land use application review duties and responsibilities of SWAC to the Environmental and Natural Resources Advisory Committee (ENRAC)⁷. These duties and responsibilities are assigned in BCC 77.305 and charges the committee to review and make recommendations to the Planning Commission regarding Landfill Site development plans and narratives.
8. There are several substantial differences between this application and the Conditional Use proposal in 2021. Rather than proposing the closure of Coffin Butte Road, the applicant now proposes to widen a section of the road adjacent to the development site. As a result, the lifespan of the expanded landfill area will be six years (reduced from twelve), and the volume of waste disposed will be halved. The applicant is no longer proposing that portions of the landfill’s working face⁸ or supporting infrastructure be located in any zones other than Landfill Site (LS) and Forest Conservation (FC).

¹ Local case file PC-83-07/L-83-7

² Local case file S-94-3, Approval of a 2.2 megawatt power generation facility on T10S, R4W, Section 18, Tax Lot 1100

³ Local case file S-97-58, Approval to expand the generating capacity of the power generation facility

⁴ Local case file LU-11-016, Approval for the construction of recycling and refuse transfer facility on T10S, R4W, Section 18, Tax Lot 801

⁵ Local case file LU-13-061, approval to use [T10S, R4W, Section 18] Tax Lots 1101 & 1104 as a stockpile and staging area

⁶ Local case file LU-15-001, approval to enhance a stormwater treatment facility on T10S, R6W, Section 13, Tax Lot 800

⁷ Order #D2024-048

⁸ In their application (Burden of Proof document), the applicant states that, “the ‘working face’ of the landfill is the area of active disposal of solid waste. At Coffin Butte, it is approximately half an acre in size.”

II.PROJECT DESCRIPTION

Background

The “**subject property**” is 462 acres of land in unincorporated Benton County, approximately 6.5 miles north of Corvallis. It consists of 14 Tax Lots⁹ owned and/or operated by the applicant – Republic Services and Valley Landfills, Inc. on which there are existing or proposed landfill operations. The property includes Tax Lots within the County’s Landfill Site (LS), Forest Conservation (FC), and Exclusive Farm Use (EFU) zones.

Not including the Tax Lots where the development is proposed (the “development area”), the applicant described the current land uses on the subject property as existing landfill areas and accessory uses. In addition to this general description, the applicant identified a residential or vacant use and farm or forest uses on Tax Lot 104180001104 (in the FC zone), and a farm and open space use on Tax Lot 105130000902 (in the EFU zone).

The applicant described the development area Tax Lots and their current land uses as follows (Exhibit BOP p. 8 – 10):

- **Tax Lot 104180000801**, approximately 89 acres - [...] *already in use for the existing landfill area. The area of proposed improvement contains access roads, a scale house, and scales. These tax lots also contain Palustrine Emergent Wetland on the eastern portion.*
- **Tax Lot 104180001101**, approximately four acres - [...] *majority of this property is grass, while the eastern edge is treed. This tax lot is currently developed with VLI offices. This tax lot also contains Palustrine Emergent Wetland on the western and northwestern edge.*
- **Tax Lot 104180001107**, approximately 59 acres - [...] *currently developed with an access drive, leachate pretreatment and treatment buildings, parking and maneuvering areas, leachate ponds, and a permeate pond. Aside from the leachate ponds, the improvements on this tax lot are obsolete infrastructure that has not been used since the early 2000s. The existing improvements on Tax Lot 1107 are situated on the northern portion of the Development Site which is relatively level. From the currently developed area, the site slopes upward to the south, with an elevation change of 60-160 feet (to different points along Tampico Ridge). The undeveloped portions of the site are vegetated with grasses and trees. This tax lot contains a likely abandoned but mapped Great Blue Heron rookery (#2683) in the northwest quadrant, along with a small area of Palustrine Emergent Wetland in the northeast corner.*
- **Tax Lot 104180001108**, approximately 29 acres - [...] *already in use for the existing landfill area. The area of proposed improvement contains access roads, a scale house, and scales. These tax lots also contain Palustrine Emergent Wetland on the eastern portion.*
- **Tax Lot 104180001200**, approximately 82 acres - [...] *The northeast portion of the site contains native vegetation and trees. There is also a buffer of trees along the eastern property line, abutting Hwy 99W. The center portion of the site is currently developed with a gas-to-energy plant, gas blowers and flares, parking areas, and drive aisles. The approximately 20-acre center area that surrounds the gas-to-energy plant is leased by VLI to Agri-Industries, Inc., and has historically been farmed for grass. The lands south of the fields is steep, sloping topography that is vegetated with Douglas fir surrounded by native trees. This tax lot also contains a mapped but likely abandoned Great Blue Heron rookery #2716 in the north central area quadrant, along with Palustrine Emergent Wetland and Palustrine Forested Wetlands.*

The applicant adds on Exhibit BOP p. 11 that row crops are also farmed on the 20 acres of this Tax Lot that is leased to Agri-Industries, Inc.

⁹ The proposed development work will take place on Tax Lots 104180000801, 104180001101, 104180001107, 104180001108, 104180001200. Additional Tax Lots on the subject property include 104180000301, 104180000900, 104180001000, 104180001104, 104180001106, 105130000900, 105130000901, 105130000902, and 105130001000.

The subject property is accessed by Coffin Butte Road, which intersects with US Highway 99W to the east and Soap Creek Road to the west. Coffin Butte Rd cuts east-west through the property and separates the existing landfill area from the only remaining land in this LS zone not yet used for landfill operations.

Adjacent properties¹⁰ are owned by the applicant, individuals, or state entities such as the Oregon State Game Commission and Oregon Department of Fish and Wildlife (ODFW).

Proposal

The applicant requests a Conditional Use Permit to expand existing landfill operations to **Tax Lot 104180001107**, south of Coffin Butte Road within the Landfill Site (LS) zone. The proposal also includes:

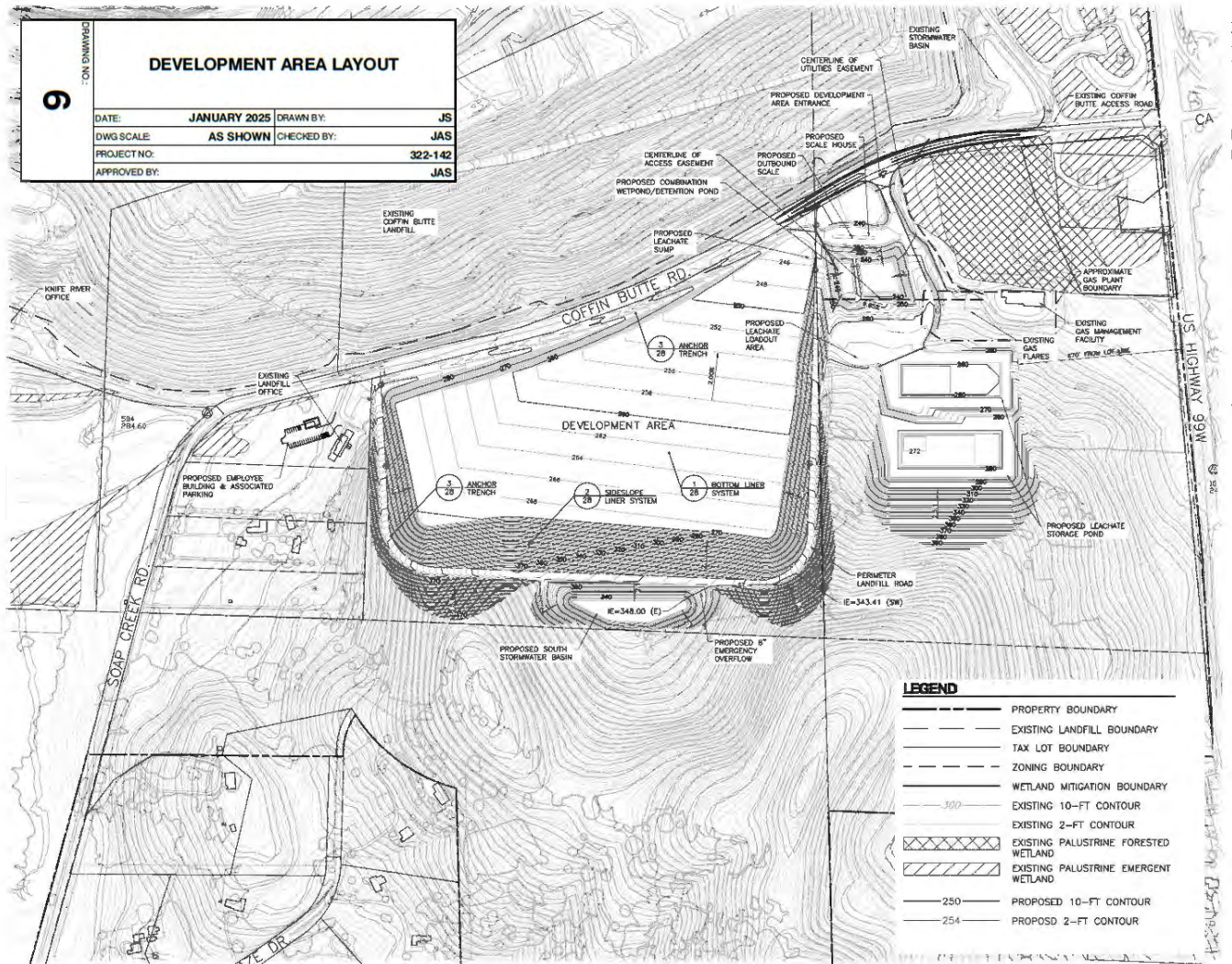
- **Tax Lot 104180001101** -Construction of an 1,800-square-foot employee building and off-street parking on a portion of the subject property zoned FC;
- **Tax Lot 104180000801** - Modifications to an access road located on a portion of the subject property zoned FC;
- **Tax Lot 104180001108** - Modifications to an access road;
- **Tax Lot 104180001200** - Relocation of leachate ponds, loadout, sump, an outbound scale, portions of the perimeter landfill road, and a shop/maintenance area; and
Removal of existing landfill and leachate activities on the east side of the subject property within the FC zone.

To avoid confusion on definitions of site and ownership, this staff report identifies the “**development area**” as the five Tax Lots¹¹ (264 total acres) of the subject property where the conditional use is proposed (Figure 2 and Exhibit E2). The applicant refers to the development area as the “Development Site” in their Burden of Proof.

¹⁰ See Section V findings for BCC 53.215(1) for a comprehensive description of the “adjacent property”.

¹¹ The proposed development work will take place on Tax Lots 801, 1101, 1107, 1108, 1200.

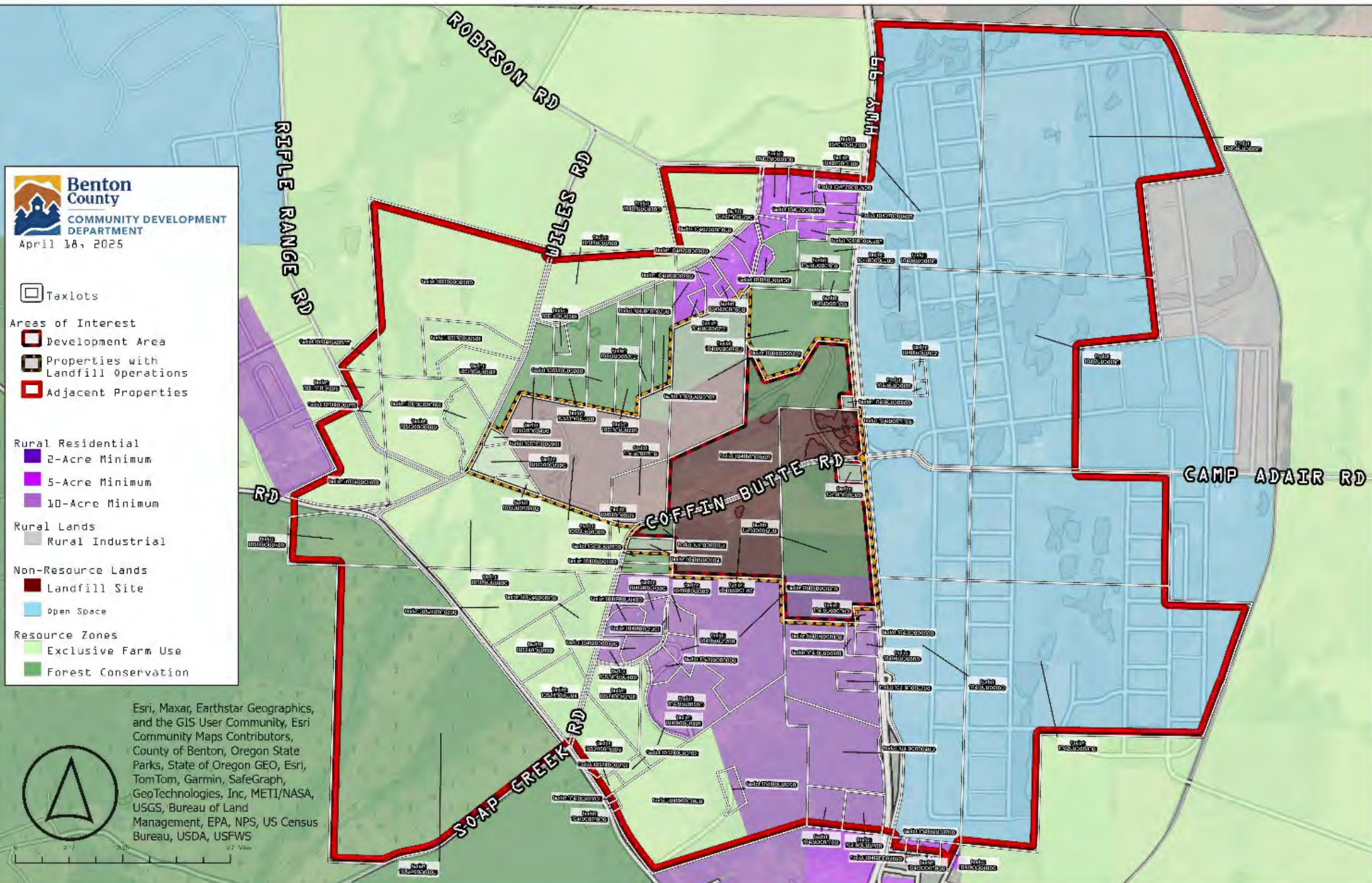
Figure 2. Development Area Map (Exhibit E2 Sheet 6)



Regarding the phasing of disposal operations in the development area, the applicant states (Exhibit BOP p.4):

When the Development Site is ready for waste disposal operations, the working face of the landfill will move from north of Coffin Butte Road to the Development Site. Disposal of waste will not be occurring north of Coffin Butte Road during the operation of the Development Site. The size of the working face at the Development Site will be roughly the same as the existing operation, and there will be only one working face operating at a time.

In the development area, neither the existing landfill areas nor the proposed expansion area are connected to sewer or domestic water service. Landfill construction and the bulk of landfill operations use water supplied by Adair Village. An existing office building and the proposed employee building are proposed to be served by two wells used for water production at the landfill. A septic system serves the existing office building, but the new employee building is proposed to be served by a holding tank rather than connected to the existing septic system. As mentioned, the development area activities are accessed from Coffin Butte Rd, a Major Collector roadway.



III. REVIEW PROCESS

As required by BCC Chapter 60 and 77, a Conditional Use permit is required for a landfill or its accessory uses in the Forest Conservation (FC) zone, and for the expansion of an existing landfill within the Landfill Site (LS) zone. The requirements for application and public notice are detailed in BCC Chapter 51, and relevant standards are detailed in the sections below.

The application-submittal and completeness timeline is displayed in **Figure 3**.

As shown in Figure 3, while the application was submitted in July of 2024, due to multiple rounds of Completeness Review and a 58-day review timeframe extension request by the applicant, the beginning of the application review period was March 14, 2025. Land use hearings are normally scheduled 60-90 days from the beginning of the application review period. A review period beginning in March would have an expected hearing date in late May through late June. Due to Planning Commissioner absences in much of May and June, the expectation of multiple Planning Commission hearings, and an expected appeal to the Board of Commissioners, the first Planning Commission meeting is set for April 29, 2025. This expedited hearing date resulted in reduced staff ability to review and incorporate public comments into the staff report and coordinate for clarity on agency comments. It also did not allow time for the Environment and Natural Resources Committee (ENRAC) commentary (received the evening of April 21, 2025) to be evaluated and included in the staff report. For these reasons, the initial staff report is focused primarily on a technical evaluation of the applicant's submission.

Four Planning Commission hearings are tentatively scheduled: April 29 (definite), May 1, May 6, and June 17. Opportunity to submit new evidence will be available through the May 6 hearing, and possibly beyond should the record be held open. The June 17 hearing will be limited deliberation on the submitted record. An additional staff report will be prepared after close of the record and prior to the June 17 hearing; that staff report will incorporate and evaluate all the information received, and will not contain new evidence.

The 150-day time limit to reach a final decision on the proposed application is August 11, 2025.

Figure 3. Application Submittal Timeline

Event	Date	Additional Information
Pre-application conference	June 27, 2024	CDD requests additional information
Conditional Use application received by CDD	July 19, 2024	
CDD deems application to be incomplete	August 16, 2024	CDD requests additional information and provides advisory comments
Completeness response from applicant is received by CDD	October 30, 2024	
CDD requests additional information	December 11, 2025	CDD requests additional information and provides advisory comments
Additional information and a request to begin review is received by CDD	January 15, 2025	Applicant notifies CDD they would like review to begin
Applicant requests a 58-day review extension	January 15 – March 14, 2025	Applicant says they will provide additional information and request an extension to do so
CDD deems application to be “complete”	January 15, 2025	The application review period begins. CDD awaits additional information from applicant
Additional information from applicant is received by CDD	March 14, 2025	End of the requested 58-day extension, the 150-day application review period begins (ending August 11, 2025)

Public Notice

A Conditional Use Application is reviewed as a quasi-judicial land use action, which requires notification of properties within at least 750 feet of the subject property if it is in the FC zone¹². According to directions from the Planning Commission, staff expanded the mailed notice perimeter to a quarter-mile (1,320 feet). The schedule for the public hearing was mailed to surrounding property owners, along with other relevant agencies and County departments, on March 19, 2025. The number of adjacent property owners that were notified is 35. A legal ad¹³ was published in the Gazette Times on April 17, 2025.

Agency Reviews

BCC 77.305 requires that the Benton County Environmental Health Division and the County’s Solid Waste Advisory Council (SWAC) review and make recommendations through the Planning Official to the Planning Commission regarding the Site Development Plan Map and narrative. This BCC provision is procedural and does not include any additional standards against which to measure the Site Development Plan Map and narrative.

The Environmental Health Division no longer administers solid waste programs for Benton County. That responsibility was transferred to the Community Development Department. Accordingly, the Environmental

¹² BCC 51.610(1)(c).

¹³ BCC 51.610(3)

Health Division has not submitted any comments or recommendations. The Benton County Board of Commissioners delegated review and recommendation duty from SWAC to the county Environmental and Natural Resource Advisory Committee (ENRAC) through Order #D2024-048 in July of 2024. A recommendation letter from ENRAC was not available to contract staff planners in time for inclusion within this staff report but will be included with staff evaluation in the updated staff report. Benton County provided notice of the proposal to Oregon Department of Environmental Quality (ODEQ), Oregon Department of Fish and Wildlife (ODFW), Oregon Department of State Lands (DSL), Oregon Department of Land Conservation and Development (DLCD), Oregon Department of Transportation (ODOT), the Army Corps of Engineers, the City of Corvallis, and Adair Village. Comments from these agencies¹⁴ were not submitted to Benton County nor to contract staff planners in time for inclusion within this staff report. Nevertheless, all agency comments received by Noon on April 22 are compiled and attached in Exhibit BC2. The updated staff report will include all agency comments received through the open record period.

¹⁴ Aside from DOGAMI, which communicated they had no comments on April 9, 2025.

IV.COMMENTS

Comments that address and apply to Benton County Code criteria will contribute to the Planning Commission deliberations. The Planning Commission can decide how and if a comment is applicable.

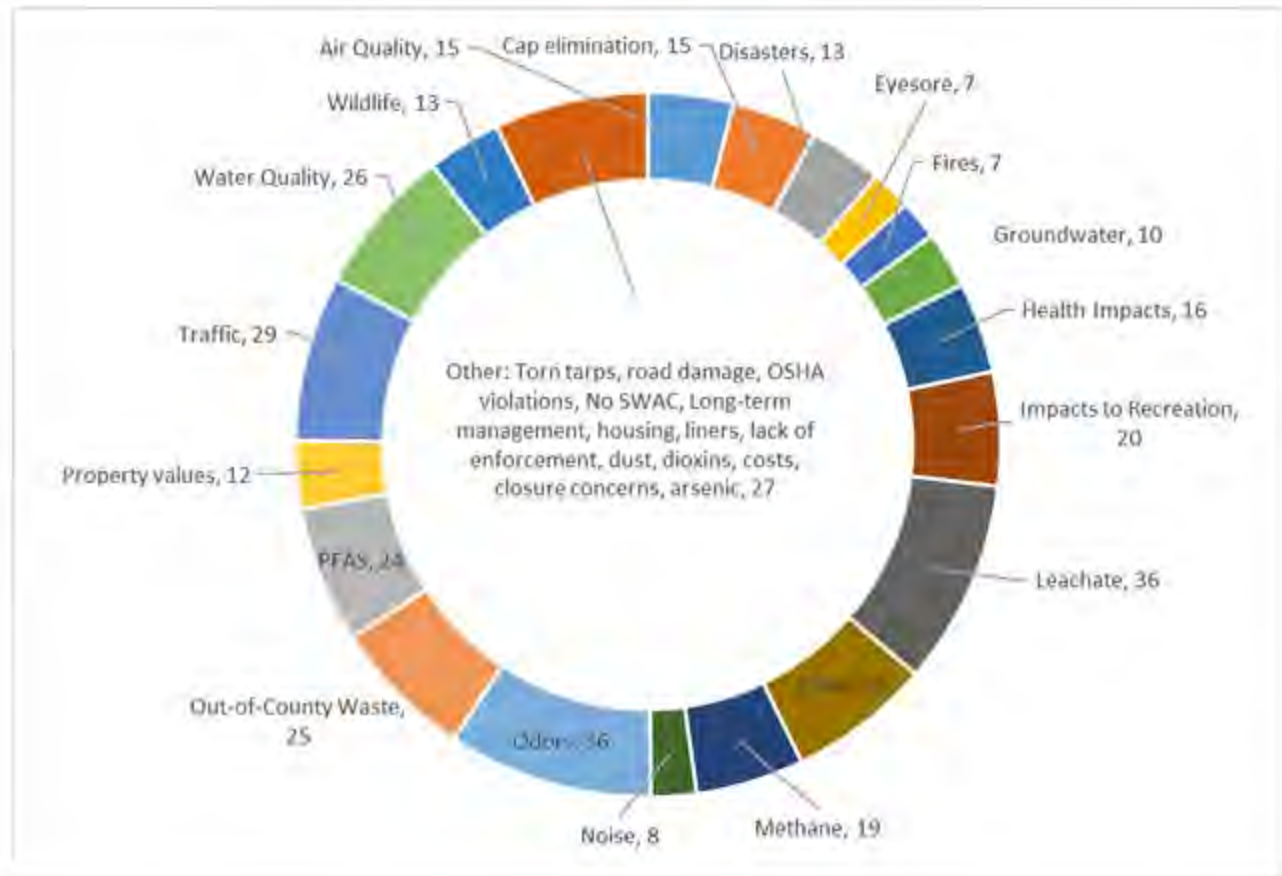
AGENCY COMMENTS

As of Noon of April 22, 2025, the County received responses from DOGAMI, ODFW, and ENRAC. These compiled responses are attached in Exhibit BC2.

PUBLIC COMMENTS

Figure 4 is a representation of the topics included in the public comment at the time this report was written; all but one comment in opposition. As of Noon of April 22, 2025,¹⁵ the County has received 135 written comments. Exhibit BC3 includes the compiled public comments received as of the writing of this staff report.

Figure 4. Written Comment Topics as of April 22, 2025



¹⁵ As indicated in the Public Notice for LU 24-027, comments received after Noon of April 22, 2025 will not be compiled into the Staff Report.

V. APPLICABLE CODE REVIEW

This section is the substantive focus of the Staff Report. Below, we list and quote all the Benton County Code (BCC) standards and criteria relevant to this application.

Text in italics within this staff report is quoted from the Benton County Code (BCC) .

In response, staff “**findings**” achieve the following:

1. Identify the approval standards, which is cited in the section above;
2. Set out the facts relied upon to meet the standard(s);
3. Explain how those facts lead to compliance with the standard(s); and
4. Show evidence that, when viewed as a whole, would permit a reasonable person to make that finding.

The applicant has the burden of proof to show compliance with the relevant requirements and standards and the applicant provided responses to standards in their narrative submittal, titled “Burden of Proof” (BOP). The “BOP” is one of the exhibits attached to- and referenced in- this report, as well as the applicant’s supplemental exhibits.

In the findings, staff often included direct quotes from the applicant’s BOP under the sub-heading “Applicant Response”, followed by a “Staff Response”. Staff responses begin with an indication of which Benton County department or third-party consultant has provided the response (e.g. “Public Works”, “Kellar Engineering”, “MFA-Engineering”, or “Planning”). The final staff response will always be from “Planning”, which is third-party consultant, Winterbrook Planning. Staff have also referred to findings from the BCTT formal work group in findings.

Relevant Code Chapters

The relevant requirements and standards are in the following chapters of the Benton County Code (BCC):

- BCC 51 Development Code Administration
- BCC 53 General Review Criteria and Procedures
- BCC 55 Exclusive Farm Use Zone (EFU)
- BCC 60 Forest Conservation Zone (FC)
- BCC 61 Open Space Zone (OS)
- BCC 63 Rural Residential Zone (RR)
- BCC 77 Landfill Site Zone (LS)
- BCC 99 General Development Standards

CHAPTER 53 - GENERAL REVIEW CRITERIA AND PROCEDURES

CONDITIONAL USES

A conditional use permit is required for a landfill expansion in the LS zone and landfill use in the FC zone. The BCC Chapter 53 includes details of the requirements and criteria for an approved conditional use application.

53.210 Permit Required. A person shall obtain a conditional use permit from the County in order to establish a conditional use. The decision to issue a conditional use permit is discretionary.

Findings:

As stated in this standard, Benton County decision-makers must employ discretion when determining whether the applicant meets the following requirements to receive a conditional use permit. Because the conditional use criteria contain words with a degree of ambiguity, analysis of the language is necessary before discussing how the text applies to the proposal. Generally, ambiguous terminology is to be interpreted by the text used, then the context, and then the legislative history.

In 2021, the BCTT LLU subcommittee reviewed the BCC conditional use requirements for a landfill expansion and provided findings regarding their meaning, history, and typical practices. Direct quotes are located within text boxes. Regarding the first criterion (BCC 53.213.1) below, the subcommittee reviewed staff-provided materials from the previous 25 years of Benton County conditional use-legislative history and presented summaries of their findings. Staff have used BCTT formal workgroup findings regarding these summaries (LLU F-9a – c) to inform this analysis.

53.215 Criteria. The decision to approve a conditional use permit shall be based on findings that:

- (1) The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone;*

FINDINGS:

“Seriously interfere”

Applicant Response (Exhibit BOP p. 19):

The Benton County Code does not define “seriously interfere.” The use of the modifier “seriously” indicates that at least some level of interference is acceptable.

Staff Response, Planning:

This phrase is not defined in the Benton County Code. The first paragraph of the applicant’s response above is consistent with staff’s interpretation that “seriously” indicates some permissible level of interference resulting from the proposed use.

Applicant Response, continued (Exhibit BOP p. 19):

During BCTT, staff indicated that “seriously interfere” has generally been applied to mean more than an inconvenience or irritation, but less than rendering the uses on adjacent property impossible. Staff reported that county decision-makers have considered factors such as whether the proposed use makes it difficult to continue uses on the adjacent property; whether the proposed use creates significant disruption to the character of the area; and whether the proposed use conflicts, in a substantive way, with the purpose of the zone.

Staff Response, Planning:

The language that applicant used in their response is consistent with staff’s understanding and matches that from the BCTT finding regarding the legislative history of the phrase:



“[...] In applying the term “seriously interfere”, Staff reports that in past CUP applications the Planning Official, Planning Commission or Board has considered factors such as: does the proposed use make it difficult to continue uses on the adjacent property; would it create significant disruption to the character of the area; would it conflict, in a substantive way, with the purpose of the zone. [...] In the past, ‘seriously interfere’ has generally been applied as meaning more than an inconvenience or irritation but is a lesser threshold than rendering the uses on adjacent property impossible. Speculated effect on property values has not been a primary consideration in determining serious interference. [...]”

Applicant Response, continued (Exhibit BOP p. 19):

There has been an approved landfill in this area for over 50 years. This analysis has to be conducted in the context of the existing approved landfill operation: whether the proposed expansion creates additional, different, or increased impacts as compared to the existing operation, and whether these impacts, if any, when viewed through the lens of the existing operation, “seriously interfere” with adjacent properties.

Staff Response, Planning:

Staff agrees with the applicant's response that this conditional use review is specific to the expansion of the landfill. Thus, the existing landfill operations, as they have been previously approved by Benton County, are important context, and they form the “base case” from which potential impacts may be measured.

In the following discussion of whether the proposed landfill expansion will “seriously interfere” with uses on adjacent properties, with the character of the area, and with the purpose of the zones, staff have individually responded to the following types of potential impacts: noise, odor, traffic, groundwater, and visual aesthetics.

These five types of impacts are the focus of this finding because:

- These are typical direct impacts related to landfill uses;
- These were identified by the applicant as potential off-site impacts; and
- These issues have been raised and addressed in prior application processes by staff and neighbors.

“Adjacent property”

Interpretation:

Applicant Response, “adjacent property” (Exhibit BOP p.19¹⁶):

The Benton County Code does not define the term “adjacent.” Absent a special definition, the courts ordinarily resort to the dictionary definitions, assuming that the legislature (or, in this case, the County Commissioners) meant to use a word of common usage in its ordinary sense.

*Webster’s Third New International Dictionary defines “adjacent” as “not distant or far off * * *: nearby but not touching * * *relatively near and having nothing of the same kind intervening: having a common border: ABUTTING, TOUCHING; living nearby or sitting or standing close relatively near or close together: immediately preceding or following with nothing of the same kind intervening.” (Capitalized emphasis in the original.)¹⁹*

Because the application is to expand the existing landfill operation, Applicant started with a base site that includes all tax lots on which existing landfill operations and accessory uses are located, plus all tax lots constituting the Development Site on which the Project will be located (the “Landfill Boundary”). Applicant then identified properties abutting the Landfill Boundary (the “Adjacent Properties”) and the properties abutting the Adjacent Properties (the “Nearby Properties”). See Figure 1, below.

¹⁶ We have not included the text of one footnote within this quote, which provided the citation for a dictionary definition.

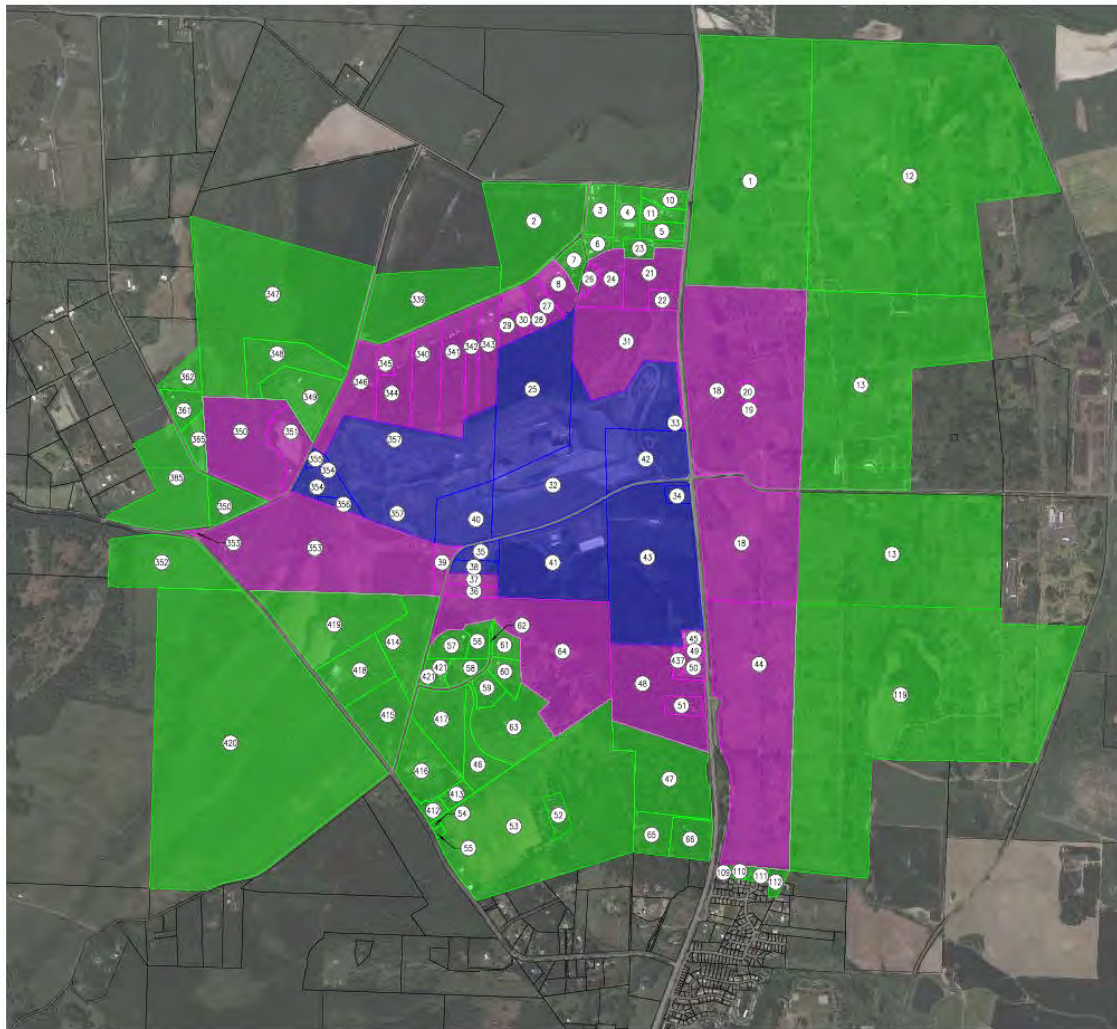


Figure 1 (Adjacent and Nearby Properties). Full-size version and tax lot list attached as Exhibit 8.

This analysis covers both the Adjacent Properties and the Nearby Properties. Although Applicant does not believe that the text of the criterion requires it to look beyond the Adjacent Properties, the Nearby Properties are included to demonstrate compliance with the criteria even in the context of a broader scope of review

Staff Response, Planning:

Staff concurs with the applicant that “adjacent property” is not defined in the code, and that the dictionary definition of “adjacent” provided by the applicant indicates properties both touching and nearby the subject property would reasonably meet this definition. Therefore, staff interprets properties both touching and nearby the subject property as “adjacent” for review of this standard. Evaluation of impacts on “adjacent” properties will include all the properties identified as “adjacent” (purple) or “nearby” (green) on Figure 1 of Exhibit BOP (included above, and in Exhibit 8).

Applicant Response, “uses on adjacent properties”:

The applicant described the uses on “adjacent and nearby” properties in their full BOP, which was submitted to the county on January 15, 2025. The applicant submitted an addendum to the BOP on March 14, 2025 (Exhibit

BOPA) which included brief supplemental information regarding the Benton County Business Database (Exhibit 34).¹⁷

The applicant's response in the full BOP (Exhibit BOP p. 20-22) is quoted below. As the reader will see in the quote below, there are footnotes that we have not included here. These footnotes list ID numbers assigned by the applicant, which correspond to labels on the map in Exhibit 8. The Tax Lot IDs, property owner names, and zoning of each labeled lot are listed on a separate page in Exhibit 8.

The 16 tax lots that consist of the existing and proposed landfill areas and accessory uses are owned by VLI.²⁰ These properties are zoned LS and FC. The Adjacent and Nearby Properties east of Highway 99W are predominately in public ownership, are zoned OS, and are managed as the E.E. Wilson Wildlife Area.²¹ The Wildlife Area is open to the public year-round for birding, hiking, limited hunting, and fishing. There are four small rural residential (RR-5) Nearby Properties owned by individual property owners at the very south end of the adjacent property.²² These properties are occupied by dwellings and some outbuildings.

The Adjacent and Nearby Properties north of the landfill and east of Wiles Road are generally on the north side of Coffin Butte and are shielded from the landfill by the ridge. The Adjacent Properties to the landfill are zoned FC and are generally owned by individuals and trusts and appear to be in small woodlot management or small-scale farming or livestock operations.²³ Ex. 32, pages 12-20. Several of these properties have residences and farm outbuildings, but it is unclear from observation whether they are being operated for commercial farm or forest operations within the meaning of BCC 51.020 (15) or (24). Ex. 32, pages 12-20. The large parcel northwest of the landfill is owned by the Oregon Department of Fish and Wildlife and is operated as a part of the E.E. Wilson

Wildlife Area.²⁴ Ex. 32, pages 34-35. The FC-zoned properties north of the Wildlife Area appear to be vacant or used for small-scale farming operations.²⁵ Ex. 32, pages 21-23. These are owned by individuals, except for Tax Lot 0300, which is owned by Peltier Real Estate Company, a wholly owned subsidiary of Republic Services, Inc.²⁶ The Peltier property is vacant and is not being used or proposed for use by VLI for the existing landfill or the proposed Project. The Nearby Properties to the north of these Adjacent Properties are zoned RR-5 and owned by individuals²⁷ or are zoned EFU and owned by an LLC and appear to be in commercial farm use (grass seed, row crops).²⁸

The Adjacent and Nearby Properties east of the landfill and west of Wiles Road are zoned EFU and owned by individuals and trusts and appear to be in commercial farm use within the meaning of BCC 51.020.²⁹

The Adjacent and Nearby Properties to the southwest of the landfill between Wiles Road and Soap Creek Road are zoned EFU and owned by individuals³⁰ or are owned by VLI or Peltier Real Estate Company, a wholly owned subsidiary of Republic Services, Inc., and leased to Agri-Industries, Inc., for farm use.³¹ See Ex. 31, page 8. The Nearby Properties southwest of Tampico Road are zoned EFU and are owned or controlled by Oregon State University and are used for research farm use.³²

The Adjacent Properties to the south of the landfill are zoned FC or RR-10 and are owned by individuals,³³ Peltier Real Estate Company, a wholly owned subsidiary of Republic Services Inc.,³⁴ or VLI.³⁵ These parcels are vacant or are in residential use. The Nearby Properties to the

¹⁷ The supplemental information provided in Exhibit 34 does not appear to materially alter or enhance the information provided in the January 15, 2025 BOP.

south of these Adjacent Properties are zoned EFU³⁶ or RR-10³⁷ and are owned by individuals or VLI.³⁸ These lots appear to be vacant, in residential use, or in farm use.

Staff Response, Planning:

For staff review of BCC 53.215(1), the list of properties included by the applicant will be evaluated against identified impacts to determine whether the proposed expansion will seriously interfere with uses on these “adjacent” properties.

Application: Potential impacts on uses of adjacent property

NOISE

Applicant Response (Exhibit BOP p. 28-30):

[...] the following off-site impacts from the Project may potentially affect the Adjacent Properties: (a) noise; (b) odor; (c) traffic; (d) water (well capacity/groundwater impacts); and (e) visual impacts. These impacts are primarily generated by the working face, which will move from north of Coffin Butte Road to the Project area south of Coffin Butte Road. Once moved, the landfill area to the north of Coffin Butte Road will not be used for disposal operations. There will be only one working face in operation at any time.

Current conditions on the Adjacent and Nearby Properties include the off-site impacts from the existing Coffin Butte Landfill. The question is thus whether the anticipated off-site impacts resulting from the Project differ from the current offsite impacts in a way that will “seriously interfere” with the uses of the Adjacent and Nearby Properties.

a. Noise. *Greenbusch Group, Inc. (“Greenbusch”) assessed the noise impacts from the proposed expansion (Ex. 11). Greenbusch applied OAR 340-035-0035, which regulates sound emissions from commercial and industrial uses (the “DEQ Noise Rule”).⁴⁰ As explained below and in Exhibit 11, Greenbusch determined that the predicted sound levels from the Project will “comply with the applicable regulatory criteria without the inclusion of noise mitigation.”⁴¹*

40 DEQ has adopted noise standards but does not enforce them itself.

41 In its 2021 study, Greenbusch concluded that the prior application would require mitigation measures in order to comply with the DEQ Noise Rule. The updated study, attached as Exhibit 11, concludes that no such measures are required by the 2024 proposal.

As noted by Greenbusch, the Project will not change the character of operations at the landfill. Accordingly, noise impacts from the Project will be similar in kind to current conditions, where noise is produced by equipment such as dozers, excavators, compactors, tipping machines, and truck traffic. When the Development Site is opened, active landfill operations will move from north of Coffin Butte Road to the Development Site, so overall noise impacts will not appreciably change as compared to the current conditions (and could even diminish).

The DEQ Noise Rule establishes sound-level limits as measured from “noise sensitive property.” Noise sensitive property, in turn, means property “normally used for sleeping, or normally used as schools, churches, hospitals or public libraries.” OAR 340-035-0015(38). The closest noise-sensitive uses to the Project are shown on Exhibit 11, Figure 5.1.⁴²

42 The closest noise-sensitive use is the residential home on Tax Lot 1104.

Applying the DEQ Noise Rule, noise impacts would be measured 25 feet toward the landfill from the point of noise-sensitive building closest to the landfill or the point on the noise-sensitive property line closest to the landfill (whichever is farthest from the landfill). Greenbusch applied stricter standards than those required by the DEQ Noise Rule as follows:

(i) The DEQ Noise Rule imposes different limits for commercial and industrial sound sources depending on whether the site has been previously used as a commercial or industrial site. Limits are stricter for sites that have not been previously used as a commercial or industrial site. The Project would be considered a new sound source located on a previously used site, and thus subject to the less-stringent limit. Nonetheless, Greenbusch evaluated the anticipated increase over existing sound levels using the limits that apply to previously unused sites.

(ii) Motor vehicle sound emissions are measured within 1,000 feet of the noise-sensitive use. OAR 340-035-0030. As explained by Greenbusch, the type of motor vehicle use at the Project is exempt from the sound limits in OAR 340-035-0030. Nonetheless, Greenbusch evaluated the sound levels from anticipated motor vehicle use at the Project and determined that they would fall under the sound-level limits imposed by OAR 340-035-0030

(iii) Operating hours at the landfill extend into both daytime and nighttime hours for purposes of the DEQ Noise Rule. Greenbusch assessed compliance using the more stringent nighttime sound-level limits.

Greenbusch took a number of measurements of existing sound levels and used those measurements to model two different scenarios to analyze anticipated noise impacts from the Project. Based on these models, Greenbusch concluded that “[p]redicted sound levels from trucks using the landfill and on-site equipment comply with OAR sound limits at all nearby noise sensitive properties under both modeling scenarios.” Because Greenbusch analyzed the noise-sensitive properties closest to the Development Site and because sound dissipates over distance, these conclusions necessarily apply to all noise-sensitive properties that are Adjacent or Nearby Properties to the Landfill Boundary.

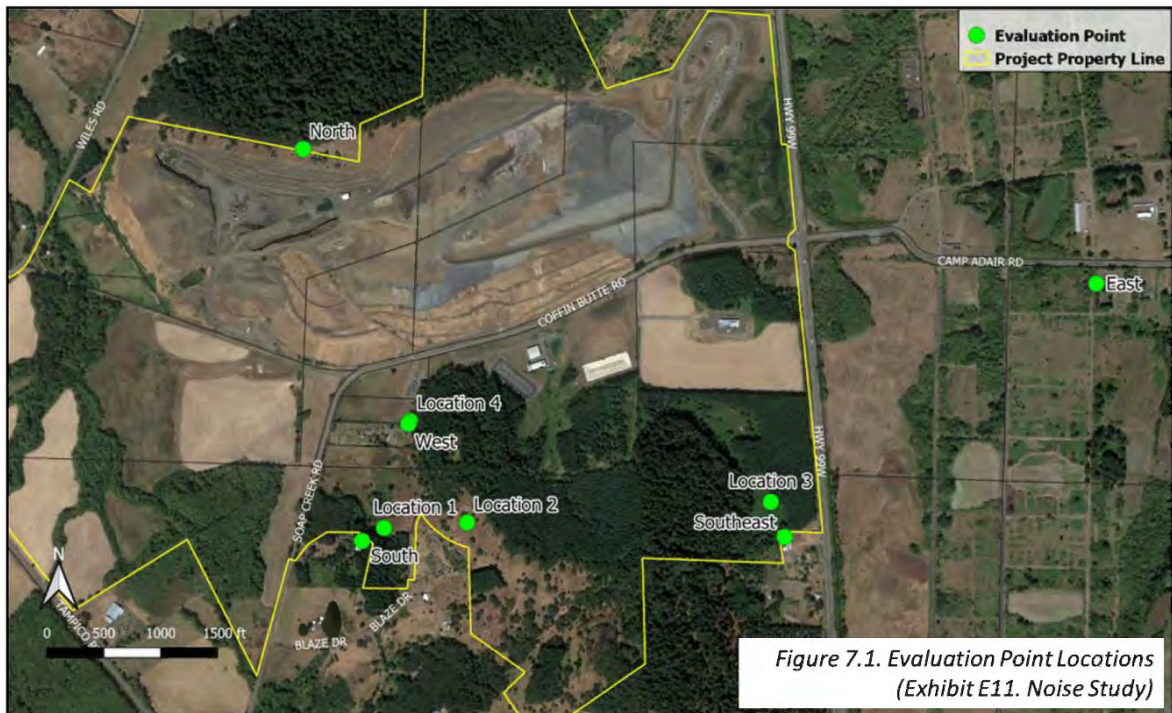
In addition, although not required by the DEQ regulations, Applicant has replaced back-up alarms on its on-site equipment with ambient sensing broadband back-up alarms as a voluntary noise-mitigation measure.⁴³

43 Hauling trucks and other trucks coming to the site will still use standard back-up alarms.

Finally, the Greenbush analysis demonstrates that anticipated off-site noise impacts from the Project will not be materially different from existing conditions.

Given that the proposal does not materially change the off-site noise impacts from current conditions and complies with all regulatory criteria even without mitigation, and further given that Applicant has engaged in additional mitigation measures, the off-site noise impacts of the Project will not “seriously interfere” with the use of Adjacent and Nearby Properties.

Applicant Response (Exhibit E11 p. 12-15):



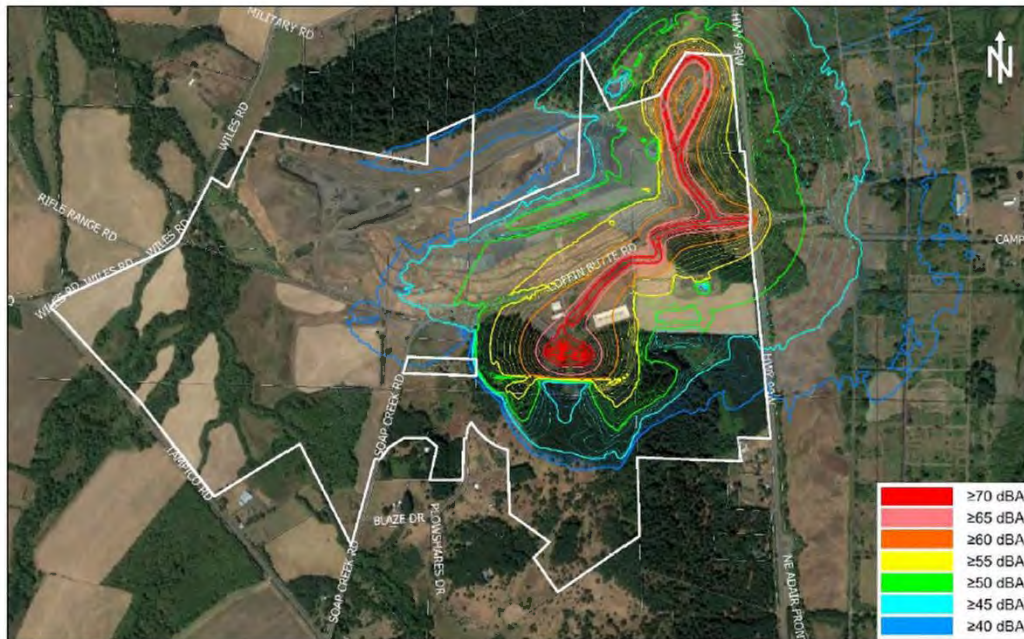


Figure 7.2. Predicted L50 Sound Level Contours – Scenario 1
(Exhibit E11. Noise Study)

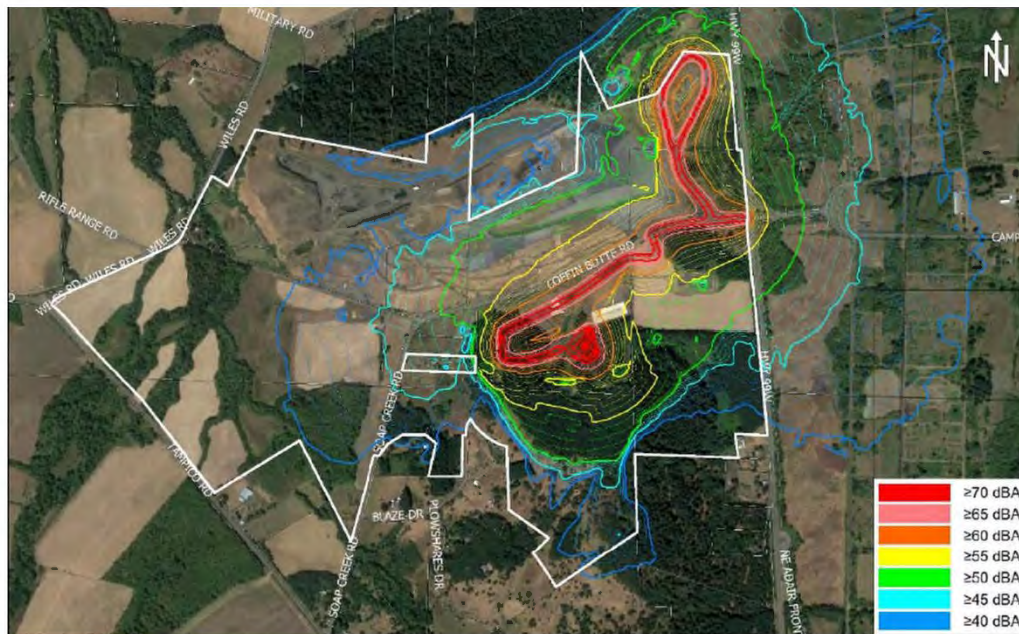


Figure 7.3. Predicted L50 Sound Level Contours – Scenario 2
(Exhibit E11. Noise Study)

Staff Response, MFA - Engineering (Exhibit BC1 p. 4-5):

The Noise Study summarizes existing sound levels measured near the proposed expansion area, sound levels produced by equipment currently being used at the landfill and predicted sound levels for both beginning and maximum future grade conditions. The report concludes that noise mitigation is not required to comply with regulatory limits. However, Greenbusch recommended that all backup alarms used on the site be replaced with ambient sensing broadband backup alarms if permitted by safety regulations.

MFA understands that the Applicant provided the following Operating Approval Conditions:

OA-1. Hours of Operation. Operating hours for disposal of waste in the landfill shall be as follows:

(A) Monday through Saturday, the site may open to vehicles using the commercial tipping area starting at 5 a.m. and to all other customers starting at 8 a.m. The site shall close to both commercial and other customers at 5 p.m. Internal operations, including but not limited to leachate hauling, infrastructure construction, disposal area activities and site maintenance is permitted to occur prior to and after these hours.

(B) On Sunday, the site will not open before 12 p.m. and will close no later than 5:00 p.m. Internal operations, including but not limited to leachate hauling, infrastructure construction, disposal area activities and site maintenance is permitted to occur prior to and after these hours.

(C) During an emergency or when requested by a State, Federal, or County agency, Applicant may open the landfill outside of these hours.

OA-2. Vehicle Noise. All Applicant vehicles being used for operations on the new site shall be outfitted with white noise back up alarms.

OA-3. Noise Study Updates. Applicant shall provide an updated noise study prepared by Applicant's noise consultants once every three years. Applicant will implement mitigation measures to bring any non-compliant noise levels into compliance with ODEQ noise regulations.

Greenbusch used the median instead of the lowest measurement when establishing ambient noise levels. Greenbusch collected several hourly readings of existing sound levels, and they presented a low, high, and median value in Table 5.2 of the Noise Study. Greenbusch correctly states that Oregon Administrative Rules (OAR) 340-035-0035(1)(B) prohibits ambient sound levels from being exceeded by more than 10 decibels on the A-weighted scale (dBA). Specifically, the rule states:

No person owning or controlling a new industrial or commercial noise source located on a previously unused industrial or commercial site shall cause or permit the operation of that noise source if the noise levels generated or indirectly caused by that noise source increase the ambient statistical noise levels, L10 or L50, by more than 10 dBA in any one hour...

MFA is not aware of anything in the ODEQ rules that state facilities are allowed to use the median noise value instead of the lowest noise value when establishing ambient noise levels. The inclusion of the phrase "in any one hour" implies that ODEQ rules require using the lowest measured value. If Greenbusch had selected the lowest measured noise levels, the predicted sound levels presented in Tables 7.1 would show that three of the four locations exceeded the allowable L50 noise level, while the fourth location approached the limit.

MFA finds that the noise study demonstrates that the applicable ODEQ noise standard will be exceeded at neighboring properties if Greenbusch used the lowest hourly noise value as MFA believes is required by DEQ rules. Even if the median value was considered as suggested by Greenbusch, the predicted sound level at location four is exactly equal to the ODEQ limit.

MFA believes that the noise study indicates that the proposed use may seriously interfere with uses on adjacent property or with the character of the area.

Staff Response, Planning:

The applicant identified the closest noise-sensitive properties (residential uses) and evaluated potential noise impacts on these uses. The applicant did not evaluate noise impacts on other adjacent properties at greater distances. Staff concurs with the applicant's reasoning that if noise does not seriously interfere with close noise-sensitive uses, it will not seriously interfere with noise-sensitive uses farther away, as noise diminishes over distance.

As noted by the applicant, the cited DEQ Noise Rule does not appear to be directly and entirely applicable to the proposed application. However, staff concurs with the applicant's use of that DEQ regulation to set a threshold for noise increase to "seriously interfere" with noise-sensitive uses.

However, as noted in MFA findings above, the proposal appears to exceed the DEQ regulatory noise threshold proposed for use by the applicant to evaluate consistency with this standard.

In the absence of a proposed solution to meet identified noise impacts, staff recommends denial of the application due to noise impacts on adjacent noise-sensitive uses.

ODOR

The applicant responded to the issue of odor impacts in the full BOP dated January 15, 2025 (Exhibit BOP p. 30-33), and in an addendum dated March 14, 2025 (Exhibit BOPA p. 1-3). Below, we quote the findings from the full BOP, followed by those from the March 14 addendum.

Applicant Response, 2024 Odor Study (Exhibit BOP p. 30 -33):

b. Odor. *Weaver Consultants Group (“Weaver”) assessed the odor impacts from the proposed expansion (Ex. 12) and the comprehensive set of infrastructure and practices already in place to control and manage odors is outlined in Exhibit 13. As explained below and in Exhibit 12, Weaver determined that “there has not been a significant impact to human health and environment related to [landfill gas] or odors.”*

The Adjacent and Nearby Properties have been in proximity to an active landfill for over 50 years. And, although the Project is a proposed “expansion,” the nature of landfill operations means the Project will not result in a material expansion of odor-producing uses.

As explained in Exhibit 12, the two primary sources of odor from a landfill are the solid waste in the active landfill area (with odors similar to household waste) and the biogas produced as the solid waste begins to decompose (“landfill gas” or “LFG”). Also, as explained in Exhibit 12, the working face of a landfill is much smaller than its overall size. At Coffin Butte Landfill, the day-to-day active area is less than one-half acre under current conditions and will continue to be a similar size when the Development Site is opened and prior active landfill area north of Coffin Butte Road is no longer used for disposal. Consistent with best industry practice, VLI covers the active area at the end of each day with a six-inch layer of soil or alternative daily cover, which is a proven method for effective odor mitigation in all climatic regions (as noted in Exhibit 12).

As described in Exhibits 12 and 13, VLI currently employs aggressive methods for control of landfill gas, including an extensive system of landfill gas collection and control, surface emissions monitoring (“SEM”), and daily odor monitoring.

Weaver also noted that VLI employs several odor-mitigation measures in excess of what is required by applicable regulations, including: (i) the use of a plastic liner in addition to soil cover; (ii) the installation of “final cover” over nearly 40 percent of the landfill surface (when final cover is not required until the landfill is no longer accepting waste); and (iii) the installation of LFG extraction wells for waste that has been in place for only one year (when LFG extraction wells are not required until waste has been in place for five years).

A review of odor complaints over the past 20 years demonstrates that VLI’s odor-control methods have been effective. Odor issues are regulated by DEQ, and the complaints to DEQ, the landfill, and local authorities have been minimal (see Findings on Odor, Ex. 12).⁴⁴

⁴⁴ *The uptick in 2021-22 occurred during the time of the contested CUP application and appears to be anomalous. Nonetheless, VLI investigates each of the complaints and takes action accordingly.*

Because the perception of odor is subjective and has been the subject of questions during the prior application and the BCTT process, the County asked Applicant to provide further analysis related to landfill odor. Applicant retained Greg Hauser, CIEC, of SCS Engineers to conduct an

odor analysis. (See Coffin Butte Landfill Expansion Odor Dispersion Model Study, attached as Exhibit 14). SCS employed the American Meteorological Society/Environmental Protection Agency Regulatory Model (AERMOD) methodology accepted by the EPA and DEQ. SCS examined wind patterns (direction and speed) over time, odor-causing landfill activities, and topography.

As noted in the report, per ASTM standards, odor concentration is defined as the dilution of an odor sample with odor-free air, at which point only 50 percent of an odor panel (or population) will detect or recognize the odor. This point is expressed in units of “dilutions-to-threshold” or “D/T”.

By definition, odor threshold is equal to 1 D/T. Typically, odors are considered a nuisance at or above 7 D/T.

SCS examined odor dispersion at both the current landfill operation and the proposed Project. The report concludes:

Peak, off-site, one-hour odor concentrations were below 7 D/T (the numeric threshold of significance for nuisance odors) for all scenarios modeled.

For existing operations (Source #1), the modeled peak, off-site, one-hour odor concentration was north of the landfill (in two different locations depending upon the meteorological data used) and ranged from 0.42 to 1.21 D/T. Impacts above 1 D/T (the point at which only 50 percent of the population is expected to smell any odor) extended only a small distance off site. None of the complaint locations from Figure 10 were within the 1 D/T contour.

For proposed operations (Source #2), the modeled peak, off-site, one-hour odor concentration was either along Coffin Butte Road or south of the landfill (in two different locations depending upon the meteorological data used) and ranged from 0.64 to 2.04 D/T. Impacts above 1 D/T (the point at which only 50 percent of the population is expected to smell any odor) were either along Coffin Butte Road or extended only a small distance off site. Only one complaint location from Figure 10 was within the 1 D/T contour.

Moving operations to the proposed expansion area will move the predicted peak, off-site, one-hour impact location, but impacts would remain well below the 7 D/T threshold.

While off-site odors can occur as a result of the current and future landfill operations, these potential impacts are less than significant and expected to be short lived (i.e., only occur under weather conditions with poor atmospheric dispersion).

The SCS Study thus corroborates the Weaver assessment. Based upon the above evidence, the Project will not materially increase off-site odor impacts over the current operation, and certainly not in a way that would “seriously interfere with uses on adjacent properties.”

Because certain temporary landfill operations and weather conditions can temporarily increase odor and given the complaints and concerns about odor expressed during the prior application and during BCTT, Applicant is proposing a condition of approval to provide a more structured and objective process for monitoring odor. Applicant proposes an ongoing odor-monitoring condition in the proposed conditions of approval. Ex. 21, Condition OA-10.

Applicant Response (Exhibit BOPA p. 1-3):

II. The 2025 Odor Study

A. Background. As part of its completeness review of Applicant's initial application, Benton County asked Applicant to provide further analysis related to landfill odor. Applicant retained SCS Engineers to conduct an odor analysis. SCS employed the American Meteorological Society/Environmental Protection Agency Regulatory Model (AERMOD) methodology accepted by EPA and DEQ. SCS examined wind patterns (direction and speed) over time, odor-causing landfill activities, and topography. This analysis, entitled Coffin Butte Landfill Odor Dispersion Model Study (the "2024 Odor Study"), is attached to the BOP as Exhibit 14.

The 2024 Odor Study, more fully described in Section III.C.7 of the BOP, noted that odor disperses the farther the distance from the landfill area. The report concluded that moving landfill operations from north of Coffin Butte Road to the Development Site will shift the primary odor impacts from north of the Valley Landfills property to south along Coffin Butte Road, but that such odor impacts generally do not and will not exceed 1 D/T¹ on properties immediately adjacent to the landfill property boundary, and then dissipate to lower levels at distance, under either scenario.

1 As noted in the 2024 Odor Study, per ASTM standards, odor concentration is defined as the dilution of an odor sample with odor-free air, at which point only 50 percent of an odor panel (or population) will detect or recognize the odor. This point is expressed in units of "dilutions-to-threshold" or "D/T." By definition, odor threshold is equal to 1 D/T. Typically, odors are considered a nuisance at or above 7 D/T.

Based upon the 2024 Odor Study and the Greenbush Analysis (BOP Exhibit 11), the BOP finds that the Project will not materially increase off-site odor impacts over the current operation, and certainly not in a way that would "seriously interfere with uses on adjacent properties" or "seriously interfere with the character of the Area" in violation of BCC 53.215(1).

B. Recommendation From the County's Consultant. After Applicant's submission of its October 30, 2024, response to the County's incompleteness letter, the County retained Maul Foster Alongi ("MFA") to advise it on the technical aspects of the application. MFA recommended the study be reevaluated using actual/predicted emission rates in units of grams per second for volatile organic compounds and potentially odorous toxic air contaminants from each of the permitted emission units included in the Title V Operating Permit issued to the landfill. In keeping with its efforts to provide the County with the requested information, Applicant requested an extension of the 180-day local action deadline to evaluate and respond to the methodology recommended by MFA.

C. Findings From the 2025 Study. The 2025 Odor Study Corroborates the 2024 Odor Study and the Greenbush Analysis that the Project may slightly increase potential off-site odor on some adjacent or surrounding properties and reduce it on others, but in no case will it increase odor above the model threshold or create a public nuisance.

The 2025 Odor Study concludes as follows:

"Based upon the modeling results of the two scenarios, the following conclusions are presented:

Scenario #1 (2023 actual operations) was not expected to cause detectable nuisance odors since the D/T ratio for each pollutant modeled was well below one.

Scenario #2 (2052 proposed operations) was not expected to cause detectable nuisance odors since the D/T ratio for each pollutant modeled was well below one.

Scenario #2 (2052 proposed operations) D/T ratios increased by 2 to times as compared to Scenario #1 (2023 actual operation) for all pollutants except NOx. The decrease in the NOx D/T ratio was due to the change in tipper and AI location. As noted above, all D/T ratios were well below one.

Peak impact locations were all north of the landfill boundary in Scenario #1 and Scenario #2.

Moving operations to the proposed expansion area will move the predicted peak, off-site 1-hour impact locations, but the D/T ratio for each pollutant would remain below one.

Typically, odors become a nuisance at or above 7 D/T [13, 142] so using 1 D/T for comparison is expected to be conservative. Therefore, this study concludes that the proposed expansion Project will not cause detectable off-site nuisance odor impacts at nearby residential or commercial areas.” Ex. 33 at 25.

As both the 2024 and 2025 studies indicate, certain activities or weather conditions can temporarily increase odor impacts. That will not change with the Project, but Applicant is proposing an operating condition of approval for the Project that will require daily odor monitoring, review, and (if odor is detected and is coming from the landfill) response. BOP Exhibit 21, OA-10. This program should help minimize the impact of off-site odors, if any.

D. Conclusion. *Based upon the 2025 Odor Study, the 2024 Odor Study, and the Greenbush Analysis, the Project will not materially increase potential off-site odor impacts over the current operation, and certainly not in a way that would “seriously interfere with uses on adjacent properties” or “seriously interfere with the character of the Area” in violation of BCC 53.215(1).*

Applicant Response (Exhibit E33 p. 20-24):

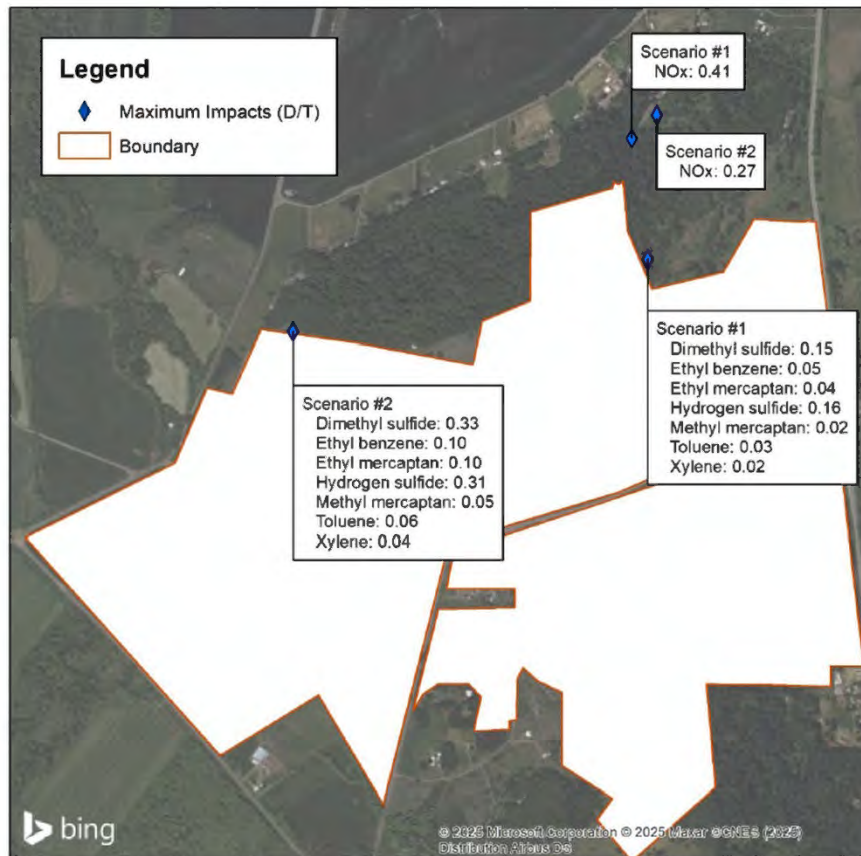


Figure 8. Peak 1-Hour Off-site Odor Impact Locations
(Exhibit E33. 2025 Odor Study)

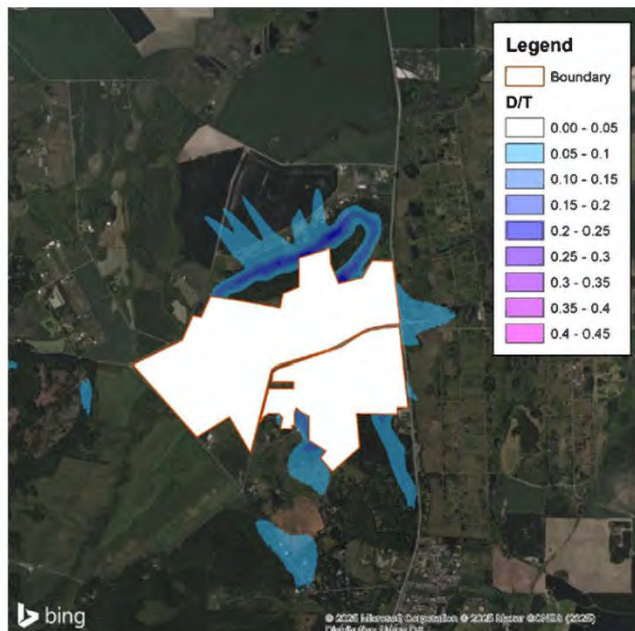


Figure 9. Scenario #1 NOx Odor D/T Contours
(Exhibit E33. 2025 Odor Study)

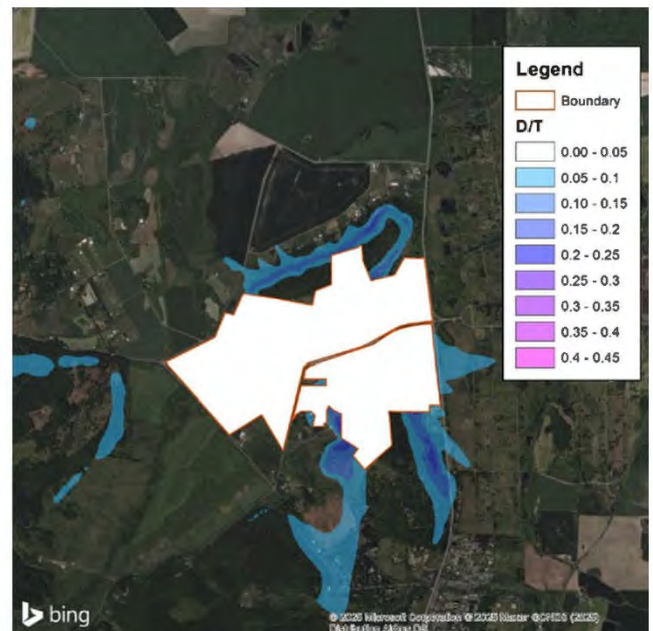


Figure 11. Scenario #2 NOx Odor D/T Contours
(Exhibit E33. 2025 Odor Study)

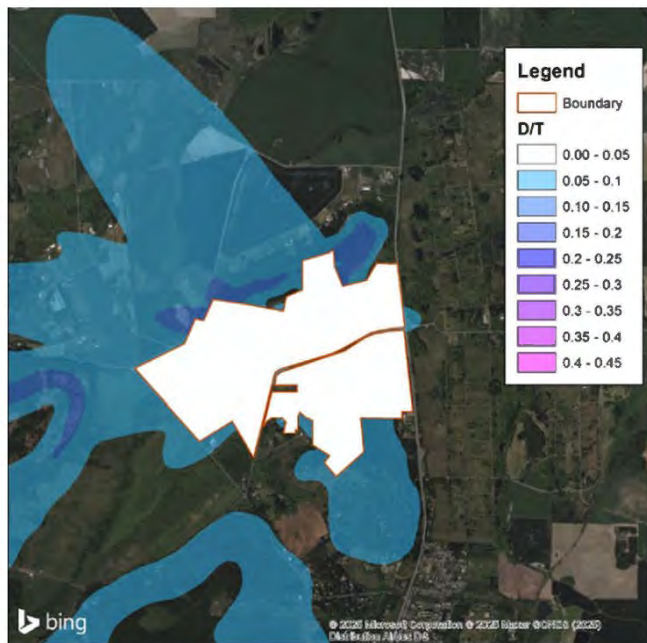


Figure 10. Scenario #1 Dimethyl Sulfide Odor D/T Contours
(Exhibit E33. 2025 Odor Study)

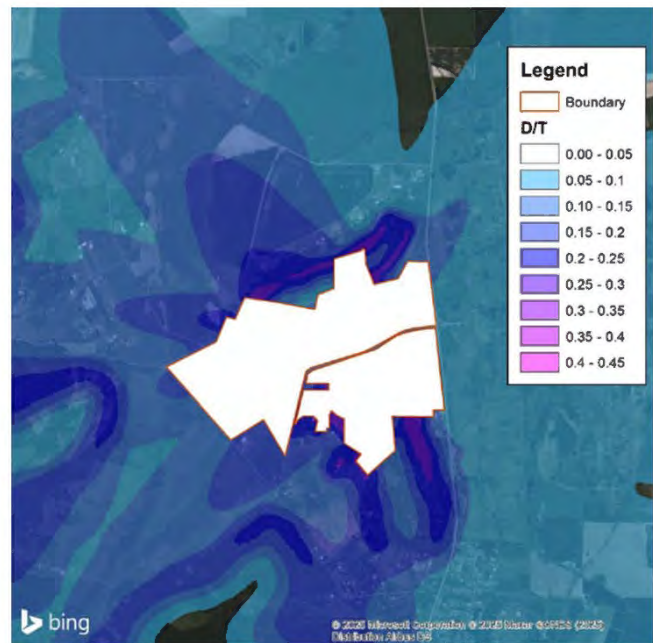


Figure 12. Scenario #2 Dimethyl Sulfide Odor D/T Contours
(Exhibit E33. 2025 Odor Study)

Staff Response, MFA - Engineering (Exhibit BC1 p. 9-13):

[...]

While the findings of the Applicant's odor model predict that odors generally would not be considered an odor nuisance (where D/T values are below 1), MFA has observed several inconsistencies in the model setup that could significantly affect the predicted values. Specifically, these are, without limitation:

- There is insufficient supporting justification for the modeled release height and initial vertical dimension for the current landfill fugitive surface. The effective release heights appear to be nearly 100 feet above the highest point of the current landfill footprint based on a review of Google Earth terrain data (current as of July 2024) and would be inappropriate to represent existing conditions for 2023.
- There is insufficient justification for the modeled release height and initial vertical dimension for the expanded landfill fugitive surface.
- An outdated version of the AERMET program executable (v18081) was used to process the meteorological dataset included in the AERMOD model runs and the potential impacts to offsite modeled concentrations may be significantly impacted by using the latest AERMET executable version.
- There is insufficient justification for the modeled emission rates where 81% of the total landfill surface area is in the current area, and 19% is in the southern proposed expansion, but the modeled emission rates for the current and expanded landfill fugitive source representations are equal.

Due to these noted inconsistencies, MFA believes that the odor study does not adequately demonstrate that the proposed use would not seriously interfere with uses on adjacent properties or with the character of the area.

Staff Response, Planning:

Staff acknowledges that odor impacts are difficult to evaluate. Staff appreciates the evolution and refinement of the applicant's odor analysis and findings over the past 9 months in response to staff concerns.¹⁸ Different people have different levels of sensitivity, weather systems produce different odor patterns, and there are many sources of odor. But there is a science-based method of evaluating odor, and odor levels can be quantified. Therefore, staff places high value on technical analysis in relation to the odor produced by the proposed expansion. The applicant's conclusion relating to odor levels and an expected D/T level below 0.5 is compelling.

¹⁸ The applicant's 2025 odor submission (Exhibit E33) was submitted on March 14, 2025.

However, Staff has two general concerns with the applicant's analysis:

1. Odor-sensitive uses. The analysis does not appear to identify adjacent uses that are likely to be more sensitive to odor impacts. For example, a residential use is likely to be more sensitive to odor impacts than a farmed field. Locations of odor-sensitive uses are not clearly defined in the odor analysis or mapping, and the potential impact on these uses is not specifically evaluated. Of special note, there may be odor-sensitive uses within the boundary area identified in the applicant's odor analysis.
2. As identified in the MFA engineering response, several technical elements of the analysis appear to be inadequately supported.

Due to these concerns, and the lack of options for conditions to mitigate these concerns, staff recommends denial of the application.

TRAFFIC

Applicant Response (Exhibit BOP p. 33-34):

c. Traffic. *Transight Consulting, LLC ("Transight") prepared a Transportation Impact Analysis ("TIA") for the proposed expansion (Ex. 15). Similar to the other off-site impacts, although the Project is a proposed "expansion," the nature of landfill operations means the Project will not result in a material increase in traffic impacts.*

Coffin Butte Landfill and the proposed improvements are served from Coffin Butte Road. Coffin Butte Road is a Major Collector Street and is identified as a Freight Route on the County TSP.

As discussed in the TIA, the anticipated changes to traffic are limited and consist of the following:

"Private passenger vehicles using the landfill will continue to use the scales and services on the north side of Coffin Butte Road, with these consolidated materials then hauled by commercial truck to the expansion site for disposal. Commercial account users will also be required to use the current scales to weigh in, then will be directed to the expansion area to dispose of materials. These private and commercial vehicles will use a new outbound scale near the expansion site exit, will pay the appropriate fees, and will then exit onto Coffin Butte Road.

"As a result of retaining the scales on the north side of Coffin Butte Road for the expansion there will be internal trips between the north and south sides of Coffin Butte Road."

As further discussed in the TIA, trip generation for landfill uses is not determined by landfill size, but rather by the population of the areas served.

VLI is expanding Coffin Butte Road to include bicycle lanes and shoulders and a westbound left-turn lane to avoid impacts to through traffic on Coffin Butte Road.⁴⁵

⁴⁵ The preliminary turn-lane design includes enough queue storage for four semitrucks.

The TIA is based on four sets of traffic counts taken from 2021 to 2023. These counts all reflect very low traffic volumes in the vicinity of the landfill. In addition, future traffic increases attributable to the landfill are based on projected population growth, which is minimal (approximately 1 percent annually in the Linn-Benton area, 1 percent or lower in Linn County, and approximately 1.7 percent statewide in Oregon).

The TIA concludes as follows:

“This report shows that the proposed landfill expansion provides minimal impacts to Benton County and ODOT transportation facilities. The proposed expansion site will not alter public trip routing, emergency ingress or egress, and it will retain the current landfill access routes. This layout maintains current functional designations identified in the County’s Transportation System Plan and the design optimizes travel safety for patrons and employees.”

The TIA analyzes the expected traffic impacts from the Project as far as those impacts extend from the Landfill Boundary (which is not far) and found that transportation facilities in the area will continue to function well within applicable County standards. Thus, the additional trips generated from the expansion, if any, and the minor changes in traffic patterns will not “seriously interfere” with the use of Adjacent Properties or Nearby Properties.

Staff Response, Public Works (Exhibit BC1 p. 21-23)

[...]

Coffin Butte Road, and the easterly segment of Soap Creek Road carry the functional classification of Major Collector. Neither facility meets current standards for this classification as specified in the TSP. [...]
Improvement of Coffin Butte Road to this standard will provide additional lane width and wide shoulders for vehicle stops and to accommodate bicycle, pedestrian, and emergency access where this function is currently very limited. [...]

[...]

Benton County staff have cooperated with Kellar Engineering in this review process, and we concur with their findings and conditions regarding the Traffic Impact Analysis.

[...]

Staff Response, Kellar Engineering (Exhibit BC1 p. 20)

Kellar Engineering (KE) has reviewed the submitted Coffin Butte Landfill Expansion Traffic Impact Analysis (TIA) dated February 26, 2024 by Transight Consulting, LLC. The submitted TIA demonstrates the project has the ability meet Benton County’s requirements for traffic.

Staff Response, Planning:

Staff concurs with engineering and transportation comments, as well as the applicant’s conclusion. Transportation impacts from the proposed expansion are minimal and are not expected to “seriously interfere” with adjacent land uses.

GROUNDWATER

Applicant Response (Exhibit BOP p. 34 -35):

d. Water—Well Capacity and/or Groundwater Impacts. *Tuppan Consultants, LLC (“Tuppan”) assessed environmental and operational considerations related to the Project (Ex. 16), and Civil & Environmental Consultants, Inc. (“CEC”) prepared a preliminary drainage report for the proposed expansion (Ex. 17). These documents outline the natural dynamics of groundwater flow in the area, the groundwater use associated with the Coffin Butte Landfill, and the existing and proposed drainage systems serving the landfill. As explained below and in Exhibits 16 and 17, the proposed expansion will have no effect on the landfill’s use of groundwater in the area and will not materially change offsite impacts on groundwater quality. As described by Tuppan, current surface-water drainage from the operations areas of the landfill drain*

through a number of systems designed to remove site-related compounds from stormwater before it discharges to creeks that flow off site. These systems include a settlement pond and a bioswale that was recently upgraded to include a subsurface flow wetland (SSFW) that discharges at a sampling point.

As further described by Tuppan, groundwater supply in the area is limited and disconnected in nature.

(i) Impact on groundwater supply (well capacity). As noted by Tuppan, landfill construction and the bulk of landfill operations use water supplied by Adair Village, not groundwater from wells. The only groundwater used from wells is for the existing office and the scale house, and the volume of groundwater consumed at these two locations will not change. The Project will thus have no impact on groundwater supply in the area (as compared to current conditions).

(ii) Impact on groundwater quality. Tuppan and CEC describe a number of features and systems that protect groundwater resources, including the groundwater divide created by Tampico Ridge, the existing combined detention and wetpond facility, the requirement to install a “state-of-the-art” landfill liner system at the Development Site, stormwater diversion facilities, and a comprehensive water-quality monitoring program. Monitoring of stormwater is required by both the site’s solid waste permit and its NPDES industrial stormwater discharge permit. The systems outlined above meet or exceed all regulatory requirements for groundwater protection, and to the extent they fail to function as designed, the monitoring programs will ensure that potential contamination is identified and mitigated before entering the off-site groundwater supply. The new landfill liner system planned for the Development Site is state of the art and will provide even more protection than the current system. Given that comprehensive mitigation and monitoring occurs on site, the potential impacts of the proposed expansion on the off-site groundwater supply will not “seriously interfere” with the use of Adjacent Properties or Nearby Properties.

Staff Response, Public Works (Exhibit BC1 p. 21-24):

[...]

Drainage for the landfill complex flows roughly from west to east. The E.E. Wilson Wildlife Area, a network of ponds and wetlands east of the subject property are the direct receiving waters for drainage from the landfill. The E.E. Wilson Wildlife Area functions as one of the headwaters of Bowers Slough, a tributary of the Willamette River.

The project’s disturbed area footprint exceeds one acre.

[...]

Construction of the proposed improvements may require permitting through regulatory agencies including, but not limited to, the Oregon Department of State Lands (DSL), the Oregon Department of Environmental Quality (DEQ), the Oregon Department of Fish & Wildlife (ODFW), the Oregon State Historic Preservation Office (SHPO), the Oregon Department of Geology and Mineral Industries (DOGAMI), U.S. Fish & Wildlife (USFW), the U.S. Army Corps of Engineers (COE), and the National Oceanic and Atmospheric Administration-National Marine Fisheries Service (NOAA-NMFS).

[...]

Final engineering design for any public infrastructure improvements will be required after Conditional Use approval. Review and approval of those calculations, drawings, right of way adjustments, and specifications will be completed prior to start of construction.

Staff Response, MFA - Engineering (Exhibit BC1 p. 6):

Exhibit 17 Preliminary Drainage Report

[...]

MFA recommends the Applicant follow the Benton County Stormwater Support Documents, instead of the Corvallis Stormwater Standards, to finalize the stormwater calculations and design components for the ODEQ submittal. Based on MFA's review of the information provided, the proposed stormwater detention facilities appear to be conservatively sized, and despite the use of a different standard, the overall design of the stormwater facilities appears adequate from a land use perspective.

Staff Response, Planning:

Staff understands that groundwater impacts have been a controversial topic in past application processes. However, the county is limited in its ability to evaluate and regulate groundwater impacts beyond the multiple levels of state and federal regulation applicable to the proposed landfill expansion. Those regulatory agencies provide a more appropriate venue to address groundwater impacts. Staff concurs with the applicant's analysis and engineering comments. For purposes of county review, and in the context of additional required regulatory frameworks, the proposal is unlikely to "seriously interfere" with adjacent uses with regard to any groundwater impacts.

VISUAL IMPACTS

Applicant Response (Exhibit BOP p. 33 – 34):

*e. **Visual Impacts.** Exhibit 18 is a collection of renderings showing the view corridors west along Highway 99W and east along Coffin Butte Road as they currently exist and would appear after development of the Project and the opening of the Development Site.*

Figures 1, 2, and 3 show the northwest and southwest view from Highway 99W toward the landfill. As shown in Figure 1, the Project will retain the trees and vegetation at the southwest corner of the intersection of Coffin Butte Road and Highway 99W and will retain the buffer trees along the eastern property line. The Project will modify the topography of the area behind the trees shown in Figure 1; however, with the line of sight from this location, the visual impacts will be mostly unnoticeable (the top of Tampico Ridge is not visible).

Moving to a slightly higher elevation (north on Highway 99W) as shown in Figure 2, the top of Tampico Ridge is visible; thus, from this line of sight the Project may be visible.

Moving to a slightly higher elevation (north on Highway 99W) as shown in Figure 2, the top of Tampico Ridge is visible; thus, from this line of sight the Project may be visible.

Figure 4 shows the southwest view from the intersection of Coffin Butte and Soap Creek Road, demonstrating that the Development Site will be screened by vegetation along that corridor.

Applicant proposes installing additional screening vegetation consistent with the County's proposed condition in the 2021 Staff Report, plus additional screening. See Ex. 2, sheet 18. While the proposed landfill improvements on the Development Site may be visible at buildout along Coffin Butte Road within the landfill area owned by VLI and traffic traveling south on Highway 99W, the improvements will not be visible from the nearby streets, other rights-of-way, and properties that are not at higher elevations.

Overall, while the expansion may be visible from some locations around the area, it will not be highly visible, and a westerly visual corridor will be retained. In the future and in compliance with closure/post-closure plans, the current landfill area will be covered and reclaimed, reducing the off-site visual impacts that exist under current conditions. The overall effect of

relocating disposal operations to the Development Site will be to reduce off-site visual impacts from those caused by the current operation.

One of the Planning Commission's reasons for denying the 2021 application was that the proposal would essentially create a new hill by filling up the gap between Tampico Ridge and Coffin Butte and therefore substantially interfere with the character of the area in a negative way. The 2024 application preserves Coffin Butte Road and the valley between Tampico Ridge and Coffin Butte. The Development Site, when completed, will change the topography on the north slope of Tampico Ridge, but will be substantially lower than the ridgeline and will be 175 feet lower in height and similar in character to the closed and to-be-closed areas north of Coffin Butte Road. See topographical cross-section attached as part of Exhibit 2, Sheets 22 and 23; Exhibit 18, Build-out of Coffin Butte Landfill, with approved expansion. As noted above, the LS zone contemplates landfill use, so some elevation changes are to be expected.

Applicant's lighting plan for the overall site will minimize additional light and glare. See Sight Lighting Summary, attached as Exhibit 19.

For these reasons, the off-site visual impacts of the Project will not "seriously interfere" with the use of Adjacent or Nearby Properties.

Staff Response, Planning:

Staff concurs with the applicant's findings in relation to adjacent properties. While some elements of the project may be visible, as of the writing of this staff report, staff has seen no evidence or reason to conclude that the visibility of some elements of the proposed landfill expansion from adjacent roadways will "seriously interfere" with uses on adjacent properties.

"Character of the area"

Interpretation:

Applicant Response, the "area" (Exhibit BOP p. 22-25):

The Benton County Code also does not define the term "area" for CUP purposes. During BCTT, staff reported that the County has considered the following factors in determining the extent and character of the "area":

- a. The particular attributes of the geographic setting (including existing operations in the vicinity).*
- b. Whether there is a distinct change in the area's physical characteristics beyond a certain point.*
- c. The features or elements give the area its character, i.e., homogenous or heterogeneous characteristics and the degree of similarity.*
- d. The likely extent of the effects of the proposed land use. This may differ by particular effect—for example, the impact of noise might extend farther than visual impact (or vice versa).*

Based upon the prior application and discussion, Applicant has identified five potential off-site impacts of the landfill: Noise, odor, water/groundwater, traffic, and visual impacts. Each of these off-site impacts has a differential effect on the surrounding area based upon proximity. As discussed in more detail below, the potential impact of odor extends farther from the

landfill than the other potential impacts and thus has been used to identify the area of analysis under this criterion (the “Analysis Area”).

In order to establish the Analysis Area for purposes of BCC 53.215(1), VLI compiled all the odor complaints from June 2021 to August 2024 for which it had an address or location, plotted those locations on a map, and then drew a box around them. See Figure 2, below.

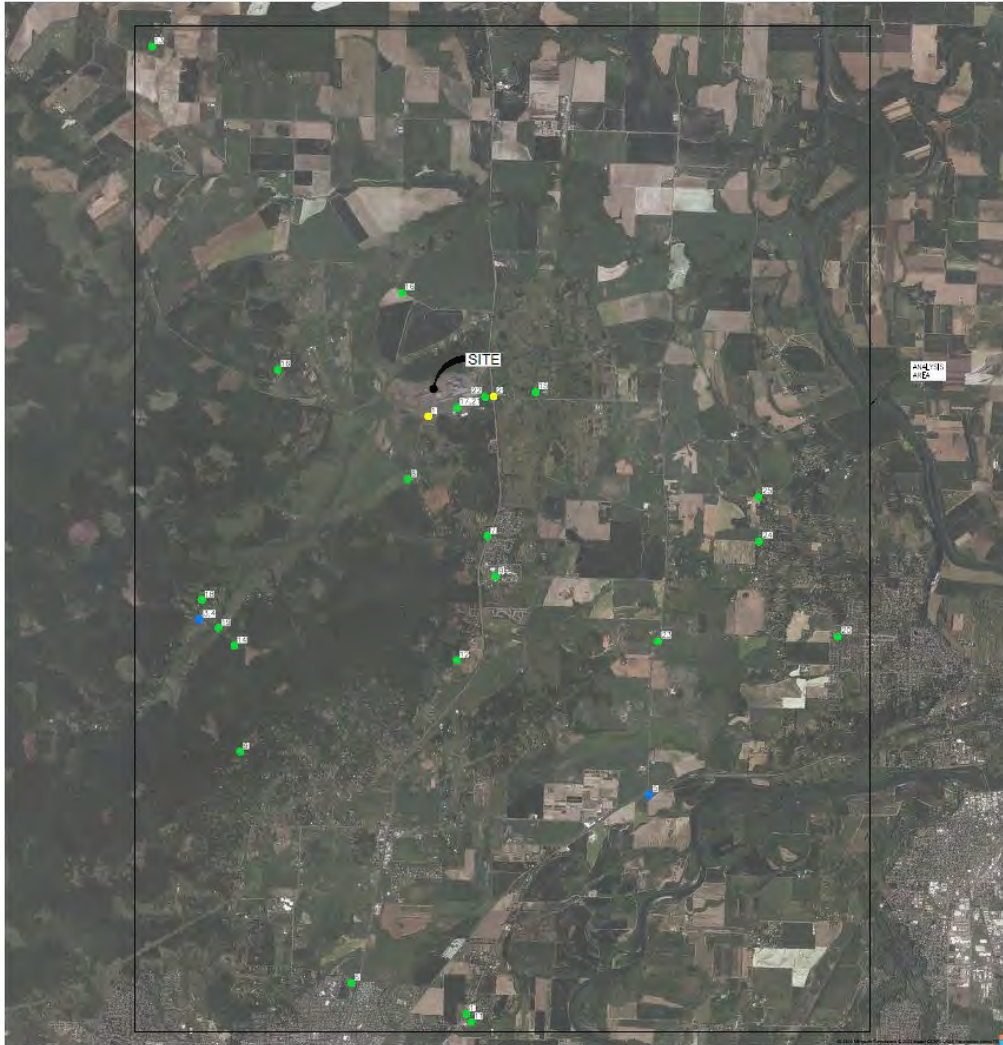


Figure 2 (The Analysis Area showing locations of odor complaints). (Full-size version and odor complaint list attached as Exhibit 9.)

VLI sometimes receives odor complaints that do not identify an address or location and notes that it did not consider these unlocated complaints to establish the Analysis Area. For these purposes, Applicant has also assumed that all the complaints were caused by odor from Coffin Butte Landfill without confirming the actual source of the odor. Although these odor complaints are therefore overinclusive in terms of establishing the outer limits of the potential odor impact and not required by the text of the criterion, for the purposes of the application VLI will consider this area for determining the outer limits of odor impact. Further, because odor is the impact with the farthest reach, the outer limits of odor impact provide an over-inclusive analysis area for the assessment of all other off-site impacts.

The land within the Analysis Area is not a distinct geographic setting, does not have unified physical characteristics, and is heterogenous and not homogenous. In this sense, it reflects a

much larger “area” than would be determined using the other characteristics considered by the County in past applications, but Applicant is considering this “area” to demonstrate compliance with the criteria beyond what is arguably required under the code.

Staff Response, Planning:

Staff agrees with the applicant that, in the context of this application, the “area” in this criterion can be defined by the extent of the effects of the existing landfill use (the “base case”) as well as the effects of the proposed landfill expansion.

Staff concurs with the applicant’s proposed analysis areas for the purpose of evaluation of compliance with this standard.

Applicant Response, “the character of the area” (Exhibit BOP p. 25-27):

As noted, the Analysis Area does not have a uniform character; it consists of almost 90 square miles and includes farm and forest lands, rural residential lands, the City of Adair Village, and small portions of Corvallis and North Albany.

The portion of the Analysis Area in the vicinity of the landfill is defined by two prominent topographic features: Coffin Butte and Tampico Ridge. These two topographic features are primarily surrounded and intersected by the roadways of Highway 99W on the east boundary, Robison Road to the north, Wiles and Tampico roads to the west, and Coffin Butte Road between the features. The interior flanks of Coffin Butte and Tampico Ridge are defined by Coffin Butte Landfill, while outer flanks are established with buffer areas and scattered rural residences, along with small-scale farming and forest operations. The higher elevations within the Analysis Area are well treed, while many of the lower/flatter elevations have been cleared. See Figure 3.



Figure 3 (Character, uses, and topography of the Analysis Area). (Full-size version attached as Exhibit 10.)

The portion of the Analysis Area beyond the immediate vicinity includes the City of Adair Village to the southeast. Adair Village is a small city in Benton County, with a population of approximately 1,005. To the east is the E.E. Wilson Wildlife Area, which is a 1,788-acre preserve that provides hunting, fishing, hiking, wildlife viewing, shooting, and archery amenities; and to the west/southwest is Soap Creek Valley, which contains a number of rural residences.

The portion of the Analysis Area even farther afield includes larger-scale farm and forest operations, including the Starker Forest to the west, which is used for logging operations and recreation opportunities.

Current conditions in the Analysis Area include impacts from the current landfill operations, commercial farm and forest uses, urban development, and a major transportation corridor (Highway 99W).

Applicant Response (Exhibit BOP p. 36 – 37):

[...] the character of the Analysis Area is heterogenous, but in the immediate vicinity of the landfill, it consists primarily of higher-intensity resource land that provides farm, forest, resource extraction, landfill operations, and open spaces surrounded by scattered rural residences and small-scale farm and forest operations. The Analysis Area is currently impacted by occasional odors, sounds, noises, and trips from the existing landfill operation and surrounding resource-extraction uses.

Staff Response, Planning:

Staff agrees with BCTT findings referenced by the applicant regarding past count interpretation of the factors considered in determining the character of the area.



"[...] Staff reports that in past CUP applications the Planning Official, Planning Commission or Board has considered these factors in determining the character of the area and its extent include:

- The particular attributes of the geographic setting (including existing operations in the vicinity.)*
- Is there a distinct change in the area's physical characteristics beyond a certain point (such as a change from flat land to hills or from one river basin across a ridgeline into another)?*
- What features or elements give the area its character? Is it a homogenous or heterogeneous character (is there a high degree of similarity, or is it mixed)?*
- How far are the effects of the proposed land use likely to extend? This may differ by particular effect—for example, the impact of noise might extend farther than visual impact (or vice versa). [...]"*

The character of the area, when considered as a whole, is heterogeneous (there are a mix of characteristics throughout). Nevertheless, common attributes of the geographic setting include – as the applicant noted in their response – areas with:

- Rural development - Including rural residential land, the Coffin Butte Quarry and the Coffin Butte Landfill
- Resource Land – Including land zoned and used for farm and forest

- Urban development – Including Adair Village and portions of Corvallis and North Albany
- Varying topography and natural habitats – Features or elements include Coffin Butte, Tampico Ridge, the E.E. Wilson Wildlife Area, and open spaces. In the southwest and central parts of the area (on the edge of which the Coffin Butte Landfill is located), the terrain includes a concentration of steeper slopes and higher altitudes compared to the remaining area.
- “[O]ccasional odors, sounds, noises, and trips from the existing landfill operation and surrounding resource-extraction uses”. Is this quoted from something? Cite? As part of the review immediately below this, staff evaluate the applicant’s narrative and evidence regarding the current extent of those conditions.

These characteristics make up what staff consider to be the character of the area. It is this character with which we must determine whether the proposed landfill expansion will comply with criterion 53.215(1).

Application: Relationship between the character of the area and potential impacts

NOISE

Applicant Response (Exhibit BOP p.37):

***a. Noise.** The Analysis Area includes the Adjacent and Nearby Properties addressed in Section III.C.7 above, as well as a large area beyond those properties. As established above, the projected off-site noise impacts will not seriously interfere with the use of the Adjacent and Nearby Properties. It follows that any noise impacts on the Analysis Area beyond those properties will only be more attenuated and will not “seriously interfere” with the character of the Analysis Area.*

Staff Response, Planning:

Due to the presence of existing landfill operations in the immediate vicinity of the proposal, staff notes that noise from landfill operations is an existing element of the character of the area. Therefore, the question becomes whether the change in noise proposed through this application will “seriously interfere” with the character of the area. As noted in the applicant’s noise study, noise impacts from the proposed expansion are limited to adjacent properties and do not extend to a larger area. Essentially, noise produced in one area of the landfill zone will decrease, and noise produced in another area of the landfill zone will increase. The overall character of the area will experience a slight reduction in noise near the current active cell and a slight increase in noise adjacent to the proposed expansion cell.

Staff concurs with the applicant’s reasoning that if the proposed change in noise does not seriously interfere with the closest noise-sensitive uses, it will not seriously interfere with the character of the area. However, as discussed under noise impacts on adjacent properties, staff recommends denial of the application based on the evidence that noise impacts on uses on adjacent properties will exceed the applicant’s identified noise threshold. For that reason, staff also recommends denial of the application due to noise impacts on the character of the area.

ODOR

Applicant Response (Exhibit BOP p.37):

***b. Odor.** The Analysis Area includes the Adjacent and Nearby Properties addressed in Section III.C.7 above, as well as a large area beyond those properties. As established above, the projected off-site odor impacts will not seriously interfere with the use of the Adjacent and Nearby Properties. It follows that any odor impacts on the Analysis Area beyond those*

properties will only be more attenuated and will not “seriously interfere” with the character of the Analysis Area.

Staff Response, Planning: As explained in detail in the staff response in relation to adjacent properties, due to inadequate support for several elements of the technical analysis in the applicant’s odor submission (See Exhibit BC1. *Compiled County Engineering and Public Works Comments*, p.9-13 and Exhibit E3. *2025 Odor Study*), staff cannot support the applicant’s conclusions relating to odor impacts on adjacent properties or character of the area. Nor can staff define conditions of approval. For this reason, staff recommends denial of the application.

TRAFFIC

Applicant Response (Exhibit BOP p.37):

c. Traffic. *The Analysis Area includes the Adjacent and Nearby Properties addressed in Section III.C.7 above, as well as a large area beyond those properties. As established above, the projected off-site traffic impacts will not seriously interfere with the use of the Adjacent and Nearby Properties. It follows that any traffic impacts on the Analysis Area beyond those properties will only be more attenuated and will not “seriously interfere” with the character of the Analysis Area.*

Staff Response, Planning: Staff concurs with the applicant’s reasoning. The applicant’s traffic analysis (Exhibit E15. *Traffic Report*) has been evaluated by county engineering and a 3rd party contract engineer. Traffic impacts are expected to be minimal and will not “seriously interfere” with the character of the area.

WATER

Applicant Response (Exhibit BOP p.37):

d. Water—Well Capacity and/or Groundwater Impacts. *The Analysis Area includes the Adjacent and Nearby Properties addressed in Section III.C.7 above, as well as a large area beyond those properties. As established above, the projected off-site water impacts will not seriously interfere with the use of the Adjacent and Nearby Properties. It follows that any water impacts on the Analysis area beyond those properties will only be more attenuated and will not “seriously interfere” with the character of the Analysis Area.*

Staff Response, Planning: As discussed under the staff response to groundwater impacts on adjacent properties, concerns relating to regulation of landfill groundwater impacts are generally beyond the county’s ability to evaluate or regulate but are directly within the regulatory authority of several state and federal agencies. For the county’s review purposes, the proposal is not expected to “seriously interfere” with the character of the area in relation to water impacts.

VISUAL IMPACTS

Applicant Response (Exhibit BOP p.37):

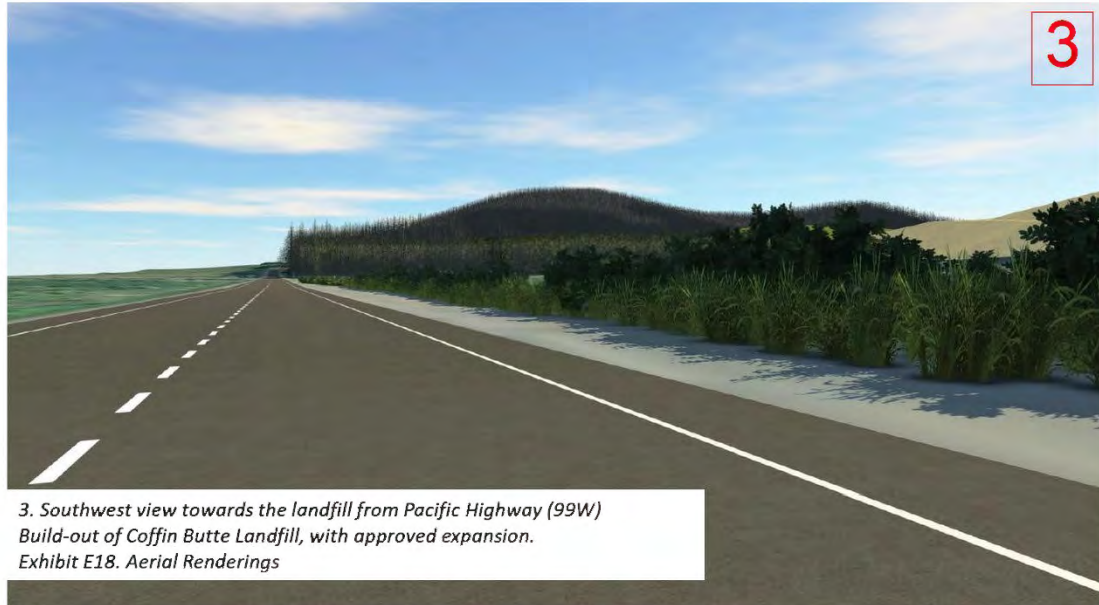
e. Visual Impacts. *The Analysis Area includes the Adjacent and Nearby Properties addressed in Section III.C.7 above, as well as a large area beyond those properties. As established above, the projected off-site visual impacts will not seriously interfere with the use of the Adjacent and Nearby Properties. It follows that any visual impacts on the area beyond those properties will only be less noticeable and will not “seriously interfere” with the character of the Analysis Area.*

Applicant Response (Exhibit E18 p.4-8):



Artist renderings of Coffin Butte Landfill (with Proposed Expansion)
Exhibit E18. Aerial Renderings





Staff Response, Planning:

The applicant's arguments "established above" appear to be those from Exhibit BOP p. 33 – 34, which staff quoted and responded to under the section regarding impacts on adjacent properties. To recapitulate, the applicant responded that the proposed expansion area – at full build-out and with their proposed screening or maintenance of existing plantings– may be visible from Coffin Butte Rd, Hwy 99W, and properties "at a higher elevation".

However, the standard calls for an evaluation of whether the proposal will "seriously interfere" with the character of the area. There has been an active landfill between significant topographical features along Coffin Butte Road for decades; it is highly visible from nearby roadways. For this application, staff must evaluate the impact of the expansion on the character of the area, not the impact of the existing landfill. The proposed landfill development will be lower in elevation than the existing active cell north of Coffin Butte Road. While the proposal includes additional development within the landfill zone that will also be visible, major surrounding topographical features will remain and the general views into the landfill area may include slightly less landfill activity than exist today; therefore, staff concurs with the applicant that this change will not "seriously interfere" with the character of the area.

"Purpose of the zone"

Finally, the criterion requires that the landfill expansion not seriously interfere with the **Zone's purpose**. As the development area is within the LS and FC zones, the responses regarding each zone's purpose are detailed below.

CHAPTER 60 – FOREST CONSERVATION (FC)

PURPOSE

60.005 Forest Conservation Zone.

- (1) The Forest Conservation Zone shall conserve forest lands, promote the management and growing of trees, support the harvesting of trees and primary processing of wood products, and protect the air, water, and wildlife resources in the zone. Resources important to Benton County and protected by this chapter include watersheds, wildlife and fisheries habitat, maintenance of clean air and water, support activities related to forest management, opportunities for outdoor recreational activities, and grazing land for livestock. Except for activities permitted or allowed as a conditional use, non-forest uses shall be prohibited in order to minimize conflicts with forest uses, reduce the potential for wildfire, and protect this area as the primary timber producing area of the County.*
- (2) The provisions of this chapter are not intended to regulate activities governed by the Forest Practices Act and Rules.*
- (3) The provisions of this chapter are based on the mandatory standards related to land use activities on forest land specified under Oregon state statutes, and Goal 4 of the Oregon Land Use Planning Program and the implementation requirements adopted by the Land Conservation and Development Commission pursuant to Chapter 660, Division 6 of the Oregon Administrative Rules.*

FINDINGS:

Applicant Response (Exhibit BOP p. 38):

The purpose of the FC zone is to conserve forest lands, promote forestry and timber uses, and protect natural resources. The specific provisions of the FC zone recognize that landfill uses are consistent with these purposes and expressly permit a landfill use as a conditional use. BCC 60.205(11).

No solid-waste disposal is proposed for the FC-zoned land. Instead, the proposed improvements on the FC-zoned land include an 1,800-square-foot employee building, parking, access road modifications, and the relocation of leachate ponds, leachate loadout, leachate

sump, an outbound scale, portions of the perimeter landfill road, cut activities for landfill, and a shop/maintenance area. All uses proposed as part of the Project (i.e., disposal site for solid waste approved by the County Commissioners and DEQ, together with equipment, facilities, or buildings necessary for its operation) are permitted in the FC zone, so long as Applicant demonstrates compliance with all applicable CUP approval criteria. The elements of the Project that are proposed on the FC-zoned land are associated with the existing, approved Coffin Butte Landfill. These uses are explicitly allowed and therefore consistent with the stated purpose of the zone, and CUP review will minimize conflicts with forest uses, reduce the potential for wildfire, and protect this area as the primary timber-producing area of the County. Thus, the elements of the Project that are proposed on the FC-zoned land will not “seriously interfere” with the purpose of the FC zone. (BOP p. 38)

Staff Response, Planning:

Staff generally concurs with the applicant’s response. The standards contained within the Forest Conservation zone directly implement the purpose of the FC zone by evaluating and limiting impact on forest uses, addressing fire risk, and regulating site development to limit impacts on forest resources. Staff evaluates the application’s consistency with FC Zone requirements under Chapter 60 findings below.

The FC zone conditional use criterion BCC 60.220(1)(c) requires consistency with BCC 53.215. As discussed above, staff does not consider BCC 53.215 criteria to be met with respect to noise and odor impacts; therefore, the proposal also is not consistent with the purpose of the FC zone.

CHAPTER 77 – LANDFILL SITE (LS)

77.005 Purpose.

The Landfill Site Zone shall establish a specific landfill area in Benton County.

FINDINGS:

Applicant Response (Exhibit BOP p. 38):

As established in Section III.C.6 above, the purpose of the LS zone is to host a landfill. Allowing for landfill expansion in the Landfill Site Zone will fulfill rather than “seriously interfere” with the stated purpose of the zone.

Staff Response, Planning:

Staff concurs with the applicant’s response. Landfill expansion onto land in the Landfill Site Zone is consistent with the purpose of the LS Zone and would not seriously interfere with that purpose.

53.215 (1) Conclusion:

As detailed in staff comments above, planning staff evaluated whether the proposal would “seriously interfere” with “adjacent property”, the “character of the area”, and the “purpose of the zone”.

- **Adjacent Property:** Staff finds that the proposal does not “seriously interfere” with adjacent uses when evaluating traffic, water, and visual impacts. However, staff determined that the applicant has not demonstrated that noise from the proposal will not exceed the DEQ Noise Rule for three adjacent properties or in the alternative, provided an adequate solution to mitigate the effects of noise impacts on adjacent noise-sensitive uses to a level that does not exceed the DEQ Noise Rule. In addition, the applicant’s odor study does not identify or evaluate impacts on odor-sensitive uses, and the technical analysis does not provide adequate support for its conclusions. Staff cannot determine conditions to mitigate either of these impacts. Accordingly, as of the writing of this staff report, staff recommends denial on these bases.

- Character of the Area: Staff finds the proposal does not “seriously interfere” with the character of the area with respect to traffic, water, and visual impacts. As noted above, staff finds that noise impacts as proposed do seriously interfere with the character of the area, and the applicant’s analysis of odor impacts lacks adequate support. Staff recommends denial on these bases .
- Purpose of the Zone: Staff finds the proposal does not “seriously interfere” with the purpose of the Landfill Site Zone; however, the proposal is not consistent with the standards of the Forest Conservation Zone, so the proposal would be considered to “seriously interfere” with the purpose of that Zone.

(2) *The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area; and*



“[...] Staff has stated that in past CUP applications the Planning Official, Planning Commission or Board has considered a “burden” on public infrastructure and service is likely “undue” if it overloads the system or causes significant degradation in terms of quality, effectiveness or timeliness of infrastructure or service. Lesser burdens may also be “undue” if the effect jeopardizes people’s health, safety, or welfare. Burdens that the County has typically not considered “undue” include those that can be mitigated through planned improvements, that are incremental service additions[footnote] consistent with that generated by other uses in the area or that fall below an established threshold (such as road classification standards). For planned improvements to be relied upon in determining that a burden is not undue, the implementation of those improvements must be certain, such as through a condition of approval specifying the improvement and the timeline for implementation.”

FINDINGS:

Applicant Response (Exhibit BOP p. 39):

Coffin Butte Landfill serves the public. The development is proposed so that the landfill can continue to accommodate public needs for an additional six years beyond the life of the current approved landfill. As noted above, when the Development Site is opened, the working face will move from north of Coffin Butte Road to the Development Site. As detailed in the traffic report (Ex. 15), trip growth (transportation impacts) will grow with overall population, but not because of the relocation of the working face to the Development Site. As noted in Exhibit 15, trips generated to and from the working face will remain substantially the same and well within the capacity of the existing road system. Because the 2024 CUP application does not include closure of Coffin Butte Road, none of the surrounding road systems will be impacted, and the new turn lanes and bike paths will improve safety and access along Coffin Butte Road. The Project does not necessitate any additional water or sewer services, so will not affect public water or sewer service. The property is served by the Adair Fire District and the Benton County Sheriff’s Department. The Fire District expressed concern about the impact of closure of Coffin Butte Road on emergency ingress and egress during prior 2021 application; the 2024 CUP application does not change that access. Applicant’s Fire Risk Assessment Report, attached as Exhibit 20, details how Applicant’s fire mitigation plan prevents or addresses fires, and concludes that operations at Coffin Butte Landfill do not present a significant fire risk. There is no evidence or history that suggests that the landfill creates

significant law enforcement issues. The proposed development is not projected to increase impacts to these providers.

For the above-noted reasons, the proposed expansion does impose an undue burden on any public facilities or services.

Staff Response, Public Works (Exhibit BC1 p. 21-23):

[...]

Construction of the proposed improvements may require permitting through regulatory agencies including, but not limited to, the Oregon Department of State Lands (DSL), the Oregon Department of Environmental Quality (DEQ), the Oregon Department of Fish & Wildlife (ODFW), the Oregon State Historic Preservation Office (SHPO), the Oregon Department of Geology and Mineral Industries (DOGAMI), U.S. Fish & Wildlife (USFW), the U.S. Army Corps of Engineers (COE), and the National Oceanic and Atmospheric Administration-National Marine Fisheries Service (NOAA-NMFS).

Benton County staff have cooperated with Kellar Engineering in this review process, and we concur with their findings and conditions regarding the Traffic Impact Analysis.

Final engineering design for any public infrastructure improvements will be required after Conditional Use approval. Review and approval of those calculations, drawings, right of way adjustments, and specifications will be completed prior to start of construction.

[...]

Staff Response, Kellar Engineering (Exhibit BC1 p. 20)

Kellar Engineering (KE) has reviewed the submitted Coffin Butte Landfill Expansion Traffic Impact Analysis (TIA) dated February 26, 2024 by Transight Consulting, LLC. The submitted TIA demonstrates the project has the ability meet Benton County's requirements for traffic.

Staff Response, MFA - Engineering (Exhibit BC1 p. 6-7):

Exhibit 17 Preliminary Drainage Report

[...]

MFA recommends the applicant follow the Benton County Stormwater Support Documents, instead of the Corvallis Stormwater Standards, to finalize the stormwater calculations and design components for the ODEQ submittal. Based on MFA's review of the information provided, the proposed stormwater detention facilities appear to be conservatively sized and despite the use of a different standard, the overall design of the stormwater facilities appears adequate from a land use perspective.

Exhibit 27: Leachate Management Summary

[...]

MFA acknowledges that the detailed calculations regarding leachate quantities and collection system components will be developed and submitted to the ODEQ during the solid waste permitting process and recommends County to be copied with the ODEQ submittal, as noted in the prior section of this letter under Exhibit 2.

MFA noted that Coffin Butte Landfill has an agreement with the Corvallis wastewater treatment plant (CWWTP) to dispose of its leachate at their plant. The landfill currently disposes of 50% of their leachate at CWWTP. The permit for this operation expires December 31, 2025. The remaining 50% of the leachate is currently disposed of at the Salem wastewater treatment plant (SWWTP). Coffin Butte Landfill's discharge agreement with SWWTP expires December 31, 2027.

Staff Response, Dr. Tony Sperling of LFCI and MFA - Engineering (Exhibit BC1 p. 7):

MFA and our subconsultant, Dr. Tony Sperling of Landfill Fire Control Inc. (LFCI), have the following comments on this exhibit:

The Coffin Butte Landfill should continue to employ best industry practices for fire risk management, including but not limited to:

- *Temperature and landfill gas (LFG) monitoring*
 - *-Routine temperature monitoring via a thermal camera to confirm that temperature in affected areas remain below 50°C (122°F), after removal of hot materials.*
 - *-Monitoring carbon monoxide (CO) in addition to the primary LFGs (methane, and carbon dioxide), as CO levels are good indicators of the presence of incomplete combustion.*
- *Maintain firefighting supplies on site, such as full water trucks and soil stockpiles*
 - *Sufficient soil should be kept near the working face to fully cover the active area with a minimum thickness of one foot.*
- *Proper acceptance and disposal of battery and electronic waste*
- *Periodic maintenance of the landfill gas (LFG) management system*

LFCI agrees with the Applicant's statement that excessive extraction of LFG can lead to increased temperatures and the potential for subsurface fires. However, LFCI notes that a review of data from several major landfill fire incidents indicates that there are documented cases where subsurface fire has breached the surface. Given the associated risks of surface fires, it is strongly recommended that landfill operations prioritize the proper maintenance of LFG management systems and closely monitor for subsurface fire activity, particularly in cases of system failure or interruption.

Staff Response, Planning: Staff concurs with applicant statements and engineering review findings above. As of the writing of this staff report, staff has no evidence that the proposal will impose an undue burden on public facilities.

(3) The proposed use complies with any additional criteria which may be required for the specific use by this code.

Staff Response, Planning: The staff report includes review and response to all other relevant criteria for this conditional use review.

53.220 Conditions of Approval. The County may impose conditions of approval to mitigate negative impacts to adjacent property, to meet the public service demand created by the development activity, or to otherwise ensure compliance with the purpose and provisions of this code. On-site and off-site conditions may be imposed. An applicant may be required to post a bond or other guarantee pursuant to BCC 99.905 to 99.925 to ensure compliance with a condition of approval. Conditions may address, but are not limited to:

- (1) Size and location of site.*
- (2) Road capacities in the area.*
- (3) Number and location of road access points.*
- (4) Location and amount of off-street parking.*
- (5) Internal traffic circulation.*
- (6) Fencing, screening and landscape separations.*
- (7) Height and square footage of a building. A limit on height is unnecessary.*
- (8) Signs.*
- (9) Exterior lighting.*
- (10) Noise, vibration, air pollution, and other environmental influences.*
- (11) Water supply and sewage disposal.*
- (12) Law enforcement and fire protection.*

FINDINGS:

BCTT Formal
Workgroup
Polling

LLU F-4



Unanimous

"[...] Conditions of approval must relate to approval criteria. To be approved, an applicant must demonstrate compliance with all discretionary approval criteria. Conditions of approval cannot substitute for compliance with applicable criteria but may be imposed to ensure the criteria are met. The county may find compliance with approval criteria by establishing that compliance is feasible, subject to compliance with a specific condition(s) of approval. A preponderance of the evidence must support a finding that the condition is "likely and reasonably certain" to result in compliance. [...]"

BCTT Formal
Workgroup
Polling

LLU F-21



Unanimous

"[...] Generally, the new proposal must be evaluated on its own merits relative to the approval criteria. However, the current non-compliance of an existing land use condition could provide information that the Planning Commission considers in developing a condition on a new application. If an application is made to expand an existing land use that is currently out of compliance with a condition of approval of a previous decision, and that noncompliance is causing issues for surrounding land uses, noncompliance of the original land use decision is not in itself grounds to deny the new application. However, the decision-maker could potentially look at the fact of existing noncompliance in evaluating whether that noncompliance is causing the existing land use to "seriously interfere" with uses on surrounding properties. That fact can then be used as evidence in evaluating whether the proposed land use complies with the review criteria because the same land use in a similar location was seriously interfering with surrounding uses even though it was subject to conditions of approval. If the language in a condition of a past decision was unclear or insufficient to ensure compliance with an approval criterion, in evaluating a new application the decision maker could craft and impose a condition on a new decision that more clearly describes the measures necessary to ensure compliance. Past conditions superseded by subsequent decisions or changes in the law could not form a basis for such analysis."

Applicant Response (Exhibit BOP p. 40 – 41):

Applicant understands that this section of the Code allows for the imposition of conditions of approval to address compliance with the applicable criteria, if warranted. This Code section does not add any additional substantive review criteria for approval.

Applicant expects the County to impose conditions of approval. Applicant has prepared draft conditions of approval for the County's consideration. See Draft Conditions, attached as Exhibit 21. The draft conditions of approval are based upon the evidence and recommendations contained in Applicant's exhibits and the analysis in this burden of proof, as well as the County's relevant recommended conditions in 2021.

One condition that was at issue in the 2021 application and was an area of disagreement during BCTT is a limitation on the hours of operation. Applicant requests a condition that would allow it to continue the current hours of operation. Prior to opening, Applicant currently must begin internal operations to prepare for opening. The landfill opens to commercial hauling traffic at 5 a.m. and opens to the general public at 8:00 a.m., except on Sundays, when it opens at 12:00 p.m. The site closes to both commercial and public traffic at 5:00 p.m. all days, with internal operations continuing thereafter to properly close the landfill for the day.

The landfill has been observing these hours since 2002. This is in accordance with PC-02-07 2002, in which the County imposed the following condition regarding hours of operation:

“The landfill operation hours shall occur between 8:00 a.m. and 5:00 p.m. Monday through Saturday, and 12:00 p.m. through 5:00 p.m. on Sunday, with 24-hour access for commercial customers.”

The question during BCTT was whether Applicant was violating this section by having staff on site before 8:00 a.m. and after 5:00 p.m. Applicant had always interpreted “landfill operation hours” to mean hours that it is open to the public. Applicant noted that since the condition allows 24-hour access for commercial customers⁴⁶, the County must have contemplated that at least some staff would be on site outside the hours that it was open to the public.

46 Historically, the site did operate 24 hours a day for commercial customers. At its own discretion, Applicant limited hours in the early 2000s to 5:00 a.m. to 5:00 p.m. for commercial customers.

From an off-site impact standpoint, having staff on site to prepare for opening and closing of the landfill has no impact on the Adjacent or Nearby Properties or the Analysis Area. In contrast, limiting the hours of operation would concentrate landfill traffic into the peak hours, resulting in increased congestion and the potential for more user conflicts. See Ex. 15, pages 22-23.

For these reasons, Applicant respectfully requests that any condition of approval relating to hours of operation permit Applicant to continue its long-standing practice. Exhibit 21 contains a draft condition of approval (OA-1) addressing hours of operation. The impacts to Adjacent or Nearby Properties or to the Analysis Area will not increase as compared to the existing operation, and it will avoid the unintended consequences of limiting those hours.

Staff Response, Planning:

Staff concurs with BCTT guidance; however, staff recommends denial of this application in this staff report and therefore does not evaluate the applicant’s proposed conditions of approval, or present additional conditions of approval.

53.230 Period of Validity. Unless otherwise specified at the time of approval, a conditional use permit for a single-family dwelling shall be valid for ten (10) years from the date of decision and other conditional use permits shall be valid for a period of two (2) years from the date of decision.

FINDINGS:

Should this application be approved, the permit will be valid for a period of two years from the date of decision.

CHAPTER 60 - FOREST CONSERVATION (FC)

APPLICATION OF THE ZONE

60.020 Application. The Forest Conservation Zone is applied to areas designated Forestry on the adopted Comprehensive Plan Map in compliance with Statewide Planning Goal 4 and OAR 660. This zone consists of areas containing forest soils which are not otherwise subject to an exception of the statewide planning goals. The Forest Conservation Zone is also applied to other lands necessary to preserve and maintain forest uses consistent with existing and future needs for forest management. Forest land capability is indicated by the nature and type of soil, slope, size and location of the property, the suitability of the terrain, and other similar factors. The Forest Conservation Zone is also applied to intervening lands which are suitable for forest management related uses or needed to protect forest land.

60.050 Notice of Pending Action. Notice of all land use applications for new permanent dwellings and land divisions in the Forest Conservation Zone shall be mailed to the Department of Land Conservation and Development and the Department of Forestry at their Salem office at least 10 days prior to the date of decision or permit issuance. The information shall contain the information set forth in BCC 51.615.

FINDINGS: As noted by the applicant (Exhibit BOP p. 53) proposed development within the FC zone includes: “an 1,800-square-foot employee building and parking, access road modifications, the relocation of leachate ponds, leachate loadout, leachate sump, an outbound scale, portions of the perimeter landfill road, cut activities for landfill, and a shop/maintenance area to support the landfill.” Staff reviews proposed development within the FC zone below.

CONDITIONAL USES

60.215 Conditional Uses Subject to Review by the Planning Commission.

[...]

(11) Disposal site for solid waste approved by the Benton County Board of Commissioners and the Oregon Department of Environmental Quality together with equipment, facilities, or buildings necessary for its operation.

FINDINGS:

Applicant Response (Exhibit BOP p. 52):

Whether serving the existing or proposed disposal site, the proposed Project elements on the FC-zoned land fall into the category of equipment, facilities, or buildings necessary for the landfill operation. Coffin Butte Landfill has been approved by the County Commissioners and is operating under DEQ Permit #306 (Exs. 23-25). For the above-noted reasons, a CUP can be approved by the Planning Commission for the FC-zoned portions of the property.

Staff Response, Planning:

Proposed development is identified as a conditional use within the FC zone. Staff reviews the proposal against FC zone conditional use criteria below.

60.220 Conditional Use Criteria.

(1) A use allowed under BCC 60.205 or 60.215 may be approved only upon findings that the use:

(a) Will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands;

FINDINGS:

Applicant Response (Exhibit BOP p. 53):

Applicant notes that this section by its terms only applies to the development on the FC-zoned property. As noted above, however, the existing farm and forest uses on the Adjacent Properties and in the area have developed over the years while operating adjacent to Coffin Butte Landfill and its subsidiary operations. Based upon the above findings, the relocation of the working face south of Coffin Butte Road will not materially affect or increase negative impacts on surrounding properties, whether in farm or forest or residential use. Most of the FC-zoned property that is part of the Project is currently being used for equipment, facilities, or buildings accessory to the landfill use; they are simply being relocated to accommodate the new working face.

The new or relocated elements that are proposed on the FC-zoned lands are an 1,800-square-foot employee building and parking, access road modifications, the relocation of leachate

ponds, leachate loadout, leachate sump, an outbound scale, portions of the perimeter landfill road, cut activities for landfill, and a shop/maintenance area to support the landfill. These elements will slightly reduce the amount of land that is available for farm and forest uses; however, except as noted below the farm use on Tax Lot 1200, the area of these improvements is not actively engaged in commercial farm or forest activities within the meaning of BCC 51.020(15) and (24)(a) and is currently used for landfill operations or other non-forest or non-agricultural use. The majority of the surrounding properties are owned by Applicant and are engaged in commercial farming operations and/or open space/buffer uses.⁴⁷ For reasons stated previously, the proposal will not substantially impact public roads that serve the area or substantially interfere with uses on Adjacent and Nearby Properties. Furthermore, the primary access to the site will continue to be from Coffin Butte Road. Other than slightly reducing the amount of land that can be used for farming or forest practices, the proposal will not impact farming or forestry activities in the area; thus, it will not force a change or increase the cost of these activities. The proposal therefore conforms to this approval criterion.

47 Applicant notes that use of forest land for buffer areas or visual separation of conflicting uses is a "forest use" within the meaning of BCC 51.020 (24) (b).

Staff Response, Planning:

Staff concurs with the applicant that farm and forest uses have operated on and adjacent to an active landfill use on this site for decades. In the absence of contradictory information, as of the writing of this staff report staff sees no evidence the proposal will force a significant change in, or significantly increase the cost of, accepted farm and forest practices.

(b) Will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel; and

FINDINGS:

Applicant Response (Exhibit BOP p. 54):

The elements that are proposed on the FC-zoned lands include an 1,800-square-foot employee building and parking, access road modifications, the relocation of leachate ponds, leachate loadout, leachate sump, an outbound scale, portions of the perimeter landfill road, cut activities for landfill, and a shop/maintenance area to support the landfill. Furthermore, the roadway system will not be significantly altered by the design (a left-turn lane and bike lanes will be added, as well as stormwater management facilities).

The Fire Risk Assessment Report, attached as Exhibit 20, details the lack of fire risks and describes Applicant's Fire Mitigation Plan and protocols for the entire landfill operation. The conclusion of the report is that "operations at Coffin Butte Landfill do not present a significant fire risk."

For the above-noted reasons, the proposed improvements on the FC-zoned land will not significantly increase fire hazard or suppression costs or significantly increase risks to fire-suppression personnel.

Staff Response, Dr. Tony Sperling of LFCI and MFA - Engineering (Exhibit BC1 p. 7):

MFA and our subconsultant, Dr. Tony Sperling of Landfill Fire Control Inc. (LFCI), have the following comments on this exhibit:

The Coffin Butte Landfill should continue to employ best industry practices for fire risk management, including but not limited to:

- *Temperature and landfill gas (LFG) monitoring*
 - *-Routine temperature monitoring via a thermal camera to confirm that temperature in affected areas remain below 50°C (122°F), after removal of hot materials.*
 - *-Monitoring carbon monoxide (CO) in addition to the primary LFGs (methane, and carbon dioxide), as CO levels are good indicators of the presence of incomplete combustion.*
- *Maintain firefighting supplies on site, such as full water trucks and soil stockpiles*
 - *Sufficient soil should be kept near the working face to fully cover the active area with a minimum thickness of one foot.*
- *Proper acceptance and disposal of battery and electronic waste*
- *Periodic maintenance of the landfill gas (LFG) management system*

LFCI agrees with the Applicant's statement that excessive extraction of LFG can lead to increased temperatures and the potential for subsurface fires. However, LFCI notes that a review of data from several major landfill fire incidents indicates that there are documented cases where subsurface fire has breached the surface. Given the associated risks of surface fires, it is strongly recommended that landfill operations prioritize the proper maintenance of LFG management systems and closely monitor for subsurface fire activity, particularly in cases of system failure or interruption.

Staff Response, Planning: Staff concurs with the applicant's findings and conclusion, as supported by 3rd party engineering review findings above.

(c) Complies with criteria set forth in BCC 53.215 and 53.220.

Applicant Response (Exhibit BOP p. 54):

A comprehensive review of the referenced sections was included above. The above-noted findings are incorporated herein.

FINDINGS: This standard refers to conditional use and conditions of approval criteria referenced in BCC Chapter 53. These criteria were addressed earlier in the staff report under Chapter 53. Staff determined that the application does not comply with BCC 53.215 and recommends denial. Therefore, this criterion is also not met, and staff must also recommend denial related to this noncompliance with BCC 60.220(1)(c).

60.220 (1) Conclusion:

As identified above, the proposal does not meet BCC 60.220(1)(c), so staff cannot find the proposal complies with BCC 60.220(1). Therefore, staff also recommends denial of the application based on BCC 60.220(1).

*(2) As a condition of approval of a conditional use permit, the owner shall sign the following declaratory statement to be recorded into the County Deed Records for the subject property on which the conditional use is located that recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules, and that recognizes the hazards associated with the area:
[...]*

FINDINGS: This standard requires that final approval of this conditional use application must include a COA requiring the above statement from the applicant. The applicant acknowledged this requirement in their BOP and included this as a proposed preliminary COA, PA-3, (see Exhibit E21).

CREATION OF NEW PARCELS OR LOTS; PROPERTY LINE ADJUSTMENTS, BCC 60.305 through 330

The standards within these sub-sections of BCC Chapter 60 apply to the creation of new lots or proposed parcels. This application does not propose any such activity. Therefore, **these standards do not apply.**

SITING STANDARDS

60.405 Siting Standards and Requirements. All new structures allowed in the Forest Conservation Zone shall be sited in compliance with BCC Chapter 99 and the following standards designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks, and to conserve values found on forest lands:

- (1) The owner of any new structure shall maintain a primary and secondary fuel-free fire-break surrounding the structure on land that is owned or controlled by the owner, in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991 and published by the Oregon Department of Forestry.*

FINDINGS:

Applicant Response (Exhibit BOP p. 56):

The only proposed new structures are the employee building on Tax Lot 1101 and the proposed shop on Tax Lot 1200. Applicant owns the property upon which these structures are proposed, along with all surrounding properties. Applicant proposes structures that conform to the provisions of this section. See Ex. 2, sheets 5, 11, and 12. The final design of the shop building has not been determined, but it can be sited in the designated area in compliance with the requirements of this section. See Ex. 2, sheet 5.

Staff Response, Planning: Staff concurs with the applicant that the proposed employee building structure location identified in Exhibit E2, Sheet 5 provides the opportunity for a feasible firebreak consistent with the requirements of this standard. However, staff could not identify the proposed shop structure on Exhibit E2 Sheet 5, as the applicant cited in their response above. The applicant has not identified the approximate size or dimensions of this proposed structure nor the proposed location. Therefore, staff is unable to confirm whether the proposed shop/maintenance area structure could meet this standard nor if it is feasible. **This standard is not met.**

- (2) Non-residential structures shall be located at least 20 feet from a parcel or lot line, except no setback is required for a structure of 120 square feet or less. A required side or rear setback for a non-residential structure may be reduced to 3 feet if the structure:*

- (a) Is detached from other buildings by 5 feet or more;*
- (b) Does not exceed a height of 20 feet; and*
- (c) Does not exceed an area of 500 square feet.*

FINDINGS:

Applicant Response (Exhibit BOP p. 56):

As detailed on the site plan, the new employee building and shop proposed to be located at least 20 feet from all property lines, which conforms to the provisions of this section. See Ex. 2, sheets 5 and 6.

Staff Response, Planning: Staff confirms the proposed employee building is shown over 20 feet away from all property lines on Exhibit E2, Sheets 5 and 6. However, staff could not identify the proposed shop structure on Exhibit E2 Sheets 5 or 6, as the applicant cited in their response above. The applicant has not identified the approximate size or dimensions of this proposed structure nor the proposed location. Therefore, staff is unable to confirm whether the proposed shop/maintenance area structure could meet this standard nor if it is feasible. **This standard is not met.**

(3) A structure which is not a water dependent use shall be placed at least 50 feet from the ordinary high water line of any river or major stream. In the case of a creek or minor stream, a structure which is not a water dependent use shall be placed at least 25 feet from the ordinary high water line.

FINDINGS:

Applicant Response (Exhibit BOP p. 57):

The structures are not water-dependent and there is not a river or major stream in the vicinity of the proposed buildings; the buildings therefore conform to this standard.

Staff Response, Planning: Staff concurs with the applicant; no water-dependent use is proposed, nor do river or stream water features exist within the proposed development area. Therefore, this standard does not apply.

(4) All new development approved by Benton County shall have a site specific development plan addressing emergency water supplies for fire protection which is approved by the local fire protection agency. The plan shall address:

- (a) Emergency access to the local water supply in the event of a wildfire or other fire-related emergency;
- (b) Provision of an all-weather road or driveway to within 10 feet of the edge of identified water supplies which contain 4,000 gallons or more and exist within 100 feet of the driveway or road at a reasonable grade (e.g. 12% or less); and
- (c) Emergency water supplies shall be clearly marked along the access route with a Fire District approved sign.

FINDINGS:

Applicant Response (Exhibit BOP p. 57):

Coffin Butte Landfill is currently served by the Adair Fire Protection District and therefore has access to water in emergency circumstances. In addition, as noted in the Fire Risk Assessment Report (Ex. 20), the landfill has a site-specific fire mitigation plan. As noted in the report, Applicant maintains a 4,000-gallon water truck with spray bar and hose attachment on site that is used routinely in dry weather for dust control and can be used as an emergency water supply for firefighting. Applicant is in compliance with this requirement.

Staff Response, Dr. Tony Sperling of LFCI and MFA - Engineering (Exhibit BC1 p. 7):

MFA and our subconsultant, Dr. Tony Sperling of Landfill Fire Control Inc. (LFCI), have the following comments on this exhibit:

The Coffin Butte Landfill should continue to employ best industry practices for fire risk management, including but not limited to:

- Temperature and landfill gas (LFG) monitoring
 - Routine temperature monitoring via a thermal camera to confirm that temperature in affected areas remain below 50°C (122°F), after removal of hot materials.
 - Monitoring carbon monoxide (CO) in addition to the primary LFGs (methane, and carbon dioxide), as CO levels are good indicators of the presence of incomplete combustion.
- Maintain firefighting supplies on site, such as full water trucks and soil stockpiles
 - Sufficient soil should be kept near the working face to fully cover the active area with a minimum thickness of one foot.
- Proper acceptance and disposal of battery and electronic waste
- Periodic maintenance of the landfill gas (LFG) management system

LFCI agrees with the Applicant's statement that excessive extraction of LFG can lead to increased temperatures and the potential for subsurface fires. However, LFCI notes that a review of data from several major landfill fire

incidents indicates that there are documented cases where subsurface fire has breached the surface. Given the associated risks of surface fires, it is strongly recommended that landfill operations prioritize the proper maintenance of LFG management systems and closely monitor for subsurface fire activity, particularly in cases of system failure or interruption.

Staff Response, Planning: Staff concurs with the applicant's findings and evidence provided in the applicant's Fire Risk Assessment Report (Exhibit E20). This standard is met.

(5) All buildings shall have roofs constructed of materials defined under the Uniform Building Code as either Class A or Class B (such as but not limited to composite mineral shingles or sheets, exposed concrete slab, ferrous or copper sheets, slate shingles, clay tiles or cement tiles).

FINDINGS:

The applicant has not included detailed plans for the proposed employee building nor the proposed shop/maintenance area. Following a conditional use approval, the applicant would be required to receive approved building permits prior to their construction. At that time, Benton County Building Division reviews the submitted plans to ensure compliance with BCC Chapter 11. *Benton County Building Code.*

The applicant has stated that they will finalize the building plans and ensure that the roof design conforms to these requirements. Staff considers this feasible; this standard can be met.

(6) All new structures shall be sited on the lot or parcel so that:

(a) They have the least impact on forest operations and accepted farming practices on nearby or adjoining lands;

FINDINGS:

Applicant Response (Exhibit BOP p. 57 – 58)

While the employee building and the shop/maintenance area are the only new structures, the proposal also includes access roads, a scale, and leachate ponds to which this section may apply. The new employee building is located near the existing office building and surrounded by the disposal site and/or buffer lands. The proposed location will not impact farming or forest activities on any nearby or adjoining lands. The employee building is designed to add supporting facilities for the current employees, so will not materially increase traffic or parking on the site. The leachate ponds and shop/maintenance area are proposed to be located in an area of Tax Lot 1200 that is currently farmed under lease; however, the property also contains a gas to- energy plant and the properties to the west and north are zoned LS, to the east is Highway 99W, and to the south is additional land that is owned by Applicant and maintained as open space. As noted above, the lessee leases other farmland from VLI west of Soap Creek Road, so the loss of some of the lands on Tax Lot 1200 for farming could have some impact on the lessee's farming operations on those lands in terms of economies of scale. That impact is mitigated by the fact that the other leased properties are located over three quarters of a mile away. Also, the lease specifically provides for termination if VLI needs any of the lands for landfill operations. See Ex. 31. Finally, the improvements are located on the western side of the farmed portion of Tax Lot 1200, leaving approximately 40 percent of the farmed portion of the property available for farming. The leachate ponds and the shop/maintenance area on the subject property will not significantly impact farming or forest operations on any nearby or adjoining lands.

Overall, the proposed design will not significantly impact forest operations and accepted farming practices on nearby or adjoining lands and will be sited to have the least impact. The proposal complies with this criterion.

Staff Response, Planning:

The applicant identified two “structures” proposed within the FC zone. Staff determined that “structure” is not defined within the BCC. Benton County has commonly determined “structure” to mean “building”, and staff concurs with continuing that approach for review of the proposal.

The proposed employee building is on Tax Lot 1101. As described by the applicant, the existing uses on adjacent lots (not including other Tax Lots in the Development Area) include:

- Tax Lot 1104 has existing landfill areas or accessory uses, as well as vacant or residential and farm or forest uses
- Tax Lot 1105 is leased to Agri-industries for farm and forest uses

As shown on Exhibit E2, Sheet 6, the proposed employee building and associated parking are proposed adjacent to the west of the existing building on the lot, in a somewhat central location on the lot. The location is farther away from forested lands to the east, and closer to farmed lands to the west. However, Tax Lot 1101 is not large, and staff concurs with the applicant that the location of the employee building efficiently located on the lot and not likely to impact nearby farm or forest uses.

The applicant states that the proposed shop/maintenance building is located on Tax Lot 1200. Staff could not identify the proposed shop structure on Exhibit E2 Sheets 5 or 6, as the applicant cites in several previous responses above. The applicant has not identified the approximate size or dimensions of this proposed structure nor the proposed location other than that the improvements (the shop area and leachate ponds) would be on the western side of the farmed portions of the Tax Lot. Therefore, staff is unable to confirm whether the proposed shop/maintenance area structure could meet this criterion nor if it is feasible. **This criterion is not met.**

Figure 5. 2023 Aerial Imagery of Tax Lot 1101



Figure 6. 2023 Aerial Imagery of Tax Lot 1200



(b) The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;

FINDINGS:

Applicant Response (Exhibit BOP p. 58):

As noted above, the new structures are clustered on the western boundary of Tax Lot 1200, minimizing the loss of farmed property to the degree practicable. The lease provides for termination by VLI upon 30 days' notice if VLI determines that it needs the property for use or development of the landfill. The lease further provides, however, that the tenant is not required to surrender the property until the harvesting of any crops planted before the date of the notice of termination. This mitigates the impact of the termination on the farming operation.

Staff Response, Planning:

As mentioned previously, staff could not identify the proposed shop structure on the applicant's engineering plans (Exhibit E2). The applicant has not identified the approximate size or dimensions of this proposed structure nor the proposed location other than that the improvements (the shop area and leachate ponds) would be on the western side of the farmed portions of the Tax Lot. Therefore, staff cannot confirm whether the proposed shop/maintenance area structure could meet this criterion or if it is feasible. **This criterion is not met.**

(c) The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and

FINDINGS:

Applicant Response (Exhibit BOP p. 58- 59):

These provisions generally require that the Project be sited to minimize the impacts on forest lands. The relocated leachate ponds have been sized to accommodate the needs of the site and are not oversized. Furthermore, rather than utilizing the majority of the flatter land, these have been designed into the existing slope, which will lessen the amount of grading needed and lessen the amount of currently farmed land that will be impacted. Regarding the employee building, this is proposed to be as small as needed and clustered near the existing office and nearest to the existing road and access drive, so that additional driveways and parking areas are not needed. Lastly, the access-road modifications are not located in any area where farm or forest operations are occurring.

Overall, the building, access drives, and leachate pond locations have been designed and proposed to sizes and in locations that will minimize their impacts on farm and forest operation on the subject property in conformance with these approval criteria.

Staff Response, Planning:

Staff concurs with the applicant. As shown on Exhibit E2, Sheet 5 proposed locations of access roads, service corridors, and the employee building structure provide for efficient use of land with very little impact on forested areas. However, staff could not identify the proposed shop structure on Exhibit E2 Sheets 5 or 6, as the applicant cited in their response above. The applicant has not identified the approximate size or dimensions of this proposed structure nor the proposed location. Therefore, staff is unable to confirm whether the proposed shop/maintenance area structure could meet this criterion nor if it is feasible. **This criterion is not met.**

(d) The risks associated with wildfire are minimized.

FINDINGS:

Applicant Response (Exhibit BOP p. 59):

The elements that are proposed on the FC-zoned lands are an 1,800-square-foot employee building and parking, access road modifications, the relocation of leachate ponds, leachate loadout, leachate sump, an outbound scale, portions of the perimeter landfill road, cut activities for landfill, and a shop/maintenance area to support the landfill. Although this criterion applies only to land in the FC zone, Applicant conducted a fire risk assessment for the entire landfill operation, attached as Exhibit 20. After assessing Applicant's Fire Mitigation Plan and the types of fires that could occur, the report concludes that "operations at the Coffin Butte Landfill do not present a significant fire risk." The Project is in conformance with this approval criterion.

Staff Response, Planning:

The applicant provided a fire risk assessment (Exhibit E20); this was reviewed by 3rd party fire experts (Exhibit BC1). Both confirmed that the proposed Fire Mitigation Plan is sufficient to minimize fire risk for the proposed development. This criterion is met.

(7) To satisfy the criteria in BCC 60.405(6), the Planning Official may require that new structures be sited close to existing roads, clustered near existing structures, and sited on that portion of the parcel least suited for growing trees.

FINDINGS:

Applicant Response (Exhibit BOP p. 59):

As documented on the site plan, the new employee building is proposed in close proximity to the current Coffin Butte Road and office building. Furthermore, it is served by the existing drive. As proposed, the application conforms to this criterion.

Staff Response, Planning: As discussed above, staff finds that the proposed employee building structure is separated from forested areas and included in a robust fire mitigation plan for the site. However, staff was unable to identify the location of the proposed shop building, and therefore cannot determine whether the location of the shop building is sufficient to meet the criteria of BCC 60.405(6) as proposed. Therefore, as stated in response to the criteria of BCC 60.405(6), those criteria are not met. Staff has insufficient information regarding the proposed shop building or soil suitability on Tax Lot 1200 to determine appropriate locational direction.

CHAPTER 77 - LANDFILL SITE (LS)

BCC 77.010 Application. The Landfill Site Zone recognizes the existing site in the Coffin Butte area, and allows for its continued use pursuant to Oregon Department of Environmental Quality (DEQ) permits, Benton County Code Chapter 23, and an approved Site Development Plan.

BCC 77.105 Permitted Uses. The following uses are allowed in the Landfill Site Zone:

(1) Municipal solid waste disposal, in accordance with a Solid Waste Disposal Franchise and an approved Site Development Plan.

[...]

(5) Structures normally associated with the operation of a landfill.

(6) Operation of equipment in conjunction with landfill operations.

(7) Installation and operation of monitoring devices as required by DEQ such as leachate sample equipment, leachate treatment facilities, and vector control systems.

(8) Landfill gas monitoring and recovery systems.

FINDINGS: Chapter 77 applies to development in the LS zone and the permitted uses are limited to landfill operations and uses accessory to a landfill, so long as approved uses comply with the requirements of DEQ permits, the BCC Chapter 23 (Solid Waste Management), and an approved site development plan. The applicant stated in the BOP (Exhibit BOP p.43) that the current development in the zone operates under Oregon DEQ permit #306 and, upon approval, they will seek to modify this permit to include the development area.

This chapter is applicable to the application.

BCC 77.305 Conditional Uses Approved by the Planning Commission. Any proposal to expand the area approved for a landfill within the Landfill Site Zone is allowed by conditional use permit approved by the Planning Commission. The Benton County Environmental Health Division and the Solid Waste Advisory Council shall review and make recommendations through the Planning Official to the Planning Commission regarding the Site Development Plan Map and narrative. The Oregon Department of Environmental Quality shall be given an opportunity to review and comment on any proposal which may affect this site.

FINDINGS: Any proposed expansion to the landfill in the LS zone – such as this application – may be approved as a conditional use by the Planning Commission. In addition to the general review standards and criteria for conditional use applications set forth in BCC Chapter 53, this standard requires that the Benton County Environmental Health Division and the Solid Waste Advisory Committee (SWAC) provide recommendations and the Oregon DEQ are given opportunity to provide comment.

Conditional use standards

Staff reviewed the standards and criteria of BCC Chapter 53 above in that section of the Staff Report. Staff recommends denial of the application in this staff report due to noise and odor impacts.

Benton County Environmental Health Division recommendations

BCC 77.305 is a procedural requirement that was adopted in 1990. It does not contain substantive criteria for reviewing the Site Development Plan Map and narrative.

At the time BCC 77.305 was adopted, administration of solid waste programs was housed in the Environmental Health Division of the Benton County Health Department.

Sometime in 2020 or 2021, Benton County transferred its solid waste program to its Community Development Department. Environmental Health no longer has any involvement in the solid waste programs, review of land use applications involving the landfill, or administration of the landfill or collection franchise agreements. Because those responsibilities have been moved to the Community Development Department, Environmental Health cannot provide a recommendation to the Planning Official.

ENRAC (en lieu of SWAC) recommendations

This standard requires the county SWAC provide recommendations to the Planning Official and Planning Commission regarding the application narrative and site plan. As detailed in the I. Findings of Fact section and the Agency Comments section of this Staff Report, the Benton County Board of Commissioners delegated this duty to the county Environmental and Natural Resource Advisory Committee (ENRAC) through Order #D2024-048 in July of 2024.

ENRAC submitted its recommendation letter on April 21, 2025 (Exhibit BC2). The letter was not provided to contract staff planners in time to be considered in this Staff Report.

ODEQ comments

The County provided notice of this application to ODEQ on March 20, 2025 (Exhibit BC4). The County did not receive a response from ODEQ.

77.310 Conditional Use Review.

[...]

(1) The applicant for a conditional use permit shall provide a narrative which describes:

(a) Adjacent land use and impacts upon adjacent uses;

FINDINGS:

Applicant Response (Exhibit BOP p. 45):

A comprehensive review of lands that are Adjacent or Nearby to the LS-zoned properties and impacts thereupon was included above. The findings from the above-noted sections are incorporated herein.

Staff Response, Planning: The applicant provided narrative findings addressing adjacent land uses; Staff responds to the applicant's submission on adjacent land uses in this Staff Report under Chapter 53 and Chapter 60.

(b) Future use of site as reclaimed, and impacts of that reclamation on adjacent uses;

FINDINGS:

Applicant Response (Exhibit BOP p. 45):

The post-closure future use of the LS-zoned development area will be consistent with the rest of Coffin Butte Landfill. As documented in Exhibit 22 (Reclamation Plan), page 5:

The final closed surface of the completed landfill will appear to be a sloped grassy savanna that blends with, and appears to be part of, the adjacent butte. Planned land use for the property will be open space grassland. Any development over filled areas of the CBLF should not include permanent enclosed structures where differential settlement and/or methane gas may cause risk.

Like the rest of Coffin Butte Landfill, the future (post-closure) use of the Development Site is not anticipated to have any impacts on Adjacent or Nearby uses.

Staff Response, Planning: The applicant's Reclamation Plan is provided as Exhibit E22; in the absence of contradictory testimony relating to impacts on adjacent uses from the reclamation plan, staff concurs with the applicant's conclusion that the proposed reclamation will not impact adjacent uses.

(c) Provisions for screening of the site from public roads and adjacent property;

FINDINGS:

Applicant Response (Exhibit BOP p. 45 – 46):

This section does not require screening or provide a specific standard for screening. This section requires only that an applicant describe "provisions for screening the site from public roads and adjacent properties." Applicant owns and manages the majority of the surrounding properties, and the eastern portion of Tax Lot 1200 is and will continue to be well treed and will provide a substantial buffer from the planned improvements. Furthermore, the 83.7-acre parcel south of the landfill development area is maintained as an open-space area, along with areas to the north and west. The areas owned by Applicant that are maintained as open spaces and/or engaged in commercial farming operations will continue to provide sufficient buffers from public roads and the majority of the Adjacent Properties. The closest Adjacent Property to screen is Tax Lot 1103 at 38691 Soap Creek Road. This nearby residence is and will continue to be buffered from the disposal site development area by a sloped and treed grade. Additionally, Applicant is proposing installation of additional screening consistent with the County's proposed condition in 2021. See Ex. 2, sheet 18. Overall, the planned improvements will be screened by the existing grades and vegetation existing and to be installed on the property and surrounding area.

Staff Response, Planning:

Staff concurs with the applicant that this section requires the applicant to describe provisions for screening, which the BOP provides. This standard is met.

(d) Egress and ingress; and

FINDINGS:

Applicant Response (Exhibit BOP p. 46):

The proposal modifies the access points on the south side of Coffin Butte Road; it closes the access point to the existing leachate pond and relocates the access point to the gas-to-energy plant, making it the main access point to the southern area. The new access design will be served by an improved Coffin Butte Road, which includes a new left-turn lane and bike lanes. The existing and new access points, along with the overall functionality of the proposed access design, has been studied by the traffic engineer. As detailed in Exhibit 15, the access design

and proposed configuration are safe and efficient and can accommodate the proposed development.

Staff Response, Planning:

Transportation comments by County and Contract engineers are provided in Exhibit BC1. Staff concurs with the applicant and engineering responses; the proposed egress and ingress is feasible as proposed.

(e) Other information as required by the Planning Official.

FINDINGS:

Applicant Response (Exhibit BOP p. 46):

To date, the Planning Official has not requested any additional information.

Staff Response, Planning:

Staff has conducted a careful review of submitted materials and provided multiple rounds of completeness and evidentiary feedback resulting in numerous additional materials submissions by the applicant from July of 2024 through March of 2025, as shown by the record.

- (2) A site plan map shall accompany a conditional use permit application. The map shall contain at least a scale, north arrow, assessor map numbers, location of existing landfill, access, proposed alteration, leachate treatment or monitoring areas surface water systems, and existing and proposed screening (location and types of materials). A statement shall be placed on the map that the site plan map and narrative together are considered as the Site Development Plan. A signature block shall be included for the date the approval is given and the signature of the Planning Official indicating approval.*
- (3) A conditional use permit application shall contain a reclamation plan describing present efforts and future reclamation plans related to the site.*
- (4) The following environmental and operational considerations shall be reviewed prior to changes in the documents referenced above:
 - (a) Geology;*
 - (b) Groundwater and surface water;*
 - (c) Soil depth and classification, and erosion control factors;*
 - (d) Slope; and*
 - (e) Cover material availability, transportation, and use.**

FINDINGS: BCC 77.310(2) and (3) have been provided as Exhibits E2 and E3. BCC 77.310(4) only applies to changes to a site plan map and reclamation plan; the proposal provides a new site plan and reclamation plan and therefore BCC 77.310(4) does not apply.

CHAPTER 99 - GENERAL DEVELOPMENT STANDARDS

SENSITIVE LAND

99.105 Description of Sensitive Land.

Certain land characteristics may render a site "sensitive" to development. Sensitive land includes, but is not limited to:

- (1) Land having geologic hazard potential or identified by the Oregon Department of Geology and Mineral Industries in Geologic Hazards of Eastern Benton County or Preliminary Earthquake Hazard and Risk Assessment and Water-Induced Landslide Hazard in Benton County, Oregon, hereby incorporated by reference.*

- (2) Land containing soils subject to high erosion hazard when disturbed, or lands containing soils subject to high shrink-swell potential as identified by the USDA Soil Conservation Service in the Soil Survey of Benton County Area, Oregon, or the Soil Survey of Alsea Area, Oregon, hereby incorporated by reference, or by a successor document produced by the USDA Soil Conservation Service or a successor agency.

FINDINGS:

Applicant Response (Exhibit BOP p. 61):

There appear to be sensitive lands located in areas of the development site.

Staff Response, Planning: The subject property contains sensitive land; geotechnical review of the proposal was provided by the applicant and reviewed by 3rd party engineers.

99.110 Consideration.

An applicant for a land division or building permit shall consider the geology, topography, soils, vegetation and hydrology of the land when designing a parcel or lot, or siting improvements. The Planning Official or Building Official may impose conditions or modifications necessary to mitigate potential hazards or otherwise provide for compliance with adopted Comprehensive Plan policies, and may require an erosion and sediment control permit. The Planning Official or Building Official shall consider the recommendation of the County Engineer, municipal officials within urban growth boundaries, and other technical sources in the determination of sensitive land conditions and mitigating measures.

99.115 Mitigating Sensitive Land Conditions.

The following guidelines shall be considered in the establishment of conditions and mitigating measures:

- (1) Roads should be located in upland areas on benches, ridge tops and gentle slopes as opposed to steep hillsides and narrow canyon bottoms.*
- (2) Native vegetation removal or soil disturbance should be minimized on moderate and steep slopes and hillsides. If possible, avoid such activities during winter months.*
- (3) Surface water runoff should be minimized or provide appropriate means for handling surface water runoff.*
- (4) Techniques should be utilized that minimize erosion, such as protective groundcover.*
- (5) Engineering assessment of hazard potential should be required for land development.*
- (6) Geotechnical investigations should be required for roads and foundations in slide-prone areas.*

FINDINGS:

Applicant Response (Exhibit BOP p. 62):

The Application does not include any land divisions but does include structures that will require building permits. As noted previously in this Burden of Proof, Applicant has submitted significant geotechnical, groundwater, and drainage analyses that demonstrate that the Project may be safely sited as designed on the development. See Exs. 5, 16, and 17. Applicant expects to be required to obtain an erosion control permit at the time of any ground disturbance to construct site improvements.

Staff Response, CWE Engineering (Exhibit BC1 p. 3-4):

A review of [Exhibits E5, E6, E16, and E30] was provided by Columbia West Engineering, Inc. (CWE), as a geotechnical subconsultant to MFA.

[...]

Our sole comment requiring potential further analysis or clarification from Wallace Group concerns the slope stability analysis along Section B-B'. While the analyses generally address the more critical portions (i.e., larger

cuts) of the cross-section, the north end of Section B-B' may require explicit consideration due to the proximity of the cut slope crest to the public right-of-way. Aerial imagery indicates utilities at the surface in this area are approximately 25 feet south of the roadway edge, and it is unclear whether additional buried utilities are present. While we expect the slope to be stable under static conditions, the potential for slope movement under pseudo-static loading may impact the right-of-way. We recommend an explicit analysis of the subject slope, including the computation of factors of safety and, if necessary, the estimation of earthquake-induced horizontal deformation. We also completed a review of the discussion of future geotechnical evaluations outlined in the "Geotechnical Issues and Seismic Stability" section of Exhibit 16. We conclude that the existing geotechnical data and analysis presented in the geotechnical report (Exhibit 5) do not indicate that there are any geotechnical or geologic constraints that would adversely impact landfill development. We note that additional geotechnical evaluation related to design of the landfill itself will be provided before landfill construction.

Staff Response, Planning:

Oregon Department of Geology and Mineral Industrial (DOGAMI) had no comments on the application (see Exhibit BC2. Compiled Agency Comments). Staff concurs with applicant findings in Exhibits E5, E6, E16, and E30, and supporting findings by 3rd party engineering review in Exhibit BC1.

99.225 Development Activities in Wetlands.

(1) If the subject property is situated wholly or partially within areas identified as wetlands on the Statewide Wetlands Inventory on file in the office of the Benton County Community Development Department, and if a permit from the Department of State Lands has not been issued for the proposed activity, the Planning Official shall provide notice to the Division of State Lands, the applicant, and the owner of record within five days of receipt of the following types of applications:

- (a) Subdivisions, planned unit developments.*
- (b) Building permits for new structures.*
- (c) Conditional use permits and variances that involve physical alterations to the land or construction of new structures.*
- (d) Other development permits and approvals that allow physical alteration of the land, including development in the floodplain.*

FINDINGS:

Applicant Response (Exhibit BOP p. 63):

The subject property contains wetlands; therefore, Applicant understands that notice may be sent to DSL. Applicant will conduct a wetlands delineation, and if a wetland is impacted, it will be mitigated through coordination with DSL. There is a mitigation wetland located on site that was protected by covenants in 2017 as result of a prior fill/removal permit approved by DSL, which required mitigation. The proposed expansion does not impact this mitigation wetland. The draft conditions of approval require Applicant to complete a wetland delineation in compliance with DSL requirements. See Ex. 21.

Staff Response, Planning:

On-site are a Freshwater Emergent Wetland, a Freshwater Pond, and Freshwater Forested/Shrub Wetland.

Benton County notified DSL of the complete application on March 20, 2025, following the 58-day extension requested by the applicant (Exhibit BC4). The County did not receive a response from DSL.

PARCEL AND LOT DESIGN

The standards in BCC 99.305 through 315 apply to applications proposing the creation of new lots or parcels or lot adjustments. This application proposes no new parcels or lots. Therefore, the **standards in this section do not apply.**

FRONTAGE

99.405 General Rule of Frontage.

- (1) Every new dwelling and new structure designed for commercial, industrial or public occupancy which is not part of an existing use on a parcel or lot shall be sited on a parcel or lot which has a minimum of 25 feet of frontage along an improved public road.*

FINDINGS:

Applicant Response (Exhibit BOP p. 64):

The only new structures is the employee building which will be located on property with frontage on Coffin Butte and Soap Creek roads. There will be over 25 feet of frontage on both roads. The proposal therefore complies with this standard.

Applicant Response (Exhibit CL p. 2):

There was some question in the BOP as to the location and nature of the proposed shop/maintenance area. The shop/maintenance area will include an enclosed structure and will be located on Tax Lot 1200 and not on Tax Lot 1101. See Ex. 2, Sheet 5. The revised BOP has been amended to remove the inconsistent references, and Section V has been amended to address this use more fully.

Applicant Response to BCC 60.405(1) (Exhibit BOP p. 56):

The only proposed new structures are the employee building on Tax Lot 1101 and the proposed shop on Tax Lot 1200. Applicant owns the property upon which these structures are proposed, along with all surrounding properties. Applicant proposes structures that conform to the provisions of this section. See Ex. 2, sheets 5, 11, and 12. The final design of the shop building has not been determined, but it can be sited in the designated area in compliance with the requirements of this section. See Ex. 2, sheet 5.

Staff Response, Planning:

As shown on the Development Plan cited in the Applicant Responses above (Exhibit E2 Sheet 5), the proposed employee building is located on Tax Lot 1101, which has over 25 feet of frontage on both Coffin Butte and Soap Creek roads. The proposed shop/maintenance area is located on Tax Lot 1200, which has over 25 feet of frontage on Coffin Butte. This standard is met.

ROADS AND DRIVEWAYS

99.510 Road Approach Permits.

- (1) If a new road approach is proposed, the applicant shall obtain a road approach permit prior to construction of the road approach. If the proposed road approach would connect to a State highway, the permit shall be obtained from the State Highway Division. If the proposed road approach would connect to any other public road, the permit shall be acquired from Benton County. A road approach permit is not required for the construction of an approach connecting with a private road or street.*
- (2) A new road approach shall be constructed in accordance with the specifications prescribed by the County Engineer or the State Highway Division. The specifications shall be related to the use of the driveway, the nature of the adjoining public road, and the characteristics of drainage structure at the selected location.*
- (3) An occupancy permit or final inspection approval required in accordance with the State Building Code shall not be issued for any structure on a parcel or lot with a road approach which was installed in violation of permit requirements, specifications or conditions.*

99.515 Road Design and Construction Standards.

(1) Schematic layout of proposed public and private roads or streets shall adhere to the following general guidelines:

- (a) Streets should be aligned to join with planned collector and arterial streets and/or existing streets.*
- (b) Streets should be designed to respect topography and meet all applicable engineering standards.*
- (c) Intersections shall be approximate or actual right angles.*
- (d) Surface drainage shall be toward the intersecting street or through a drainage easement on abutting parcels or lots.*
- (e) Cul-de-sacs shall end with a minimum turning radius of 45 feet; however, for cul-de-sacs less than 200 feet in length within areas zoned for single-family residential use, an alternative design ("T", "Y", or other) or location may be approved by the County Engineer.*
- (f) Cul-de-sacs in excess of 900 feet in length within commercial or industrial areas or which serve more than 20 residential parcels or lots shall provide a secondary means of access for emergency use (fire lane).*
- (g) Dead-end streets shall be designed to connect with future streets on adjacent property. A temporary turn-around may be required.*
- (h) The County may reserve a 1-foot-wide strip of public road right-of-way adjoining private land for the purpose of controlling access.*
- (i) Development containing more than 20 parcels or lots shall contain multiple points of access into the development.*
- (j) Geometric design will follow AASHTO: A POLICY ON GEOMETRIC DESIGN OF HIGHWAYS & STREETS, 1984 ED., standards, except when the County Engineer finds terrain or other conditions making it impossible or unfeasible to do so.*

FINDINGS:

Applicant Response (Exhibit BOP p. 65):

The proposal will modify the access point on the south side of Coffin Butte Road, removing the access point serving the existing leachate ponds and relocating the access point serving the power facility (to serve the southern development area). Applicant will obtain all permits needed for these modifications prior to initiating the use.

Applicant Response (Exhibit BOP p. 66 – 67):

The proposal includes improvements to Coffin Butte Road. As documented on the site plans, the design includes adding bike lanes and a left-turn lane, and related storm-drainage improvements. The proposed improvements conform to County standards and the provisions of this section. No dead-end streets or cul-de-sacs are proposed. The proposed improvements conform to the standards of this section. See Ex. 2, sheets 5, 7, 8, and 24.

Staff Response, Public Works (Exhibit BC1 p. 21-23):

[...]

The easterly boundaries of the complex border the Hwy 99W right of way which separates the landfill complex from the OS Zoned properties. Hwy 99W falls under the jurisdiction of the Oregon Department of Transportation (ODOT).

The proposed expansion directly affects two roads in the County system: Coffin Butte Road and Soap Creek Road. Coffin Butte and Soap Creek Roads carry the functional classification of major collector as defined by the current

Benton County Transportation System Plan (TSP). Neither of these roads meet current standards for a major collector.

[...]

Benton County staff have cooperated with Kellar Engineering in this review process, and we concur with their findings and conditions regarding the Traffic Impact Analysis.

Final engineering design for any public infrastructure improvements will be required after Conditional Use approval. Review and approval of those calculations, drawings, right of way adjustments, and specifications will be completed prior to start of construction.

[...]

Staff Response, Kellar Engineering (Exhibit BC1 p. 20):

Kellar Engineering (KE) has reviewed the submitted Coffin Butte Landfill Expansion Traffic Impact Analysis (TIA) dated February 26, 2024 by Transight Consulting, LLC. The submitted TIA demonstrates the project has the ability meet Benton County's requirements for traffic.

Staff Response, Planning:

Staff concurs with County and Contract engineering review indicating feasibility of the proposed access point.

(2) All roads within existing or proposed public rights-of-way located outside an Urban Growth Boundary shall be designed and constructed pursuant to the Rural Design Criteria identified in Table I and Figure II. Plans and construction shall be approved by the County Engineer.

(5) For the protection of the public interest, the County Engineer may require improvements in excess of adopted standards, if terrain or other conditions warrant such a change.

FINDINGS:

Applicant Response (Exhibit BOP p. 67 – 68):

TABLE I, RURAL DESIGN STANDARDS

Local road standards are designated as RL-1, RL-2 and RL-3. Collector standards are designated as RC-1 and RC-2. Arterial standards are designated as RA-1 and RA-2.

<u>Standard</u>	<u>Zones</u>	<u>Projected ADT</u>	<u>Projected DHV</u>	<u>Minimum ROW</u>	<u>Surface Width</u>	<u>Paving Material</u>	<u>Crushed Base Equivalent</u>
RL-1	Resource	0-100	<30/hr	50 ft	18 ft	AC,PCC, APM	18 inches
RL-2	Dead end RR	0-200	<30/hr	50 ft	18 ft	AC,PCC APM	18 inches
RL-3	Resource, RR <1,000ft	100-750	<100/hr	60 ft	20 ft	4 inch AC,PCC	18 inches
RC-1	Resource	100-750	<100/hr	60 ft	20 ft	4 inch AC,PCC	18 inches
RC-2	Resource, RR	750-2000	<300/hr	60-70ft	24 ft	4 inch AC,PCC	20 inches
RA-1	All zones	1000-5000	<900/hr	80 ft	24-34ft	6 inch AC,PCC	20 inches
RA-2	All zones	>5000	>900/hr	100 ft	50-70ft	6 inch AC,PCC	24 inches

<u>Standard</u>	<u>Shoulder</u>	<u>Maximum Grade</u>	<u>Bike Path</u>	<u>Min. Curve Radius</u>	<u>Design Speed</u>	<u>Parking</u>	<u>Road Approach</u>
RL-1	4 ft gravel	17%	None	200 ft	30 mph	Limited Emergency	Shared 400ft gap
RL-2	4 ft gravel	15%	None	200 ft	30 mph	Parking Allowed	Shared 250ft gap
RL-3	5 ft paved	15%	RR Zone Class III	250 ft	30 mph	Limited Emergency	Shared 450ft gap
RC-1	5 ft paved	12%	RR Zone Class III	500 ft	45 mph	Emergency Only	Shared 400ft gap
RC-2	5 ft paved	10%	RR Zone Class III	760 ft	45 mph	Emergency Only	Shared 400ft gap
RA-1	6 ft paved	5%-8%	All zones Class III	800 ft	50 mph	Emergency Only	None
RA-2	6ft-12ft paved	4%-6%	All zones Class III	800 ft	50 mph	Emergency Only	None

The improvements to Coffin Butte Road include only a left-turn lane and bike lanes. The proposed improvements conform to the requirements of this section and the County TSP. See Exs. 2 and 15. The standards of this section are consistent with the cross-section of the County TSP; therefore, the proposed design and planned improvements are consistent with this section.

Applicant Response (Exhibit BOP p. 68):

The proposed roadway improvements have been designed by an engineering firm licensed in the State of Oregon, along with a traffic engineer licensed in the State of Oregon. The qualified professionals working on the Project have designed roadway improvements that conform to County standards and engineering best practices. Applicant understands that this section allows the County Engineer to require additional improvements, if warranted.

Staff Response, Public Works (Exhibit BC1 p.21-23):

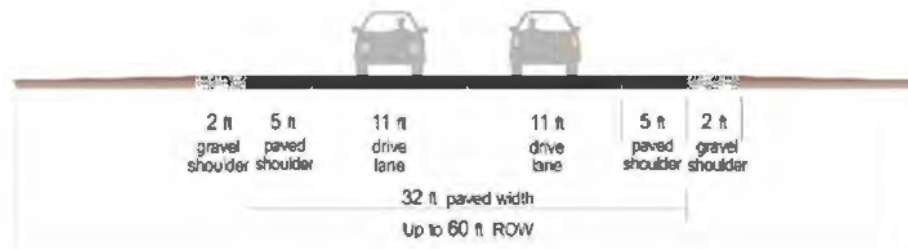
[...]

The proposed expansion directly affects two roads in the County system: Coffin Butte Road and Soap Creek Road. Coffin Butte and Soap Creek Roads carry the functional classification of major collector as defined by the current Benton County Transportation System Plan (TSP). Neither of these roads meet current standards for a major collector.

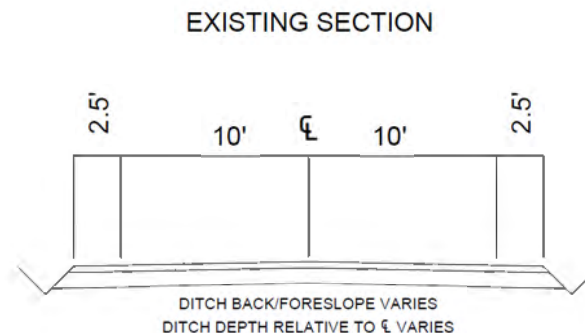
[...]

The typical proposed section for a Major Collector is illustrated below.

Figure 16. Major Collector Standard Cross-Section



Improvement of Coffin Butte Road to this standard will provide additional lane width and wide shoulders for vehicle stops and to accommodate bicycle, pedestrian, and emergency access where this function is currently very limited. The approximate typical existing section of Coffin Butte Road and Soap Creek Road is illustrated below. Existing shoulder widths vary from 2.5 feet to less than one foot.



Construction of the proposed improvements may require permitting through regulatory agencies including, but not limited to, the Oregon Department of State Lands (DSL), the Oregon Department of Environmental Quality (DEQ), the Oregon Department of Fish & Wildlife (ODFW), the Oregon State Historic Preservation Office (SHPO), the Oregon Department of Geology and Mineral Industries (DOGAMI), U.S. Fish & Wildlife (USFW), the U.S. Army Corps of Engineers (COE), and the National Oceanic and Atmospheric Administration-National Marine Fisheries Service (NOAA-NMFS).

Benton County staff have cooperated with Kellar Engineering in this review process, and we concur with their findings and conditions regarding the Traffic Impact Analysis.

Final engineering design for any public infrastructure improvements will be required after Conditional Use approval. Review and approval of those calculations, drawings, right of way adjustments, and specifications will be completed prior to start of construction.

Staff Response, Kellar Engineering (Exhibit BC1 p. 20):

Kellar Engineering (KE) has reviewed the submitted Coffin Butte Landfill Expansion Traffic Impact Analysis (TIA) dated February 26, 2024 by Transight Consulting, LLC. The submitted TIA demonstrates the project has the ability to meet Benton County's requirements for traffic.

Staff Response, Planning: Staff concurs with county and transportation engineering review comments above; the proposed roadway improvements are feasible and consistent with county standards.

99.520 Improvements in a Public Right-of-Way.

An applicant intending to construct or upgrade a roadway within a public right-of-way shall be responsible for design and installation of all improvements within the public road right-of-way. Such improvements shall commence from an existing improved public roadway and continue to the subject property and 25 feet along the frontage of the proposed parcel or lot, or to the private driveway serving the building site, whichever is greater. Required plans and construction of improvements shall be inspected and approved by the County Engineer.

FINDINGS:

Applicant Response (Exhibit BOP p. 69):

The proposal includes improvements in Coffin Butte Road (left-turn lane, bike lanes, and related stormwater improvements). Applicant understands that it will be responsible for design and installation of all improvements and plans to do so in accordance with the provisions of this section. See Ex. 2, sheets 5, 7, and 8.

Staff Response, Planning:

As noted by the applicant in the submitted BOP (Exhibit BOP, p. 69), the applicant understands that it will be responsible for design and installation of all improvements, and that these improvements must be inspected and approved by the County Engineer.

FIRE PROTECTION

BCC 99.605

The standards in BCC 99.605 apply to applications proposing the creation of new lots or parcels or lot adjustments. This application proposes no new parcels or lots. Therefore, the **standards in this section do not apply.**

STORMWATER MANAGEMENT

99.660 Erosion and Sediment Control

(2) Applicability. *The provisions of this section shall apply to all unincorporated areas of Benton County.*

(3) Activities Requiring Erosion and Sediment Control Permit.

(a) The responsible party shall obtain an Erosion and Sediment Control (ESC) Permit from Benton County prior to initiation of ground-disturbing activities, if both (A) and (B) are met. Ground-disturbing activities listed in subsection (4) of this section are exempt from ESC permitting requirements.

(A) The ground-disturbing activities are associated with:

(i) Construction or land uses that require a permit or other review by Benton County; and

(ii) Any of the following:

- (a) *Construction of a public or private road, driveway, or structure; or*
 - (b) *Site preparation, associated installations (such as a septic system drainfield, ground-source heat pump, or tennis court), landscaping, and other ground-disturbing activities related to such construction.*
- (B) *The total area disturbed will be 0.25 acre (10,890 square feet) or more.*
- (b) *All activities shall comply with the Benton County Illicit Discharge Detection and Elimination Code, whether or not the activity requires an Erosion and Sediment Control Permit.*
 - (c) *The responsible party shall also comply with other local, state and federal erosion control regulations that may apply. Ground disturbance that is part of a common plan of development is required to comply with DEQ permitting even if the ground disturbance alone is below the threshold for requiring a Benton County ESC Permit.*

FINDINGS:

Applicant Response (Exhibit BOP p. 70):

The subject property is within an unincorporated area of Benton County; this section therefore applies. Upon approval of this CUP and prior to construction activities, Applicant plans to apply for all required additional development permits, including those related to erosion and sediment control, described in this section.

Staff Response, Planning:

Erosion and sediment control permits are not required for the current conditional use application review, but will be required prior to site development, should the conditional use application be approved.

99.670 Post-Construction Stormwater Management

(2) Applicability. Land development within unincorporated Benton County shall comply with the requirements of this section.

(3) Permit Required. A property owner increasing or replacing the impervious surface on a property shall comply with this section and the technical standards outlined in the Stormwater Support Documents. [...]

FINDINGS:

Applicant Response (Exhibit BOP p. 75 – 76):

Stormwater controls have been designed to address the additional impervious areas as a result of the improvements to Coffin Butte Road, the new cell on the Development Site, and the new access roadway. See Ex. 2. See also Ex. 17 (CEC Preliminary Drainage Report). Applicant acknowledges that these improvements are subject to the Post-Construction Stormwater regulations under BCC 99.670 (1) to (3) and will be required to obtain a post-construction stormwater permit under subsections (3) and (4), and Applicant will be required to enter into an infrastructure improvement agreement under subsection (5) and a Stormwater Management Long-Term maintenance agreement, if required by the County engineer, under subsection (6). Applicant understands that issuance of a post-construction stormwater permit is not a land use decision under subsection (4)(d) and therefore is not a criterion for approval of the CUP. However, in recognition that the requirement will be applicable to the stormwater improvements, Applicant has included in the draft Conditions of Approval a condition of approval requiring it to obtain the permit at the time of ground disturbance as required by subsection (3)(a).

Staff Response, Public Works (Exhibit BC1 p.21-23):

[...]

Drainage for the landfill complex flows roughly from west to east. The E.E. Wilson Wildlife Area, a network of ponds and wetlands east of the subject property are the direct receiving waters for drainage from the landfill. The E.E. Wilson Wildlife Area functions as one of the headwaters of Bowers Slough, a tributary of the Willamette River.

[...]

Construction of the proposed improvements may require permitting through regulatory agencies including, but not limited to, the Oregon Department of State Lands (DSL), the Oregon Department of Environmental Quality (DEQ), the Oregon Department of Fish & Wildlife (ODFW), the Oregon State Historic Preservation Office (SHPO), the Oregon Department of Geology and Mineral Industries (DOGAMI), U.S. Fish & Wildlife (USFW), the U.S. Army Corps of Engineers (COE), and the National Oceanic and Atmospheric Administration-National Marine Fisheries Service (NOAA-NMFS).

[...]

Final engineering design for any public infrastructure improvements will be required after Conditional Use approval. Review and approval of those calculations, drawings, right of way adjustments, and specifications will be completed prior to start of construction.

Staff Response, MFA – Engineering (Exhibit BC1 p.6):

MFA recommends the Applicant follow the Benton County Stormwater Support Documents, instead of the Corvallis Stormwater Standards, to finalize the stormwater calculations and design components for the ODEQ submittal. Based on MFA's review of the information provided, the proposed stormwater detention facilities appear to be conservatively sized, and despite the use of a different standard, the overall design of the stormwater facilities appears adequate from a land use perspective.

Staff Response, Planning: Staff concurs with applicant and engineering comments above; should the conditional use application be approved, the applicant will need to submit additional stormwater permitting materials for review and approval by the county prior to development.

SEWAGE DISPOSAL

99.705 Sewage Disposal.

Each proposed dwelling, parcel, lot, or place of public occupancy shall be served by a sewage disposal system which complies with the requirements of the Oregon Department of Environmental Quality requirements.

FINDINGS:

Applicant Response (Exhibit BOP p.76):

Water and sewer is not proposed to be extended to the development area. In the event that the employee building needs water and sewer accommodations, it will be served by the same well and subsurface facilities that serve the existing office building. These sections do not apply

Staff Response, Planning:

The applicant states in the BOP (Exhibit BOP p.11) that the existing VLI offices (on TL 1101) are served by a septic system and the planned new employee building would be served by a holding tank that would not be connected to the existing septic system.

Following Conditional Use approval, Benton County Environmental Health would be notified at the time of building permit application and would review, comment, and provide conditions for commercial sewage disposal. Furthermore, if the use warrants it, DEQ would review and approve new holding tanks. This standard is not applicable.

WATER SUPPLY

BCC 99.800 through 99.850

FINDINGS:

Applicant Response (Exhibit BOP p.76):

Water and sewer is not proposed to be extended to the development area. In the event that the employee building needs water and sewer accommodations, it will be served by the same well and subsurface facilities that serve the existing office building. These sections do not apply

Staff Response, Planning:

The applicant states in the BOP (Exhibit BOP p.11) that the landfill is not served by a domestic water service and that it is not needed for the proposed landfill expansion. They state that the existing VLI offices (on TL 1101) are served by a well, as is the planned new employee building. The details of the two wells used for water production at the landfill are attached to the application as Exhibit 6.

Following Conditional Use approval, Benton County Environmental Health would require standard testing for the wells prior to connection. Ultimately, DEQ is the primary governing agency for potable water at facilities like Coffin Butte Landfill. This standard is not applicable.

IMPROVEMENTS AGREEMENT

BCC 99.905 Improvements Agreement.

When required as a condition of development for a conditional use, partition, subdivision, planned unit development, or stormwater management permit, the applicant shall execute a standard improvements agreement provided by the County Engineer guaranteeing the construction of any required public improvements. [...]

99.915 Performance Guarantee.

(1) The applicant shall file with the County Engineer a performance guarantee to assure full and faithful performance. [...]

(2) The guarantee shall ensure that the applicant has funds committed in the amount determined by the County Engineer for the purpose of covering the cost of the improvements and repairs, including related engineering and incidental expenses. In the event of default by the applicant, the guarantee shall ensure that the County shall have, upon demand, funds to construct, complete or pay for all improvements or incidental expenses, including improvements full or partially constructed by the County, and bills which are outstanding for work done thereon by any party.

FINDINGS:

Applicant Response (Exhibit BOP p.78):

The proposal includes public and private improvements. In the event that the County requires an improvement agreement, Applicant understands that the provisions of this section apply.

Staff Response, Planning: As noted by the applicant, should the proposal be approved, a standard improvement agreement will be required prior to development.

VI.RECOMMENDATION

Based on findings in the Staff Report and information in the file, staff concludes that noise and odor analysis and evidence provided by the applicant does not sufficiently demonstrate that the proposal will not “seriously interfere” with uses on adjacent properties or the character of the area. Therefore, **staff recommends Denial of this application.**

VII.MOTIONS

I move that the Conditional Use Permit for expansion of the Coffin Butte Landfill be:

- A) **APPROVED**, based on evidence in the record , and subject to conditions of approval [define conditions if PC identifies conditions].

OR,

- B) **DENIED**, based on evidence in the record, recommendation from the staff report, and findings in opposition and conclusions developed at the public hearing.