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

Received From: Joel Geier

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Email: joel.geier@peak.org

Phone: 541 745-5821

Address: 38566 Hwy 99W

City, State, Zip: Corvallis OR 97330

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BOC ID: BOC3

IDENTIFIER: To 725

PROPOSED FINDINGS - GROUNDWATER AVAILABILITY (QUANTITY)

The Applicant's own evidence shows that groundwater levels on adjacent properties south of their proposed development could be negatively impacted by as much as 17 feet. This impact results from their need to excavate a large hole on the north end of Tampico Ridge, in order to accommodate the proposed new landfill.

The Applicant's consultants acknowledge that impacts on groundwater are uncertain due to the complicated nature of groundwater connections in bedrock of this type (fractured basalt). Alternative calculations by an expert in fractured rock hydrogeology show that the impacts on water levels could be worse, possibly as severe as 100 ft in certain cases.

Lowering of groundwater levels, even if no worse than predicted by the Applicant's consultants, would interfere with established uses on adjacent properties in three main ways:

- Reduction in soil moisture in the root zones of trees, resulting in a reduction or loss of timber production on private forestland.
- Reduction or loss of flow to natural springs and spring-fed ponds that support livestock and wildlife.
- Reduction or loss of flow to wells that provide water for household use, livestock, vegetable gardens, and small farms.

Each of these impacts, in itself, is sufficient cause to reject this application under BCC 53.215 (1).

These impacts, elaborated in more detail below, are possible on at least ten properties included within the Applicant's delineation of adjacent properties (Kipper, Carlin, Fick/Finn, Bradley, Holdorf, Searls, Merrill, Frazier/Davis, Gibbs, and Edwardsson properties). Thus this finding is not subject to challenge based on differing interpretations of the term "adjacent."

The related conditions of approval proposed by Applicant, county staff and their consultants (P1-1(A), P2-4(A) and OP-5(A)), fail to provide reasonable assurance that significant impacts on adjacent uses can be prevented.

Benton County Code does not have any procedure for revocation of a conditional use permit, once issued. Enforcement would require lengthy and expensive judicial proceedings and would be totally funded by the County. Republic will not pay Benton County to sue them to force compliance. If conditions of approval are not met, there is no practical means of enforcement, and the violations will continue unabated.

Neither the Applicant nor county staff nor their consultants have provided any supporting analysis to demonstrate that the proposed site investigation and monitoring plan called for in P1-1(A) and P2-4(A) will be sufficient to identify the risk of impacts before they occur and become permanent. In particular, neither analysis nor reasoning is provided to explain why four "sentinel wells" will be sufficient, nor where those wells

should be placed to guarantee their effectiveness as "sentinels" to give advance notice of potential impacts on adjacent properties.

None of these proposed conditions of approval provide any means of mitigation or remedy, in the event of actual impacts, beyond a weak statement that "VLI will conduct outreach to those property owners to evaluate and implement mutually agreeable solutions."

All of the proposed conditions give wide latitude for the Applicant to give their own interpretation of whether not an actual impact occurs, with no clear framework for independent review and adjudication.

Most notably, none of the proposed conditions of approval are relevant to the potential impacts on soil moisture in the root zones of trees on Tampico Ridge. Neither the Applicant nor County staff have anticipated or addressed this impact.

Reduction in soil moisture in the root zones of trees is a natural consequence of lower groundwater levels. During periods of the year without rainfall, soil moisture is maintained by capillary action which draws water up from water-saturated portions of the rock or soil. Thus when groundwater levels fall, soil moisture levels also fall.

The importance of soil moisture for timber production is clear from the title of an article cited in written testimony[1]: "Soil moisture is a main driver of growth response of coastal Douglas-fir with high spatial variability."
As stated in verbal testimony (Robert Kipper, October 23), lower soil moisture would result in slower growth of Douglas-fir on the Kipper family's woodlot, resulting in fewer board-feet of production per year.

When combined with summer drought and/or more extreme climate events such as heat domes, cited in written testimony (Bob Kipper, October 6, 2025), low soil moisture could lead to drought stress, tree death, and elevated wildfire risk which could have devastating consequences for the Kipper family's woodlot.

Reduction or loss of flow to natural springs and spring-fed ponds would clearly impact existing uses, including livestock grazing and enjoyment of wildlife, which have been cited in written and verbal testimony by multiple owners/residents of adjacent properties.

At least one natural spring on Tampico Ridge, on adjacent property close to the boundary of the development area, has a water right registered with the Oregon Water Resources Department (OWRD) under certificate number 70845, as stated in testimony by Richard Kipper.

1 BOC1_T0548 - Oct 20, 2025 - GEIER Joel, p.8

OWRD is the state agency with primary responsibility for groundwater quantity, as made clear by the Oregon Legislative Policy and Research Office[2], but OWRD has not been consulted in this process. Staff have instead improperly deferred to the Applicant's claim that Oregon DEQ regulates all aspects of groundwater.
Reduction or loss of flow to wells would be a serious disruption of both residential and agricultural uses of adjacent property.

Written testimony has stated that many wells on Tampico Ridge have pumps placed in fractured zones within the basalt, as documented by well drilling logs on file with OWRD. If the seasonal water level in a well drops below that level due to impacts of this development, the pump will not produce water.

Written testimony (Geier, October 20, 2025) also notes that deepening a well may not be an option due to the risk of saline water at greater depths. This risk is borne out by the DSAC subcommittee report on groundwater monitoring (also on record) which notes saline water at 100 ft depth in Republic's own well, MW-9D.

Thus even if the Applicant agrees to pay to deepen an impacted well, there is no guarantee that this will yield usable water. Other potential remedies (such as installing water tanks and having water trucked in) would amount to a permanent impact on use of those properties.

The Applicant has failed to demonstrate that the proposed development would not put household wells, irrigation wells, natural springs, and seasonal soil moisture levels at risk. **Thus the Applicant has not met their burden of proof to show that these foreseeable impacts on existing uses can be prevented or even mitigated.**

The evidence in the record regarding these concerns is substantial, including but not limited to:
• ENRAC (Record ID. BC015 Compiled Agency Comments, p. 50)
• J. Searls (Record ID. BC015 Compiled Testimony from Adjacent Property
• C. Merrill (Record ID. BC015 Compiled Testimony from Adjacent Property Owners/Residents, p. 318)
• I. Finn (Record ID. BC015 Compiled Testimony from Adjacent Property Owners/Residents, p. 338 – 339)
• D. Hackleman (Record ID. BC015 Compiled Testimony from Adjacent Property Owners/Residents, p. 351)
• B. Briskey (Record ID. BC015 Compiled Testimony from Adjacent Property Owners/Residents, p. 356)

The following statements are highlighted.
Adjacent Property Owner/Resident Testimony (Ro. Kipper, Exhibit BC7.X, p. 1):

"I am a private citizen speaking on behalf of my family's fourth generation 80

2 Groundwater Management in Oregon. Report by Legislative Policy and Research Office (LPRO), January 10, 2025. *Attached as Exhibit 1.*

acre woodlot north of Corvallis (Benton County Tax Account Numbers 005920 and 314862). Our Douglas fir timber stand is directly adjacent to the Republic Services' southern Coffin Butte Landfill buffer zone."
https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC1_T0173_10062025_Email_KIPPER_Robert.pdf

Adjacent Property Owner/Resident Testimony (Richard Kipper, Exhibit BC7.X, p. 1):

"I am writing on behalf of my family's 80-acres located on the east slope of Tampico Ridge adjacent to Oregon highway 99W. This property has been in our family since the 1940's and is an important part of our family history going on four generations now. The property ... includes a persistent natural pond fed by hillside springs that is frequently visited by wildlife.
Our Douglas fir timber forest continues from the corner down the slope to the east to 99W directly adjacent to the Republic Services' southern Coffin Butte Landfill buffer zone. Several year-round springs flow from the hillside that maintain our persistent pond used by wildlife as documented by our trail camera. Cougar, bobcat, black bear, deer, elk and all species identified in the applicant's wildlife report frequent this area on and between our property and the landfill's conservation zone.

We also consider this persistent pond as potentially being used in a fire emergency. Our water right to the pond is recorded with the state water resources department under certificate number 70845 (HB-2153).
This then is the second even larger objection to the proposed expansion of landfill activities on to our ridge. The likely drying out of our year-round springs and loss of the persistent pond would forever alter the traditional use and character of our property. Republic Services' analysis of the hydrology of the water that flows through and out of this basalt ridge is inadequate to have any assurance this expansion on to Tampico Ridge will not destroy our water sources. It is not unreasonable to think the hard rock blasting and excavation of a deep hole necessary to prepare the proposed new cell, and the excavation of larger and deeper leachate retention pond on the north side will inevitably pull water toward these massive holes and away from our northeast side of the ridge, drying out our year-round springs. This ... is a most unacceptable change to the use and character of our adjoining property [Benton County Code 53.215 (1)]"
https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC1_T0174_10062025_Email_KIPPER_Richard.pdf

Adjacent Property Owner/Resident Testimony: Ken and Sarah Edwardsson,

"Our property, and that of many surrounding parcels depend on well water as our primary source of drinking water. Additionally, spring water from Tampico Ridge is also the sole source for livestock watering in support of our farming activities. ...Information and analysis conducted on the aquifer to date has been insufficient , on that basis we are strongly against a landfill expansion."

https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC1_T0196_10072025_Email_EDWARDSSON_Ken-Sarah.pdf

Adjacent Property Owner/Resident Testimony (J. Geier, Exhibit BC7.X, p. 1):

We and our neighbors rely on our wells for clean drinking water for our families, for livestock, and for irrigating our vegetable gardens and small-scale farms.

Adjacent Property Owner/Resident Testimony (J. Searls, Exhibit BC7.2, p. 2):

"I have concerns about how this will negatively impact my property and farm. It is our goal to provide perennial and annual crops for our community each year from our land- as well as provide farm services throughout the valley."

Adjacent Property Owner/Resident Testimony (E. Bradley, Exhibit BC7.X, p. 2):

"Expanding the landfill ...would almost certainly compromise our water source , placing our farm's well ... at risk."

https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/PlanningCommission/Public%20Testimony/T0739_06302025_BRADLEY_Erin.pdf

Adjacent Property Owner/Resident Testimony (J. Searls, Exhibit BC7.2, p. 2):

"I have concerns about how this will negatively impact my property and farm. It is our goal to provide perennial and annual crops for our community each year from our land- as well as provide farm services throughout the valley."

Adjacent Property Owner/Resident Testimony (I. Finn, Exhibit BC7.9, p. 2):

"Groundwater contamination & well reliability — My residence relies on a domestic well. Two older unlined cells north of Coffin Butte Road (closed in the 1970s) reportedly generate ~2 million gallons of leachate annually, though no full estimate of groundwater migration is provided. Even modern lined cells are subject to eventual failure under heavy loading and puncture risk. Placing new cells closer to my well increases risk of contamination. Further, the proposal to excavate ~3.5 million cubic yards of material just north of my property will alter local hydrogeology, potentially dewatering or reducing yield of my well. Once impacted there can be no reasonable mitigation to repair the damage done to my water supply."

Adjacent Property Owner/Resident Testimony (R. Holdorf, Exhibit BC7.10, p. 2):

"After 36 years, will we be forced to move? ... Will our well water become contaminated and undrinkable, or dry up?

Nearby Property Owner/Resident Priya Thakkar 38987 Arena Rd

"My family has a well that can be disrupted by the proposed expansion that would disrupt the function of the area's water. Mining a huge hole around the new proposed site can affect water levels in the area, ***potentially ...causing our well water to be contaminated****, affecting our ability to provide water for our garden, water for our animals, and water for our family. We rely on water for just about every facet of our life in this area, so this would seriously interfere with the character of the area and cause an undue burden on the local residents.* ***This clearly interferes with uses of nearby property and character of the area BCC 53.215 (1)****"*

https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC1_T0133_10052025_Email_THAKKAR_Priya.pdf

Suzanne Ortiz 4580 NW University Pl Apt 2 Corvallis, OR 97330-1669

"The rock below the landfill site is fractured basalt and geologists & hydrologists gave testimony at the Planning Commission hearings about how water moves unpredictability through fractured basalt. The massive amount of rock that has to be hauled out of the ridge to make the crater for the new landfill will require detonations and Republic Services could not answer questions from immediate neighbors about their fears of having their well water disappear overnight. Republic Services will only begin to monitor the area after the landfill becomes operational, not before or during the preparation phase, and that will be too late for any landowner whose well water disappears."

https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC1_T0265_10072025_Email_ORTIZ_Suzanne.pdf

SUMMARY

The Applicant's own evidence shows that groundwater levels on adjacent properties south of their proposed development could be negatively impacted.

Lowering of groundwater levels, even if no worse than predicted by the Applicant's consultants, would interfere with established uses on adjacent properties in three main ways:

- Reduction in soil moisture in the root zones of trees, resulting in a reduction or loss of timber production on private forestland.
- Reduction or loss of flow to natural springs and spring-fed ponds that support livestock and wildlife.
- Reduction or loss of flow to wells that provide water for household use, livestock, vegetable gardens, and small farms.

Each of these impacts, in itself, is sufficient cause to reject this application under BCC 53.215 (1).

These impacts are possible on at least ten properties included within the Applicant's delineation of adjacent properties, and thus this finding is not subject to challenge based on differing interpretations of the term "adjacent."

The conditions of approval proposed by Applicant, county staff and their consultants (P1-1(A), P2-4(A) and OP-5(A)) are not sufficient to guarantee that these impacts on existing uses can be prevented, nor do they provide any viable means to mitigate or remedy the impacts. The proposed conditions do not even address the risk that impacts on soil moisture due to lower groundwater levels could negatively impact existing forestry uses.

The burden of proof is on the applicant to demonstrate that their proposed use (even with the Conditions) will not violate the criteria (BCC53.215(1)). They have not met that burden of proof.

Proposed Finding (Groundwater Availability): The applicant has not met the required burden of proof with respect to serious interference with uses on adjacent property, or serious interference with the character of the area with respect to the impacts on groundwater quantity and availability in wells and natural springs, as well as soil moisture for tree farms. The applicant's consultants propose future studies to evaluate the possibility of significant uncertainties on this issue, but only after granting of this application, and with no clear, legally binding process for evaluation of results or mitigation in the event of impacts that "seriously interfere" with adjacent properties, or with the character of the area. The state agency with primary responsibility for groundwater quantity and administration of water rights, OWRD, has not been consulted. County staff have acknowledged their lack of expertise to evaluate groundwater quantity and availability issues, and have not demonstrated the capacity for assessing or enforcing the applicant's proposed conditions of approval to address potential impacts to groundwater availability. Thus, it has not been demonstrated that impacts upon groundwater wells, natural springs, and soil moisture can or will be mitigated through conditions of approval to not "seriously interfere" with adjacent properties, or with the character of the area. BCC 53.215(1).

PROPOSED FINDINGS - GROUNDWATER QUALITY

The Applicant has not met the burden of proof to demonstrate that groundwater quality will be protected sufficiently to avoid impacts on uses of adjacent property and no undue burden on public utilities.

The Applicant's claims regarding protection of groundwater quality are based on two presumptions:

- That their landfill liner system will not leak.
- That their sparse network of monitoring wells will detect leachate plumes resulting from any leaks that do occur.

The first of these presumptions runs counter to the conclusions of the US EPA, which has been cited multiple times in the record. On other matters, the Applicant has urged deference to the expertise of the US EPA. But on this matter, they ask for deference their own speculative prediction that their new liner system will not fail.

The second presumption runs counter to the analysis of independent experts on the Benton County Disposal Site Advisory Committee (DSAC), given in a July 2025 subcommittee report which is also included in the record.

That report concludes that the existing monitoring wells are likely both too shallow and too sparse to be inadequate to be sure of detecting a leachate plume from the existing landfill. Specifically, regarding the east side of the development area, it states: *"Only three shallow wells in this critical area is not of adequate density to capture potential groundwater flow paths toward EE Wilson [Wildlife Area]."*

The applicant has not proposed any new compliance-boundary monitoring wells in that direction, so the current deficiencies in the monitoring program will be amplified by an expansion that will be a new potential source of contamination.

The proposed new conditions of approval that relate to groundwater quality (P1-1(B), P2-4(B) and OP-5(B)) are entirely focused on the area south of the landfill, despite that Applicant's consultants have repeatedly claimed that the expected direction of groundwater flow will be toward the north and east.

Thus these proposed conditions of approval do nothing to address risks to groundwater quality in the direction in which the Applicant claims that groundwater is most likely to move.

The Applicant has spent considerable effort on trying to dismiss concerns arising from anomalously high levels of arsenic toward the east of the existing landfill. However their arguments have not stood up to scientific scrutiny.

The issue remains unresolved due to the same limitations of their monitoring network, as identified in the DSAC subcommittee report. They have not accounted for the higher density of landfill leachate, which (as demonstrated by modeling results included in the record) will cause a leachate plume to move downward relative to freshwater. This means that even if their compliance-boundary wells are in the right direction to intercept a plume from a leak, those wells are likely not deep enough.

A leachate plume migrating east from the landfill poses a threat to a regional resource, the Willamette basin-fill aquifer. This is relied on not just by nearby residents and landowners, but by the Luckiamute Domestic Water Cooperative and the City of Independence, both of which have well fields as have been mentioned in public testimony.

The record shows no evidence that either the Luckiamute Domestic Water Cooperative or the City of Independence were notified or requested to comment. The Luckiamute Watershed Council has stated their opposition to the proposed new landfill, citing (among other reasons)

The evidence in the record as to concerns about protecting groundwater quality and deficiencies in Republic's groundwater monitoring network is significant, for example:

Luckiamute Watershed Council / Jordan Perez

"Expanding the landfill would increase leachate volume in a region with high rainfall and complex hydrology. Runoff and leachate enter Soap Creek, which flows into the Luckiamute River just upstream of the Luckiamute State Natural Area, a vital habitat for fish, wildlife, and native vegetation. This increases the risk of pollutants such as heavy metals and PFAS reaching both the Luckiamute and Willamette Rivers. PFAS are persistent, toxic, and are known to be detected in all fish tissue sampled downstream of landfill leachate sites, posing risks to ecosystem health. The Willamette basin-fill aquifer beneath and around Coffin Butte provides essential groundwater for Polk County farms and rural residents. Landfill liners are known to fail over time, jeopardizing these critical water resources. Expansion would further increase waste load, heightening long-term risks to wetlands and critical buffer areas. The buffers required as part of Coffin Butte's permit have become overrun with invasive species such as yellow-flag iris, reed canary grass, meadow knapweed, and bamboo, which spread along Soap Creek and into nearby habitats. Spread of invasives undermines years of restoration efforts and suggests that expansion would only amplify ecological damage to these areas."

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

BOC1_T0394_10152025_Email_PEREZ_Jordan_Luckiamute-Watershed-Council.pdf

DSAC Groundwater Subcommittee. Considerations for Improving the Groundwater/Surface Water Monitoring System. July 9, 2025

*"**Well Assessment.** Monitoring wells currently used in the compliance and detection systems vary in age dating back to the late -1970s. However, the majority of the wells and piezometers currently in use were installed in the mid-1990s (about 30 years ago). While there is no recognized functional life of a monitoring well, processes such as sedimentation, mineralization and biofouling within the well can inhibit the long-term effectiveness of the well. An assessment of the condition of these wells was not found in this review."*
***"Additional East Side Wells.** The two east-side compliance wells (26 and 27) were drilled in 2011, and are completed in low permeability silt and clay. These two well locations are important because they are intended to monitor potential impacts from recent and ongoing landfilling operations in cells 4 and 5A. Along with well 9S, wells 26 and 27 are the only groundwater monitoring points between the landfill and the EE Wilson Wildlife Area. Only three shallow wells in this critical area is not of adequate density to capture potential groundwater flow paths toward EE Wilson. It is recommended that at least one additional well be placed north of well 27 to monitor groundwater closer to cell 5a.*
The representativeness of samples from well 26 should be further evaluated because the water levels in the well do not appear to respond to seasonal variations in rainfall similar to other site wells. It is possible that well 26 is hydraulically connected to the adjacent storm water pond, and samples may not be fully representative of groundwater. This recommendation may be conducted under the well assessment (see above item #1).
The annual reports identify the difficulty in sampling wells 26 and 27 because of low recharge rates. The geologic logs for these two wells show they are completed in clay and silt. It would be beneficial to understand the full thickness and depth of this low permeability clay material, and most importantly at what depth does the clay contact the more permeable underlying basalt. This geologic information is not shown on the drilling logs. Deeper wells in this area, completed across the clay/basalt contact, should be considered to be certain that deeper, more transmissive groundwater flow paths toward EE Wilson are adequately monitored."
"EE Wilson. Well 9S, located near Hwy 99W, is the closest monitoring well to EE Wilson. The companion well 9D was abandoned during drilling because pressurized saline water was encountered around 100 feet in depth. The saline water was reported as connate water (water of deposition). Because of the lack of a deep downgradient well on the east side, installing several shallow/deep well pairs on EE Wilson property near 99W should be considered to help ensure this wildlife

area is protected."
"The SWDP 306 requires sampling of Soap Creek because it is likely that groundwater flowing from the western boundary of the landfill discharges to this surface water. Currently, samples from Soap Creek appear to be collected by dipping a sample bottle or clean bucket directly into the stream. This is a poor technique to determine if groundwater discharge is occurring. Mixing and dilution with surface water would likely over-whelm any chemical signal resulting from groundwater discharge."

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Adjacent Property Owner/Resident Testimony (J. Geier, Exhibit BC7.X, p. 1):

We and our neighbors rely on our wells for clean drinking water for our families, for livestock, and for irrigating our vegetable gardens and small-scale farms.

Adjacent Property Owner/Resident Testimony (J. Searls, Exhibit BC7.2, p. 2):

"I have concerns about how this will negatively impact my property and farm. It is our goal to provide perennial and annual crops for our community each year from our land- as well as provide farm services throughout the valley."

Adjacent Property Owner/Resident Testimony (I. Finn, Exhibit BC7.9, p. 2):

"Groundwater contamination & well reliability — My residence relies on a domestic well. Two older un-lined cells north of Coffin Butte Road (closed in the 1970s) reportedly generate ~2 million gallons of leachate annually, though no full estimate of groundwater migration is provided. Even modern lined cells are subject to eventual failure under heavy loading and puncture risk. Placing new cells closer to my well increases risk of contamination. Further, the proposal to excavate ~3.5 million cubic yards of material just north of my property will alter local hydrogeology, potentially dewatering or reducing yield of my well. Once impacted there can be no reasonable mitigation to repair the damage done to my water supply."

Adjacent Property Owner/Resident Testimony (R. Holdorf, Exhibit BC7.10, p. x):

"After 36 years, will we be forced to move? ... Will our well water become contaminated and undrinkable, or dry up?
https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC1_T0099_10032025_Email_HOLDORF_Rose.pdf
Adjacent Property Owner/Resident Testimony (A. Holdorf, Exhibit BC7.10, p. x):

"" We've stared with worry at our countertop water pitcher, wondering: How will we know if or when our groundwater is unsafe to drink? Will the first sign be a

cancer diagnosis, a neurological condition? Why are we and our neighbors bearing the cost of the applicant's business operations?"

Adjacent Property Owner/Resident Testimony (G. Carlin, April 27, 2025):

"At Coffin Butte's proposed cell, even if best practices are followed, there is no guarantee that ground water won't be polluted, or that timely reporting will be done. Once neighborhood well water is polluted, the only recourses left neighbors are litigation and then relocation."

Adjacent Property Owners/Residents Ken and Sarah Edwardsson

Our property, and that of many surrounding parcels depend on well water as our primary source of drinking water. Additionally, spring water from Tampico Ridge is also the sole source for livestock watering in support of our farming activities. Despite historical ground and surface water contamination on record, and knowing that there is a fractured basalt system underlying the landfill site, contamination of our aquifer remains a significant risk to our livelihood, and to the value of our property. Benton County has not provided an assessment of the risk or mitigation plan to prevent a future aquifer contamination. Information and analysis conducted on the aquifer to date has been insufficient, on that basis we are strongly against a landfill expansion

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Nearby property owner/resident: Priya Thakkar

"My family has a well that can be disrupted by the proposed expansion that would disrupt the function of the area's water. Mining a huge hole around the new proposed site can affect water levels in the area, potentially reducing the water levels and causing our well to run dry ... affecting our ability to provide water for our garden, water for our animals, and water for our family. We rely on water for just about every facet of our life in this area, so this would seriously interfere with the character of the area and cause an undue burden on the local residents. ***This clearly interferes with uses of nearby property and character of the area BCC 53.215 (1)****"*

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Nearby resident/property owner Doug Pollock

"there is no regular, independent auditing process to ensure compliance with the landfill's operating permit and waste management laws. If there were a regular, independent auditing process for solid waste, I am certain its findings would reflect my findings: hazardous and prohibited items are routinely disposed of in the solid waste, in violation of state laws; there is currently no effective enforcement mechanism to ensure compliance or hold organizations responsible.

Given this situation, approving the landfill expansion would be irresponsible and would certainly increase and perpetuate waste violations. These hazardous/prohibited materials would further contribute to the dump's toxic legacy. This includes direct emissions from the landfill, as well as the hazardous leachate which currently ends up in the Willamette River, without treatment for many highly toxic compounds, including PFAS chemicals. This toxic legacy clearly imposes "an undue burden on public resources", in violation of Benton County Code 53.215 (1) and (2)."

https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC1_T0482_10192025_Email_POLLOCK_Doug.pdf

Nearby residents/property owners Debora L. and K. Norman Johnson

Over the past 30 years we have watched as:

• The landfill's wetland mitigation projects have gone from ponds with native plant species heavily used by waterfowl, to ponds overgrown by invasive species....

We oppose the landfill expansion proposal because we believe that:

• The natural environment on the lands owned by Republic Services in and around the landfill will continue to be degraded and destroyed.

• The expansion that we have watched over the past 30 years that has resulted in most of the refuse coming from distant locations has impacted both the community and the environment. The landfill was poorly located in and around wetlands out of necessity for the 40,000 troops housed at Camp Adair during WWII. Expanding the landfill in this fragile environment should not be continued.

• The groundwater that provides the water that we drink and the water we use for our large vegetable gardens could be irreversibly contaminated.

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Former Planning Commission member Jennifer Gervais

"Leachate disposal is not the only drinking water concern. So far, there are no good data on whether chemicals from the landfill are leaching into local aquifers and wells. It seems that there have not been comprehensive, systematic surveys. However, some of the landfill cells are unlined, others may not be, and all liners eventually fail. Who will try to clean the aquifer? Who will pay for it? Is it even possible? Likely not. Potable water is a precious and increasingly rare public resource. Risking it so Republic Services can make more money at our expense seems a poor return on County investment. We've already got the problem. Why are we risking making it even worse?"

https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC1_T0408_10152025_Email_GERVAIS_Jennifer.pdf

Corvallis resident Greg Shiffer

"The expansion of the Coffin Butte landfill would generate millions of additional gallons of leachate each year contaminated with PFAS, heavy metals, and other hazardous pollutants that currently pass through the Corvallis and Salem wastewater treatment plants largely unfiltered and enter the Willamette River, not to mention the unknown quantities of leachate that inevitably enter the groundwater and the river completely untreated. And I say inevitably because any reputable scientist will tell you that all landfill liners eventually leak (the EPA has acknowledged this as well), and monitoring systems only detect a fraction of the these leaks."

https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC2_T0661_10232025_Hearing_SHIFFER_Greg.pdf

Nearby resident and business owner: Emily Wells, Nature's Way Playschool

We cannot teach children to care for the natural world while allowing it to be irreplaceably abused and destroyed in their own backyard. My child drinks

the water here. My students drink the water here. We must be able to trust its safety. The choice before you is simple: protect the health of our children and the environment they will inherit—or prioritize the expansion of a landfill and the profits of an out-of-state corporation.

https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC1_T0262_10072025_Email_WELLS_Emily.pdf

Nearby property owner Margaret Herring:

I purchased my home on Soap Creek Road (37831) in 1990, where my husband and I lived for 22 years and raised our two children. We still own our home in the Soap Creek Valley. ... But it is what we cannot see that worries us the most. ... We have learned that the geology of the valley allows seepage of toxins into our wells that we depend on for drinking water. We have learned that PFAS and other toxins from landfill leachate are released into the Willamette River that we had trusted to be clean enough for our children to swim.

https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BoardOfCommissioners/Written%20Testimony/BOC1_T0272_10082025_Form_HERRING_Margaret.pdf

SUMMARY

The Applicant has not met the burden of proof to demonstrate that groundwater quality will be protected sufficiently to avoid impacts on uses of adjacent property and no undue burden on public utilities.

The Applicant's claims regarding the efficacy of their liner system and groundwater quality monitoring wells are contradicted by conclusions of the US EPA regarding landfill liners, and by the Benton County DSAC regarding the monitoring network.

The proposed new conditions of approval that relate to groundwater quality (P1-1(B), P2-4(B) and OP-5(B)) do nothing to address the risk of contaminants moving east from the development area.

The burden of proof is on the applicant to demonstrate that their proposed use (even with the Conditions) will not violate the criteria (BCC53.215(1)). They have not met that burden of proof.

Proposed Finding (Groundwater Availability): The applicant has not met the required burden of proof with respect to serious interference with uses on adjacent property, or serious interference with the character of the area with respect to the impacts on groundwater quantity and availability in wells and natural springs, as well as soil moisture for tree farms. The applicant's consultants propose future studies to evaluate the possibility of significant uncertainties on this issue, but only after granting of this application, and with no clear, legally binding process for evaluation of results or mitigation in the event of impacts that "seriously interfere" with adjacent properties, or with the character of the area. County staff have acknowledged their lack of expertise to evaluate groundwater quantity and availability issues, and have not demonstrated the capacity for assessing or enforcing the applicant's proposed conditions of approval to address potential impacts to groundwater availability. Thus, it has not been demonstrated that impacts upon groundwater wells, natural springs, and soil moisture can or will be mitigated through conditions of approval to not "seriously interfere" with adjacent properties, or with the character of the area. BCC 53.215(1).